



NEW YORK CITY DEPARTMENT OF
DESIGN + CONSTRUCTION

DAVID J. BURNEY, FAIA
Commissioner

CAROL DIAGOSTINO
Agency Chief
Contracting Officer

December 10, 2010

ADDENDUM NO. 1

PROJECT: HWKF2007, CM/Design/Build for the Purchase and Installation of New Asphalt Plant Equipment for the Hamilton Avenue Asphalt Plant, Operated by the NYC Department of Transportation, Borough of Brooklyn

PIN: 8502011VP0005P

THE ADDENDUM IS ISSUED FOR THE PURPOSE OF AMENDING THE REQUIREMENTS OF THE REQUEST FOR PROPOSALS AND IS HEREBY MADE A PART OF SAID REQUEST FOR PROPOSALS TO THE SAME EXTENT AS THOUGH IT WERE ORIGINALLY THEREIN.

REQUEST FOR PROPOSAL

The contract is amended as set forth below:

1. **Section II of the RFP:** Delete in its entirety and replace with the revised Section II attached to this addendum.

Contact: Hemwattie Roopnarine, ramnarah@ddc.nyc.gov
Phone No.: 718-391-1375





By signing in the space provided below, the Proposer acknowledges receipt of this Addendum.

THIS ADDENDUM MUST BE SIGNED BY THE PROPOSER FOR THE CONTRACT AND ATTACHED TO THE TECHNICAL PROPOSAL.

Carol DiAgostino
Agency Chief Contracting Officer

Name of Proposer

By _____

Title _____



SECTION II. SUMMARY OF THE REQUEST FOR PROPOSALS**A. Background and Objectives of the Project**

The New York City Department of Design and Construction (DDC), Division of Structures, is seeking a Construction Management Firm (CM) to provide all services necessary and required for the Project. The selected CM will be responsible for the management, coordination and supervision of all required design and construction work throughout all phases of the Project, including pre-construction, construction and post construction services. The phases of the Project, as well as the components per phase, are set forth below.

(1) Pre-Construction Phase

- Selection of Manufacturer/Installer: The CM will be required to conduct a competitive proposal process and enter into a contract with a qualified manufacturer for the following: (a) dismantling and removal of existing asphalt plant equipment, (b) purchase and installation of new asphalt plant equipment, (c) performance of all plumbing, electrical and structural work required for installation of the new equipment, and (d) providing training services. The manufacturing firms which are qualified to provide and install the new asphalt plant equipment are set forth in Attachment 5 to the RFP.
- Design Services: The CM will be required to identify a design consultant in its proposal for the contract. If the CM has employees on staff who are appropriately qualified to provide the required design services, the CM may so indicate in its proposal. The design consultant will be responsible for the design of all required site work, including the storm water drainage system.
- Selection of Site Work Contractor: The CM will be required to conduct a competitive bid process and enter into a contract with a qualified contractor for the performance of all required site work, including the storm water drainage system.

(2) Construction Phase

- Site Work: The CM will be required to inspect, supervise and manage all required site work, including the storm water drainage system.
- Asphalt Equipment: The CM will be required to inspect, supervise and manage the following: (a) dismantling and removal of existing asphalt plant equipment, (b) installation of new asphalt plant equipment, and (c) performance of all plumbing, electrical and structural work required for installation of the new equipment.

(3) Post Construction Phase

- Training Services: The CM will be required to make all necessary arrangements for the manufacturer to provide training services at the plant and to perform a dry run of the equipment as part of the training.

The Hamilton Avenue Asphalt Plant is one of the largest of its kind in the City and is owned and operated by the New York City Department of Transportation (DOT). The facility is located on the Gowanus Canal in Brooklyn, New York, in proximity to the elevated roadway

“Gowanus Expressway Extension”. For many years, the Hamilton Avenue Asphalt Plant has been on the forefront of asphalt production, combining energy efficiency and recycling to produce a high-quality asphalt product. DOT operates a quality control lab within the plant to monitor and test the product to ensure the quality of the hot mix asphalt purchased by the City from various vendors. The Hamilton Avenue Asphalt Plant is one of few municipally-owned and operated facilities in the country. However, the equipment has now aged beyond its effective operation and requires replacement. There is more wear and tear to the components because DOT mixes 40% recycled asphalt pavement (RAP) with 60% virgin stone to produce approximately 500,000 tons of hot mix asphalt. In addition, the drum component of the plant is already operated past its projected useful life of 2 million tons.

Project Schedule: At the time of Project commencement, the CM will be required to submit a Project Schedule. Such Project Schedule must take into account the operational and logistical concerns set forth below.

- The Hamilton Avenue Asphalt Plant will have to be taken off-line for the period of time necessary for performance of the required work. For operational reasons, it is essential to DOT that this shut down be strictly limited to the period between November 15th and March 31st.
- The Hamilton Avenue Asphalt Plant is located in a very congested area. Not only are there other construction projects underway in the area, but the site is located next to an elevated roadway, the “Gowanus Expressway Extension”. In addition, the Triborough Bridge and Tunnel Authority restricts use of the Verrazano Bridge and other bridge crossing for large deliveries. In light of the congestion and traffic related restrictions, DDC anticipates that it will be necessary to schedule the removal of old equipment from the site, as well as the delivery of new equipment, during other than regular business hours.

B. Site Description

Major operational features of the site include the following: canal-side unloading of aggregate from delivery barges; aggregate stockpiles; reclaimed asphalt pavement (RAP) stockpiles; portable crusher unit, mixing process and emissions control units; asphalt cement / asphalt emulsion and cutback tanks; three heated silos containing hot mix asphalt; loading areas for transferring the hot mix to trucks; and 2,000-gallon aboveground storage tank (AST) used to fuel equipment. A garage bay with its own oil water separator (OWS) houses a small fleet services operation, including four 275-gallon ASTs that store products associated with vehicle maintenance. Drainage from the asphalt mixing portion of the site is channeled to a Site Storm Oil Separator (SSOS) and NYSDOT discharges storm water collected from the Gowanus Expressway via NYSDOT State Pollution Discharge Elimination System (SPDES) permit to this main as well.

DOT has developed a Storm Water Pollution Prevention Plan (SWPPP) and obtained coverage under the SPDES Multi-Sector General Permit (GP-0-06-002). As part of the required design services, the CM’s design consultant will need to review and make use of any assessment reports of the current drainage system and SSOS where possible. The site work design, as well as the layout of the new asphalt equipment, must not impact DOT’s ability to secure a modification to the existing permit.

C. Joint Ventures and Other Consultant Relationships

There is no minimum requirement for the proportion of work by either of the two joint venture partners. Joint ventures must carry the required insurance either as policies written specifically for the joint venture entity, or by using their existing single entity policies with endorsements written for the joint venture activity.

DDC does not recognize the corporate configuration wherein one company is "in association with" another. Relationships between two or more firms shall be either as joint venture partners or prime consultant/subconsultant. In the event that a proposal is received wherein two or more firms are described as being "in association with" each other, DDC will treat the relationship as one of prime consultant/subconsultant(s). The RFP evaluation will be handled accordingly, and if chosen as a winner, the contract documents will show only the prime firm on the signature page, and all other firms will be relegated to Exhibit A, which lists any subconsultants.

D. Contract Term / Contract Estimate

The term of the contract shall commence as of the date of registration by the Comptroller and shall remain in effect until final acceptance of all required work for the Project and completion of all required CM services. The anticipated time frame for final acceptance of all required work is 730 consecutive calendar days.

The estimated cost of all required construction services for the Project (i.e., site work, removal of old asphalt equipment, and purchase and installation of new equipment) is **\$7,000,000.00**.

E. Insurance

The CM must provide the types and amounts of insurance specified in the attached Contract. The cost of all insurance determined by the CM to be necessary for the Project is deemed included in the payment provisions set forth in the Contract. The CM is advised to carefully review such insurance requirements.

F. Payment Provisions

Payments for all required services for the project shall be in accordance with the attached contract. The payment terms are summarized below.

1. Staffing Expenses: An allowance will be included in the contract for payment of staffing expenses for design and construction management personnel identified in the approved Staffing Plan. Payment for staffing expenses for design and construction management personnel shall be based upon the actual time spent by such personnel performing required services for the Project and shall be at the direct salary rate per hour per title, determined as described below, subject to a Multiplier for Overhead and Profit.

- Direct Salary Rate Per Hour: In accordance with the Article 42 of the attached contract, an Assigned Employee's Direct Salary Rate per hour shall be the **LESSER** of (1) the Assigned Employee's actual annual direct salary, computed on an hourly basis, or (2) the Maximum Allowable Direct Salary Rate per Hour for the Assigned

Employee's title. As indicated in Attachment 2, the Maximum Allowable Direct Salary Rate per hour per title shall be negotiated with the successful proposer.

- Multipliers for Overhead and Profit: As indicated in Attachment 2, two separate Multipliers for Overhead and Profit shall be negotiated with the successful proposer (one applicable to CM Personnel and the other applicable to Design Personnel).
2. Construction Services: An allowance in the amount of **\$7,000,000.00** is included in the contract for payment for construction services required for the Project to be performed by subcontractors. The terms and conditions applicable to payment for construction services are set forth in Article 42 of the attached contract. The CM is not entitled to any mark up on payment to subcontractors for construction services.
 3. Miscellaneous Expenses: An allowance in the amount of **\$210,000.00** is included in the contract for reimbursement for miscellaneous expenses actually incurred by the CM. The terms and conditions applicable to payment for miscellaneous expenses, including the Field Office, are set forth in Article 42 of the attached contract. The CM is not entitled to any mark up on payment for miscellaneous expenses.
 4. Additional Services: An allowance in the amount of **\$400,000.00** is included in the contract for payment for additional services required for the Project. The terms and conditions applicable to payment for additional services are set forth in Article 42 of the attached contract. The CM is not entitled to any mark up on payment for additional services.