

Attach To Contract Document

**NEW YORK CITY DEPARTMENT OF TRANSPORTATION
STATEN ISLAND FERRY DIVISION**

REQUEST FOR PROPOSAL

FOR

**PRELIMINARY DESIGN INVESTIGATION FOR STATEN ISLAND FERRY FLEET
BOROUGHES OF STATEN ISLAND AND MANHATTAN**

P.I.N. 84108MBPT281

**Addendum #3
September 12, 2008**

This Addendum Is Hereby Made Part of The Contract Documents

NOTE:

Attached please find:

- 1. Addendum No. 3**
- 2. Questions and Answers**
- 3. Attendance Sheet**
- 4. Doing Business Data Form and Q/A**
- 5. Acknowledgement Receipt**

REQUEST FOR PROPOSAL

PRELIMINARY DESIGN INVESTIGATION FOR STATEN ISLAND FERRY FLEET

P.I.N. 84108MBPT281

ADDENDUM No. 3
September 12, 2008

This is ADDENDUM #3 for the above referenced Request for Proposals, of which you have obtained a copy.

- 1) REFER TO:** **Request for Proposal, Section VII, Attachment I)**
 Doing Business Data Form & Q/A Sheets
- DELETE: Doing Business Data Form & Q/A Sheets in its Entirety
- REPLACE WITH: Attached Revised Doing Business Data Form & Questions and Answers
 Sheets

Questions & Answers:

- Q1. Please provide a copy of the pre-proposal conference attendance list.
A1. **Please see attached.**
- Q2. Can the Department provide an editable PDF of the forms required for this proposal?
A2. **The Department only provides the forms that are in the RFP. If the PDF forms can not be editable for use on the computer, please fill the required information in blue ink in your original proposal submission.**
- Q3. Can a tour of the Barberi and Austen Class ferries be arranged prior to bidding?
A3. **Prospective bidders will be allowed to tour the Barberi and Austen Class ferries prior to bidding. Bidders can conduct a site visit on the ferries at the Ferry Maintenance Facility, 1 Bay Street, @ 10 AM on 9/18/08. NYCDOT will make efforts to make one vessel of each class available for inspection. Bidders are cautioned, however, that due to operational commitments and potential schedule conflicts, the possibility exists that they may not be able to board one or both of the ferries. NYCDOT will make every attempt to make sure this does not happen but cannot guarantee it.**
- Q4. Will ABS reports for the ferries be made available to the successful bidder for review at the ferry offices?
A4. **ABS reports will be made available to the successful bidder for review at the Ferry Maintenance Facility in Staten Island, New York. NYCDOT maintains several year's worth of reports. Should the successful bidder require reports that are significantly dated, these requests will have to be coordinated with ABS.**
- Q5. Will previous ridership surveys be made available to the successful bidder?
A5. **It is assumed that this refers to demand forecast requirements. NYCDOT will provide any ridership survey and study information that it possesses to the successful proposer. However, proposers are cautioned that such data may be dated and unreliable due to changing conditions. It is intended that the successful proposer perform its own surveys to obtain the most relevant and up to date data in order to perform the most accurate forecasting.**
- Q6. Section II Paragraphs C and F refer to a "...fee not to exceed (TBD)" that will allowed for this contract with no further explanation, description or reference.
A6. **This question refers to Section III, Paragraph F, of the Proposed Contractual Agreement, which is Attachment A of the RFP. No further explanation is required. Attachment A represents the proposed final contract between the City and the successful proposer's negotiated/agreed to "not to exceed fee".**
- Q7. If NYCDOT has a NTE fee they intend to invoke, can we assume it will be to all offers prior to proposal submittal and in sufficient time to prepare a cost proposal?
A7. **Refer to A6 above. NYCDOT will not invoke a NTE fee prior to proposal receipt. It is the responsibility of all prospective proposers to prepare their cost proposal based on the scope of work stipulated in the RFP.**

- Q8. If a contractor included proposed fee in its cost and price proposal, it would have no way of knowing what the DOT's intentions regarding fee are.
- A8. It is the responsibility of all prospective proposers to prepare their cost proposals based on the scope of work stipulated in the RFP.**
- Q9. Do the Sub-consultants need to complete the Doing Business Data Form?
- A9. No. Only the submitting proposer needs to complete the Data Business Data Form.**
- Q10. There are some people who would be listed on the Doing Business Data Form that do not want to have their Social Security numbers out for people to see for fear of identity theft. We respectfully request that numbers not be required.
- A10. Please see the attached Doing Business Data Form and Questions and Answers.**
- Q11. Please confirm that the successful offer for this contract will be eligible to bid on all follow up design, and construction management services for any new vessels or modifications to the existing fleet resulting from this study.
- A11. Yes, it is in the best interest of the City to allow the successful consultant that will be performing services for the preliminary design investigation to participate in the future procurement for the total design services of the future ferry boat fleets.**



**New York City
Department of Transportation**
Janette Sadik-Khan, Commissioner

Office of the Agency Chief Contracting Officer
40 Worth Street
New York, N.Y. 10013
Tel: 212/839-2117
Fax: 212/442-7449
Web: www.nyc.gov/dot

Subject: POI for Staten Island Ferry Fleet RFP - Pre-Proposal Conference

Date: 8/20/08
Time: 10:00 AM

Sign In Sheet

NAME	ORGANIZATION	PHONE #	E-MAIL ADDRESS
Jeremy Halperin	NYCDOT-ACCO	(212) 442-7851	jhalperin@dot.nyc.gov
MARIA SANTERAMO	FAST CONSULTING	917-848-3945	maria@fastconsulting.com
AMBER DIXON	KRF CONSULTING	917-394-3748	amber.dixon@krf.com
EDWARD JAKSON	MARK SYSTEMS CORP	67-342-3345	edward.jakson@marksystems.com
Matt Nagata	John W. Gilbert Assoc Inc	81-740-8143	mnagata@jwgainc.com
CHI-CHENG YANG	Gregory G. Shyne &	212-732-2200	ccyang@ggshyne.com
Bill Wood	Seavon Resources, Inc	856-751-4780	bill.wood@seavonresources.com
Allen Chin	Gray P. Shyne	212-712-2400	achen@pshyne.com
RICHARD C. RODY	AMISE LLC	212-437-6900	rckrod.crd@amise.com
IAN ZGALJIC	ALION JUMA	732-767-5612	izgajic@alionscience.com
Jonathan Garden	Alion JUMA		jgarden@alionscience.com
Russell Titmuss	BAYNE CONSULTING ENGINEERING	508-833-6666	rtitmuss@baynece.com
Earl Baird	NYCDOT-SIF	212-487-8369	ebaird@dot.nyc.gov
RAJ PATEL	NYCDOT-SIF	212-487-5677	rpate1@dot.nyc.gov
John Collins	NYCDOT-SIF	718-878-5243	john.collins@dot.nyc.gov
RAYMOND M. TAKLA	NYCDOT-SIF	212-487-5674	rtakla@dot.nyc.gov
Gail Hatcher	NYCDOT/ACCO	212-839-2116	ghatcher@dot.nyc.gov
Lorene Shunk	NYCDOT/ACCO	212-839-2258	lshunk@dot.nyc.gov



Doing Business Data Form

To be completed by the City Agency prior to distribution			
Agency: _____		Transaction ID: _____	
Check One:	Transaction Type (check one):		
<input type="checkbox"/> Proposal	<input type="checkbox"/> Concession	<input type="checkbox"/> Contract	<input type="checkbox"/> Economic Development Agreement
<input type="checkbox"/> Award	<input type="checkbox"/> Franchise	<input type="checkbox"/> Grant	<input type="checkbox"/> Pension Investment Contract

Any entity receiving, applying for or proposing on an award or agreement must complete a Doing Business Data Form (see Q&A sheet for more information). Please either type responses directly into this fillable form or print answers by hand in black ink, and be sure to fill out the certification box on the last page. **Submission of a complete and accurate form is required for a proposal to be considered responsive or for any entity to receive an award or enter into an agreement.**

This Data Form requires information to be provided on principal officers, owners and senior managers. The name, employer and title of each person identified on the Data Form will be included in a public database of people who do business with the City of New York; no other information reported on this form will be disclosed to the public. **This Data Form is not related to the City's VENDEX requirements.**

Please return the completed Data Form to the City Agency that supplied it. Please contact the Doing Business Accountability Project at DoingBusiness@cityhall.nyc.gov or 212-788-8104 with any questions regarding this Data Form. Thank you for your cooperation.

Section 1: Entity Information

Entity Name: _____

Entity EIN/TIN: _____

Entity Filing Status (select one):

- Entity has never completed a Doing Business Data Form. *Fill out the entire form.*
- Change from previous Data Form dated _____. *Fill out only those sections that have changed, and indicate the name of the persons who no longer hold positions with the entity.*
- No Change from previous Data Form dated _____. *Skip to the bottom of the last page.*

Entity is a Non-Profit: Yes No

Entity Type: Corporation (any type) Joint Venture LLC Partnership (any type)
 Sole Proprietor Other (specify): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone : _____ Fax : _____

E-mail: _____

Provide your e-mail address and/or fax number in order to receive notices regarding this form by e-mail or fax.

Section 2: Principal Officers

Please fill in the required identification information for each officer listed below. If the entity has no such officer or its equivalent, please check "This position does not exist." If the entity is filing a Change Form and the person listed is replacing someone who was previously disclosed, please check "This person replaced..." and fill in the name of the person being replaced so his/her name can be removed from the *Doing Business Database*, and indicate the date that the change became effective.

Chief Executive Officer (CEO) or equivalent officer

This position does not exist

The highest ranking officer or manager, such as the President, Executive Director, Sole Proprietor or Chairperson of the Board.

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not employed by entity): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

This person replaced former CEO: _____ on date: _____

Chief Financial Officer (CFO) or equivalent officer

This position does not exist

The highest ranking financial officer, such as the Treasurer, Comptroller, Financial Director or VP for Finance.

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not employed by entity): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

This person replaced former CFO: _____ on date: _____

Chief Operating Officer (COO) or equivalent officer

This position does not exist

The highest ranking operational officer, such as the Chief Planning Officer, Director of Operations or VP for Operations.

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not employed by entity): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

This person replaced former COO: _____ on date: _____

Section 3: Principal Owners

Please fill in the required identification information for all individuals who, through stock shares, partnership agreements or other means, **own or control 10% or more of the entity**. If no individual owners exist, please check the appropriate box to indicate why and skip to the next page. If the entity is owned by other companies, those companies do not need to be listed. If an owner was identified on the previous page, fill in his/her name and write "See above." If the entity is filing a Change Form, list any individuals who are no longer owners at the bottom of this page. If more space is needed, attach additional pages labeled "Additional Owners."

There are no owners listed because (select one):

- The entity is not-for-profit
- There are no individual owners
- No individual owner holds 10% or more shares in the entity
- Other (explain): _____

Principal Owners (who own or control 10% or more of the entity):

First Name: _____ MI: _____ Last: _____
 Office Title: _____
 Employer (if not employed by entity): _____
 Birth Date (mm/dd/yy): _____ Home Phone #: _____
 Home Address: _____

First Name: _____ MI: _____ Last: _____
 Office Title: _____
 Employer (if not employed by entity): _____
 Birth Date (mm/dd/yy): _____ Home Phone #: _____
 Home Address: _____

First Name: _____ MI: _____ Last: _____
 Office Title: _____
 Employer (if not employed by entity): _____
 Birth Date (mm/dd/yy): _____ Home Phone #: _____
 Home Address: _____

Remove the following previously-reported Principal Owners:

Name: _____ Removal Date: _____
 Name: _____ Removal Date: _____
 Name: _____ Removal Date: _____

Section 4: Senior Managers

Please fill in the required identification information for all senior managers who oversee any of the entity's relevant transactions with the City (e.g., contract managers if this form is for a contract award/proposal, grant managers if for a grant, etc.). Senior managers include anyone who, either by title or duties, has substantial discretion and high-level oversight regarding the solicitation, letting or administration of any transaction with the City. **At least one senior manager must be listed, or the Data Form will be considered incomplete.** If a senior manager has been identified on a previous page, fill in his/her name and write "See above." If the entity is filing a Change Form, list individuals who are no longer senior managers at the bottom of this section. If more space is needed, attach additional pages labeled "Additional Senior Managers."

Senior Managers:

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not employed by entity): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not employed by entity): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not employed by entity): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

Remove the following previously-reported Senior Managers:

Name: _____ Removal Date: _____

Name: _____ Removal Date: _____

Certification

I certify that the information submitted on these four pages and _____ additional pages is accurate and complete. I understand that willful or fraudulent submission of a materially false statement may result in the entity being found non-responsible and therefore denied future City awards.

Name: _____

Signature: _____ Date: _____

Entity Name: _____

Title: _____ Work Phone #: _____

Return the completed Data Form to the agency that supplied it.

For information or assistance, call the Doing Business Accountability Project at 212-788-8104.

DOING BUSINESS ACCOUNTABILITY PROJECT
QUESTIONS AND ANSWERS ABOUT THE DOING BUSINESS DATA FORM

What is the purpose of this *Data Form*?

To collect accurate, up-to-date identification information about entities that have business dealings with the City of New York in order to comply with Local Law 34 of 2007 (LL 34), the recently passed campaign finance reform law. LL 34 limits municipal campaign contributions from principal officers, owners and senior managers of these entities and mandates the creation of a *Doing Business Database* to allow the City to enforce the law. The information requested in this *Data Form* must be provided, regardless of whether the entity or the people associated with it make or intend to make campaign contributions. No sensitive personal information collected will be disclosed to the public.

Why have I received this *Data Form*?

The contract, franchise, concession, grant or economic development agreement you are proposing on, applying for or have already been awarded is considered a business dealing with the City under LL 34. No proposal or application will be considered and no award will be made unless this *Data Form* is completed. Most transactions valued at more than \$5,000 are considered business dealings and require completion of the *Data Form*. Exceptions include transactions awarded on an emergency basis or by publicly advertised, non-pre-qualified competitive sealed bid. Other types of transactions that are considered business dealings include real property and land use actions with the City.

What entities will be included in the *Doing Business Database*?

Entities that hold \$100,000 or more in grants, contracts for goods or services, franchises or concessions (\$500,000 or more for construction contracts), along with entities that hold any economic development agreements or pension fund investment contracts, are considered to be doing business with the City for the purposes of LL 34 and will be included in the *Doing Business Database*. Because all of the business that an entity does or proposes to do with the City will be added together, the *Data Form* must be completed for all covered transactions even if an entity does not currently do enough business with the City to be listed in the *Database*.

What individuals will be included in the *Doing Business Database*?

The principal officers, owners and certain senior managers of entities listed in the *Doing Business Database* are themselves considered to be doing business with the City and will also be included in the *Database*.

- **Principal Officers** are the Chief Executive Officer (CEO), Chief Financial Officer (CFO) and Chief Operating Officer (COO), or their functional equivalents. See the *Data Form* for examples of titles that apply.
- **Principal Owners** are individuals who own or control 10% or more of the entity. This includes stockholders, partners and anyone else with an ownership or controlling interest in the entity.
- **Senior Managers** include anyone who, either by job title or actual duties, has substantial discretion and high-level oversight regarding the solicitation, letting or administration of any contract, concession, franchise, grant or economic development agreement with the City. At least one Senior Manager must be listed or the *Data Form* will be considered incomplete.

I provided some of this information on the VENDEX Questionnaire; do I have to provide it again?

Although the *Doing Business Data Form* and the VENDEX Questionnaire request some of the same information, they serve entirely different purposes. In addition, the *Data Form* requests information concerning senior managers, which is not part of the VENDEX Questionnaire.

My organization is proposing on a contract with another firm as a Joint Venture that does not exist yet; how should the *Data Form* be completed?

A joint venture that does not yet exist must submit *Data Forms* from each of its component firms. If the joint venture receives the award, it must then complete a form in the name of the joint venture.



Will the information on this *Data Form* be available to the public?

The names and titles of the officers, owners and senior managers reported on the *Data Form* will be made available to the public, as will information about the entity itself. However, personal identifying information, such as home address, home phone and date of birth, will not be disclosed to the public, and home address and phone number information will not be used for communication purposes.

No one in my organization plans to contribute to a candidate; do I have to fill out this *Data Form*?

Yes. All entities are required to return this *Data Form* with complete and accurate information, regardless of the history or intention of the entity or its officers, owners or senior managers to make campaign contributions. The *Doing Business Database* must be complete so that the Campaign Finance Board can verify whether future contributions are in compliance with the law.

I have already completed a *Doing Business Data Form*; do I have to submit another one?

Yes. An entity is required to submit a *Doing Business Data Form* each time it proposes on or enters a transaction considered business dealings with the City. However, the *Data Form* has both a No Change option, which only requires an entity to report its EIN and sign the last page, and a Change option, which allows an entity to only fill in applicable information that has changed since the previous completion of the *Data Form*. No entity should have to fill out the entire *Data Form* more than once.

How does a person remove him/herself from the *Doing Business Database*?

Any person who believes that s/he should not be listed may apply for removal from the *Database* by submitting a Request for Removal. Reasons that a person would be removed include his/her no longer being the principal officer, owner or senior manager of the entity, or the entity no longer being in business. Entities may also update their database information by submitting an update form. Both of these forms are available online at www.nyc.gov/mocs (once there, click MOCS Programs) or by calling 212-788-8104.

How long will an entity and its officers, owners and senior managers remain listed on the *Doing Business Database*?

- **Contract, Concession and Economic Development Agreement holders:** generally for the term of the transaction, plus one year.
- **Franchise and Grant holders:** from the commencement or renewal of the transaction, plus one year.
- **Pension investment contracts:** from the time of presentation on an investment opportunity or the submission of a proposal, whichever is earlier, until the end of the contract, plus one year.
- **Line item and discretionary appropriations:** from the date of budget adoption until the end of the contract, plus one year.
- **Contract proposers:** for one year from the proposal date or date of public advertisement of the solicitation, whichever is later.
- **Franchise and Concession proposers:** for one year from the proposal submission date.

For information on other transaction types, contact the Doing Business Accountability Project.

What are the new campaign contribution limits for people doing business with the City?

Contributions to City Council candidates are limited to \$250 per election cycle; \$320 to Borough President candidates; and \$400 to candidates for citywide office. Please contact the NYC Campaign Finance Board for more information at www.nyccfb.info, or 212-306-7100.

The *Data Form* is to be returned to the contracting agency.

If you have any questions about the *Data Form* please contact the Doing Business Accountability Project at 212-788-8104 or DoingBusiness@cityhall.nyc.gov.

**THE CITY OF NEW YORK
DEPARTMENT OF TRANSPORTATION
STATEN ISLAND FERRY DIVISION**

REQUEST FOR PROPOSAL

FOR

**PRELIMINARY DESIGN INVESTIGATION FOR STATEN ISLAND FERRY FLEET
BOROUGH OF STATEN ISLAND AND MANHATTAN**

CONTRACT NO. 841-C5591

P.I.N. 84108MBPT281

TOGETHER WITH ALL WORK INCIDENTAL THERETO

I, _____
(NAME AND TITLE)

A duly authorized representative of
(NAME OF PROPOSERS)

Acknowledge receipt of Addendum No. 3 dated September 12, 2008 for the Pin No. 84108MBPT281 for which Technical Proposals will be received by 2:00 PM on September 23, 2008.