

December 9, 2020

**ADDENDUM NO. 3**

**PROJECT:** Design-Build Program Orchard Beach Maintenance and Operations Building Site Work and New Construction Rockaway Operational Headquarters  
**PIN:** 8502021PV0002C / 8502021PV0003C


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THIS ADDENDUM IS ISSUED FOR THE PURPOSE OF AMENDING THE REQUIREMENTS OF THIS REQUEST FOR QUALIFICATIONS AND IS HEREBY MADE A PART OF SAID REQUEST FOR QUALIFICATIONS TO THE SAME EXTENT AS THOUGH IT WERE ORIGINALLY THEREIN.

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- Date extension
  - **SOQ submission date has been extended to 12/23/2020.**
- Q &A
- Exhibit E-11 Project Reference Form
  - Cut-off sentences are included

Contact: Jennifer Vega   
Email: Design\_Build@ddc.nyc.gov  
Phone: **Please Email for Information**

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By signing in the space provided below, the Proposer acknowledges receipt of this Addendum.  
THIS ADDENDUM MUST BE SIGNED BY THE SUBMITTING FIRM AND INCLUDED WITH Exhibit E-7 – Acknowledgement of Addenda.

\_\_\_\_\_  
Name of Submitting Firm

By \_\_\_\_\_

Title \_\_\_\_\_

## Procurement Information and Schedule

### 1. DDC's Designated Representative

- (a) DDC's Designated Representative for the Project is: Jennifer Vega
- (b) DDC's Designated Representative identified above is Proposers' single point of contact and source of information for the procurement.

### 2. SOQ Submission Location

- (a) SOQs must be submitted by the SOQ Due Date at the following email address:  
Design\_Build@ddc.nyc.gov

### 3. Requests for Information (RFI) Instruction

- (a) RFIs should be submitted to DDC's Designated Representative at the following e-mail address:  
Design\_Build@ddc.nyc.gov

### 4. Procurement Schedule & Activities

The following represents the current procurement schedule for the Projects. The schedule is subject to change at the discretion of DDC.

| Activities  | Timeline for Project A      | Timeline for Project B |
|---|-----------------------------|------------------------|
| RFQ Issued  | 11/19/2020                  |                        |
| Pre-Submission Conference                         | 12/3/2020 @ 10:00 am        |                        |
| Final Date for Receipt of RFIs                    | 12/4/2020 @ 4:00 pm         |                        |
| Final Date for RFQ Addenda and/or Answers to RFIs | 12/9/2020                   |                        |
| SOQ Due Date                                      | <b>12/23/2020 @ 4:00 pm</b> |                        |
| Short-listed Proposers Announced                  | 2/5/2021                    | 2/5/2021               |
| Draft RFP Issued                                  | 2/5/2021                    | 2/5/2021               |
| Final RFP to Short-listed Proposers               | 3/9/2021                    | 3/24/2021              |
| Proposals Due                                     | 5/12/2021                   | 5/25/2021              |
| Contract Award                                    | Late August 2021            | Early September 2021   |
| Notice to Proceed                                 | Late October 2021           | Early November 2021    |

### 5. Pre-Submission Conference Information

- (a) DDC intends to hold a Pre-Submission Conference on the date and time set forth in Section 4, above.
- (b) The Pre-Submission Conference will be held virtually at  
<https://nycddc.webex.com/nycddc/j.php?MTID=mbe2cd4a82cef0c969ffb0d3cfc005229>

1.

<sup>1</sup> Please visit the following WebEx link to attend the Pre-Submission Conference. RSVP is not required.

<https://nycddc.webex.com/nycddc/j.php?MTID=mbe2cd4a82cef0c969ffb0d3cfc005229>

Meeting number (access code): 177 350 5701 Meeting password: aXntGA2eQ63

RFQ - NYC Design-Build Services (12/9/20)

**Questions and Answers**

| <b>No.</b> | <b>Question</b>  | <b>Response</b>  |
|------------|--|--|
| 1.         | What is the cost estimate of each project?   | Please review Exhibit C-1 and Exhibit C-2. Project C-1 limit is \$33M; Project C-2 limit is \$23M.   |
| 2.         | Can the same team be shortlisted for both projects?  | Teams submitting both, SOQ-1 and SOQ-2, will be considered for one or both projects. Refer to RFQ Section 2.2b.  |
| 3.         | Will the stipend note in the RFQ be removed by addendum?   | No, language regarding the stipend will not be removed.  |
| 4.         | For RFPs that do not have a stipend, how detailed does DDC anticipate the RFP design to be progressed?   | Per RFQ Exhibit B-3, the shortlisted firms will receive scoping documents as part of the RFP. No further information is provided at the RFQ (Stage 1).   |
| 5.         | Will the Pre-Submission Conference Presentation be available?  | The Pre-Submission Conference Presentation is available on the DDC website   |
| 6.         | Is SOQ-2 a partial submission or a full submission?  | To be considered responsive, SOQ-2 shall be a full submission as outlined in the RFQ Exhibit B-4. Refer to the checklist for SOQ-2.  |
| 7.         | If we are submitting one SOQ, please advise if the title should include both project IDs?  | Yes, the title should include both Project IDs as Proposers are not choosing a specific project. Please refer to RFQ section 5.4 Specific Content Requirements.  |
| 8.         | Can we specify which project we would like to be considered for?   | No, projects cannot be specified.  |
| 9.         | If awarded, who will hold the contract between DDC and the project team? The contractor or the prime design firm?                                      | This is a design-build contract and there will be a single contract for both design and construction. The Selected Proposer will be the entity entering into the contract with the City as the "Design-Builder". There will not be a separate contract with "the project team" or a "contractor", etc. The "prime design firm" will be the "Design-Builder". |
| 10.        | Expertise in sustainability and resiliency are different in many ways. Can we provide two individuals - one for sustainability and one for resiliency? | Yes, the proposer may provide two separate Key Personnel with commensurate relevant experience, but minimum qualification requirements must be met.  |
| 11.        | Is there an "Excluded List" of firms (i.e. firms working for NYCDDC) for this project?   | Yes. Refer to Exhibit C-1 and C-2.   |
| 12.        | Can a single Builder submit on two projects with different designers?  | The team may be expanded to include additional Major Participants. For illustration purposes, a Proposer may include one Design entity as a Major Participant of their SOQ-1 for a project and expand their team to include a second Design entity as a  |

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|    |  | major participant for SOQ-2. To be responsive to the SOQ-2, the materials submitted must reflect the expanded team including a revised teaming agreement and other necessary modification that the proposer will implement to deliver multiple projects with additional team members, whether Key Personnel or Major Participants                                  |
| 13 | Can we identify which designer is on each project?   | No, designers cannot be specified for any project.   |
| 14 | Will P&P Bonds be required?  | Payment and performance bond are not required at this time for the SOQ Submission; however, the proposer needs to submit a bond letter of guarantee in the future that it can cover at minimum the higher value project. Refer to RFQ Section 5.4 (d)(viii)  |
| 15 | Why is the contract duration for each project so long (i.e. approx. 4 years)? Are there times of the year when no field work can proceed?  | RFQ Exhibit C states the duration which includes considerations for design, regulatory approvals, site preparation work and construction work. During the In-Market Phase, the Shortlisted Proposers will create an efficient sequencing of work, such that regulatory approval, swing space, and fast track packages may be utilized to achieve schedule savings. |
| 16 | For firms who will utilize MWBE subcontractors to help fulfill the requirements - those subcontractors most likely will not yet be chosen at this stage in the process (because we won't yet have a design) -- how will DDC evaluate those types of submissions? | The RFQ submission does not require the firm to submit MWBE firms for approval at this time, unless they are a major participant on the program. We will not be evaluating a utilization plan at this stage, but rather the responses to the questionnaire provided as a part of Tab 5.  |
| 17 | Will shortlisted firms receive bridging documents such as 15% drawings and/or a design criteria manual?  | Per RFQ Exhibit B-3, the shortlisted firms will receive scoping documents as part of the RFP. No further information is provided at the RFQ (Stage 1).   |
| 18 | Will a communications tower be part of the scope?  | No, a communications tower is not part of the scope.   |
| 19 | Should subconsultants such as structural engineering (and their qualifications) be included in the SOQ stage?  | Only Key Personnel listed in Exhibit B-2 are required to be submitted at this stage. The team can include information about additional anticipated roles and responsibilities in the response to the SOQ in either Tab 2 (Design Build Approach) or  |

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|    |  | Tab 3 (Key Personnel and Team Organization)  |
| 20 | Exhibit B-4 limits the teaming agreement to 1 page. However, the suggested DBIA 580 agreement far exceeds the limit. Please advise   | Refer to RFQ Section 5.4.d.ix, which describes the requirement of the Teaming Agreement. The submission shall include a description of the Proposer's teaming agreement or, at minimum, the Proposer's letter of intent to team, along with the Major Participants, key trade partners, and other key Subcontractors or key trade Subcontractors. The agreement in entirety is not required at this stage. |
| 21 | Will the shortlisted firms be publicly announced?  | Yes, the shortlisted firms will be announced.  |
| 22 | We would like to bring to your attention that there are missing sentences from Exhibit E-11 which are critical to the evaluation.  | The RFQ has been conformed and the missing sentences provided. Please see last page of this addendum.  |
| 23 | In reviewing the presentation slides it appears that DDC will be conducting a separate RFP for Design-Build 3-year AE Requirements contracts? Can you confirm that this is the case and not the same Project Excellence RFP that closed this fall?   | This RFQ refers to P-1ORCHMO and SANDY4-50 only. All questions about other procurements should be submitted relative to that procurement.  |
| 24 | In reference to Exhibit B-4, the checklist, under Tab 1, the "Legal Structure" has a one page limitation with an asterisk. Could you please advise what is the reference to the asterisk?  | Asterisk has been removed  |
| 25 | PDF page 26 of the RFP states: "A maximum of one performance evaluation per project will be considered." PDF page 54 states that the page limit for each Owner Evaluation is 1 page per project. For projects that involve multiple team members (i.e., both the Contractor and the Designer), will NYCDDC accept multiple owner evaluations (i.e., one for the Contractor and one for the Designer)? If yes, can the page limit for the Owner Evaluation be expanded? | Yes, page limit for the Owner Evaluation can be expanded for multiple team members.  |
| 26 | Per Exhibit C-2.5 - Due to the FEMA requirements that are listed, is there any specific FEMA Certification requirements that the team should possess?  | The Design-Builder will be responsible for obtaining governmental approvals required for the project. Additional information about these requirements will be provided to Shortlisted Respondents at the RFP stage (Phase II).   |
| 27 | Will there be a need for soil or subsoil investigations?   | Yes, both projects will require geotechnical investigations.   |
| 28 | As per Section 5.4., the M/WBE approach should be  | The M/WBE reference in Tab 3 has been  |

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|    | included under Tab 5, 5.4.h.ii. However, Exhibit B-4, lists it under Tab 3, with a one page limitation, and Tab 5 with unlimited pages. Please advise.  | removed and the RFQ has been conformed.   |
| 29 | In connection to the page limits set forth in Exhibit B-4 under the Fundamental Qualifications (Tab 1), if the Proposer is planning to submit as a joint venture will DDC consider increasing the page limits to 2 pages so each company can provide a response: a) EEO Statement, b) Iran Divestment Form, c) Letter of Commitment Surety, d) Safety Questionnaire, e) Financial Questionnaire   | Yes, this will be allowed for each entity that comprises a joint venture.   |
| 30 | We note that the project defining materials that will be provided to the shortlisted Design-Build teams are identified in Exhibit B-3, Item 2. Specific Project Requirements. This description is very general. Is there a more detailed listing of specific materials DDC will provide as part of the RFP provided elsewhere in this RFQ? If not, can you please provide such a listing as an addendum?  | Per RFQ Exhibit B-3, the shortlisted firms will receive scoping documents as part of the RFP. No further information is provided at the RFQ (Stage 1).  |
| 31 | Related to our RFQ response to “Exhibit E-13 M/WBE Program Experience Form” Table 1 – Record of Meeting M/WBE Contract Goals you have requested that we provide the “final or current Utilization Report” for the projects that we list. It is not customary to provide this information as it contains contract values which are considered sensitive and confidential information. As such we ask that you remove this requirement from the RFQ response. | This requirement shall remain.  |
| 32 | How will the fixed price be a factor in selection during the RFP stage? What percentage of the evaluation criteria will price be?   | The evaluation factor weighting for the RFP (Phase II) of this procurement will be included in the draft RFP released to Shortlisted Proposers.   |
| 33 | The drawings for the two projects referenced above are not in the documents. Please advise.   | All project documents included with the RFQ are included with Exhibit C of the RFQ. The scoping documents will not be released on these projects at this first stage of the procurement process.<br><br>Per RFQ Exhibit B-3, the shortlisted firms will receive scoping documents as part of the RFP. |

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| 34 | <p><u>REF: SOQ, SECTION 2 PROCUREMENT PROCESS, Paragraph 2.2 RFQ (Phase I) Multiple Project SOQ Submission: In subparagraph 2.2 (a) (ii) of the section, it states in part that the Proposers are to provide "...separate Key Personnel where necessary".</u><br/><b>Question:</b> Can NYCDDC please confirm that this Key Personnel reference is related to if the Proposers are going to provide a RFQ Submission for both project sites (Orchard Beach site and Rockaway site) that constitutes this SOQ, and not any reference to any other SOQ by any other agency within NYC?</p> | <p>RFQ Section 2.2.a.ii refers to the Multiple Project SOQ Submission in response to this RFQ.</p>  |
| 35 | <p>Do both the Design Firm and Contractor need to fill out all the forms/Exhibits required under Tab 1 – Fundamental Qualifications?</p>  | <p>The proposing entity is responsible for complying with the fundamental qualifications.<br/>If the firm is proposing as a JV entity, that has not yet been formed, they should submit the fundamental qualifications for all entities intended to be a part of the JV.</p>  |
| 36 | <p>If awarded, who will hold the contract between DDC and the project team? The contractor or the prime design firm?</p>  | <p>This is a design-build contract and there will be a single contract for both design and construction. The Selected Proposer will be the entity entering into the contract with the City as the "Design-Builder". There will not be a separate contract with "the project team" or a "contractor", etc. The "prime design firm" will be the Design-Builder.</p> |
| 37 | <p>Will short-listed teams be assigned to projects based on specific expertise which may be more appropriate to a given project or blindly by ranked order?</p>   | <p>No, project cannot be specified.</p>   |
| 38 | <p>Is the draft D/B contract available now? It helps firms make legal determinations on risks prior to embarking on SOQ effort. The terms sheet in RFQ is useful but limited.</p>   | <p>Only short-listed Proposers will receive Draft RFP.</p>  |
| 39 | <p>What is the MWBE goal?</p>   | <p>Please review RFQ Section 8 and Exhibit B-2(2)(c) for more information about M/WBE participation and requirements.</p>   |
| 40 | <p>Our team bonding is currently limited to the smaller project budget. Can we still submit?</p>  | <p>Teams that meet bonding capacity for smaller project budgets are eligible to submit a SOQ and will only be considered for the smaller project.</p>   |

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| 41 | As per Section 4.4.e), please advise if “Submission of proof of appropriate or required licenses or authorizations for any DB Team Member” is required during the RFQ stage.  | Yes, submission of proof of appropriate or required licenses or authorizations for any DB Team Member is required during RFQ stage. |
| 42 | PDF page 54 of the RFP lists a 1 page limit for the Team Introduction and Organization Chart section. Will DDC consider increasing the limit to 2 pages so that the Organization Chart can be on its own page?  | Page limit has been increased and RFQ will be conformed.  |
| 43 | PDF page 15 of the RFP lists submission requirements for the separate SOQs. Under 5.1.b, the following documents are required to be included for a Multiple Project SOQ Submission: a) (1A) Statement of Qualifications (SOQ-2), b) (1B) Multi-Project Supplemental SOQ (SOQ-2), c) (2) Doing Business Data Form (DBDF)<br>Can you please confirm that Package 1A should be labelled SOQ-1 and not SOQ-2?   | Confirmed, Package 1A should be labelled SOQ-1 and not SOQ-2.   |
| 44 | No stipend is being provided by DDC for shortlisted firms, and yet the amount of design work that needs to be developed by the Design Build teams to meet the RFP requirements and prepare responsive pricing is not zero. From what we can tell, the only information in the RFQ on what design materials are expected is the following, excerpted from Exhibit B-3 RFP Lookahead: A. Design Package, i. Technical Approach, ii. Project Performance Matrix, iii. Schematic Design Investigations<br>We infer that the “design” that DDC will be using as a basis to judge the functional and visual quality of the proposed facilities are defined by the “Schematic Design Investigations”. Respectfully, that is an open-ended and highly subjective description; it is impossible at this time to quantify the level of effort required, and therefore the uncompensated cost a team would be incurring to pursue. It would be very helpful if DDC could provide a more detailed list of RFP design requirements. For example, other Design-Build RFPs we have recently responded to have explicitly required such items as site plans, floor plans, massing, elevations, renderings, zoning drawings, egress analyses, a range of engineering systems drawings, as well as outline specifications | More detailed information will be provided to shortlisted proposers as part of the RFP (Phase 2)                                    |
| 45 | Related to our RFQ response to “Key Personnel and Team Organization (Tab 3)” Section (i) “Team Introduction and Organization Chart”, can the organization chart be displayed in an 11”x17” format?  | No. Per RFQ Section 5.2, provide 8 ½” x 11” format. Portrait and landscape format are both acceptable.                              |



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| 46 | <p>Related to our RFQ response to “Fundamental Qualifications (Tab 1)” Skanska USA Building (“Skanska”) will serve as the “Proposer” and “Design-Builder”. As such we assume that the information requested in Sections (ii), (iv), (v), (vi), (vii), (x), (xii) will define the qualifications of Skanska solely and any statements from our design team will not be required. Please confirm.</p>  | <p>Yes, DDC is confirming this statement is correct.</p>   |
| 47 | <p>We have recently downloaded the RFQ package for the subject project and wanted to confirm that there are no other forms to be filled out other than those contained in the package in order to qualify for bidding on this project. Any information you can provide on this matter would be greatly appreciated.</p>  | <p>There are no other forms to be filled out other than those contained in the package. It is advisable to check the website for future addendums.</p>   |
| 48 | <p><b>Project Architect of record position</b> –key personnel excerpt describes it as a practicing architect with the power to sign + seal drawings. Under the organization of a traditional design firm only the ownership has the legal authority to sign &amp; seal drawings but the primary production of the drawings &amp; coordination fall under an assigned project architect, which is often registered. Can this position be filled by a dedicated registered project architect to the Design Build effort &amp; have the <u>architect of record</u> / principal of firm act as the supervisor? If acceptable, would it suffice to describe this in the project/ management approach? We assume only the resume of the principal would be allowed to be included in the response. Please clarify the intent here.</p> | <p>Yes, the described arrangement is acceptable and should be detailed in the SOQ response. Please note the minimum qualification requirements for the Project Architect of Record (Individual) require licensure in the state of New York, even if that individual will not be the one that's signing and sealing drawings.</p> |
| 49 | <p>We are planning to submit a response for both the SOQ1 and SOQ2. If we are not shortlisted for SOQ2 are we still eligible to be shortlisted for either SOQ1 project?</p>  | <p>Yes, each SOQ will be reviewed independently for the purposes of evaluation.</p>  |
| 50 | <p>Appendix E-12 Reference Project Evaluation Form: On this Project Evaluation Form it appears that the Proposer is to provide the name of the person who was the Construction Administration Observer for the project. Question: a) Can NYCDDC indicate if the Proposer is to provide this information or if the Evaluator who is designated to sign this form is to provide the name of this person? B) If the Proposer is to provide the name of the Construction Administration Observer, can NYCDDC provide a description of the duties for this person so the Proposers know exactly what project person filled this role on the project?</p>  | <p>The Proposer is to provide the Construction Manager (i.e., Construction Administration Observer) for the project, if applicable.</p>  |
| 51 | <p>If a Proposer was bidding this Project as a Joint Venture and both partners to the JV are enrolled in Passport would that suffice? As you know, a formal JV is nothing more than an entity formed for tax purposes and is supported by each of its members.</p>   | <p>For the purposes of submission for the RFQ, if the proposing entity intends to form a JV, each member of the JV must be enrolled in PASSPort prior to SOQ submission. If the entity is short listed and subsequently awarded the project, the JV</p>  |

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|    |  | entity will have to be enrolled in PASSPort prior to award.   |
| 52 | In reference to Exhibit C-1, please confirm if there are any State DEC wetlands anticipated with either site.  | While there are no NYS DEC tidal wetland designations within the boundaries of either site, the DBE is responsible for identifying and securing any Local, State, and Federal permits required for construction due to the proximity of sensitive ecosystems. Refer to the NYS DEC info Locator for additional information and maps:<br><a href="https://gisservices.dec.ny.gov/gis/dil/">https://gisservices.dec.ny.gov/gis/dil/</a> |
| 53 | In connection to the page limits set forth in Exhibit B-4 under the Fundamental Qualifications Tab 1 - Legal Structure, please confirm that the 1 page limit does not apply to attachments, such as a copy of the executed Letter of Intent. | Confirmed, the page limit will be revised.  |
| 54 | Can you please clarify if grant funding is required for this project?  | Please refer to Exhibit C-1 and C-2.  |

**PROJECT RELEVANCY FORM**

**INSTRUCTIONS:** List each Reference Project in the matrix below, in accordance with Section 5 and Exhibit B-

2. For each project, provide the requested information and indicate which attributes are applicable.

|   | EXAMPLE | Project Title | Project Title | Project Title | Project Title | Project Title | Project Title | Project Title |
|---|---------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Design-Build Project  | X       |               |               |               |               |               |               |               |
| LEED Certification (indicate level and Version)   | Gold V4 |               |               |               |               |               |               |               |
| Successfully completing at least one DB or DB-based project in which Major Participants and Key Personnel have been involved. If Major Participants or Key Personnel do not have experience in DB and DB-based project delivery, the Proposer must demonstrate commensurate experience with alternative delivery methods in which Major Participants and Key Personnel have collaborated throughout the course of design and construction. (Required) | X       |               |               |               |               |               |               |               |
| Innovative design and construction solutions for issues similar to those for the Project (Required)   |         |               |               |               |               |               |               |               |
| Public, municipal, or community facilities, with special consideration for public facilities in New York City or similar urban context. (Required)  | X       |               |               |               |               |               |               |               |
| Sustainable and resilient design, with special consideration for projects that are on or adjacent to waterfront sites. (Required)   |         |               |               |               |               |               |               |               |
| Schedule oversight, budget management, safety, and QA/QC. (Required)  | X       |               |               |               |               |               |               |               |
| Site planning, including planning and siting of vehicular circulation. (Desirable)  |         |               |               |               |               |               |               |               |
| Operational facilities such as maintenance shops, garages, or other similar facilities. (Desirable)   |         |               |               |               |               |               |               |               |
| Critical facilities for emergency preparedness. (Desirable)   |         |               |               |               |               |               |               |               |
| Projects located in a flood plain and/or special flood hazard zone. (Desirable)   |         |               |               |               |               |               |               |               |
| Projects that included federal grant funding and familiarity with requirements for associated documentation. (Desirable)  |         |               |               |               |               |               |               |               |