

September 24, 2019

**SUBJECT: REQUEST FOR PROPOSALS FOR THE PERFORMANCE OF EXPERT PROFESSIONAL CONSTRUCTION MANAGEMENT AND RELATED TECHNICAL SERVICES FOR THE JOHN F. KENNEDY INTERNATIONAL AIRPORT REDEVELOPMENT PROGRAM ON AN “AS-NEEDED” BASIS (RFP# 57743) – ADDENDUM #3**

Dear Sir or Madam:

The Port Authority of New York and New Jersey (the Authority) hereby amends the subject Request for Proposals (RFP), dated August 27, 2019, as follows:

- 1) In the Attachment A, under Section IV., Number 5., delete in its entirety, and replace with the following:

*5. Professional Liability Insurance:*

*Not less than \$10,000,000 each occurrence, covering negligent acts, errors, mistakes, and omissions arising out of the work or services performed by Consultant, or any person employed by Consultant. \$5,000,000 each occurrence for minor work of each subcontractor/subconsultant. All endorsements and exclusions shall be evidenced on the certificate of insurance. The coverage shall be written on an occurrence form or may be written on a claims-made basis with a minimum of a five-year reporting/discovery period.*

- 2) In the standard Agreement, under Section 20., sixth paragraph, replace with the following.

*In order to facilitate the meeting of this goal, the Consultant shall use every good-faith effort to utilize subconsultants who are certified MBEs or WBEs to the maximum extent feasible. Any awardee entering into a contract with the Port Authority will be expected to acknowledge that if it is found to have willfully and intentionally failed to comply with the MWBE participation goals set forth in the contract, such finding will constitute a breach of contract, and Port Authority may withhold payment from the contractor as liquidated damages. Such liquidated damages may be calculated as an amount equaling the difference between: (1) all sums identified for payment to MWBEs had the contractor achieved the contractual MWBE goals; and (2) all sums actually paid to MWBEs for work performed or materials supplied under the contract.*

The following are questions from RFP recipients. The questions and the corresponding Authority answers are provided for your information and use, as appropriate.

**Question #1:** Will the addition of a Port Authority certified MBE or WBE joint venture partnership count toward the 20% MBE or 10% WBE requirement?

Answer #1: A firm can meet their relative participation goal(s) by having either a Port Authority certified MBE or WBE as a joint venture partner, subject to the approved by the Office of

Diversity and Inclusion. As part of the proposal, the proposer shall submit JV information as per the RFP Letter, Page 4, Section III. Submission Requirements, Paragraph B. During the proposal evaluation process, the Authority will make a determination of the level of participation credited as a result of the JV, and may also require the submittal of additional information on the MBE or WBE partner(s).

**Question #2:** Given the magnitude of the work, is there any information that can be shared as to the contractual length of time the agreement will be in effect.

Answer #2: The estimated duration for the subject services is seven years from the award of an agreement. However, the Consultant will be required to provide services on an “as-needed” basis until the work is fully completed.

**The date for receipt of proposals for the subject RFP remains 2:00 P.M. on October 10, 2019.**

If you have any questions, please contact Ms. Monika Radkowska at [mradkowska@panynj.gov](mailto:mradkowska@panynj.gov).

Sincerely,

David Gutiérrez  
Assistant Director  
Procurement Department