

Town of Babylon

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STEVEN BELLONE
SUPERVISOR

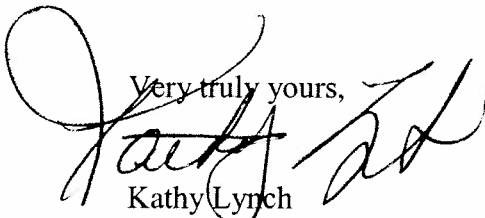
**ADDEDNUM NO. 2
RFP NO. 10G61
REQUEST FOR PROPOSALS FOR
PROFESSIONAL & ARCHITECTURAL/ENGINEERING
TO COMPLETE THE DESIGN OF THE
WYANDANCH INTERMODAL FACILITY**

December 14, 2010

To All Proposers:

The following are the responses to questions regarding the RFP. This Addendum must be made part of the original RFP.

Very truly yours,



Kathy Lynch
Town of Babylon
Purchasing Dept.

Ellen T. McVeety
Councilwoman
Deputy Supervisor

Jacqueline A. Gordon
Councilwoman

Lindsay Patrick Henry
Councilman

Antonio A. Martinez
Councilman

Corinne DiSomma
Receiver of Taxes

Carol A. Quirk
Town Clerk

RFP Response re: 10G61 - AE Services to Complete the Design for the Wyandanch Intermodal Facility

QUESTIONS

Is there flexibility in the design? Are you willing to reopen the discussion on design? Were the program objectives satisfied by the current designer? Why is the town going out to the public when the design is 30 percent complete?

Given that the project is at 30% Preliminary Engineering and Design Documents, is the Town looking for the selected Consultant to continue with the design documents in their current state and take them through completion with the current design or are there programmatic and aesthetic design opportunities being requested as part of this RFP? In other words, does the current design fulfill all the programmatic and aesthetic objectives of the Town or is the Town requesting the selected Consultant propose alternate solutions?

RESPONSE

This is a Federal Transit Administration (FTA), Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFE TEA LU) funded project. Attached please find FTA guidance and explanation of Preliminary Engineering & Design, and Final Design. As stated in the RFP the successful proposer will coordinate design activities with our existing design team. Thorough knowledge and understanding of the Federal Transit Administration (FTA) process is a condition of award. As prescribed by the FTA the Town of Babylon with its consultants have successfully completed; a Feasibility Study/Alternatives Analysis, Preliminary Engineering & Design (30%), and received approval from the FTA to enter into final design. Consultants should review and understand the significance of the National Environmental Policy Act (NEPA), and subsequent Finding of No Significant Impact (FONSI) issuance to determine the degree of flexibility in design. Except for the presentation of strong and compelling arguments the Town does not wish to "redo" the NEPA process.

Attachments-

- FTA PE Fact Sheet (Preliminary Engineering & Design)
- FTA FD Fact Sheet (Final Design)

FTA Major Capital Transit Investment Fact Sheet

Final Design

Final design is the last phase of New Starts project development during which the project sponsor prepares for construction. This preparation is intended to provide a smooth transition between project development and project implementation. Final design for New Starts projects is now much more streamlined than in prior years as project definition, project management strategies, and contract packages and procurement strategies are all developed during preliminary engineering (PE). FTA approval to enter final design authorizes the project sponsor to undertake construction preparation activities such as utility relocation, right-of-way acquisition, development of detailed specifications, preparation of final construction plans, development of construction cost estimates, and development and/or solicitation of bid documents. Remaining uncertainties or risks associated with minor design scope and the procurement process are also addressed in final design.

Accordingly, final design focuses on affecting the various strategies required to ensure successful delivery of the project on time and within the budget established at the conclusion of PE, through FTA's risk assessment of the scope, schedule, and cost estimate. All elements required for constructing the project and how they will be executed are identified during preliminary engineering utilizing several management plans, which are refined in final design. These documents include a project management plan for the construction phase; real estate acquisition plans; quality control and assurance plans for construction; project safety and security plans; bus and rail fleet management plans; and the final project financial plan. Additional documentation and plans may be required to assess any unique considerations as warranted by continuing project management oversight. The task remaining for the project sponsor in final design is to ensure that each of these plans, and the project elements and methods defined by them, are strategically executed. The finalization of project design also includes appropriate reallocation of project contingencies within the total budget commensurate with project requirements and market conditions according to the project execution plan by the project sponsor with FTA's concurrence. Detailed information on the "burn rate" for contingency and acceptable minimum balances for subsequent implementation of the project is developed. This ensures appropriate management of the integrated project schedule to maintain sufficient budget throughout the construction period. Project finalization also includes preparation of a Before and After Study plan for the collection and analysis of information related to: a) the performance of the project, as built; and b) the reliability of the methods used to estimate the project's costs, benefits, and other impacts.

FTA reviews these various strategies and plans and assesses the project sponsor's progress towards their fulfillment to determine the technical and financial capacity and capability of the project sponsor, as well as readiness, to successfully deliver the major investment as developed. During final design, most third party agreements required for completion and/or operation of the project are negotiated and executed, including agreements with railroads, public and private utilities, and other municipalities and governments; where not executed, clear terms and timelines for their execution must be established. All right-of-way and real property necessary to undertake the early construction periods are acquired, although later acquisitions must be appraised and negotiated. Required environmental permits are coordinated to ensure their timely issuance when needed. All non-New Starts funding (i.e., other Federal and state/local funding) commitments are secured. Once acceptable progress has been demonstrated towards execution of these strategies – and FTA has evaluated the project against the New Starts criteria and it continues to rate *medium* or higher - FTA will negotiate with the project sponsor the specific terms and conditions for award of a full funding grant agreement to undertake project construction.

Guiding Principles of Final Design

Final design should facilitate the:

- Transition between project development and project construction.
- Focusing on execution of various project management and delivery strategies to ensure successful completion of project construction.
- Finalization of project definition, property acquisition, third party agreement negotiations, procurement of construction services and equipment, and securing all non-New Starts funding commitments.
- Negotiation of a full funding grant agreement.



FTA Major Capital Transit Investment Fact Sheet

Preliminary Engineering

Once local stakeholders have completed alternatives analysis and have selected a proposed New Starts mode and general alignment as its locally preferred alternative (LPA), project sponsors request FTA approval to begin preliminary engineering (PE). During PE, the New Starts project sponsor refines the definition of the LPA's scope, schedule, and budget sufficient to complete the Federal environmental review process required by the *National Environmental Policy Act of 1969 (NEPA)*; that is, to determine the environmental, transportation, cultural, and social impacts of the proposed project and to develop (and commit to the implementation of) strategies for mitigating them. In addition, the products of preliminary engineering for New Starts projects should include a final scope, including provisions for compliance with the Americans with Disability Act; a highly accurate cost estimate; a thorough project management plan suitable for the phase of project development; and a solid financial plan, with a majority of the proposed local funding committed to the project.

The quality and reliability of the project information generated during PE for New Starts projects is essential to FTA's decision to fund a project, which typically occurs shortly after the completion of preliminary engineering and once a project is approved into final design. Hence, the objective of "New Starts PE," as this enhanced definition of preliminary engineering is known, is to produce a solid project definition based on reliable estimates of costs, benefits, impacts, and risks. Ultimately, engineering and design should conclusively result in the development of a specific project with definitive scope elements, alignment, and design features such that the project cost and implementation schedule is known with enough certainty to: a) provide a reasonable assurance that the project will continue to meet the New Starts criteria through final design and construction; and b) the amount of New Starts funding to construct the project can be "locked in." In fact, FTA policy is to place a cap on the New Starts funding amount which will be considered in any subsequent full funding grant agreement at the point of a project's completion of PE and entry into final design.

This approach requires a different perspective on the work performed and the costs eligible for Federal reimbursement than has traditionally been associated with PE for major capital investments. For example, varying definitions of preliminary engineering, such as "the engineering necessary to complete NEPA," or "30% design" is supplanted—for New Starts projects—by an expectation that the New Starts preliminary engineering phase will result in a project scope, cost estimate, and financial plan that have little, if any, need for change after approval of the project into final design.

PE for New Starts projects generally takes between 15 and 30 months, depending on project complexity, sponsor preparedness, the availability of funding, and a commitment on the part of project stakeholders to not revisit past planning decisions, which FTA has found to be a significant source of delay in the development of many proposed New Starts projects. To achieve this kind of schedule, project sponsors must develop a project management plan (PMP) to establish the engineering approach, procedures, and roles and responsibilities for undertaking the project; undertake engineering surveys and studies to ascertain construction needs and requirements; identify all required real estate, and utility, railroad and other third party agreements; validate capital as well as operating and maintenance costs; and define all required contract or other procurement packages.

The PMP, then, is a critical management tool for the project sponsor, and FTA uses it to assess the technical capacity and capability of the project sponsor to undertake further project development. Other critical products of PE include plans that demonstrate an adequate consideration of system fleet requirements, safety and security measures, document and cost controls, and value engineering, in addition to any unique considerations, as warranted. Finally, at the conclusion of PE, FTA will perform a risk assessment of the project's scope, schedule, and budget, which the project sponsor will use to determine a project cost estimate for advancement into final design and which is further intended to help manage the subsequent project implementation activities.

Guiding Principles of Preliminary Engineering

PE provides a basis for the management of risk of project implementation, including:

- Identification of all environmental impacts and making adequate provision for their mitigation in accordance with NEPA.
- Design of all major or critical project elements to the level that no significant unknown impacts relative to their costs or schedule will result.
- Completion of all cost estimating to the level of confidence necessary for the project sponsor to implement its financing strategy, including establishing the maximum dollar amount of the New Starts financial contribution needed to implement the project.
- Definition of procurement requirements and strategies to deliver project service.
- Solidification of local funding commitments to the project.

