

Attach To Contract Document

New York City Department of Transportation  
Division of Bridges  
Bureau of Specialty Engineering and Construction  
Design Build/Emergency Contracts Unit

**REQUEST FOR PROPOSAL**

**DESIGN, CONSTRUCTION AND CONSTRUCTION SUPPORT SERVICES  
FOR THE REHABILITATION OF THE NORTHBOUND AND SOUTHBOUND  
BRUCKNER EXPRESSWAY BRIDGES OVER CSX AND AMTRAK**

**BOROUGH OF THE BRONX**

**CONTRACT No. HBX1123  
PIN 84107BXBR171**

**Addendum # 5**

**January 8, 2008**

**This Addendum Is Hereby Made Part of the Contract Documents**

**NOTE:**

Attached please find:

1. Addendum No. 5
2. Responses to Questions raised to the Agency
3. Acknowledgement Receipt

THE CITY OF NEW YORK  
DEPARTMENT OF TRANSPORTATION  
DIVISION OF BRIDGES

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**ADDENDUM # 5**

**January 8, 2008**

Q 1: In Addendum # 3 Question # 4, it is stated that only one lane on the Main Line or one lane on the Service Road in each direction may be utilized at a time. We have not been able to come up with a solution to this MPT scheme. Can the Office of Construction Mitigation relax their regulations?

A 1: The below times should be utilized when scheduling two lane closures during that day's activities. Regarding one lane closure, OCMC's latest stipulations remain (Book 2 pg 279-1). Since OCMC has also stated that possible detours could be utilized, the Department will not hold any proposer non-responsive if detours are implemented. The use of Traffic Agents in the detour scenario must be accounted for and included in the cost of the MPT.

East bound (North Bound)

Weekdays	10:00 PM to 5:30 AM Service road and 1:00 AM to 5:30 AM Mainline
Saturday	12:01AM to 6:00 AM Service road and 1:00 AM to 6:00 AM Mainline
Sunday	12:01 AM to 7:00 AM Service road and 1:00 AM to 7:00 AM Mainline

West bound (South Bound)

Weekdays	12:01 AM to 5:00AM Service Road and 1:00 AM to 5:00 AM Mainline
Saturday	12:01 AM to 6:00 AM Service Road and 1:00 AM to 6:00 AM Mainline
Sunday	12:01 AM to 7:00 AM Service Road and 1:00 AM to 7:00 AM Mainline

OCMC has shown willingness to further extend this window if the selected design-build team proves that the implementation of early traffic detours, advance warning and proper signage can result in a reduction of the volumes on the bridge. This will require the review of detailed MPT drawings and provision of all necessary traffic counts prior to OCMC issuing a permit. The cost to develop such MPT drawings and collect all needed traffic counts as well as any other tools necessary to persuade OCMC to that effect (should you elect to pursue this after NTP) will be deemed included in your Price Proposal.

Q 2: Please clarify the scope of the contractor's inspection and testing requirements on this project. It maybe most straight forward if you compare it to a typical NYC DOT Design – Bid – Build Contract. Please include off site fabrication inspection and testing (ie, steel, structural bearings, rebar...); off site manufacturing (ie, concrete, asphalt, aggregate..) and onsite ( ie, compaction testing, concrete testing, painting...). Please identify for what activities independent testing labs would be required (ie, concrete testing and compression tests, structural bearings, asphalt...).

A 2: This is all included under the provisions of the Resident Engineering Inspection firm for this job, which is awarded under a separate contract.

Q 3: Please clarify if the contractor is to provide the onsite inspection staff (ie Chief Inspector, field inspectors...). Again, it maybe most straight forward if you compare it to a typical NYC DOT Design – Bid – Build Contract.

A 3: This is all included under the provisions of the Resident Engineering Inspection firm for this job, which is awarded under a separate contract.

Q 4: Schedule "A" requires the contractor to supply a \$1 million Professional Liability Insurance Policy. If the relationship on a design build team is the designer is a subcontractor to the contractor, then will it be acceptable to submit the designer's Professional Liability Insurance Policy to meet the requirements of the specifications? If that is not acceptable, then can the contractor provide their Corporate Contractors Protective Professional Insurance (CPPI) in the contractor's name to meet this requirement? As a contractor we cannot purchase designers' errors and omissions liability insurance.

A 4: Yes. It is acceptable for the designer to supply Professional Liability Insurance on this project. However, any party (including the contractor) that performs any design work on this project must also provide Professional Liability Insurance in compliance with the requirements of the contract.

- Q 5: Schedule A – RR Protective Liability Insurance Can one Railroad Protective Liability Policy be used to satisfy Amtrak & CSXT? If yes, assume the higher (CSXT) limits apply?
- A 5: Yes. However, in order for this to be acceptable, the policy would have to state that it is applicable to both railroads and for work done in and around such railroad properties. The higher limit would apply.
- Q 6: Book 2 – Exhibit I (Amtrak) Regarding Auto Liability Insurance: If subcontractor(s) (such as de-leading; transport & dispose contaminated earth) provides the required MCS-90 Endorsement as required, will the prime contractor be relieved of requiring this additional coverage provided the transporting subcontractor provides the coverage and the prime does not actually do any of this transporting?
- A 6: Auto Liability Insurance is required from the contractor under the contract. All subcontractors providing work under the contract must **also** provide all requisite insurance coverage, whether automobile liability, pollution liability, etc.
- Q 7: Book 2 – Exhibit I (Amtrak) Regarding Railroad Protective Liability Insurance: Will Amtrak provide the insurance under its blanket RRP Liability Insurance Program? If yes or possibly yes, what is the premium (left blank in the RFP)?
- A 7: Based on Amtrak's standard policy, Amtrak may allow the contractor to use its RRP Liability Insurance, however, the contractor will have to either provide the requisite coverage or negotiate with Amtrak for access to its insurance program. We therefore cannot at this time opine as to what the premium will be.
- Q 8: Book 2 – Exhibit I (Amtrak) Regarding All Risk Property Insurance: Will this be required?
- A 8: Yes. See Book 2 Exhibit I - Page 334. (Same comment as the last question and answer.)
- Q 9: Book 2 – Exhibit I (Amtrak) Regarding Pollution Liability Insurance: Will this be required? If yes, can you specify who will be required to carry this insurance (i.e. de-leading subcontractor). If yes, does the prime contractor have to carry this insurance?
- A 9: Yes. This was answered in Addendum 4 in the clarification to Question 22. The prime contractor must carry this insurance.
- Q 10: Book 2 – Exhibit I (Amtrak) Regarding Pollution Legal Liability Insurance: Will this be required? If yes, can you specify who will be required to carry this insurance (i.e. waste transporter). If yes, does the prime contractor have to carry this insurance?
- A 10: Page 335 clearly states that all parties involved in the contract including the contractor and its subcontractors must maintain this insurance. It is assumed that hazardous waste is present on both bridges - oil contaminated soil on the bridge seats and lead paint.
- Q 11: Book 2 – Exhibit I (Amtrak) Regarding Professional Liability Insurance: Will this be waived in lieu of the Professional Liability Insurance required by the prime contract (Schedule A)? Typically the Professional Liability Insurance is provided by the design consultant on the D/B Team. Will any Professional Liability Insurance be required by the prime contractor for this project for any reason, including the Amtrak language?
- A 11: Professional Liability Insurance is to be carried by the design consultant of the Design Build team. As stated in answer to Question 4, any party to the contract (including the contractor) that performs any design work must also provide Professional Liability Insurance in compliance with the requirements of the contract.
- Q 12: Book 2 – Exhibit J (CSXT) Will the project policies required for GL, WC and Auto Insurance suffice CSXT?
- A 12: We cannot opine as to what CSXT will accept as far as insurance coverage is concerned. However, like stated in answer to Question 7 regarding Amtrak, the contractor must either provide the required insurance as required by the contract on its own or negotiate the appropriate coverage with CSXT.

Q 13: Schedule A - Builders Risk insurance Please confirm Builders Risk insurance is not required (not marked with an "X"). Will Owner provide Builders Risk insurance coverage for the project?

A 13: Builders Risk Insurance is not required on this project. The owner will not provide any insurance coverage including but not limited to builders' risk.

Q 14: Please clarify the scope of work related to the rehabilitation of the backwalls for the Truss Bridge. The top of page 272 of Book 2, Exhibit E – Scope of Work states that the backwalls for the Plate Girder Bridge are to be replaced, but it is not clear as to how much backwall work is to be included in the proposal for the Truss Bridge. The inspection reports included with the bid documents indicate potential signs of deterioration in the Truss Bridge backwalls but without a closer inspection of the backwalls it is not possible for Proposers to know at this time the extent to which the backwalls of the Truss Bridge may require removal and replacement. Therefore, we request that the NYCDOT establish a level bidding field by clarifying how much, if any, backwall rehabilitation work for the Truss Bridge is to be included in the price proposal.

A 14: For the purpose of this RFP, assume complete replacement of the backwall.

Q 15: Page 271 of Book 2, Exhibit E – Scope of Work states that the proposers are to include in their bid the cost of inspecting the steel floorbeams after the encasement has been removed and that any repairs to the floorbeams other than rivet replacement shall be paid from the contingency item. Please confirm that the truss bridge structural inspection effort should also include the inspection of the lower chords and floor beam hangers of all three trusses, and that any structural repairs to the lower chords and floor beam hangers will also be paid from the contingency item, and that an appropriate extension in time shall be granted for this extra work.

A 15: Yes. Inspection of the lower cords and floor beams hangers shall be included. Any repairs shall be paid under the contingency item. However, only if additional repairs impact the critical path of the project, will an extension of time be considered.

Q 16: The two existing watermains that are supported by the two bridges are not insulated. Please clarify if the replacement water mains are to be insulated.

A 16: Refer to DEP Standards and Specifications. They may be obtained from DEP by written request to: Department of Environmental Protection, 59-17 Junction Boulevard, 13th Floor, Flushing, NY 11373

Q 17: Although it is difficult to read, it appears from the old truss bridge railroad drawings that the original vertical clearance from the roadway surface to the portal bracing of the truss bridge is 15 feet or 16 feet (the dimension is difficult to read). Furthermore, one of the recently issued drawings shows that an 8" thick reinforced concrete slab was added to the truss bridge deck. Therefore, we wish to clarify what is the existing vertical clearance under the portal bracing of the truss bridge, and we also wish to clarify what vertical clearance must be maintained under the portal bracing during the cleaning and painting of the truss bridge portal bracing and lateral bracing.

A 17: The 8" concrete slab replaced a portion of the existing deck slab. The present vertical clearance is 15' per the NYSDOT Bridge Inventory. The preferred clearance during construction is 14'-6". However, a 13'-6" temporary clearance would be acceptable provided that proper signage is placed on the expressway to allow over height vehicles to exit the expressway at a location east of the bridge.

Q 18: Please clarify whether or not the Truss Bridge Rating is based on the actual existing conditions or theoretical condition.

A 18: The truss rating is based upon the drawings in Book 2 and the modifications to the deck and overlay by NYSDOT circa 1974.

- Q 19: We request a re-clarification of issues addressed in Answer #5 in Addendum #3 pertaining to the ductbank work that is required by Con Edison. Answer #5 states that the ductbanks are to be replaced from manhole to manhole within the northbound service road. However, Con-Ed Plate #11-L does not show any manholes in the northbound service road, and Exhibit H states that the Con-Ed conduits and cables are to be replaced from Manhole 3407 to Manhole M22192, and Plate #11-L shows Manhole M22192 located in the southbound service road of the Bruckner Expressway. What is further confusing is that there are two utility vaults shown on Site Plan Drawing #R-1 that are located in the sidewalk areas a few feet behind the backwalls of the plate girder bridge, yet these two vaults are not identified on Drawing #R-1 as being Con-Ed vaults and the two vaults are not shown on Con-Ed Plate #11-L. Therefore, we wish to confirm for bidding purposes whether or not the Proposers should assume that the two vaults behind the backwalls are Con-Ed vaults and that the Con-Ed ductbank will be removed and replaced between the two utility vaults shown on Drawing #R-1.
- A 19: The two utility vaults behind the backwalls are part of the bridge project and not owned by Con Edison. The two vaults are identified on Drawing #R-1 as "Access Hole to Utility Bays on Bridge" (BIN 2-07535-2). Bidders are reminded that the water main and electrical ducts on BIN 2-07535-2 are accessible only through these manholes. The Con-Ed conduits and cables are to be replaced from Manhole 3407 to Manhole M22192.
- Q 20: Paragraph #47 at the top of page 441 of Book 2, Exhibit K - Special Provisions requires graffiti to be removed from temporary and permanent elements that are visible to the public within 30 days of the Notice to Proceed. Furthermore, during the performance of the work, Paragraph #47 requires graffiti to be removed within 48 hours of its discovery. Presently, both bridge abutments and wing walls are covered with graffiti and this graffiti extends well past the project limits on the retaining walls that join the bridge abutments. However, in our opinion the existing graffiti on these walls is not readily visible to the public due to the existing fencing and the large vertical grade differential between the sidewalk area and the track area. Therefore, please clarify whether or not the existing graffiti on the abutments and wing walls within the project limits is exempt from Paragraph #47 because it is not visible to the public.
- A 20: This project requires repairs to the abutments and therefore the Department will wave the 30 day requirement to remove existing graffiti from the abutments and wingwalls. All other provisions shall apply. See next answer.
- Q 21: Please clarify whether or not the NYCDOT wishes to have the contractor apply an anti-graffiti coating to the abutments and wingwalls within the project limits as part of the scope of work.
- A 21: Yes. Prior to completion of the project, the contractor shall clean and apply anti-graffiti coating to the abutments and wingwalls.
- Q 22: It is anticipated that when performing the cleaning and painting of the truss bridge the Contractor will encounter inaccessible areas where conventional means and methods, tools and equipment will not be able to provide the type of finished product that is desired by the technical specifications. Paragraph 3.08 on page 18 of 48 of Section 831 – Specifications for Painting, describes Limited Access Areas – For Cleaning and Painting. With regard to "Limited Access Areas", we wish to know, for example, whether or not the NYCDOT considers the back face and bottom flange of the End Floor Beams of the Truss Bridge as falling under the definition of a "Limited Access Area" because the backwalls of the truss bridge are so close to the back face of the End Floor Beams and the bottom flanges are only about an inch above the beam seat.
- A 22: For proposal purposes, it should not be considered a "Limited Access Area" as the Design Build team would need to clearly prove to the Department that the back face and bottom flange of the end floor beam on the truss bridge be included as a "Limited Access Areas" and therefore be classified as inaccessible for cleaning. An exception would only be given provided that it is clearly proven and that it is agreed upon by the Engineer-in-Charge and Resident Engineering firm.

- Q 23: With regard to "Limited Access Areas", there are many built-up diagonal and vertical members of the truss that are either continuously laced on both sides or plated on one side and continuously laced on the other side. In these instances, please clarify the level of performance that is expected of the Contractor when cleaning and painting these types of members that are blocked by the plating and, or continuous lacing? Do these types of areas fall under the definition of "Limited Access Areas"?
- A 23: For proposal purposes, it should be considered achievable and an exception would only be given provided that it is proven and that it is agreed upon by the Engineer-in-Charge and Resident Engineering firm that this would be included as a "Limited Access Area". However, your technical and price proposal are to reflect the fact that we expect the specifications to be fully adhered to and these areas to be accessible.
- Q 24: The bidding documents do not provide any details for the following types of floor beams for the truss bridge BIN #2-07535-1: FB1, FB2, FB3, FB4, and FB12. We request that this information be provided to all Proposers if it is available.
- A 24: Additional drawings labeled (2075351 Existing Drawings for RFP.pdf) in Addendum #2 were previously supplied.
- Q 25: The bidding documents do not provide any details of the existing Truss Bridge that show the method used to hang the floor beams from the bottom chords of the trusses. This information is important for determining the capacity of the truss bridge. We request that this information be provided to all Proposers if it is available.
- A 25: Additional drawings labeled (2075351 Existing Drawings for RFP.pdf) in Addendum #2 were previously supplied. These drawings show that the top flange of the floor beams are riveted to the bottom chord.
- Q 26: Refer to the RFP page 6 which states, "The proposal package should consist of individually sealed components as listed in Section IV-B, Proposal Package Contents ('Checklist'), each bound in an 8 ½" x 11" plastic spiral binding." There are a number of different types of plastic spiral binders available. The type we selected is a hard plastic, locking style spiral binder, distributed by GBC, part number GBC 25-145-17 ProClick. Can we use this type for our proposal?
- A 26: NYC DOT has no objection to the use of this specific spiral binding type for this proposal.

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**BOROUGH OF THE BRONX**

**TOGETHER WITH ALL WORK INCIDENTAL THERETO**

I, \_\_\_\_\_  
(NAME AND TITLE)

\_\_\_\_\_  
a duly authorized representative of  
(NAME OF PROPOSERS)

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Acknowledge receipt of Addendum No. 5 dated January 8, 2008 for the Contract No. HBX1123 for which proposals will be received by 2:00 PM on January 15, 2007.