

THE PORT AUTHORITY OF NY & NJ

PROCUREMENT DEPARTMENT
4 WORLD TRADE CENTER
150 GREENWICH STREET, 21ST FL.
NEW YORK, NY 10007

7/22/2019

ADDENDUM # 4

To prospective Proposer(s) on RFP # 57557 for Management of Retail Concessions & Loading Dock Operations at Newark Liberty International Airport.

Now due back on 8/15/2019, no later than 02:00PM.

I. CHANGES/MODIFICATIONS

The following changes/modifications are hereby made to the solicitation documents:

- A. The proposal due date is extended to 8/15/2019, no later than 02:00PM EST.
- B. All questions related to this RFP should be submitted in writing to the Strategic Procurement Advisor by no later than 4:00 pm on August 1st.
- C. Section 1, subsection F “Submission of Proposals” **add** the following after the last paragraph;

“The Proposal must:

- (i) be spiral-bound;
- (ii) be on 8 1/2” x 11 paper, in Arial, 10-point font, except for tables, graphs, matrices or similar data, which may be in Arial, 8-point font;
- (iii) include all drawings and rendering on 22” x 34” sheets and must be to scale (if particular scale required) and clearly legible; and
- (iv) ensure that all schedules are on either 11” x 17” paper or 22” x 34” size sheets and are clearly legible.

All tabs, dividers, spirals and paper used to produce the Proposal must be comprised of 30% post-consumer recycled materials. All sealed containers must also be comprised of 30% post-consumer recycled materials.”

- D. Section 5 - “Evaluation Criteria and Ranking”, **delete** subsection D “Background Check Plan” in its entirety.
- E. Section 7 – “Proposal Submission Requirements”, **delete** subsection I “Acceptance of Standard Contract Terms and Conditions” in its entirety.

II. BIDDER'S QUESTIONS AND ANSWERS

The following information is available in response to questions submitted by prospective Bidders. The responses should not be deemed to answer all questions which have been

submitted by Bidders to the Port Authority. It addresses only those questions which the Port Authority has deemed to require additional information and/or clarification. The fact that information has not been supplied with respect to particular questions asked by Bidders does not mean or imply, nor should it be deemed to mean or imply, any meaning, construction, or implication with respect to the terms.

The Port Authority makes no representations, warranties or guarantees that the information contained herein is accurate, complete or timely or that such information accurately represents the conditions that would be encountered during the performance of the Contract. The furnishing of such information by the Port Authority shall not create or be deemed to create any obligation or liability upon it for any reason whatsoever and each Bidder, by submitting its Bid, expressly agrees that it has not relied upon the foregoing information, and that it shall not hold the Port Authority liable or responsible therefor in any manner whatsoever. Accordingly, nothing contained herein and no representation, statement or promise, of the Port Authority, its Commissioners, officers, agents, representatives, or employees, whether made orally or in writing, shall impair or limit the effect of the warranties of the Bidder required by this Bid or Contract and the Bidder agrees that it shall not hold the Port Authority liable or responsible therefor in any manner whatsoever.

The Questions and Answers numbering sequence will be continued sequentially in any forthcoming Addenda that may be issued.

Question #37	Who handles grease removal?
Answer #37	Currently "Oil Rendering" is removing the grease. They are a subcontractor of the current Concessions Manager.
Question #38	What is the square footage of the storage space? Is there a floorplan available?
Answer #38	Concessions storage spaces and floorplans were uploaded to the SharePoint Site.
Question #39	Is the storage space available adequate space to serve Terminal B?
Answer #39	It has managed to work for the current program. Proposers are encouraged to identify and recommend alternatives for additional space with their proposals.
Question #40	What are the current challenges related to the Loading Dock and storage area?
Answer #40	Storage and product deliveries located pre-security is the main challenge.
Question #41	Are there any set plans for the new Terminal Two?
Answer #41	There are public hearings on the 2017-2026 Capital Plan which indicated intentions for a Terminal Two, however there are no set plans at the moment.
Question #42	What is the square footage of the center area in each concourse?
Answer #42	This information is not currently available.
Question #43	What is the ACDBE goal?
Answer #43	17%

This communication should be initialed by you and annexed to your Bid upon submission.

In case any Bidder fails to conform to these instructions, its Bid will nevertheless be construed as though this communication had been so physically annexed and initialed.

THE PORT AUTHORITY OF NY & NJ

BIDDER'S FIRM NAME: _____

INITIALED: _____

DATE: _____

QUESTIONS CONCERNING THIS ADDENDUM MAY BE ADDRESSED TO
JASMAINE GREEN AT jrgreen@panynj.gov OR (212) 435-4654.



RFP 57557– Management of Retail Concessions and Loading Dock Operations Request for Information

Date: 7/22/19

A "Category A" RFI indicates a major issue of significant concern that may preclude the Proposer from submitting a Proposal. A "Category B" RFI indicates a risk-sharing issue that affects value for money; and a "Category C" RFI indicates a minor or drafting issue

#	RFP Document	Section Reference	Category (A, B or C)	Question/Request for Clarification	Response
10	RFP No. 57557	Section 1, F / Page 7		Please confirm what is acceptable in terms of production/format. RFP states no plastic covers or binding. Is a three-ring binder with tabs and pages inserted acceptable?	Please see Addendum #4, Change/Modification C.
11	RFP No. 57557	Section 5, D / Page 14 Section 7, G, 6 / Page 22		When you refer to Background Check Plan, do you refer to the successful bidder's staff or the Sub-tenant's / Operators staff?	Please see Addendum #4 Change/Modification D.
12	RFP No. 57557	Section 7, I. / Page 23		Please provide an electronic copy of Attachment B, Standard Contract Terms and Conditions	Please see Addendum #4 Change/Modification E.
13	RFP No. 57557			Please confirm that Currency Exchange is included in the overall Gross Receipts	Gross sales have been updated.
14	RFP No. 57557	Attachment H4 / Page 55		What are the Terminal B domestic & international enplanement projections for 2019-2026?	This information has been uploaded to the SharePoint Site.
15	57557	G. Communication Regarding this RFP	C	Please provide the contact information for the Strategic Procurement Advisor as referenced on Page 7 of the RFP. The RFP states that questions should be directed to the Strategic Procurement Advisor listed on the cover page yet no name or contact information is provided therein.	Jasmine Green is the Strategic Procurement Advisor.
16	57557	Request for Additional Information	B	<u>Premises:</u> Please provide a plan of concessions units, common areas and Storage (if applicable).	This information has been uploaded to the SharePoint Site.
17	57557	Request for Additional Information	B	<u>Leasing:</u> Please provide copies of leases or lease abstracts for each of the concessions leases to include such items as lease term (especially expiration dates), common area maintenance (CAM), delivery and distribution fees, and marketing and customer service.	This information has been uploaded to the SharePoint Site.
18	57557	Request for Additional Information	B	<u>Allowable Fees:</u> Please provide details as to what services can be included in CAM and in marketing fees.	This information is detailed in the management agreement
19	57557	Attachment H	B	<u>Enplanements:</u> Please provide enplanement projections for Terminal B only for years 2020 through 2026.	This information has been uploaded to the SharePoint Site.
20	57557	Request for Additional Information	B	<u>Capital Reserves:</u> The RFP does not appear to require capital investment. How does the Port Authority intend to fund any capital improvements or capital maintenance that may be needed to concession-related areas including F, F & E?	Please refer to the Capital Plan for Newark Terminal B.
21	57557	Request for Additional Information; J. MBE/WBE Plan	B	<u>3rd Party Contractors:</u> Please provide information on the 3 rd party contractors currently performing services at Terminal B as part of the Concessions Management and Loading Dock Operations, including which of these firms are WBEs or MBES.	This information is not currently available.
22	57557	Exhibit H-1 – Summary of Scope of Work. Section 2 - Overall Property Management	B	<u>Employee Training:</u> The Scope of Services states that it will be the contractor's responsibility to "Coordinate periodic Port Authority employee training programs." Please clarify whose employees are being referred to in this statement.	Concession employees including managers.
23	57557	Exhibit H-1 – Summary of Scope of Work, Section 2, Overall Property Management	B	<u>Signage:</u> The Scope of Services states that the contractor shall Design, fabricate, locate, install and keep the directory signage up to date & current in coordination with the Port Authority (such expenses to be paid for from fees received from the tenants for marketing and promotional activities). What is the current status of this signage in regard to design, fabrication and installation?	Signage in the terminal is not the responsibility of the Concessions Manager, this information is not necessary.



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#	RFP Document	Section Reference	Category (A, B or C)	Question/Request for Clarification	Response
24	RFP No. 57557			Since the duty free concession has not yet been awarded, we strongly recommend that the new manager puts out a new competitive tender on the market. In view of the recent passenger traffic development, we are certain that this would result in higher returns for the PANYNJ and this will also impact our financial offer. Is this possible to do? Please confirm.	Not at this time.
25	RFP No. 57557	Evaluation Criteria and Rankings, Page 13		What is weighting of the 5 selection criteria?	The criteria is listed in order of importance.
26	RFP No. 57557			Are there any repayments to Westfield. If so, please confirm that these will be paid back by the PANYNJ.	None at this time
27	RFP	None	B	Is there a draft contract available for this RFP?	Yes. A draft copy will be provided during the week of July 22nd.
28	RFP	None	B	Please share a passenger forecast for EWR Terminal B with us.	This information has been uploaded to the SharePoint Site.
29	RFP	None	B	Please provide detailed information on the current commercial operations cost.	This information is not currently available.
30	57557	Request for Additional Information	B	Please clarify what entity the At Your Gate Agreement is with, and if the Proposer will be required to use this program. If yes, who is responsible for the costs associated with the program?	At Your Gate contract is with current operator for badging purposes. AT Your Gate is responsible for its program costs.
31	57557	G1 – Financial Proposal	B	<p>Please confirm that the following Common Area Maintenance (CAM)/Receiving & Distribution (R&D) services are performed by PANYNJ employees/contracts and the only role of the concession manager is to invoice the tenants for the cost and forward the reimbursement to PANYNJ:</p> <ol style="list-style-type: none"> 1. Receiving / Distribution / Loading Dock Services 2. Trash Removal (and any related services) 3. Food Court Maintenance 4. Pest 5. Common area non-direct utility. Direct utility cost billed directly to tenants. 6. If applicable, any required proposer's personnel dedicated to the above services can be included in CAM/R&D tenant reimbursement cost. 	1. The loading dock services contract is part of Concessions Manager scope of work. 2. Trash removal from food courts is handled by PA. Tenants are responsible for removing trash from their leased areas.
32	57557	G1 – Financial Proposal	B	Does the concession manager have its own dedicated concession marketing budget funded by 0.5% of tenant sales, where none of the 0.5% tenant marketing charge goes to fund the PANYNJ Marketing Budget? Additionally, can the marketing manager payroll cost be charged to this budget? And can Secret Shopping and tenant customer service training be charged to this budget?	Yes. The Manager will collect the marketing funds from concessions . It can be used for secret shopping and customer service training. These funds do not fund the PA's own marketing budget. No the marketing manager should be part of your contract staff cost.