

THE PORT AUTHORITY OF NY & NJ

PROCUREMENT DEPARTMENT
2 MONTGOMERY STREET, 3RD FL.
JERSEY CITY, NJ 07302

3/25/2014

ADDENDUM #1

To prospective Bidder(s) on Bid # 37137 Construction and Delivery of Three (3) Refurbished Switcher Locomotives for New York New Jersey Rail, LLC at Port Authority Marine Terminal, Greenville Yard, Jersey City, NJ

NOTE: These services may be funded in whole or in part by the Federal Highway Administration (FHWA). Accordingly, the FHWA requirements will be required as part of the agreement and will be applicable to the performance of such services. "

Due back on 4/10/2014, no later than 11:00 AM

I. CONTRACT BOOKLET CHANGES/MODIFICATIONS

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

Booklet Cover TITLE: between the words "REFURBISHED" and "SWITCHER", insert the word "REMANUFACTURED".

Part II, CONTRACT SPECIFIC INFORMATION FOR BIDDERS, Page 2, Section 1. Services(s) Required, between "refurbished" and "switcher", insert the word "remanufactured".

Part V, SPECIFICATIONS, Page 2, Section 1. Specific Definitions, after the definition as letter 'k.', insert a new subsection "l. 'Refurbished' shall conform to the definition in 40 CFR 1033.640.a.2"

Part V, SPECIFICATIONS, Page 2, Section 1, Specific Definitions after the definition as letter "l" insert a new subsection "m.": 'Remanufactured' shall conform to the definition in 40 CFR 1033.640.c."

Part V, SPECIFICATIONS, Page 2, Work Required by the Specifications, in the second line between the words "refurbished" and "switcher", insert the word "remanufactured".

Part V, SPECIFICATIONS, Page 2 and continued on page 3, Work Required by the Specifications, 2.B. Technical Requirements, line a. Model Type, between the words "Refurbished" and "switcher", insert the word "remanufactured".

Part V, SPECIFICATIONS, Page 3, 2.B. Technical Requirements. Item e, Chassis. Delete in its entirety and replace with: “Chassis(s) are to be furnished by the Contractor and are not to exceed fifty-five (55) feet in length.”

Part V, SPECIFICATIONS, Page 3, Section 2.B. Technical Requirements Item f, in the second line, between the words “Refurbished” and “switcher”, insert the word “remanufactured”.

Part V, SPECIFICATIONS, Page 3, Section 2.B. Technical Requirements f, in the third line, after “certified”, insert “(40 CFR 1033.640.e.1.ii).”

SEE ANSWERS TO BIDDERS QUESTIONS WHICH SHALL BECOME PART OF THE SPECIFICATIONS.

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 any questions asked by a 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, oral 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.

<i>Question #1</i>	If the project start is no sooner than Q2 2014 we will need to quote Tier 4, not Tier 3 engines. So, is the Port Authority of NY & NJ willing to accept a Tier 4 configuration for this project?
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<i>Answer # 1</i>	Bid in accordance with the Contract Requirements, Tier three (3) engines as stated above in Addendum 1 and the Bid Booklet.
<i>Question 2</i>	As stated in more than one location of the specification that this project is for single engine configurations only, in the 1000-2300 hp range, would the Port Authority of NY & NJ either be willing to accept a different single engine hp range or a two (2)-engine configuration in lieu of the stated configuration requirements?
<i>Answer 2</i>	Bid in accordance with the Contract Requirements, as stated above in Addendum 1 and the Bid Booklet, a single engine configuration in the 1000-2300 hp range.
<i>Question 3</i>	The pre-requisites include being in business and under the same ownership for 5 years. What if the Company was purchased by another organization during the five year period prior to or during the bid opening date as stated in 11. Specific Bidders Prerequisites. Prior to that, we operated publicly for many more years. How does that affect us a Bidder?
<i>Answer 3</i>	Bidders' attention are called to: PART II, CONTRACT SPECIFIC INFORMATION FOR BIDDERS, PARAGRAPH 11. Specific Bidders' Prerequisite, sub paragraph "a". The second sentence starting with the words; "The Bidder may fulfill this prerequisite if the Bidder can...."

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
KATHY LESLIE WHELAN
ASSISTANT DIRECTOR
COMMODITIES AND SERVICES DIVISION

BIDDER'S FIRM NAME: _____

INITIALED: _____

DATE: _____

QUESTIONS CONCERNING THIS ADDENDUM MAY BE ADDRESSED TO LARRY WAXMAN, WHO CAN BE REACHED AT (201) 395-3451 or at Lwaxman@panynj.gov.
ADDENDUM #1 37137