

Draft Informational Meeting
January 30, 2019
Questions and Answers 1-26

- 1) On previous projects, contractor was paid on the design schedule, this one appears different.

Answer: The NYSDOT is cost loading the CPM schedule to process payments. The Authority has not gotten to that point and we need to evaluate the benefits before we go there.

- 2) Work payment forms – where are VMS signs going to be added?

Answer: The Authority has not yet incorporated those items, but they will be in the Final RFP.

- 3) Mainline Gantries at Lackawanna and Williamsville- Locations for fiber splice, any updates.

Answer: The information transmitted via the designated Design-Builder contacts requiring the non-disclosed signatures contains other possibilities then going back to existing TUBS at Williamsville and Lackawanna.

- 4) When is legislation expected for the Tandem Route modifications?

Answer: These are two actions here, the Interstate-to-Interstate Tandem Routes involves FHWA and initial discussions have begun. The other action is the need for State Legislation authorizing the Tandem Routes. The Draft language has been submitted.

- 5) Exit 18 – Are there any Right of Way issues for the new driveways shown on the plans?

Answer: The Authority believes not and the Authority will be pursuing a statewide permit through NYSDOT. We are not anticipating any issues.

- 6) Are there any Right of Way issues for the improvements needed on the off-site tandem Routes?

Answer: In the initial investigations, we saw none. Again, through the

statewide permit process we expect all issues with NYSDOT to be resolved. The addition of new proposed Routes related to some of the ORT Exit sites we are investigating. This is not an issue, the Design-Builder should be concerned with, and this is the Authority's issue to resolve.

7) Exit 17 – Are new treadles needed for the Toll in Place improvements?

Answer: No, new treadles are not required at Exit 17 (Newburgh). This applies to both entry and exit locations. Delineation of traffic through the Toll Booth areas shall be required though to keep vehicles from crossing lanes. These locations are essentially Toll-in-Place.

8) Exit 17 – will the excess concrete pavement be required to be removed?

Answer: At Exit 17, no. This is an exception to the rule. Although, there are some areas (driveways) that require removal.

9) Have Driveway modifications been cleared for environmental?

Answer: The Authority has done a preliminary assessment of the driveway modifications and believes the areas defined will pose no problems. The majority of the modifications are on Authority Right of Way.

10) Are Quality score and Price score proportional? Syracuse was done differently.

Answer: This question is a bit complicated to explain in written format. The question that was asked involves “perfection” of the quality section score. Everyone knows that the Quality Section is 50%. When the price is submitted, the Design-Build Team with the lowest price gets assigned the 100 points and the other Teams score is based on their price proportional to lowest price. The question was asked if the same thing will apply to the Quality side, because the Design-Build for Syracuse did not do that. That statement is not exactly true. When durations are part of the quality score, (schedules) and they do apply on this project, we “perfect” those durations. The Design-Builder with the shortest duration gets the maximum number of points for the duration (SCD Form) and the others are proportionately rated based on their durations. Just like price. So the durations are already “perfected”. The remainder of the Quality scoring is objectively evaluated by a group of evaluators and each category receives it's own score. These remaining categories are summed up and the Design-Builder with highest point total gets the maximum number of points allocated for these objectively scored categories. The durations are not included in that “perfection” because they have already been “perfected” individually. The Quality score is then calculated by adding the “perfected” Quality score with the perfected durations to get the overall Quality score. A Design-Builder can get all 100

points associated with Quality but to do so, the Design-Builder has to have the shortest durations (SCD Form 1, and 2) and the highest Quality score of the remaining Quality factors.

11) Field Material Labs for the Thruway Authority- how many are required?

Answer: This question was about the Authority having Labs for testing. The mechanism the Authority uses for Quality Assurance will include Labs, but the Design-Builder for their Quality Control responsibilities is required to do Laboratory testing. Design-Builders should look at Section 100, Part 2 more specifically 111, 112, A, B, C and 113A.

12) Insurance requirements – these are in two places with two different requirements, (DB 107 page 59 and Article 14 in DB Agreement).

Answer: The insurance requirements are being updated/corrected. We hope to have this by the Final RFP but it may be via an amendment.

13) Payment Circumstances- Sect 100 for Engineering review or DB Sections 3-8. Which takes precedence?

Answer: This goes back to the order of precedence issue. Parts 3 – 8 have a higher order of precedence than Section 100.

14) Why is the accuracy of the equipment locations so precise? EZ Pass responders are in different places in vehicles.

Answer: The Authority provided directions of where the EZ pass transponders are to be mounted but people don't always follow the directions. To capture vehicles that don't have the transponders placed properly, or the driver forgot to hold it up or there was no EZ pass, etc., equipment needs to be located at specific locations to capture the vehicle and its classification accurately.

15) Incentive – The three major violations language included in Part 3 that precludes the DB team of making incentive seems harsh. With work spread out so much and on an aggressive schedule the penalty is very high. This was supported by multiple people/teams.

Answer: That provision has been modified.

16) Utility Work – RFP has the Contractor carrying all fees for electric connections but the Contractors cannot get a fee schedule from utility companies until final details are provided. Can an allowance be included for these fees?

Answer: We are investigating. This may not be in the Final RFP but via an amendment.

17) Section P3 18.33 Sections requires all guide rail within the project limits to be replaced. Can you provide an explanation for this? It is very open ended.

Answer: The Authority is investigating this issue. We hope to provide direction in the Final RFP.

18) Part 2, DB 111-7, page 222 states: The Design-Builder shall prepare and submit a written Design Review Plan within 10 days of NTP to the Authority. Part 3, Table 2-1, page 26 states the Design Review Plan's submittal deadline is 25 days after NTP.

Will NYSTA please clarify which submittal deadline is correct?

Answer: Appreciate the note of conflict and the Authority will seek to clear this up. Understand that in the RFP and DB agreement, there is an Order of Precedence (trying to avoid issues such as this). In those documents, Parts 3 through 8 of RFP and Part 10 takes precedence over Part 2 DB Section 100. Therefore Part 3. Table 2-1 applies.

19) Part 3, Table 2-1, page 26 states the Transportation Management Plan/Emergency Response Plan's submittal deadline is 30 days after NTP. Part 3, 15.3.13, page 75 states: The Plan shall be submitted to the Authority's Project Manager for review and comment a minimum of two weeks prior to the beginning of Work.

Will NYSTA please clarify which submittal deadline is correct?

Answer: This is a definite conflict. Appreciate the identification. Part 3, Section 2, Table 2-1 shall govern and Part 3 Section 15.3.15 will be corrected in the conformed version of the Final RFP.

20) Part 2, DB 112-5.2, page 239 states: The Design-Builder shall assign a full time on-site Construction QC Engineer, who may be the Resident Engineer working for the Independent Construction Inspection Professional Engineering Firm as described in DB §112-2.1. Part 3, 2.2 H, pages 24-25 states: The Resident Engineers can hold only this key personnel position. Will NYSTA please clarify if the Resident Engineer can also hold the position of Construction Quality Control Engineer?

Answer: The key personnel positions are defined in the ITP. The Construction QC Engineer is not listed a key personnel position that is evaluated, it is however a requirement but there is no issue here. Yes, the Resident Engineer can also hold the position of Construction Quality Control Engineer.

21) Part 1, Article 14.2 A-J, pages 13-16 provides insurance limits.
Part 2, DB 107-27 Table 107-1, pages 159-160 provides differing insurance limits and refers to Part 1, Article 17, which is not insurance-related.
Will NYSTA please clarify the insurance requirements for this project?

Answer: See answer to Question #12.

22) Part 3, 2.2 H, page 24 states: Resident Engineers: Shall be licensed and currently registered as a Professional Engineer in the State of New York...
Will NYSTA consider accepting non-PEs in the Resident Engineer position since they report to the Supervisor of Resident Engineers?

Answer: We will take this under advisement; however, this is a significant valued project, with numerous structures and many aspects of design and construction. The Authority as a matter of practice evaluates each Design-Build contract whether the Resident Engineer(s) should require a PE. This most likely will not change but will be discussed.

23) Part ITP, 2.6, page 14 states: Stipend-Eligible Proposers must execute the Stipend Agreement and provide the Authority with the licenses required by Article 3 of the Stipend Agreement no later than 20 calendar days after the Proposal Due Date.
Is the Proposal Due Date referenced here the Technical Proposal due date or the Cost Proposal due date?

Answer: This is a recent change and we have not covered every aspect of the RFP. This will be corrected. It is/will be associated with the cost proposal date.

24) Part ITP, C2.1 D, page 1 states: The proposed key personnel individual shall have performed the work duties being evaluated, in the past year.
Part 3, 2.2 H, page 25 states: The Resident Engineers shall have performed Resident Engineer duties on a project within the last 3 years.
Will NYSTA please clarify if similar duties are required to have been performed within 1 year or 3 years?

Answer: There is no conflict here. Part ITP, C2.10 page 1 documenting the past performance of key personnel position. Part 3, 2.2H is a requirement that the individual shall have performed Resident Engineer duties in the last 3 years. The question asked is confusing. We do not see anything in Appendix C, Section 2.1 relative to the past year Subsection D) talks about Past Performance and just reporting on what the individual did in the last 5 years.

25) Will NYSTA provide the Appendices of Part 2 (Appendices 112A, 112B, 112C, 112C Attachment 1, and 113A)?

Answer: That information was sent to your Designated Representatives on Monday, January 28, 2019.

26)Part ITP, 1.15, page 9 states: If the requested change is approved by the Authority, then a copy of the approved Form RFC must be included in the proposal, Volume 1, Section 3.Part ITP, Table B, page B-7 states Form RFC is to be included in Volume 1, Section 2.

Will NYSTA please clarify where in the submission Form RFC should be included?

Answer: Thank you. This will be corrected in the Final RFP. It shall be required to be submitted in Volume 1, Section 2.