

**THE PORT AUTHORITY OF NY & NJ**  
**PROCUREMENT DEPARTMENT**  
**TWO MONTGOMERY STREET, 3<sup>RD</sup> FLOOR**  
**JERSEY CITY, NJ 07302**

**Date: January 7, 2013**

**ADDENDUM # 6**

**TO PROSPECTIVE RESPONDENTS TO RFQ# 31224**

**LAGUARDIA AIRPORT CENTRAL TERMINAL BUILDING  
REPLACEMENT PROJECT**

**SOQs Due Back on January 25, 2013 at 2:00PM EST**

*The following information is available in response to questions submitted by prospective Respondents. The responses should not be deemed to answer all questions that have been submitted by Respondents to the Port Authority. It addresses only those questions that the Port Authority has deemed to require additional information and/or clarification. The fact that information has not been supplied with respect to any questions asked by a Respondent 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 Project. 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 Respondent, by submitting its Statement of Qualifications, 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, oral or in writing, shall impair or limit the effect of the warranties of the submittals required by this Request for Qualifications, and the Respondent agrees that it shall not hold the Port Authority liable or responsible therefor in any manner whatsoever.*

This communication should be initialed by you and annexed to your Statement of Qualifications upon submission.

In case any Responding Teams fails to conform to these instructions, its Statement of Qualifications will nevertheless be construed as though this communication had been so physically annexed and initialed.

**THE PORT AUTHORITY OF NY & NJ**

RESPONDENT'S NAME: \_\_\_\_\_

INITIALED: \_\_\_\_\_

DATE: \_\_\_\_\_

**QUESTIONS / REQUESTS FOR CLARIFICATIONS / COMMENTS  
REGARDING THE REQUEST FOR QUALIFICATIONS  
LAGUARDIA AIRPORT CENTRAL TERMINAL BUILDING REPLACEMENT PROJECT  
(RFQ #31224)**

<b>Q#</b>	<b>RFQ Section Reference</b>	<b>Question/Request for Clarification/Comment</b>	<b>Project Team Response</b>
<b>55</b>	N/A	Is the construction phasing set forth mandated or will the winning bidder be allowed to construct as they see fit so long as it keeps the required gates open?	<i>As part of the RFP, the Authority will issue a Basis of Design Report and a Design Guidelines Report that will clarify the Project requirements for the Landside, Terminal and Airside. These Reports will provide information, both 'prescriptive' and 'descriptive' related to the Conceptual Design.</i>
<b>56</b>	N/A	How many acres of land will the winning bidder be paying ground rent for?	<i>The Project area measures approximately 97 acres of leaseable land for which the Project Company would be expected to pay Ground Rent. This is a preliminary estimate. (See PBB Section 3.5)</i>
<b>57</b>	N/A	Can the suggested design be altered by bidders so long as the three pier concept remains and spacing and gates are as shown?	<i>See response to Question 55.</i>
<b>58</b>	N/A	Can the retail space shown be expanded and altered?	<i>See response to Question 55.</i>
<b>59</b>	N/A	Will the Port Authority share of revenue be judged strictly by the percentage or will revenue generation projections also be considered?	<i>The criteria for evaluating Financial proposals will be described in the RFP, however, the Authority will take into consideration a variety of assumptions including projections of passenger spending.</i>
<b>60</b>	4.2.2(c) and 4.2.3(b)	What is required for 4.2.2(c) and 4.2.3(b)? Is it only the names of the personnel for each listed position?	<i>4.2.2(c) and 4.2.3(b) are not questions requiring an answer. Rather, these two sections provide definitions of Lead Personnel and Other Personnel, and instructions about the information regarding Lead Personnel and Other Personnel that is required elsewhere in the RFQ.</i>
<b>61</b>	Form G-2; 5.2.4(f)	Form G-2 requests projects closed in the last 10 years but 5.2.4(f) requests projects closed within 7 years but in compliance with Form G-2. Is the pass fail requirement 7 or 10 years?	<i>If there is only one Equity Member, such Equity Member must have closed a project within the past 7 years. If there are multiple Equity Members, at a minimum, one of them must have closed a project within the past 7 years. The</i>

			<i>rest could provide projects that have closed within the past 10 years.</i>
<b>62</b>	4.2.4(b)	Form G-2 and 4.2.4(b) are in conflict. Is the maximum number of projects that may be listed 5 or 6?	<i>Please see the Response to Question 41 in Addendum 3.</i>
<b>63</b>	4.2.4(g),	In 4.2.4(g), Letter of Lender’s Support, it is unclear which entities are required to provide the letters. There is some mention of the Respondent and Equity Members. Which entities have to provide these letters? Respondent, Equity Members, Non-Equity Members, Lead Firms, etc.?	<i>Section 4.2.4(g) clearly states that the Letter of Lender’s Support is to be provided by “bond underwriters and/or commercial banks” – entities which presumably would underwrite public debt for the Project or provide commercial loans to the Project.</i>
<b>64</b>	N/A	Please provide further details on the \$1 billion of PFCs understood to be allocated to the privately financed component of this project. Are these PFCs assumed to only come from LGA or other Port Authority airports? Is there an anticipated time horizon that we should assume this \$1 billion will span (10 yrs, 20 yrs, 30 yrs, other?)	<i>Further details regarding PFCs will be provided in the RFP. See PBB 14.3.1.</i>
<b>65</b>	N/A	Does the Authority have a preliminary construction draw schedule over time horizon shown on page 51 of the Briefing Book in same level of detail or greater as the table on page 43? Is there any further breakdown on the \$1.5 billion shown for the terminal to ensure which pieces (or all) that would be PFC eligible?	<i>The Authority will be looking to Prequalified Respondents to provide ideas with respect to drawdowns and cashflow schedules in their responses to the RFP.</i>  <i>Further details regarding PFCs will be provided in the RFP. See PBB 14.3.1.</i>
<b>66</b>	N/A	In terms of mechanics for collection, is it correct that the Authority would continue to collect all such PFCs and would pledge the predefined amount of \$1 billion to the Project subject to ongoing transfers from the Port Authority over time?	<i>See response to Question 64.</i>

67	Form E-2 and Section 5.2.2 (b)(i)	Can a project value be described in todays value (Dec. 2012) ? For instance, when a contract price is several years old.	<i>No. Project value should reflect the contract price at the time the project was constructed.</i>
68	N/A	For some of our consortium members, the financial statements (as in 4.2.4.c) are confidential. Based on the RFQ document, these financial statements can be moved to Part 2 of the SOQ. Can you please confirm that it is OK to move Form G-1 to Part 2 as well, given that Form G-1 is a summary of the financial statements.	<i>Section 4.2.5 of the RFQ describes the procedure to obtain confidential treatment of a Respondent’s SOQ. Subject to compliance with Section 4.2.5 of the RFQ, Form G-1 may be moved to Part 2.</i>
69	N/A	<p>Just a clarification regarding the response #42 in Addendum 4 to the RFQ.</p> <p>1) Can you confirm that financial statements and a BQQ will not be required for the Lead Contractor, Lead Design Firm and Lead Terminal Operator where:</p> <p>(i) Lead Contractor will enter into a DB Contract with the Project Company;</p> <p>(ii) Lead Design Firm will enter into a Design Agreement with the Lead Contractor; and</p> <p>(iii) Lead Terminal Operator will enter into a O&amp;M agreement w/ the Project Company.</p> <p>2) Does the PANYNJ envisage either the Lead Contractor or Lead Terminal Operator entering into Direct Agreements w/ the PANYNJ, and would this make the Lead Contractor or the Lead Terminal Operator a Non-Equity Member.</p>	<p><i>1) Please see Addendum No. 5.</i></p> <p><i>2) The Authority does not have any preconceptions of a team structure nor is it proposing one. The principle behind some of the Definitions (e.g., Member and Lead Firm along with their associated definitions) is to make sure the Authority gains sufficient information about the principal actors on each team, namely any Member that would be directly entering into Project Documents with the Authority, or Lead Firms that would be playing a principal role in the execution of the Project regardless of whether or not they are Members. It also wants to ensure that Members and Lead Firms are not participants on multiple teams.</i></p>