

Attach To Contract Document

**New York City Department of Transportation
Division of Planning and Sustainability**

**Engineering Service Agreement (ESA) for Transportation Planning, Transportation
Engineering, Urban Design and Related Services**

E-Pin No. 84111M0006

Pin No. 84111MBPS591 and 84111MBPS592

**Addendum #1
December 21, 2011**

Please be advised NO further questions will be entertained on this procurement

**The Proposal Due Date has been extended from January 9, 2012
to January 12, 2012**

This Addendum Is Hereby Made Part of the Contract Documents

NOTE:

Attached please find:

- 1. Addendum No. 1- Notice To Proposers (Page 1 of 1)**
- 2. Responses to Questions raised to the Agency (Pages 1 through 5)**
- 3. Revised Form 4T2-R (Attached) - (Page 1 of 1)**
- 4. Pre-Proposal Conference Sign-In Sheets (Pages 1 through 7)**
- 5. Copy of Pre-Proposal Presentation (Pages 1 through 16)**
- 6. Acknowledgement Receipt of Addendum #1 (Page 1 of 1)**

REQUEST FOR PROPOSALS FOR

**Engineering Service Agreement (ESA) for Transportation Planning,
Transportation Engineering, Urban Design and Related Services**

E-Pin No. 84111M0006

Pin No. 84111MBPS591 and 84111MBPS592

**ADDENDUM No. 1
December 21, 2011**

NOTICE TO PROPOSERS

**The Proposal Due Date has been extended from January 9, 2012
to January 12, 2012**

REFER TO: REQUEST FOR PROPOSALS, SECTION VII E – (FORM 4T2)

DELETE: SECTION FORM 4T2 in its ENTIRETY And

REPLACE: WITH THE REVISED VII E – FORM 4T2-R, Attached

**New York City Department of Transportation
Division of Planning and Sustainability**

Engineering Service Agreement (ESA) for Transportation Planning, Transportation Engineering, Urban Design and Related Services

E-Pin No. 84111M0006

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Questions & Answers:

Q1. Can a copy of the pre-proposal attendance list be provided?

A1. Yes. See attached

Q2. If the prime consultant is a DBE, can the DBE requirements of 18% be satisfied by the Prime – (ie: Does another DBE have to be included as a sub if the prime is a DBE?)

A2. As a prime, a DBE Prime Consultant cannot satisfy the DBE utilization goal of 18%. The specified 18% DBE goal can be satisfied by the utilization of certified DBE sub consultants firms that can be obtained from the website address listed on Section IIID and Form 6T of Section VIID.

Q3. Can you please clarify the dollar value of each award?

A3. Two ESA contracts will be awarded from this RFP. Each ESA contract is for \$7,500,000 for three years, with an option to renew at the same terms and conditions. Said fee is a maximum amount only and does not represent a commitment or guarantee on the part of the City to pay such amount.

Q4. Is there any minimum percentage of the work that the prime consultant has to be perform? (ie: Can the prime take less than 50% of the contract)

A4. The Prime consultant shall not subcontract more than 49% of the contract work.

Q5. Can you make presentation slides available?

A5. Yes. See attached. This information is provided for informational purpose only. Nothing in the presentation is intended to amend the requirements of the RFP document.

Questions & Answers:

- Q6. Section IV of the proposal (Format and Content of the proposal), second paragraph states that "No pictures or drawings should be included, except for the cover". Are the following presentation materials exempt from this requirement: Flow charts, organizational charts, maps, logos? Is this requirement applicable to all four components of the proposal or are there some sections (such as Form 3T) where pictures and drawings can be used?
- A6. Flow charts, organizational charts, maps, logos are acceptable. However, no pictures or drawings should be included in the proposal, except for the cover.**
- Q7. Regarding Form SF330: Can the prime consultant submit this form for the entire team, or is a separate SF330 needed for the prime consultant and each sub-consultant?
- A7. Only Prime Consultant should submit the completed Form SF330 at this time.**
- Q8. Regarding Procedural forms 1P, 2P and 3P: Is this required from the prime consultant only, or from the prime consultant and each sub-consultant?
- A8. Prime and each of the sub-consultant (if any) should submit Procedural Forms 1P, 2P and 3P.**
- Q9. Regarding Component 4 (Local Law 34 – Doing Business Data Form): Is this required from the prime consultant only, or from the prime consultant and each sub-consultant?
- A9. Doing Business Data Form is required from prime consultant only.**
- Q10. Does NYCDOT anticipate mobile air quality analysis using the EPA MOVES model?
- A10. At this time the Division does not anticipate any projects that utilize the EPA MOVES model, although all future projects cannot be anticipated at this time.**
- Q11. Are there any current ESA's being performed? If so, who are the prime consultants? When was the last round of ESA's awarded?
- A11. The Division of Planning of Sustainability has two current ESA contracts, the prime consultants are URS Consultants and STV Inc. These contracts were awarded in 2009.**
- Q12. Are ESA's split into various standalone disciplines, such as Planning, Traffic Engineering, field surveys and data collection, traffic impact analyses and feasibility studies, etc.? If so, are there any percentages of the splits available?
- A12. Although a wide range of disciplines are required for the purposes of this contract, the ESAs are not split into various standalone disciplines. DOT is looking for a project team that will be prepared to assist with projects requiring diverse transportation planning & engineering skill sets, as explained in Scope of Work, Section VIIA of the RFP. DOT also makes no assurances that every discipline noted in the RFP will be used.**

Questions & Answers:

Q13. Section 13.06 of Appendix A requires Contractors who have regular contact with the public to participate in voter registration, including distributing voter registration forms and providing assistance in completing the voter registration forms. It is unclear how "regular contact with the public" is defined. I believe this is a new term in NYCDOT contracts and it is likely that we are unable to comply with it. Please confirm that Section 13.06 of Appendix A does not apply to this project.

A13. Section 13.06 of Appendix A is a standard provision in the City's consultant contracts. For this agreement, the Contractor will be providing engineering services and it is not expected to have regular contact with the public in the daily administration of its business.

Q14. Section 5.08 of Appendix A contains an extremely broad confidentiality clause, that requires Contractor to keep confidential "all reports, information, or data furnished to, or prepared, assembled, or used by the Contractor." While we have no objection to keeping confidential NYCDOT's confidential information furnished to us, this clause goes beyond that requirement and includes any reports, information, or data prepared or used by the Contractor. This could be construed to include pre-existing software or tools that were used by the Contractor in the performance of its services. Please clarify the scope of this confidentiality provision, as it seems to conflict with Section 6.03 of Appendix A, which allows the Contractor to retain its rights in pre-existing materials.

A14. Section 5.08 of Appendix A is the City's standard confidentiality provision for consultant contracts and it will not be modified for this agreement.

Q15. At the pre-proposal meeting, DC Schaller referred to a Toolbox for Public Outreach. Is this document available and if so, can be provided for review?

A15. There is no formal "toolbox for public outreach." The term "toolbox" refers to the broad collection of innovative strategies the Division uses for engaging with the public and various stakeholders. This includes written, print, web-based and verbal communication strategies.

Q16 On page 5 of the RFP it states "No pictures or drawings should be included, except for the cover". Later, in the next paragraph it states " Failure to comply with any of these instructions will not make the proposal non-responsive". Please clarify/confirm whether graphics, drawings and pictures can be included in the proposal.

A16. Please see Answer #6.

Q17. Are tables and/or photo-less text boxes allowed in the proposal? Can we include flowcharts in the proposal?

A17. Yes, photo-less text boxes and flowcharts are allowed in the proposal.

Questions & Answers:

Q18. Page GR-11, Item #3 states that "The overhead portion of the multiplier shall be based on the indirect cost rates established by a cognizant agency audit ..." This seems to be in conflict with the Cost Proposal Forms instructions which state that "The interim multiplier will be based on currently available information on the Consultant Company's overhead and profit." which implies using FY2011 projected overhead rate(s). Please clarify the appropriate overhead rate to use in cost proposal.

A18. The agency will consider the proposed interim multiplier for establishing Total Contract Fee (including DTL, interim overhead & Maximum Profit of 10%). The interim multiplier will be based on currently available information on Consultant Company's overhead and profit. This multiplier is subject to audit and revision in accordance with applicable NYC Comptrollers' Directive on an annual basis when the actual overhead information for the respective year becomes available. Suitable adjustments to the previous payments will be made accordingly upon completion of contract and when multiplier information is available.

Q19. Page GR-18, Item E states the expenses are not anticipated to exceed \$750,000 but Form 4T2 – Cost Proposal Summary indicates a total of \$500,000. Please clarify the correct total.

A19. Please see revised 4T2-R (Attached)

Q20. Do we submit VENDEX at the proposal process or once chosen as successful bidder?

A20. Only the selected Vendor(s) are required to submit VENDEX documentation in accordance with the vendex Requirements.

Q21. Re: Section IV: Format and Content of the Proposal on Page 5 Paragraph 3, Sentence 2: "Failure to comply with any of these instructions will not make the proposal non-responsive." That sentence seems to be allowing the proposer to disregard the instructions of Paragraph 2 on that same page; for example, to include pictures and drawings. We would like to understand whether the sentence above is a requirement or a guideline. If a guideline, then we assume that pictures and images can be used within the proposal. If a requirement, please confirm whether images used on the section dividers as this page would remain blank otherwise. Additionally, is an organizational chart considered a picture; if yes, may this image be allowed?

A21. Instructions in Section IV: "Format and Content of the Proposal" are guidelines. DOT recommends that no pictures or drawings be included in the proposal except for the cover. The organization chart is not considered a picture or drawing.

Questions & Answers:

Q22. Re: Section V: Proposal Evaluation and Contract Award procedures, Section D (Exclusion from Participation in Subsequently Solicitations), Paragraph 2 on Page 9: "The selected proposer from the RFP shall not be allowed to participate, whether as a consultant or subconsultant, in response to a subsequent solicitation(s) utilizing the specifications they drafted, except as provided under New York City's Procurement Policy Board Rules."

- Does this mean that a prime or subconsultant firm that provides "concept planning, design advice" (per Section I, General Requirements; Subsection I, Special Requirements, Bullet 2) in matters related to ITS or congestion pricing's field infrastructure/back-office communications requirements is precluded or eliminated from pursuing the subsequent congestion pricing design work services?

A22 In order for the selected proposer (Prime or Sub-Consultant) from this RFP to be allowed to participate, whether as a prime consultant or subconsultant, in response to a subsequent solicitation(s) utilizing the specifications they drafted, they must attach a narrative addressing the following to obtain DOT's approval:

- **Demonstrate that the proposer, and/or each proposed sub-consultant that substantially performed on this ESA contract, if any, has no conflict of interest that would prevent them from performing properly on the related contract (e.g., the firm(s) would appropriately identify any design flaws associated with the cited project). In addition, submit a written affirmation from the proposer, and/or from each sub-contractor attesting to the same.**
- **Demonstrate that the work of each proposed sub-consultant that incidentally performed on this ESA contract, if any, was, in fact, incidental and that each has no conflict of interest that would prevent them from performing properly on the related contract. In addition, submit a written affirmation from each such sub-contractor attesting the same.**

FORM 4T2 – R
COST PROPOSAL SUMMARY

PROJECT NAME: Engineering Service Agreement (ESA) for Transportation Planning, Transportation Engineering, Urban Design and Related Services

PIN: 84111MBPS591 & 84111MBPS592
E-PIN: 84111M0006

PRIME CONSULTANT: _____ **CONTRACT NO.:** _____

<u>(COLUMN 1)</u>	<u>(COLUMN 2)</u>
<u>CONSULTANT</u>	<u>DIRECT NON-SALARY COST</u>
1. _____	\$ _____
2. _____	\$ _____
3. _____	\$ _____
4. _____	\$ _____
5. _____	\$ _____
6. _____	\$ _____
7. _____	\$ _____
8. _____	\$ _____
9. _____	\$ _____
TOTALS	\$750,000



INSTRUCTIONS:

1. The Total Direct Non-Salary Cost shown in the shaded area below Column 4 is an out of pocket expense budgeted amount allowed to all proposers and must not be changed.
2. The Total Direct Non-Salary Cost provided by each consultant of the project team MUST SUM to the total shown in the shaded area at the bottom of the Column 4.



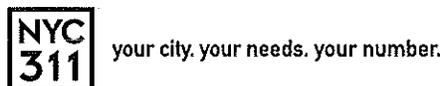
MEETING SIGN IN SHEET

DATE: 11/30/2011

RE: PRE-PROPOSAL CONFERENCE FOR ESA 84111 MBPS 591 & 84111 MBPS 592

Table with 4 columns: NAME, AGENCY, PHONE, EMAIL ADDRESS. Contains handwritten entries for Marty Taub, Dan McLaughlin, Atma Sookram, Jerry Gluck, Patrick B. Jordan, Chuck King, Michael McKelone, and Susan Perotti.

NYC Department of Transportation
Division of Planning and Sustainability
55 Water Street, New York, NY 10041
T: 212-839-6660 F: 212-839-9892
www.nyc.gov/dot





MEETING SIGN IN SHEET

DATE: 11/30/11

RE: PRE-PROPOSAL CONFERENCE FOR ESA 84111 MBPS 591 + 84111 MBPS 592

Table with 4 columns: NAME, AGENCY, PHONE, EMAIL ADDRESS. Contains handwritten entries for Ray Martinez, Dinu C. Fotesco, Bob Nash, Ira Quiat, Howard Ungar, Sina Ahassemi, Patrick O'Mara, Janet Jenkins, and Joseph Barr.



MEETING SIGN IN SHEET

DATE: 11/30/2011

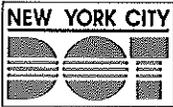
RE: PRE-PROPOSAL CONFERENCE FOR ESA 84111 MBPS 591 + 84111 MBPS 592

Table with 4 columns: NAME, AGENCY, PHONE, EMAIL ADDRESS. Contains handwritten entries for Abid Ansari, Brian Ten Siethoff, Mike Beattie, D. Minassian, and Warren Michelsen.

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MEETING SIGN IN SHEET

DATE: 11/30/2011

RE: PRE-PROPOSAL CONFERENCE FOR ESA 84111 MBPS S91 + 84111 MBPS S92

Table with 5 columns: NAME, AGENCY, PHONE, EMAIL ADDRESS. Rows include Martin P. Dougherty, Charles Berger, Darya Cowan, Elena Burnett, Daniel Brzac, Michelle Ryckman, Enka Rush, Trent Lethco, and Priscilla Wood.

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Department of Transportation

JANETTE SADIK-KHAN, Commissioner

ATTENDANCE SHEET

DATE: 11/30/2011 TIME: 10:00AM LOCATION: 55 Water St. Bid Room

CONTRACT DESCRIPTION: ESA for Transportation Planning, Transportation Engineering, Urban Design & Related Services

CONTRACT #: 84111 MBPS S91 PIN #: 84111 MBPS S91 REGISTRATION #: Pre-proposal Conference

CONTRACTOR: SUBJECT:

#	NAME	AFFILIATION	PHONE	E-MAIL
1.	WALPS Jans	KLD	631 807 2299	bmcsbane@kld.companies.com
2.	GREG DESSI	B THAYER	510-364-0600	WDESS1@ATHAYELASSOCIATES.COM
3.	JONATHAN COHAN	EEK PERKINS EASTMAN	646 354-9245	J.COHN@PERKINS EASTMAN.COM
4.	CHRISTINE GAYDON	GAYDON DE BRUN	510-579-3112x117	CGAYDON@GDBPC.COM
5.	MADDIE CHANDON	MACH	973-666-3143	maddie@machconsultants.com
6.	Hosney Madegdil	MACH	606-316-4299	hosney@machconsultants.com
7.				
8.				
9.				
10.				
11.				
12.				



Department of Transportation

JANETTE SADIK-KHAN, Commissioner

ATTENDANCE SHEET

DATE: 11/30/2011 TIME: 10:00AM LOCATION: 55 Water St., Bid Room
CONTRACT DESCRIPTION: ESA for Transportation Planning, Transportation Engineering, Urban Design and Related Services
CONTRACT #: 8411 MBPS591 REGISTRATION #:
CONTRACTOR: 8411 MBPS592 SUBJECT: PRE-PROPOSAL CONFERENCE

Table with 4 columns: #, NAME, AFFILIATION, PHONE, E-MAIL. Contains handwritten entries for Matthew Seayll, Natasha Ridler, and Farah Gilani.

Engineering Service Agreement

Transportation Planning, Transportation Engineering, Urban Design and Related Services

Pre-Submission Meeting – November 30, 2011



Michael R. Bloomberg
Mayor



Janette Sadik-Khan
Commissioner



Engineering Service Agreement RFP

Welcome and Introductions

Division of Traffic and Planning

- **Bruce Schaller**, Deputy Commissioner
- **Ellen Zielinski**, Contract Manager
- **David Stein**, Director of Community Initiatives

Agency Chief Contracting Officer (ACCO)

- **Gail Hatchett**, ACCO's Office
- **Mary Morris**, ACCO's Office
- **Vivian Cruz**, ACCO's Office



Michael R. Bloomberg
Mayor



Janette Sadik-Khan
Commissioner



- **ESA consultants play a key role in achieving NYCDOT objectives**
 - Create safer and greener streets that function as both transportation facilities and vibrant public spaces and provide attractive, sustainable and healthy transportation options.
 - To accomplish these goals, Division staff draw on a broad toolbox of street treatments and regulatory approaches and combines in-depth research, expert planning and rich public engagement.
 - Smart deployment of street design options and innovative technologies combine with productive intra-agency and inter-agency collaboration to achieve agency goals and serve as a world-class model to support sustainable mobility, quality of life and economic vitality.



- **Expectations for this ESA:**
 - Expert, creative engineering and planning for safety, mobility and sustainability
 - Innovative use of technology and best practices
 - Cutting-edge community engagement and outreach services
 - Think outside the box!
 - Strong integration between planning and operations
 - Strong multi-disciplinary teams (top to bottom) with diverse skills and established relationships



Engineering Service Agreement

Anticipated Scope of Services

- General Transportation Planning
- Traffic Engineering
- Traffic Simulation and Modeling
- Public Outreach
- Urban Design
- Special Investigations/Studies



First & Second Ave Select Bus Service



First & Second Ave Select Bus Service



Manhattan Traffic Model

MTM Study Area





Jackson Heights Transportation Study



Urban Art Program



PARK Smart NYC



Sustainable Deliveries

10.5° N mag



Contractual Terms

- Two Contracts: \$7,500,000 each/ 3 year term
- Federally Procured Contract
 - Awarded on highest technical evaluation
- Tasks awarded on alternating basis w/option for mini-bid at PM discretion
- Option for additional 3 year term renewal at same terms and conditions



Engineering Service Agreement RFP Submission Timeline

RFP Released

November 16, 2011

Pre-Submission Conference

November 30, 2011 10am

Deadline for Submission of Clarification Questions

December 1, 2011 5pm

NYCDOT Response to Requests for Clarification

No later than December 15, 2011 5pm

**FINAL SUBMISSIONS DUE JANUARY 9, 2012
at 2pm**



Engineering Service Agreement RFP

Contact Information

All Questions regarding topics of discussion today or pertaining to the RFP must be submitted to:

ezielinski@dot.nyc.gov

Please do not contact any other representative of the Agency in regard to this Engineering Services Agreement.



Questions

**THE CITY OF NEW YORK
DEPARTMENT OF TRANSPORTATION
DIVISION OF PLANNING AND SUSTAINABILITY**

**Engineering Service Agreement (ESA) for Transportation Planning,
Transportation Engineering, Urban Design and Related Services**

E-Pin No. 84111M0006

Pin No. 84111MBPS591 and 84111MBPS592

ACKNOWLEDGEMENT RECEIPT OF ADDENDUM #1

**ADDENDUM #1
December 21, 2011**

TOGETHER WITH ALL WORK INCIDENTAL THERETO

I, _____

(NAME AND TITLE)

**A duly authorized representative of
(NAME OF PROPOSERS)**

**Acknowledge receipt of Addendum No. 1 dated 12/21/11 for the Contract
P.I.N. Nos. 84111MBPS591 & 84111MBPS592 for which Proposals will be received
By 2:00 PM on January 12, 2012.**