Kosciuszko Bridge Replacement project – Phase 1
Contract D900011
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Question 26.  
*Risk Management Guide for Project Development* – Instructions to Proposers, Appendix B  
Technical Proposal Submittal Requirements B4.5, we note reference is made to the NYSDOT  
Risk Management Guide for Project Development. Please make this guide available to all  
Proposers.  

**Answer:** The Risk Management Guide has been posted to the Project website as a Reference  
Document.

Question 27.  
**ITP Key Personnel Form KP** – ITP Appendix B, Section B2.0. The Key Personnel Resumes  
required for the SOQ were Project Manager, Design Manager, Bridge (Main Span) Lead  
Designer, and Construction Manager. Form KP includes the 20 key personnel positions outlined  
in the ITP and asks proposers to indicate if there is a change relative to the SOQ. The form also  
prompts proposers to include resumes and the Department’s consent (Form RFC) for any  
changes made.

a. Since Part B is asking for proposers to indicate changes to key personnel relative to  
the SOQ, will Form KP be modified to show only the applicable four key personnel  
positions required in the SOQ?  

**Answer:** Yes - Form KP will be modified to include only the four key personnel  
included in the SOQ.

b. Otherwise, since the additional 16 key personnel are technically different from what  
was submitted in the SOQ, will proposers also be required to attach the new  
resumes to Form KP, which are required in Section 1, Volume 2?  

**Answer:** No. The complete list of resumes should be included with Form R in  
Section 1, Volume 2 for all Key Personnel.

c. The answer to Public Question 49 says, “Form RFC, if approved, is only required in  
Section 2, Volume 1.” For consistency, will the language in Form KP be modified to  
eliminate the requirement of including Form RFC?  

**Answer:** No. Form RFC is required with Form KP but not with resumes. Resumes  
are required with Form R in Section 1, Volume 2 for all Key Personnel.

Question 28:  
In accordance with Contract Document Part 3, Section 10, Subsection 10.4.3.1 – Pre-  
Construction Condition Survey - we formally request a copy of the NYSDOT 2012 biennial  
inspection report of the existing Kosciuszko Bridge.

**Answer:** The NYSDOT 2012 Biennial Inspection Report for the Kosciuszko Bridge will be  
provided to Proposers on a CD at the October 1st and 2nd One-on-One Meetings.
Question 29:
Since the D/B teams were not part of agreements if any with the NYCDOT or Community we request that we be given some guidance with regard to towing of disabled vehicles on both the existing and new Kosciuszko Bridges?

Answer: If the Design-Builder’s Work Zone Traffic Control Plan includes a one lane “cattle chute” on the mainline BQE, the Design-Builder shall have a heavy duty tow truck on site from 6am to 11pm each day the “cattle chute” carries traffic. This requirement will be reflected in an Addendum.

Question 30:
Please clarify the payment mechanisms for gas main utility work performed by National Grid. The work defined as reimbursable to National Grid, who specifically is reimbursing National Grid (ie the Design/Build Contractor or the Owner?) Will National Grid be providing an estimated value to the Design/Builders to include in their proposals for the work to be performed by National Grid? What happens if the value of National Grids work exceeds the value quoted to the Design/Builders prior to submittal of our proposals to the Owner?

Answer: The Design Builder will not be required to pay National Grid. As denoted in the Preliminary Utility Work Agreement, the NYSDOT will pay National Grid directly for the element(s) of work that are the responsibility of National Grid.

Question 31:
Appendix D, form PB (Proposal Bond), second paragraph .... (“The Base Project plus Option”). Is it the intent of the NYS DOT to have only one Proposal Bond which then gets attached to the Base Bid and the Base Bid Plus Option.

Answer: Yes.

Question 32:
Please clarify if second tier subcontractors will be allowed on this project.

Answer: Second tier subcontracting will be permitted. In instances where a first tier subcontractor is not a DBE, but the second tier subcontractor is a DBE, the amount of the second tier contract to the DBE will be counted toward the DBE goal.
Question 33:
The Exxon/Mobil Consent Decree filed on March 1, 2011 between Exxon/Mobil and the NYSDEC includes a Corrective Action Plan. Within this plan there is a requirement of Exxon/Mobil to address any contaminated soil and/or residual product attributed to any third party construction projects within the Exxon/Mobil Site. A plan showing the limits of the “site” illustrates that the Kosciuszko Bridge Project limits in Brooklyn is within the Exxon/Mobil site limits. How does this consent decree factor into the project? Does this mean the project (e.g., NYSDOT) has to pay for the removal and disposal of any contamination caused by their activities or is Exxon/Mobil responsible for this and coordination is required?

Answer: The Design-Builder is financially responsible for the handling and disposal of any contaminated material that requires removal as part of the Design-Builders activities related to this project.

Question 34:
The Final Contaminated Materials Investigation Findings Report states that “EPA is also evaluating the integrity of existing bulkheads along the creek, and drainage to the creek, to determine if upgrades are necessary to prohibit future contaminants from entering the creek. It will be necessary to identify any special EPA requirements for construction of bulkheads and drainage systems in the project area”. Has the EPA determined what upgrades are necessary? Is it the responsibility of the Contractor to build bulkheads and drainage systems in accordance with EPA requirements?

Answer: The Design-Builder’s responsibilities with regard to contaminants along the creek are included in the NYSDEC permits posted on the Project website. The permits meet the requirements of the EPA. The drainage requirements are included in Part 3 – Section 20 of the RFP.

Question 35:
With regards to the Meeker Avenue Plume, the Final Contaminated Materials Investigation Findings Report states that hazardous gas ventilation measures are necessary and need to be put in place for excavations. Can the NYSDOT expand on the specifics of such a ventilation system?

Answer: It is the Design-Builder's responsibility to implement the necessary measures and supply the appropriate equipment to provide hazardous gas ventilation. Such equipment could include electric blowers specifically intended to vent hazardous atmospheres. Also, as indicated in the Contaminant Management Plan, mechanical ventilation equipment is required to be kept onsite and is to be used to vent excavations when air monitoring exceeds the specified action levels.
Question 36:

Within the Final Contaminated Materials Investigation Findings Report, findings of the FEIS are reported. VOC’s ethylbenzene and xylenes were detected in soils adjacent to an active gasoline filling station located at 546 Morgan Avenue in Brooklyn. In addition, several groundwater samples collected during the FEIS were contaminated with BTEX. Does this gasoline filling station represent an ongoing source to environmental contamination?

Answer: The gasoline station at 546 Morgan Avenue is listed with NYSDEC for a closed-status petroleum spill in 2004. The spill was reportedly resolved to the satisfaction of NYSDEC. The property does not have any open spill cases according to publically available NYSDEC records. However, the site may be considered a potential source of contamination based on its active use as a gasoline station with underground fuel tanks. If unknown contamination is encountered during the Design-Builder’s excavations, the Design-Builder will not be responsible for the cost to handle and dispose of these materials.

Question 37.

The Final Contaminated Materials Investigation Findings Report states that the Contractor will need to coordinate with the EPA on bulkhead design upgrades to prohibit contaminants from entering the creek. The EIS states that bulkheads will be removed and replaced with riprap. Please confirm what is required.

Answer: The Design-Builder’s requirements regarding contaminants and the removal of the existing bridge foundations and the installation of new riprap are included in the NYSDEC permits posted on the Project website.

Question 38.

The “Monitoring Program” for the Laurel Hill site under the NYSDEC permit states that deep monitoring wells are to be installed (page 4-Additional Deep Groundwater Monitoring Wells) 50 fbg to monitor potential groundwater impacts caused from construction activities. Is the confining layer identified at 20 fbg continuous? What is its thickness? What is the water table elevation of the lower aquifer? What is the water table elevation? What chemical analysis is required to conform to “General Chemistry”? Page 5 of the Monitoring Program states that “Sampling and analytical protocols will be in compliance with the Operation, Maintenance and Monitoring Plan, Barrier Wall and Collection Trench/Treatment System, CRA, September 2007. Is this document available?
Answer: The confining layer at 20 feet is not continuous across the entire site according to investigations performed by PDRC. A detailed description of the geology and hydrogeology at the Laurel Hill Site is available in the Laurel Hill Site CRA Report, 2007. A copy of the report will be provided to Proposers on a CD at the October 1st and 2nd One-on-One Meetings. The chemistry parameters are listed in the Monitoring Program in the NYSDEC Permit.

Question 39.

Page 6 of the NYSDEC Permit “Monitoring Program” discusses “Development of baseline data and performance standards” that the Contractor will be accountable for. Please explain how these standards will be developed and what impacts to the Contractor they will have if they appear to be exceeded after contract award.

Answer: According to the Monitoring Plan, the periodic groundwater monitoring data will be compared to the pre-construction baseline data using the described EPA-approved statistical analysis methods to identify any changes in groundwater chemistry that may be attributed to bridge construction activities. If it is determined that project construction has damaged the groundwater collection system or has contributed to cross contamination of the lower aquifer, the Contractor is responsible for mitigating such damage or contamination to the satisfaction of NYSDEC at no additional cost to the Department.

The pre-construction baseline data will be collected by the Department until two months after Award of the Design-Build Contract at which time the Design-Builder will take over this activity. The subcontractor will be mobilizing in September 2013 to install the monitoring equipment per the Monitoring Program. The results of the monitoring program will be made available to Proposers on a daily basis.

Question 40.

Does the NYSDEC consider the main span foundation elements to be beyond the Greenpoint Oil Spill and or the Meeker Avenue Solvent Plume?

Answer: The known limits of the Greenpoint Oil Spill and the Meeker Avenue Solvent Plume are indicated in the Materials Investigation Report on the Project website and the NYSDEC published reports. The NYSDEC samples do not extend to the main span foundation location so the existing conditions are not known. The Department will conduct deep environmental sampling of the soil and groundwater at the Brooklyn tower location (shown in the Indicative Plans) and provide the results to NYSDEC and Proposers for their use.

Drilled Shafts socketed into rock are anticipated at the Cable-Stayed tower foundations. No further approval for such foundations at the Main Span tower foundation locations indicated in the Directive Plans are required from NYSDEC. If contaminants are found at this location that require additional remediation, these requirements will be provided to Proposer by Addendum.
Question 41.

Has the NYSDEC approved or commented on the proposed drilled shafts that penetrate the clay layer and are socketed into rock at the main spans? (as shown on 40% Plans – drawing No. ST-50)

Answer: Drilled Shafts socketed into rock are anticipated at the Cable-Stayed tower foundations. No further approval for such foundations at the Main Span tower foundation locations indicated in the Directive Plans are required from NYSDEC. Further clarification will be provided in an Addendum.

Question 42.

If the NYSDEC has not approved the foundation elements at the main span, when is NYSDEC approval required? (i.e. is NYSDEC approval required before the tender submission?)

Answer: Drilled Shafts socketed into rock are anticipated at the Cable-Stayed tower foundations. No further approval for such foundations at the Main Span tower foundation locations indicated in the Directive Plans are required from NYSDEC. Further clarification will be provided in an Addendum.

Question 43.

Is it an ATC, if the installation method at the main span involves anything other than a straight sided cased element to rock?

Answer: No. As long as the proposed foundation meets the project requirements set forth in the Contract Documents, it is not at ATC.

Question 44.

Approach - When does NYSDEC need to provide approval for the method of foundation installation if different from what is shown on the indicative and or directive drawings (whether or not an ATC)?

Answer: If the method of foundation installations differs from the Contract Documents, the Design-Builder must submit this change as an ATC to NYSDOT and obtain NYSDEC approval before including the method in their Proposal. Note the following points that will be clarified by Addendum.
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- Driven piles are required within the limits of the Greenpoint Oil Spill and Meeker Avenue Solvent Plume. Should the Design-Builder choose an alternative pile method, the Design-Builder would need to seek approval from the Department and NYSDEC.

- Regardless of the type of piles that are selected, the depths of the piles within the limits of the Greenpoint Oil Spill and Meeker Avenue Solvent Plume may not extend lower than 10 feet above the Raritan Clay confining layer in order to avoid cross contamination of the deeper aquifer.

  To further clarify - Deeper piles are not acceptable in this area. Do not pursue an ATC. Also, borings that penetrate the Raritan Clay layer in this area are not permitted. It is recognized that a boring may intercept the clay layer but if that occurs the boring shall not be advanced at that location.

  The known limits of the Greenpoint Oil Spill and Meeker Avenue Solvent Plume are indicated in the Materials Investigation Report and the DEC published reports.

- Drilled Shafts are anticipated at the Cable-Stayed tower foundations. The Department will conduct deep environmental sampling of the soil and groundwater at the Brooklyn tower location (shown in the Indicative Plans) and provide the results to DEC and Proposers.

- Pile and/or shaft depths in Queens are not restricted.

**Question 45.**

Is there any difference in the foundation elements allowed at the approach span as compared to the main span with respect to penetrating the clay layer?

**Answer:** Yes. See response to question 44.

**Question 46.**

Will the limits of the Greenpoint Oil Spill and or the Meeker Avenue Solvent Plume be finalized prior to tender submission?

**Answer:** No. The limits of the Greenpoint Oil Spill and the Meeker Avenue Solvent Plume are changing as reported in NYSDEC published reports documenting their ongoing investigation of these sites. These reports are publicly available at local document repositories including the Brooklyn Community Board One and the Greenpoint Branch of the NYC Public Library. The latest report will also be provided to Proposers on a CD at the October 1st and 2nd One-on-One meetings. The NYSDEC has indicated that an updated report will be available, but the timing is not known. If the updated report is available prior to submittal of the proposal, the Department will provide the report to Proposers and the Design-Builder shall incorporate its findings into their proposal.
Question 47.
If the limits of the Greenpoint Oil Spill and or the Meeker Avenue Solvent Plume are not finalized prior to tender submission, will it be the responsibility of the design builder to establish the limits?

Answer: Yes. Part 3 of the RFP states the following:
“The Design-Builder will be required to maintain an up-to-date understanding of the ongoing investigation and remediation work being performed on these projects and the implications to construction. Publically available information for these sites is available at local document repositories including Brooklyn Community Board One and the Greenpoint Branch of the NYC Public Library”. The latest report will also be provided to Proposers on a CD at the October 1st and 2nd One-on-One meetings. The NYSDEC has indicated that an updated report will be available, but the timing is not known. If the updated report is available prior to submittal of the proposal, the Department will provide the report to Proposers and the Design-Builder shall incorporate its findings into their proposal.

Question 48.
If there are locations where there is no clay layer identified, will there be limitations are depths of foundations for the approach spans?

Answer: In Brooklyn, within the limits of the Meeker Avenue Solvent Plume and the Greenpoint Oil Spill, the Design-Builder will be responsible for taking split spoon samples every 5 feet when taking borings and if the Raritan Clay layer is identified, the boring must stop. The tip of the pile/shaft may not extend below 10 feet above the Raritan Clay layer. If the Raritan Clay layer is not encountered, the pile depth is not restricted.

Question 49.
In regards to Form R and the directions to complete resumes, the ITP and Form R requests references from OWNERS. Depending on our client, we do not always have an OWNER reference, but we do have a client reference. Can we ask NYSDOT if a client reference is acceptable when an OWNER reference is unavailable?

Answer: No. All references must be from the Owner, and must include the Owner’s contact information.

Question 50.
On Form KP the directions indicate either you fill out A or B. Please confirm that the document does not have to be signed if submitting B.

Answer: Confirmed. If the Proposer completes Part B, a signature is not required.
Question 51.

Please clarify the Laurel Hill Site properties required to be asphalt capped as their appears to be a conflict between the specifications and drawings: Part 3, Section 3 – Environmental Compliance, Article 3.2.1.L (page 32); indicates that Parcels 1A, 9A and 2 will be capped while Part 6, Drawing No. GN-02 – Site Specific Cap-Parcels 1A, 1C & 2, Notes and Legend; indicates under the Construction Sequence notes that Parcels 1A, 1C and 2 will be capped. Also if Parcel 1C is to be capped, please provide details such as a site plan and cross-sections similar to the other parcels to be capped.

Answer: Parcel 1A, 9A and a portion of Parcel 2 are required to be capped as part of this contract per the capping plans included in the Final RFP – Part 6 – Directive Plans.