

Moynihan Station Phase 1 Construction Contractor RFQ

#	Question	Answer
1	Please let us know when the plans for construction will be available and how they can be purchased.	As described on page 1 of the RFP, Proposals will be accepted and evaluated against the qualification criteria set forth in this RFP. Responding firms that are successful in Part I of this RFP will be deemed qualified and will be invited to participate in Part II to submit a sealed price proposal based on a completed bid package with plans and specifications for Phase 1 that will be made available in September.
2	<i>Part IV – Submission of Proposals A – Format and Copies</i> states that each section be separated with a tab divider in accordance with the letter of the requirements used in Section X. We believe you are referring to Section A, B and C. Does Scope A, B and/or A+B represent Section A, B and C?	The reference to "Sections A, B, and C" on page 7 should read "Sections 1, 2, and 3". For clarification, each section of the Proposal should be separated with a tab divider in accordance with the NUMBER of the requirements used in Section X (i.e, Section 6 is for Financial Information, Section 7 is for Safety Information). Tabs should be numbered, NOT lettered.
3	There are no letters for some of the requirements, example: Performance & Labor and Materials Bond, Bid Bond, Certified Financial Statements. Can these requirements be tabbed as Numbers?	Please see response to Question #2.
4	<i>Part X – Respondent if a joint venture all participants in the joint venture shall be bound jointly and severally and each participant must execute the proposal.</i> Most government agencies allow for the sponsoring or designated member to sign all documentation on behalf of the Joint Venture, a Unanimous Written Consent or Power of Attorney would be submitted with the documentation. Will MSDC consider allowing the sponsoring or designated member to sign all documentation on behalf of the Joint Venture including bonds and contract documents? All certifications required for the individual companies such as Attachment B, C, D, G, H & K would still be submitted individually.	Respondent should give detailed information on the structure, establishment process, entity type and jurisdiction of organization for the joint venture entity that is intended to be established for the project. If the legal joint venture or a satisfactory agency between all of the proposed joint venture participants and an entity acting as their agent is not documented at the time of submission, each participating entity should complete and sign any and all required documents. Regardless of a satisfactory agency being in place, all certifications should be submitted separately by each participating entity. Depending upon how the joint venture is structured and on the documentation of any written agency relationship among parties to the joint venture, MSDC might consider allowing a designated joint venture member, acting as agent pursuant to a valid power of attorney granted by the other entities participating to sign certain documentation on behalf of the joint venture.
5	Can the Qualification Statement by each participant be in a form of a cover letter stating each member of the Joint Venture certifies the following specific relevant experience information for Scope A, B and/or A+B (dependant on which Scope(s) the Respondent is qualifying for), and have each participant sign one letter?	No. Section 1 (Minimum Experience of the Firm), Section 2 (Minimum Qualifications of the Project Manager or Superintendent), and Section 3 (Specific Work Experience Critical to the Project) as described on pages 7-10 of the RFP must be provided separately for each Scope the Respondent would like to be considered qualified for.
6	<i>4 – Performance and Labor and Materials Bond</i> Can the Respondent submit one letter stating which Scope(s) the Respondent can obtain Bonds for and up to what aggregate?	Yes.

Moynihan Station Phase 1 Construction Contractor RFQ

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7	<i>6 - Financial Information, Item 4 – List of Affiliates</i> Please define affiliates?	An affiliate is an entity that is related to another entity in some way, including, without limiting the foregoing, any minority or majority interest in the entity and any form of control, directly or indirectly, of or by the entities. The definition is intended to be construed as broadly as possible.
8	What is the approximate construction budget for Phase 1?	\$ 160,000,000 to \$200,000,000
9	<i>Section X – 16- New York State Tax Law Section 5-a</i> Please verify when Form ST-220-CA should be submitted.	The completed form should be submitted with the Proposal.
10	<i>Section XI – New York State Affirmative Action and Non-Discrimination Compliance and Federal DBE Compliance 4 – Completion of Attachments E-1- E3</i> Please confirm when the Attachments E-1 – E-3 are to be submitted.	Attachment E-1 and Schedule A-1 of Attachment E-2 should be submitted with the Proposal. Schedule A-2 of Attachment E-4 DOES NOT need to be submitted with the Proposal. This form will be submitted by the selected Contractor during the period of the Agreement.
11	<i>Section XII – Federal Funding Requirements 4. – Federal Certifications</i> Please provide a listing of Federal Certification required with Part I – Technical Proposal and Part II – Price Proposal. It seems that these might be better suited to Part II.	Respondent shall submit with its Proposal all certifications, statements, documents and information required in Section XII, Federal Funding Requirements. The necessary forms to be completed by Respondents are included in Attachment J and Attachment K.
12	Please advise the correct bid date and time on the above project.	The deadline for the Construction Contractor RFP: Part 1 - Technical Proposal submissions has been extended to 12:00PM (NOON) on Monday, June 27th.
13	Is this an RFP for Design services or Construction services? We are a lighting design firm that works with Architects to design floor plans with lighting locations but do not do any purchasing or installation work. Does this RFP apply to our services?	This is an Part 1 of an RFP for Construction Services.
14	<i>Section X – Page 14 Item 8- Required Licenses/Certifications</i> How is Respondent suppose to provide evidence satisfactory to MSDC that it has or is eligible to receive certification or licenses without having the bid documents?	Contractor should provide proof that they are licensed to perform the relevant Scope(s) in New York City.
15	Please clarify when the Schedule A-1 must be submitted.	Please see response to Question #10.
16	Since the scope of A & B have several of the same criteria experience, can the Respondent refer to the projects in Scope A for Scope B criteria experience to keep within the page limitations?	Please see response to Question #5.
17	Can you clarify what documents will be counted in the 100 page limit? Please consider that Appendix, Exhibits, Financial Statements, Federal Certifications, and Attachments B-D not be considered in the page count.	Proposals should have no more than 100 pages of content (i.e., 50 double-sided sheets of paper). All required forms, attachments, and financial statements DO NOT count towards the 100 page limit.
18	Will MSDC issue another RFP (technical proposal) for other packages identified in “Phase 1 Scope of Work” on the General Overview section of the “Construction Manager RFP”: Widened 33rd Street Connector; New 8th Avenue Entrances; Amtrak Force Account Work	No. The Widened 33rd Street Connector and the New 8th Avenue Entrances are included in Scope A of this RFP. Amtrak Force Account Work is included in both Scope A and Scope B of this RFP.
19	With reference to Section IV A, please advise if the 100-page limitation excludes resumes and all required attachments, including the bonding letters and financial statements.	Please see response to Question #17.

Moynihan Station Phase 1 Construction Contractor RFQ

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20	With reference to Section X, if a respondent is proposing on Scope A, Scope B and Scopes A+ B, for a total of three Scopes, do you require the respondent to submit three separate proposals of no more than 100 pages double-sided each, including three performance bonds and attachments, or to submit one bond and proposal with qualifications for all three Scopes?	Respondents DO NOT need to submit a separate Proposal for each Scope they would like to be considered for. Instead, Respondents should clearly indicate in their cover letter which Scope(s) they are submitting qualifications and all submitted materials will be reviewed for each Scope respectively. Please note that for each Scope the Respondent would like to be considered, the Respondent shall provide separate Qualification Statements within the Proposal for Section 1 (Minimum Experience of the Firm), Section 2 (Minimum Qualifications of the Project Manager or Superintendant), and Section 3 (Specific Work Experience Critical to the Project) as described on pages 7-10 of the RFP.
21	With reference to Attachment B, please reissue the document as it appears that line 2 in paragraph 2 is missing information.	A revised Attachment B has been posted on the MSDC website: (http://www.empire.state.ny.us/Subsidiaries_Projects/MSDC/MSDC_RFPOpportunities.html)
22	Page 3 of Attachment E-2 refers to Attachment F as a partial listing of New York State Certified M/WBE firms. However, the list does not appear to be attached. Please provide the list of certified firms.	A partial listing of New York State Certified M/WBE firms has been posted on the MSDC website: (http://www.empire.state.ny.us/Subsidiaries_Projects/MSDC/MSDC_RFPOpportunities.html)
23	Please clarify that Attachment I is intentionally missing.	Attachment I was intentionally omitted from the RFP.
24	If MSDC decides to split the work into two separate contracts (Scope A and Scope B), what are the estimated start dates and durations of the two contracts? Will the start dates be staggered?	For the purposes of Part 1 of this RFP, Respondents should assume that Scope A and Scope B would both start in March 2012 and conclude in September 2016.
25	<i>Section XI – Page 19 New York State Affirmative Action and Non-Discrimination Compliance and Federal Disadvantaged Business Enterprise Compliance</i> Does the Respondent have to submit Attachment E-1 Certification to comply with the representation to comply with the provisions of the section or is the respondent required to submit additional information with the Technical Proposal?	Please see response to Question #10.
26	Regarding the Background Qualification Questionnaires – If a Respondent already has a BQQP on file and current with the Port Authority, will MSDC accept that? If not, this document due to some confidential information requested in the form, the Port Authority permits them to be submitted in a separately-sealed envelope and “proof of submission” (ie copy of a cover letter) to be submitted within the Proposal or Statement of Qualifications. Will MSDC permit similarly?	Respondents need to submit a completed BQQ with their Proposal even if they already have one on file with the Port Authority. The completed BQQ may be submitted in a separately-sealed envelope with the Proposal if Respondent prefers to do so.
27	Attachment E-1 is included in the RFP/Q package as a form, but the instructions do not indicate that it is to be submitted at this time, is that correct?	Please see response to Question #10.
28	Are all forms, including the Background Questionnaire and Project Labor Agreement information requested, counted in the page limit?	Please see response to Question #17.
29	Should the “reproducible original” be unbound and single-sided?	Yes.

Moynihan Station Phase 1 Construction Contractor RFQ

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30	Please explicitly explain how we are supposed to prepare Technical Proposal and what the owner's expectations are from us in terms of the information that we need to show in writing, detail level, narrative, and preparation of Technical Proposal that we need to submit. We need to get more specific description of Technical proposal than what is described under the RFQ.	Detailed instructions on the submission requirements for this Part 1: Technical Proposal are on pages 1 thru 19 of the RFP. This stage of the RFP process is only intended to solicit a Contractor's prior qualifications to perform the Scope(s) of work described in the RFP. Responding firms that are successful in Part I of this RFP will be deemed equally qualified and invited to participate in Part II to submit a sealed price proposal based on a completed bid package with plans and specifications for Phase 1.
31	Regarding the proposed RFP process – as a bid bond is required is it the MSDC's intent to publicly open and read all bidder's proposals at the time the Phase I submissions are due?	An actual bid bond is not required at this stage of the RFP process. As described in Section 5 of the RFP, Respondent shall provide a letter from Respondent's chief financial officer certifying that Respondent has the financial and credit resources to provide bid security by certified check or bank draft, or by a bid bond in an amount not less than five percent (5%) of the relevant Estimated Total Contract Price for the scope of work that the Respondent seeks to perform.
32	Please elaborate on any specific criteria or evaluation methods to be used in determining the bidder's qualifications. For example are there specific scoring methods or weighted factors that the MSDC will use in their evaluations?	The qualification criteria set forth in this RFP will be used to evaluate Proposals. MSDC does not intend to identify the specific scoring methods and weights for evaluation of qualification criteria prior to the final due date for the RFP.
33	Is it the MSDC's intent to shortlist or limit the number of prospective bidders?	MSDC has not set a limit to the number of prospective bidders who will be considered qualified in Part 1. Please see response to Question #1.
34	Will any company that meets the minimum requirements be permitted to bid?	Yes. Please see response to Question #1.
35	Additionally will companies who do not participate in this pre-qualification process be permitted to qualify later during the RFP process?	No. Please see response to Question #1.
36	We are considering the need to joint venture on this project. Due to the limited information available, it is difficult to finalize a joint venture decision until the entire contract document set is released for bid. From the paragraph on the bottom of page 6 of the RFQ, it seems that my company can submit a response as a single entity for Step 1 and then choose to form a joint venture after Step 2 is advertised. Can you confirm that companies are able to form a joint venture after previously responding as a single entity for Step 1? If so, are we limited to joint ventures with only companies that are successful in part 1?	Prior to submitting a Proposal in response to Part 1 of the RFP, firms need to make the determination whether they will form a joint venture to meet the qualifications requirements of the respective Scope(s) they would like to be considered qualified for. Respondents may joint venture with another contractor or use a dedicated subcontractor to meet the qualifications requirements of the respective Scope(s). Respondents must provide detailed information on the proposed structure, relationship, and entity type that is intended to be established for the respective Scope(s) so it may be evaluated against the qualification criteria set forth in this RFP.
37	Our joint venture consideration could also be finalized if further information was made available to prospective bidders on the project. Is there is any information, in addition to the material posted on the website, that is available to prospective bidders that would provide a clear understanding of the scope, quantities and proposed staging? It would be beneficial to the project to have necessary teaming determined prior to release of Step 2 so that prospective teams can focus solely on pricing the project when the time comes.	In addition to the qualification criteria contained within Part 1 of the RFP, the presentation given at the Pre-Proposal Meeting is posted on the MSDC website (http://www.empire.state.ny.us/Subsidiaries_Projects/MSDC/MSDC_RFPOpportunities.html) to assist firms in the development of their approach and determine whether they need to joint venture to meet the qualification requirements of this RFP. No further information is available at this time.

Moynihan Station Phase 1 Construction Contractor RFQ

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38	With regards to experience we are quite versed in MTA work, however we have not actually done a Vent plant directly. Will this Preclude us from bidding the ventilation part of this program even though we have 20 yrs experience in this area?	No. Please see response to Question #1.
39	The proposal requirements of sections X, XI, XII and the required attachments will be in excess of 100 pages. Please clarify the extent of the 100 page limit. Are the attachments included within the 100 pages?	Please see response to Question #17.
40	Sections X.5 to X18, XI, XII, and the required attachments will be the same for Proposals A, B, and A + B. Is it necessary to repeat these sections and attachments in Proposals A, B, and A + B, and then submit eight (8) copies of same for all three (3) proposals? This will produce a large amount of duplicated pages.	Please see response to Question #20.
41	Would it be acceptable to submit separate volumes for Proposals A, B and A + B encompassing Sections X.1 to X.4, and one (1) volume including Sections X.5 to X18, XI, XII, and the required attachments?	Please see response to Question #20.
42	What is the due date for the Construction RFP?	Please see response to Question #12.
43	How should the Technical Proposal be submitted, if bidding as a Joint Venture? Does each Company submit its own separate Technical Proposal?	No. If the Respondent is a Joint Venture, one Proposal should be submitted on behalf of the proposed joint venture entity. Please see response to Question #4.
44	In order to meet the mechanical experience requirements for the Scope B Proposal, Platform Ventilation, will it be acceptable to use a dedicated mechanical subcontractor or must the respondent form a joint venture with a mechanical contractor?	Respondents may joint venture with another contractor or use a dedicated subcontractor to meet the qualifications requirements of the respective Scope(s). Respondent must provide detailed information on the proposed structure, relationship, and entity type that is intended to be established for the respective Scope(s) so it may be evaluated against the qualification criteria set forth in this RFP.
45	I am trying to gather information regarding the above project. I am on the website, and I am checking to see if there is a list of bidders posted? If it is NOT posted on the website, do you provide that information?	The sign-in sheet from the Pre-Proposal Meeting held on May 31st has been posted on the MSDC website: (http://www.empire.state.ny.us/Subsidiaries_Projects/MSDC/MSDC_RFPOpportunities.html)
46	We submitted our Background Qualifications Questionnaire (BQQ) to the Port Authority of NY and NJ in November of 2010. Would it be acceptable to refer to this submission in lieu of including hard copy in this proposal? Our BQQ, with all of the required attachments, totals 116 pages, hence prompting this question.	Please see response to Question #26.