

October 4, 2021

ADDENDUM NO. 2

PROJECT: Design-Build Program for the NYC Borough Based Jail System, Facilities in the Boroughs of Manhattan, Queens, Brooklyn and The Bronx

PINs: 8502020CR0049P-60P

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.

Request for Qualifications

1. RFI Responses

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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 APPENDIX E-11 – Acknowledgement of Addenda.

Name of Submitting Firm

By _____

Title _____

RFI Responses

RFI #	Question	Answer
27	Will a sample DBA be issued during the RFQ stage? As what is contained in that document may influence the DB's willingness to pursue this program.	At this time, DDC does not anticipate releasing a sample design-build agreement ("DBA") during the RFQ stage. The RFQ provides a summary of select commercial terms, as Appendix G, which DDC anticipates including in the DBA between each Design-Builder and DDC for projects procured in connection with this RFQ. A form of guaranteed maximum price DBA will be released to the Short-listed DB Teams no later than the issuance of the draft RFP for each Project. The form DBA will be substantially consistent with the DBA for other recent City design-build projects. DB Teams are encouraged to review the RFQ Appendix G, as well as the lump sum DBA posted on DDC's website for reference.
28	Under the original BBJ program schedule there was a significant time gap between the 4 new facilities. Under the present schedule there will only be a gap of 3 months between facilities essentially having all 4 new facilities going on simultaneously. Due to the specialty nature of the jail project materials, we are concerned about supply chain delays. Will supply chain delays be considered a compensable relief event?	At this time, DDC will not commit to specific compensable relief events; however, we are aware of the potential supply chain delays and are open to working on solutions to mitigate such delays, including through the compensable relief event regime, during the RFP process.
29	Engaging key team members and key subcontractors to provide design assist early in this process is a key principle of the DBIA best practices. In the lump sum procurement, the DB was able to commit the project to these key members. Will the DB be able to commit the project to our design assist subcontractors in the new GMP format or will it have to be bid out?	Phase 1 Design Work will be paid on a lump sum fixed price basis. There is no requirement to bid out the services to be performed during Phase 1, which will be paid on a lump sum fixed price basis, nor does DDC anticipate requiring that design services be bid out. However, the design-builder will be required to bid out construction subcontracts on a best value open-book basis. See Appendix G, Section C.1 and D.2
30	Under the original BBJ program schedule there was a significant time gap between the 4 new facilities. Under the present schedule there will only be a gap of 3 months between facilities essentially having all 4 new facilities going on simultaneously. Has DDC done a market analysis on the capacity of the M/WBE community to verify that a 30% goal (on both design and construction) is feasible?	While DDC believes the draft goal is feasible given the flexibility afforded by the New York City Public Works Investment Act, DDC also understands the circumstances of this procurement. DDC expects the Proposer to begin good faith efforts from RFQ issuance and throughout the RFP process to confirm the viability and feasibility of achieving the Draft Goal. DDC, and the City will work collaboratively with the Proposers during the RFP process to finalize the Draft Goal. Refer to RFQ Section 8.1 for further details.
31	In referencing the RFQ, Appendix G: GMP Term Sheet; B. Pricing, 2. Phase 2-Contract Price, Lump Sum Option -	In the spirit of collaboration and partnership, the decision as to whether the price for Phase 2 work will be on a lump sum or GMP basis is a decision that will

	Can the selected DB proposer unilaterally opt at the beginning of Phase 1 that it will submit a DBA Lump Sum Price in its Final Proposal, in lieu of a DBA GMP? Note that the DB's staffing, general conditions and utilization of Design Assist subcontractors will vary greatly between the two project delivery methods.	be made jointly between the Design-Builder and DDC during the Phase 1 process. No one party, whether DDC or the Design-Builder, can unilaterally make that decision.
32	In referencing the RFQ, Appendix G: GMP Term Sheet; A. DBA Phasing, 1. Phase 1 – It states that there is a 12-month period for the DB to advance the design to a level where the DB can confidentially price the Phase 2 aspect of project – Will DDC have interim design meetings with the DB during this period and how many are to be expected?	Yes, DDC anticipates holding regular meetings with the Design-Builder, at least monthly or as frequent as appropriate. More information about the Phase 1 Design Work, including the requirements with respect to the development of the Final Proposal will be set forth in the RFP.