

December 5, 2019

**SUBJECT: REQUEST FOR QUALIFICATIONS FOR DESIGN-BUILD SERVICES
FOR THE BERGEN ELECTRICAL SUBSTATION PROJECT,
JOHN F. KENNEDY INTERNATIONAL AIRPORT - RFQ NO. 59557
ADDENDUM # 2**

Dear Sir or Madam,

The Port Authority of New York and New Jersey (the Authority) hereby amends the subject Request for Qualifications (RFQ), dated November 12, 2019, as follows:

- 1) Delete the Form B – Project Guarantor Acknowledgement and replace with new Form B dated December 5, 2019
- 2) In Appendix C-2.4 Design Manager (DM) and Engineer of Record (EoR) **Delete:** “Engineer of Record (EoR) references from 2.4. Appendix C – 2.4 only applies to the Design Manager (DM). The EoR is not considered a Key Personnel per Section 2.1 and should be disregarded.

The following questions were received from the Request for Qualification (RFQ) Respondent(s). The questions and the corresponding Authority answers are provided for your information and use, as appropriate.

Question #1: Form B states the following: The Project Guarantor hereby certifies that it will irrevocably, absolutely, and unconditionally guarantee, pursuant to a guarantee to the Port Authority, the performance and payment of all of the Respondent’s obligations under the DBA to be entered into following selection of the Respondent as the Preferred Proposer in connection with the Port Authority’s RFP for the Project. Would the Port Authority consider moving Form B to the RFP stage and not require it at the RFQ stage?

Answer #1: If your firm is not the sole or joint owner of the Design-Builder, and is instead a subcontractor or consultant to the Design-Builder, your firm will not be required to provide a guarantor or guarantee of its performance (or the performance of the Design-Builder) and need not submit Form B. Only Principal Participants (which are owners of the Design-Builder) are required to provide Guarantors and that is only the case if they themselves are not the direct parent companies. To the extent your firm is an owner of the Design-Builder (e.g. Principal Participant) then you should have your parent company sign the revised Form B which is part of this Addendum #2. The revised Form B provides that the terms of the guarantee are to be negotiated and discussed with the Port Authority during RFP Phase of the procurement. As a result, during this RFQ phase the guarantor is not committing or guaranteeing anything and is instead only acknowledging that it will enter into negotiations with the Port Authority on a form of guarantee during the RFP phase of the procurement.

Question #2: Refer to Appendix C – 2.6: Is it the intent of the Port Authority that the Quality Manager (QM) that is identified in the Statement of Qualifications as a Key Personnel, be responsible for overall Quality Control (QC) of the Design-Build team, including both design and construction, or just QC of the design?

Answer #2 Per the requirements stated in Appendix C-2.6, the Quality Manager is “responsible for all quality-related matters relevant to the completion of the Work”. For clarification, this would include, but not be limited to, Quality Control of the design and construction components of the Work.

Question #3: Refer to Appendix C – 2.6: Can the role of QC Manager be performed by a member of the Design Team firm or does it need to be an individual from a different firm?

Answer #3: The Quality Manager (QM) role can be performed by any individual who meets the qualification requirements, independent of who they work for.

Question #4: Is it the intent of the Port Authority that responses for each section be typed directly into the Port Authority provided Word document?

Answer #4: Yes

Question #5: Is it the intent of the Port Authority that the 64-page SOQ template Word document be printed, bound and provided as a single Word file? Or that only the pages with the narrative responses and the forms be printed, bound and submitted as Word files on CD?

Answer #5: Yes, the 64-page SOQ template Word document should be printed, bound and provided as a single Word file.

Question #6: Is GBC style comb binding acceptable for the binding in lieu of spiral bound?

Answer #6: Yes

Question #7: Page 11 of the SOQ template instructs the Respondent to include an organizational chart that details the makeup of the Respondent Team. Due to the size and depth of the proposed team, would it be acceptable to include the organization chart as an 11x17” attachment to the SOQ template?

Answer #7: Yes, it is acceptable to include the organization chart as an 11x17” attachment to the SOQ template.

Question #8: Is there a limit to the number of projects we are to provide within Forms F and G? Are each limited to 5 projects each based on the note at the bottom of the first page of Form F and G and the number of Project Key Number columns within the matrix on Form E?

Answer #8: Yes, there is a limit of five projects for Form F (1-5) and five projects for Form G (6-10). These ten projects correspond to the Project Key Number on Form E.

If you have any questions, please contact Ms. Allison Agliardo, Operations Manager at aagliardo@panynj.gov

FORM B

PROJECT GUARANTOR ACKNOWLEDGMENT

_____ (the "Respondent") has submitted this Statement of Qualifications ("SOQ") in response to The Port Authority of New York & New Jersey's November 12, 2019 Request for Qualifications for the JFK BERGEN ELECTRICAL SUBSTATION PROJECT as amended ("RFQ") pursuant to which it is seeking to be qualified by the Port Authority to perform the Project's Work described in the RFQ.

The Project Guarantor hereby certifies that during the RFP phase of the Project it will negotiate and work to agree to a form of DBA guarantee, that will, subject to certain limitations, irrevocably, absolutely, and unconditionally guarantee the performance and payment of all of the Respondent's obligations under the DBA to be entered into concurrently with the execution of the DBA following selection of the Respondent as the Preferred Proposer in connection with the Port Authority's RFP for the Project.

All capitalized terms used but not defined in this acknowledgment have the meaning given to such terms in the RFQ.

Name of Project Guarantor

Name of Authorized Signatory

Signature

Title