

# THE PORT AUTHORITY OF NY & NJ

PROCUREMENT DEPARTMENT  
2 MONTGOMERY STREET, 3<sup>RD</sup> FL.  
JERSEY CITY, NJ 07302

11/14/2012

## ADDENDUM #1

To prospective Proposer(s) on **RFP # 31263 - PERFORMANCE OF EXPERT PROFESSIONAL PROJECT MANAGEMENT SERVICES FOR THE PORT AUTHORITY HEADQUARTERS PROJECT AT FOUR WORLD TRADE CENTER ON AN “AS-NEEDED” BASIS**

Due back on 11/21/2012, no later than 2:00PM

**The following changes are hereby made to the solicitation document:**

### **I. RFP SOLICITATION DOCUMENT (COVER, RFP COVER LETTER, ETC.)**

#### **A. RFP Cover Letter, Section V, Paragraph D, entitled M/WBE Participation, Page 7:**

Replace “The Director has set a goal of 12 percent participation by qualified and certified MBEs and a goal of 5 percent participation by qualified and certified WBEs on technical service projects.” to “The Director has set a good faith effort participation by qualified and certified MBEs and qualified and certified WBEs on this project.”

#### **B. Attachment entitled “AGREEMENT ON TERMS OF DISCUSSION”:**

Header of this attachment is currently shown as “ATTACHMENT A AGREEMENT ON TERMS OF DISCUSSION”. Replace with the attached. Revised header now shown as “ATTACHMENT B AGREEMENT ON TERMS OF DISCUSSION”.

**C. RFP Letter:** The table entitled “RFP Contents” within the RFP letter has been updated on the Port Authority of NY & NJ website to provide hyperlinks to several attachments and making them available for Proposers’ use in their native format.

### **II. PROPOSER’S QUESTIONS AND ANSWERS**

The following information is made available in response to questions submitted by prospective Proposer(s). It should not be deemed to answer all questions, which have been submitted by Proposer(s) 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 any questions asked by a Proposer(s) 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 Agreement. 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 Proposer, by submitting its proposal, expressly agrees that it has not relied upon the foregoing information, and that it shall not hold the Port Authority liable or responsible therefore in any manner whatsoever. Accordingly, nothing contained herein and no representation, statement or promise, of the Port Authority, its directors, officers, agents, representatives, or employees, oral or in writing, shall impair or limit the effect of the warranties of the Proposer(s) required by this Proposal or Agreement and the Proposer(s) agrees that it shall not hold the Port Authority liable or responsible therefore in any manner whatsoever.

<b>1</b>	<b>Question</b>	Please confirm all 11 hard copies must be in a 3-ring binder with the requested tabs.
	<b>Answer</b>	Refer to paragraph A and B of Section I entitled, SUBMISSION OF PROPOSALS.
<b>2</b>	<b>Question</b>	Page 4, Section III B (A statement of work). We do not understand what exactly is being asked for here. Are you looking for a list of our current projects with all this information? Or something else? Can you please provide more clarity as to what you require here?
	<b>Answer</b>	The Statement of Work shall include a list of your firm's current projects as well as projects that your firm has submitted a bid or proposal in order to determine total financial exposure of your firm.
<b>3</b>	<b>Question</b>	Page 5, Section V. There is no Attachment B. Do you mean Attachment A?
	<b>Answer</b>	Refer to Addendum No. 1. Attachment B is entitled "AGREEMENT ON TERMS OF DISCUSSION"

4	<b>Question</b>	<p>Can you please send us editable versions of the following forms, whereby we can electronically fill this information in? Hoping you can. If not, how are we supposed to complete these – by hand?</p> <ul style="list-style-type: none"> <li>○ Attachment C-1</li> <li>○ Attachment C-2</li> <li>○ [PROCUREMENT M/WBE PARTICIPATION PLAN]</li> <li>○ Attachment E – Staffing Plan</li> <li>○ Attachment F (all four pages)</li> </ul>
	<b>Answer</b>	<p>With the exception of the Procurement M/WBE Participation Plan (Form PA 3749B/ 12-11) all other forms requested above are available in their native format by selecting the hyperlink in the RFP section(s) that request Attachments E and F (Page 6 for Attachment E and Page 7 for Attachment F). In addition, hyperlinks are available on the Table of Contents for Attachments C-1, C-2, E and F.</p> <p>The Procurement M/WBE Participation Plan (Form PA 3749B/ 12-11) may be completed by hand.</p>

This communication should be initialed by you and annexed to your response to the above-referenced RFP upon submission.

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

THE PORT AUTHORITY OF NY & NJ

RICHARD PEREZ, MANAGER  
WTC SITE PROCUREMENT PROJECTS

PROPOSER’S FIRM NAME: \_\_\_\_\_

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

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

QUESTIONS CONCERNING THIS ADDENDUM MAY BE ADDRESSED TO MARIO SOCRATES, WHO CAN BE REACHED AT (212) 435-5383 or at [msocrates@panynj.gov](mailto:msocrates@panynj.gov).

**ATTACHMENT B**

**AGREEMENT ON TERMS OF DISCUSSION**

The Port Authority's receipt or discussion of any information (including information contained in any proposal, vendor qualification, ideas, models, drawings, or other material communicated or exhibited by us or on our behalf) shall not impose any obligations whatsoever on the Port Authority or entitle us to any compensation therefor (except to the extent specifically provided in such written agreement, if any, as may be entered into between the Port Authority and us). Any such information given to the Port Authority before, with or after this Agreement on Terms of Discussion ("Agreement"), either orally or in writing, is not given in confidence. Such information may be used, or disclosed to others, for any purpose at any time without obligation or compensation and without liability of any kind whatsoever. Any statement which is inconsistent with this Agreement, whether made as part of or in connection with this Agreement, shall be void and of no effect. This Agreement is not intended, however, to grant to the Port Authority rights to any matter, which is the subject of valid existing or potential letters patent. The foregoing applies to any information, whether or not given at the invitation of the Authority.

Notwithstanding the above, and without assuming any legal obligation, the Port Authority will employ reasonable efforts, subject to the provisions of the Port Authority Freedom of Information Code and Procedure (FOI Code) adopted by the Port Authority's Board of Commissioners on March 29, 2012, which may be found on the Port Authority website at: <http://www.panynj.gov/corporate-information/pdf/foi-code.pdf>, not to disclose to any competitor of the undersigned, information submitted which are trade secrets which, if disclosed, would cause injury to the competitive position of the enterprise, and which information is identified by the Proposer as proprietary, as more fully set forth in the FOI Code, which may be disclosed by the undersigned to the Port Authority as part of or in connection with the submission of a proposal.

\_\_\_\_\_  
(Company)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)

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