

Town of Babylon

General Services
200 E. Sunrise Highway
Lindenhurst, New York 11757-2597
(631) 957-3000



RICH SCHAFFER
SUPERVISOR

ADDENDUM NO. 2
RFP 13G82

REQUEST FOR PROPOSALS FOR TECHNICAL ASSISTANCE & CONSULTATION SERVICES FOR A PROPOSED BUS RAPID TRANSIT SYSTEM ON ROUT 110

December 5, 2013

This Addendum forms part of the RFP documents and modifies the original RFP specifications .

1. "The introduction sections states that "This Route 110 AA will refine the alternatives through an Environmental Assessment process" – however ' the SCOW/Deliverables" does not include an EA task. Can you clarify whether a formal EA is intended to be included in the scope?"

Response: The Town is not seeking nor expecting the preparation of a draft Environmental - Impact Statement or Environmental Assessment under this RFP. Rather, alternatives should be given a screening for environmental impacts in order to guide the selection of a Locally Preferred Alternative.

2. "In Section II. Scope of Work and Deliverables - #7 – we are not certain what is being requested by the provision copied below, describing the bidders' scope and deliverables. Would this entail services perceived as Municipal Advisory or other services requiring special licensure under Dodd Frank?"

- Demonstrate local share of capital funding and develop a plan for capital funding demonstrating Town's ability to secure funding for capital and operating costs

Response: The Town has reviewed the following definition provided by the SEC:

"The Exchange Act defines the term "municipal advisor" to mean a person (who is not a municipal entity or an employee of a municipal entity) that: (1) provides advice to or on behalf of a municipal entity or obligated person with respect to municipal financial products or the issuance of municipal securities, including advice with respect to the structure, timing, terms, and other similar matters concerning such financial products or issues; or (2) undertakes a solicitation of a municipal entity.9 The definition of municipal advisor includes financial advisors, guaranteed investment contract brokers, third-party marketers, placement agents, solicitors, finders, and swap advisors that provide municipal advisory services, unless they are statutorily excluded.

It is not our intention to receive any services that would be perceived as Municipal Advisory under this project. Rather, we seek an understanding of probably capital and operating costs associated with the project, as well as an identification of potential funding sources and/or mechanisms.

Antonio A. Martinez Thomas Donnelly Jacqueline A. Gordon Lindsay Patrick Henry Corinne DiSomma Carol A. Quirk
Councilman In Section III, General Conditions, please further elaborate on the term "Related entity"
Deputy Supervisor Town Clerk

Response: “Related Entity” refers to any company on the proposing team

4. “In Section III, please elaborate on what “no additional cost” means in the last sentence, “the consulting organization/firm shall be require to attend monthly on-site work meetings at no additional cost.” Does this refer to labor cost or just travel cost?”

Response: Firms must budget the full extent of their expenses for the scope of this project in their budget submission, including labor and travel costs for anticipated meetings. If a respondent feels that more or fewer meetings are warranted, they should adjust their budget accordingly.

5. “In Section IV. Submittal Requirements, Item 10, please advise what the insurance requirements are since none are referenced. “

Response: The Town’s insurance requirements are attached

6. “Please advise if the Town has secured funds in excess of the FTA grant and the nature of the local match.”

Response: This is essentially a question about project budget, since our FTA grant amount is public, and it can be easily deduced what the total project amount is by figuring the matches. Are we permitted to answer? If so I propose: New York State Department of Transportation and the Town of Babylon are providing matching shares to the Town’s FTA grant.

7. “Will the parties be allowed to negotiate the terms and conditions of the final contract?”

Response: Yes, but any contract must comply with applicable federal regulations. Teams must adhere to the scope submitted in their proposal. However, the Town may choose not to move forward signing any contract.

8. “Appendix 2-Section 15 Procurement Bonding – Will any bonds be required of us?”

- o)To the extent applicable, the recipient agrees to comply with bonding requirements:
a. Construction Activities: The recipient agrees to provide bid guarantee, contract performance, and payment bonds to the extend deemed adequate by the FTA and applicable Federal regulations, and comply with any other bonding requirements FTA may issue.
b. Other activities. The recipient agrees to comply with any other boding requirements or restrictions FTA may impose

Response: This is not a construction or performance type contract, so a bond is not required.

- 9 In lieu of the “12 characters per inch” requirement, can a “no less than 12 point” font be substituted?

Response: Yes

10. “ Additional graphic presentation materials, some of which do not conform to the required size standards must be bound into the proposal. Can they be dispersed throughout the proposal itself, or must they be included in a separate section (e.g. 11x17 graphic schedule included with the work plan)?

Response: They can be dispersed throughout the proposal.

11. Will corporation disclosures be required of subconsultants? If so which ones?

Response: Disclosures should be submitted for all subconsultants.

12. "In Section IV. Submittal Requirements, #4 Personnel: In the last line, it says "Please include references and names of staff persons involved in the projects described."

Response: Proposer is to include a list of similar projects and references for same, including the personnel involved in those projects. References for those staff persons should be included with your proposal, if those staff members will be assigned to this project.

Please Note: The submission date for all proposals was extended until Friday, November 6, 2013 at 4:00 p.m.

If you have any questions, please contact me at klynch@townofbabylon.com or 631-957-7434.

Sincerely,

Kathy Lynch
Town of Babylon
Dept. of General Services