

CONTRACT AMENDMENT #6

REQUEST FOR PROPOSALS

Naval Architecture and Related Engineering Services
In Connection With
Engineering Service Agreement for
Ferry Vessels and Floating Equipment '07 – Contracts A&B

Contract #s FC-5584A & FC-5584B
PINs 84107SIPT175 & 84107SIPT182

Date: 2/29/08

This is AMENDMENT #6 for the above noted contract, of which you have obtained a copy.

1. **QUESTION:** The generic engineering services list on page GR-1 of the RFP indicates possible services to be performed but does not list specific tasks. With no specific tasks/deliverables mentioned, can you please clarify as to what response NYCDOT is expecting in Form 3T? Specifically, I'm wondering about Section 1 in Form 3T in regards to task concurrence, unique aspects of the tasks, and task duration.

ANSWER: The information requested in Form 3T is intended to aid NYCDOT in evaluation of proposers' capacity to provide services required by the Agency effectively and within an appropriate timeframe. As the tasks to be performed are unspecified at this time, there are no particular "correct" responses expected from proposers. However, based on the services described on pages GR-1 through GR-4, it is important that proposers indicate a firm understanding of, as well as an ability to perform planning, staffing, quality assurance, and other methods of performance management and control common to most naval architecture and marine engineering projects. Proposers demonstrating an expert knowledge of these management and control methods and a high capacity to perform them will be scored more highly than proposers who demonstrate only a general understanding or low level of ability. While proposers are purposefully given latitude in describing their understanding and capacity to complete hypothetical specific tasks efficiently, all elements outlined in Form 3T must be fully addressed by proposers. As indicated in Section V of the RFP, the information requested in Form 3T will constitute 30 percent of the total evaluation criteria.

2. **QUESTION:** Please clarify what response NYCDOT is expecting on Form 4T3.
ANSWER: Form 4T3 provides consultants with the opportunity to propose performance outcomes, specific measures of those outcomes, and innovative forms of financial award for achieving them. The form will be reviewed by the Agency but not scored. Therefore, it will play no role in the technical ranking of proposers. However, the information provided on the form may be used as one of the bases for subsequent price/payment negotiations.
3. **QUESTION:** The RFP has a Buy America Form, but it does not show up on the RFP Checklist. Do we need to submit this form with the RFP, and if so, does it go in Component 1?
ANSWER: The forms not mentioned in the checklist will be filled out as part of the negotiation process with the selected vendors. It is not necessary to include these forms in the proposal.
4. **QUESTION:** Do the Consultant and its Sub-Consultants submit separate Forms 4T1 with their respective maximum hourly rates and multiplier?
ANSWER: Yes.
5. **QUESTION:** Will the Consultant invoice his labor per hour at the maximum hourly rate per category times the multiplier, as established on Form 4T1, or will the Consultant invoice using the employee's actual direct labor wage (as long as it does not exceed the maximum hourly rate per category on Form 4T1) times the multiplier?
ANSWER: The Consultant shall invoice using the employee's actual direct labor wage times the multiplier, as long as it does not exceed the maximum hourly rate per category on Form 4T1.
6. **QUESTION:** Please confirm that the Davis-Bacon Act minimum wage requirements are not applicable under this RFP.
ANSWER: The Davis-Bacon Act minimum wage requirements do not apply to the contracts which will arise out of this RFP.
7. **QUESTION:** Referring to pages GR-8 and GR-9 of the RFP, is NYCDOT stating that the maximum chargeable rate for the Principals' Time is \$100.00 per hour?
ANSWER: Yes, subject to all other applicable provisions of the RFP.
8. **QUESTION:** Will the price proposals of unsuccessful proposers be returned unopened?
ANSWER: In accordance with the selection procedure required by the federal Brooks Act, the price proposals of the two (2) top technically ranked firms will be opened and reviewed to determine that they properly comply with the requirements of the solicitation. NYCDOT will then attempt to negotiate a fair and reasonable price with these two (2) top

ranked proposers. If NYCDOT is unable to negotiate a fair and reasonable price with either of the two top ranked proposers, NYCDOT may conclude such negotiations, and then enter into negotiations with the next ranked proposer(s) as necessary, until agreements with two firms are reached and two contracts subsequently awarded. Following award and registration of the two contracts, remaining unopened price proposals will be returned to the respective proposers.

9. **QUESTION:** Are provisions of the "boilerplate" (General Provisions Governing Contracts for Consultants, Professional and Technical Services [Section VII, Attachment B] of the RFP) subject to revision based upon negotiations?

ANSWER: This will be determined on a case-by-case basis. Many provisions are required by law (i.e. federal, New York State, New York City) and are therefore beyond NYCDOT's authority to change or delete.

This AMENDMENT is hereby made a part of the original RFP document.

NO FURTHER TEXT ON THIS PAGE