

**Project:** Peer Review Services for the South BPC and North BPC Resiliency Projects RFP (the “RFP”)

**Date:** January 29, 2020

**RE:** Addendum # 2  
**# of pages:** 4

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The following responses are provided in response to questions received by the Battery Park City Authority (“BPCA”) by 4:00 pm on January 22, 2020, in connection with the RFP. The responses are provided in bold, italicized print immediately following the questions.

1. By winning this project, will a firm be precluded from proposing on the design for the West BPC Resiliency Project?

***No, an award of the contract for the Peer Review Services will not preclude the selected Proposer from submitting a proposal for the West BPC Resiliency Design Project.***

2. Addendum #1 changed the MBE/WBE participation goals from 15% and 15% to 18% and 12%, respectively. Are these strict percentages or can a proposer meet the overall MWBE participation goal of 30% with a different breakdown of MBE and WBE?

***The percentages for M/WBE goals may be altered – for example, in the case of a joint-venture agreement – as long as the total meets or exceeds thirty percent (30%) or a Joint Venture/Teaming Agreement is sufficiently backed up with supporting documentation regarding the absolute necessity of a deviation from the stated goals. Any such departure from the M/WBE goals set forth in the RFP must also be reflected in the Proposer’s M/WBE Utilization Plan (see Exhibit D of the RFP), which is subject to BPCA’s approval. The SDVOB goal shall remain six percent (6%), and Proposer shall make good faith efforts to meet this goal. Any additional questions regarding M/WBE or SDVOB participation should be directed to Justin McLaughlin-Williams, BPCA’s Diversity Director, reachable at [Justin.McLaughlin-Williams@bpca.ny.gov](mailto:Justin.McLaughlin-Williams@bpca.ny.gov).***

3. If a firm is a sub-consultant (not a prime contractor) on the selected Construction Management team for the South Battery Park Resiliency Project, would that sub-consultant be conflicted out of participating on the selected Peer Review project team?

***Yes, if a firm is a subconsultant on the selected Construction Management team for the South BPC Project, it would be disqualified from participating on the selected Peer Review project team or the Peer Review Panel.***

4. Are the subconsultants under the AECOM design team for South and North BPC resiliency projects conflicted out for the Peer Review services?

***Yes, sub-consultants on the design teams for both the North BPC Project and the South BPC Project are disqualified from participating on the selected Peer Review Project Team or the Peer Review Panel.***

5. Can you please provide a list of consulting firms that are conflicted out to submit on this RFP?

***For ease of reference, a list of the Design Teams and their sub consultants is attached as Exhibit A to this Addendum. However, please note that this list includes only those firms that have been disclosed to BPCA and may not be inclusive of all firms having performed work on the Reviewed Projects. Prospective Proposers should discuss potential conflicts of interest with potential sub consultants before submitting their Proposals.***

6. The scope calls for a review of a design that is at 30-50% completion and that BPCA will provide the designer's calculations report to the extent not precluded by the terms of BPCA's contracts with the Design Consultants. Noting that the designer's deliverables in Exhibits B and C are at 65%, 75% etc. does the BPCA have an agreed set of deliverables for the purpose of the review?

***There is no agreed set of deliverables from the Design Consultants that is tied directly to the Peer Review Services; however, as indicated in the RFP, BPCA will provide Project-related documentation that is within BPCA's possession or control. The selected Proposer will be provided access to progress design documents, along with testing, study, and modelling results that have informed the peer review design level, which documentation will not be tied to the 60% or 75% design submissions. As indicated in the RFP Scope of Work (Exhibit A, Section IV, Phase 2, a)5), BPCA will also provide documents reflecting the Design Consultants' methodology and calculations to the extent not precluded by the Design Consultants' contracts. The Scope of Work does not reference a calculations report. The selected Proposer may request such additional documentation as it deems necessary or desirable to assist in the performance of the Peer Review Services.***

7. The scope calls for identification of errors or deficiencies in analysis. Will the errors or deficiencies to be identified be based on review of the documents and existing analysis only, or is independent analysis models (e.g. hydraulic, geotechnical or structural) expected to be produced by the peer review consultant?

***It is expected that errors and deficiencies should be identified based on the review of all documents and models associated with the Reviewed Projects. The Peer Review project team and the Peer Review Panel will not be expected to conduct or produce separate or new studies or models as part of the Peer Review Services; however, the discovery of credible indications that deficiencies exist in the completed analysis for the Reviewed Projects as performed by the projects' respective design teams may prompt BPCA, at its discretion, to seek additional studies or modeling. For purposes of their Proposals and Cost Proposals, prospective Proposers should not assume that it will perform such additional studies or modeling.***

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By signing the line below, I am acknowledging that all pages of the Addendum #2 have been received reviewed and understood, and will be incorporated into the bid price submitted. This document must be attached to the Proposal for consideration.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Number of pages received: \_\_\_\_\_ <fill in>

Distributed to: All present and all prospective Proposers

## EXHIBIT A

### List of South Battery Park City Resiliency Project Design Team Members<sup>1</sup>

AECOM USA Inc. (Prime Consultant)  
Thomas Phifer and Partners  
Magnusson Klemencic Engineering  
W Allen Engineering PLLC  
SiteWorks  
Nautilus International  
Arch Street Communications  
Ellana Inc  
Naik Consulting Group  
Oweis Engineering  
Federated  
Noel Building Construction  
Tillotson Design Associates  
Atelier 10  
LAGI  
The Cultural Landscape Foundation

### List of North Battery Park City Resiliency Project Design Team Members

AECOM USA Inc. (Prime Consultant)  
Arch Street Communications  
Daly Gonzalez  
Eliana Inc.  
Gedeon GRC Consulting  
Jersey Boring & Drilling Company  
Matrix New World Engineering  
Naik Consulting Group  
W. Allen Engineering

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