Question 175.

*Insurance Certificates* - Article 17.A.10: “Design-Builder shall require that Certificates of Insurance, meeting the requirements of the Department are provided to the Department documenting the insurance coverage for each and every subcontractor employed by them to do work under this contract.”

This is not a typical contractual requirement of the vast majority of Owners, inclusive of NYSDOT to date. Please confirm NYSDOT requires submission of certificates of insurance from each and every subcontractor.

**Answer:** The subcontractors are required by State Law to provide Workers Compensation and Disability insurance as they are also required by law to provide Commercial Auto insurance, the level of the insurance requirement is $1.0 Million per accident coverage. The subcontractors are also required to provide General Liability insurance of $1.0 Million / $2.0 Million and, where applicable, professional liability insurance. This is outlined in the current EI 09-021 and EI 10-006 and is referenced in DB 107-06. The selected Design-Builder will be responsible for ensuring that the subcontractors have the necessary insurances and for documenting proof of insurance for all subcontractors. The Department’s QA effort will be checking that the Design-Builder is fulfilling those requirements.

Question 176.

Please refer to Form WPS in Appendix D of the ITP. Can separate work payment items be created for the following work:

A. Sitework at Laurel Hill Site
B. Environmental (contaminated/hazardous soil and groundwater, asbestos, etc.)
C. Geotechnical Instrumentation and Monitoring
D. Electrical/ITS
E. Maintenance and Protection of Traffic (MPT)

**Answer:** The items and percentages shown below shall be added to the WSP form in the RFP as maximums. *Geotechnical Instrumentation and Monitoring* will not be added as an individual item in the WPS form. The following will be added by Addendum.

   Sitework at Laurel Hill Site – 1%
   Environmental – 1%
   Electrical/ITS – 1%
   Work Zone Traffic Control – 2%
Question 177.
The seismic design response spectrum developed using the NYSDOT LRFD Blue Page provisions for Downstate Bridges results in a higher response spectrum for the 2,500 year event than would result from using the AASHTO LRFD Bridge Design Specification. Part 3, Section 1.5 of the RFP states that “In the event of a conflict between the codes and reference documents listed below, the more stringent requirements, as determined by the Department, shall apply.” Please confirm that it is your intent to have the Bridge designed for the greater of these two response spectra.

Answer: Per Part 3 of the RFP – Section 10.3.7 “The bridge shall be designed for two levels of design earthquake: a lower level event (functional evaluation/design level) having a 1000-year return period and an upper level 2500-year return period event in accordance with the NYSDOT LRFD Blue Pages provisions for Downstate Bridges. “ The 2500-year return period hard rock time histories and response spectra can be found in the NYSDOT Blue Pages and the NYSDOT website at https://www.dot.ny.gov/divisions/engineering/structures/manuals/seismic-references.

The 1000 year hard rock time histories and response spectra have been provided to Proposers on the Project Website. It is the intent to have the bridge designed for the results of the site specific seismic analysis.

Question 178.
Computer and Networking Requirements – Part 3, Section 2.7 outlines very detailed requirements for 24 notebook PCs for Construction Inspection Professional Engineering (CIPE) Firm. Considering this is a Design-Build and the Design-Builder will subcontract the CIPE firm directly, it is unclear why the Department would want to impose Computer and Networking Requirements to this level. We suggest omitting requirements and allowing the Design-Builder and CIPE to determine their own IT requirements based on their resources, agreement, and needed to fulfill the scope of work required of the Design-Builder and CIPE firm.

Answer: The above referenced computer related specifications are for reference only and reflect the current technology utilized by NYSDOT when making Citrix Connections and are provided for informational purposes only.

The Design-Builder shall provide computer and networking equipment to the Construction Inspection Professional Engineering Firm (CIPE) as necessary. The Department will issue Citrix connection accounts to the DB and its CIPE firm. It is recommended that the DB test the
network connection success prior to fully equipping its staff and the CIPE firm to ensure both hardware and software compatibility.

Question 179.  
*Material Change to Base Project* – Part 2, DB 104-4.1.4 – Inaccuracies of Plans – This section makes reference to a, “… exclusive list of circumstances that may be considered a material change in the Base Project Configuration” provided in Part 3. No such list is evident in Part 3, please provide said list; please provide example and clarify RFP accordingly.

Answer: The following changes will be issued by Addendum.

- Section DB 104-4.1 will be revised to state the following:

  “**DB 104-4.1 Changes in Basic Project Configuration**

  The Department acknowledges and agrees that the Design-Builder’s Proposal was based on certain basic information presented by the Department regarding the nature of the Project to be constructed as documented in the RFP. This basic information is considered the Basic Project Configuration. Except as authorized by an Order on Contract, the Design-Builder shall not make any material change in Basic Project Configuration. Non-material Department-Directed Changes may be covered by an Order on Contract whether they are within the parameters of the Basic Project Configuration or not. Department-Directed Changes may be ordered without any change in the Contract Price or extension of the Contract Time, provided the change is ordered prior to completion of the Definitive Design Review for the affected Design Unit(s).”

- Section DB 104-4.1.1 will be deleted in its entirety

- Section DB 104-4.1.4 will be revised to state the following:

  “**DB 104-4.1.4 Inaccuracies in RFP Plans**

  The Design-Builder shall be responsible for any cost increases and/or delays resulting from changes in requirements and obligations of the Design-Builder relating to the Project due to inaccuracies in the RFP Plans other than an error, omission, or defect in the Directive Plans constituting or requiring a material change in the Basic Project Configuration. If any such changes occur, no change in the Work shall be deemed to have occurred and no Order on Contract will be issued for any such cost increases and/or delays, unless the change qualifies as a Necessary Basic Project Configuration.
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Change. Accordingly, any non-material changes in the Basic Project Configuration shall be the responsibility of the Design-Builder.“

Question 180.
RFP Instructions to Proposers Appendix B Section B4.2 page B-9 indicates that we need to provide a Design Management Plan as part of the Technical Proposal that includes a description of:

“ii) the names of the individuals the proposer commits to use in its design check work,

iii) the proposed design and checking sequencing, and

iv) the resources and personnel needed for timely implementation of ... design check activities”.

Appendix B Section B4.6 Page B-12 requires that our Initial Quality Control Plan proposal narrative be in the format shown in RFP Part 2 General Provisions Appendix 113A. Appendix 113A QP 101 Sections 4.1, 4.2, 4.4 and 4.5 Key Personnel – Design and Construction, requests that we name the individuals who are responsible for performing the various specific Quality Control and Quality Assurance tasks”.

How does this requirement differ from items ii) and iv) above?

Answer: The Design Management Plan shall focus specifically on the design process and how the Design-Builder, Design Manager and Design Quality Manager will ensure quality control of the design. The Design Management Plan shall explain the design quality control process and shall identify the individuals responsible for performing the process including the personnel that will be checking the design calculations, plans, etc. for the different aspects of the design.

The Quality Control Plan shall include a broader perspective on both the design and construction quality control process and how the two processes will be integrated to ensure constructability and a quality project.

In addition, Appendix 113A QP Sections 400, 401, 402, 403, 404, 405, and 406 requests that we provide a description of design quality control and checking processes/sequence.

How does this requirement differ from item iii) above? Should we repeat information between the two sections or should this information be contained only in the Initial Quality Control Section?
Answer: The Department recognizes that there will be some repeat of information in the Initial Quality Control Plan and the Design Management Plan. The Evaluation Teams will be evaluating the information and detail as described above. The intent is that the Initial Quality Control Plan will contain more detail regarding Quality Control in the overall process than the Design Management Plan will address. It is strongly suggested that if the Proposer feels the information is relevant to both Plans that the information be supplied in both locations of the Proposal.

Question 181.

RFP Instructions to Proposers Appendix B Section B5.1.1 page B-13 indicates that we need to provide:
“As part of the Initial project Phasing/Sequencing Plan the Design-Builder should provide visualizations including 3D animation and 4D schedule simulation”.

Is the Department requesting two different products here, one a 3D animation of the completed project, and the other a 4D representation of the project as it is being constructed; or is this requirement meant to be one simulation of the stages of construction shown using the 3D model? What are the Department’s expectations regarding the inclusion in the animation(s) of a reasonable amount of the built environment and greater surrounding site information in the background, animation length and number of camera viewpoints?

Answer: The intent of this requirement in Section B5.1.1 is one 4D schedule simulation. The animation background, length and viewpoints should be sufficient to present a visualization of the key elements of the design concept, approach, construction sequencing and maintenance of traffic.

Question 182.

In reference to Section B3.0 Technical Solutions, separate write-ups are required for the Constructability Plan for the Base Project (B3.2.1) and Base + Option (B3.2.2). Are separate write-ups allowed for the other technical plans (i.e. Visual Quality and Lighting, Service Life and Initial Corrosion Protection, etc.)? If so, should the Base + Option write-ups be included in Volume 2B?

Answer: The RFP will be modified by Addendum to require a separate Visual Quality and Lighting technical section for the Base plus Option in addition to the Base Project. Design-Builders may not include any additional sections except those specified in the RFP and the Addendums.
Question 183.
In reference to Section B3.4 Visual Quality and Lighting Plan: Provide architectural concept drawings and renderings, along with supporting narratives that comply with the visual criteria set forth in Part 3 – 8. If the renderings are the same for Base and Base + Option, are two sets required, one for each section?

Answer: See the response to Question # 182.

Question 184.
Based on the new insurance requirements that were provided per Addendum #3 on the NYSDOT website, it does not specify what requirements the subcontractors will be held to. We feel these requirements listed in Addendum #3 will apply to the prospective DB team. Please clarify what will be required of subcontractors involved on this project.

Answer: See response to question # 175.

Question 185.
In Addendum No. 3 NYSDOT provided a redlined revised Form SP and Form WPS. Will NYSDOT please provide the editable version of these forms and any future revised forms in both reline and editable versions via addendums?

Answer: The revised Form SP (both versions) will be provided on the Project website as an Excel Spreadsheet, which Proposers must use when submitting their Proposals. The revised Form WPS and any other revised Forms will be made available as editable documents via the Project website.

Question 186.
*Phelps Dodge Laurel Hill Site* – The Directive Plan General Notes GN-01 and Part 3, section 3.2.1 references load restrictions on the Laurel Hill Site varying from 400-1000 PSF. Considering the resources the Department has invested in determining this very prescript loading criteria, it would seem the Design-Builder should be alleviated of the risk for changed ground water conditions through the barrier wall provided the Design-Builder works within the loading parameters on Directive Capping Plans. Please confirm the Department’s intent on the loading criteria with regard to Design-Builder liability. Again, we believe it would be punitive to make the Design-Builder liable for changes due to ground water movement/ contaminates provided Design-Builder has worked within loading/ surcharge criteria outlined in the Directive Capping Plans.
Answer: The Department will not bring a direct cause of action against the Design-Builder concerning liability arising solely out of changed ground water conditions that occur as the result of capping or loads on the Laurel Hill Site, provided the Design-Builder complies with the contract documents regarding capping requirements and load restrictions, unless the changed ground water conditions are the result of negligence or an intentional act on the part of the Design-Builder. This will be clarified in an addendum.

Question 187.

Please confirm that a Project-specific 24 hour / 7 day calendar for milestones and concrete curing is acceptable in that it will reflect total float by the # of shifts and not working / calendar days.

If this is not acceptable, does NYSDOT require the Proposers to reflect the total float in working / calendar days at this time?

Answer: The Design-Builder may use project specific calendars, however all float must be reflected in days not in shifts. The Design-Builder shall list the project specific calendars used and the activities assigned to these calendars in the schedule narrative of their Proposal.