NY ROUTE 347
(TERRY RD. TO GIBBS POND RD.)

DESIGN-BUILD PROJECT

PIN 0054.18, Contract D900033

Request for Proposals

Addendum #1

December 29, 2015
Modification to the Request for Proposals

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(TERRY RD. TO GIBBS POND RD.)
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Note to Proposers

Differences between the deleted pages and the revised pages have been identified as follows:

- Brackets have been inserted on the left-hand margin of the pages to indicate where changes have been made to the documents; and

- Text additions have been shown in underlined red font and text deletions have been shown in crossed out red font.

General Instructions

Delete Page A-3 of the Instructions to Proposers, Appendix A, Project Information, and substitute the attached revised Page A-3.

Delete Pages 170 of the DB Contract Documents, Part 2, DB Section 100, and substitute the attached revised Pages 170.

Delete Pages 28, 29 and 72 of the DB Contract Documents, Part 3, Project Requirements, and substitute the attached revised Pages 28, 29 and 72. Note that there are no tracked changes on Page 29; however, the page is included due to the text which shifted as a result of the addition to Page 28.

No other provision of the solicitation is otherwise changed or modified.
A5.0 PROCUREMENT SCHEDULE

A5.1 ANTICIPATED PROCUREMENT SCHEDULE
The Department anticipates the following procurement schedule for the Contract:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Draft RFP Informational Meeting</td>
<td>December 2, 2015</td>
</tr>
<tr>
<td>Final RFP to Shortlisted Firms</td>
<td>December 16, 2015</td>
</tr>
<tr>
<td>Date Proposers may start submitting ATCs for review</td>
<td>December 17, 2015</td>
</tr>
<tr>
<td>Proposal period one-on-one meetings with all Proposers.</td>
<td>December 18, 2015 to January 14, 2016</td>
</tr>
<tr>
<td>Final date for requests for changes to Proposer’s organization and personnel</td>
<td>January 18, 2016</td>
</tr>
<tr>
<td>Final date for Proposers to submit ATC’s for review</td>
<td>January 15, 2016</td>
</tr>
<tr>
<td>Final date for Department’s responses to ATCs submitted for review</td>
<td>January 20, 2016</td>
</tr>
<tr>
<td>Final date for Proposers to respond to conditional approval of ATC’s</td>
<td>February 3, 2016</td>
</tr>
<tr>
<td>Final date for receipt of Proposer questions</td>
<td>February 3, 2016</td>
</tr>
<tr>
<td>Issue Date for Final Addendum and/or answers to Proposer questions</td>
<td>February 5, 2016</td>
</tr>
<tr>
<td>Proposal Due</td>
<td>February 17, 2016</td>
</tr>
<tr>
<td>Post Proposal meetings (if required)</td>
<td>TBD</td>
</tr>
<tr>
<td>Selection of Best Value</td>
<td>Mid March 2016</td>
</tr>
<tr>
<td>Limited Negotiations (if required)</td>
<td>TBD</td>
</tr>
<tr>
<td>Contract Award</td>
<td>Mid May 2016</td>
</tr>
<tr>
<td>Notice to Proceed</td>
<td><strong>End of June 1, 2016</strong></td>
</tr>
</tbody>
</table>

This is a tentative schedule. All dates set forth in the preceding table and in this RFP are subject to change, in the Department’s sole discretion. To the extent that dates are changed, the Department shall notify the Proposers by Addendum.

A5.2 PROPOSAL DUE DATE
The completed Proposal shall be delivered to the Department’s Designated Representative at the address specified in Section A8.0, no later than 12:00 P.M. (midday) (Eastern Time), on the date specified in Section A5.1 (the “Proposal Due Date”).
applicable, and DB §§104-7 and 109-10.1(H)(1)-(3), shall apply with respect to any request to adjust the Contract Time. The Department will have no liability and no adjustment will be made for any damages which accrued more than 10 days prior to the filing of such a notice.

In all cases where an extension of time is warranted under this DB §108-6, the extension shall be negotiated and addressed in an Order on Contract. Delays incurred by seasonal and weather limitations, localized labor actions and shortages of supplies or materials, and other situations which should be anticipated are not eligible for extensions.

In cases where the Work has been unduly delayed by the Design-Builder because of unwarranted reasons, inefficient operation, or for any other reason for which the Department determines the Design-Builder to be liable, the Department may grant a time extension at its sole discretion. However, such time extension shall in no way relieve the Design-Builder from liability for Liquidated Damages in accordance with DB §108-5 or for charges for engineering charges associated with Quality Assurance of design and construction activities or other charges, and shall not serve to modify the Contract Time established in the Contract.

Reasonable time necessary for Design Reviews, for changes or additions to the Work to meet field conditions which do not adversely affect the Design-Builder’s ability to meet the Contract Deadlines, for delays incurred by seasonal and weather limitations, for localized labor actions and shortages of supplies or material, for utility relocations, and for other situations which should be anticipated are neither compensatory nor eligible for extensions of any Contract Deadlines, except as expressly authorized hereunder. Design-Builder agrees to make no monetary request for, and has included in its Proposal Price, any extra/additional costs, any delays, inefficiencies or interferences in the performance of the Contract caused by or attributable to the reasons described in this paragraph.

The adjustment to the Contract Deadlines allowed under this DB §108-6 constitutes Design-Builder’s sole and exclusive remedy for such delays, except for the compensation allowed for certain types of delays pursuant to DB §§109-10 or 109-15.1.

**DB 108-7 SUBCONTRACTING OR ASSIGNING THE CONTRACT**

Unless indicated otherwise in a Project Labor Agreement, the Design-Builder shall perform Work, including construction and design work, with a value of at least 51% of the Contract Price with its own forces. Work performed by any Principal Participant, including any of the Design-Builder’s joint venture members, general partner(s), subcontractors, subconsultants and their affiliates, is considered work with the Design-Builder’s own force. However, the Design Firm Services cost, the Construction Inspection cost, and the Materials Testing cost will be excluded from the calculation of the 51%.

At the pre-work conference, the Design-Builder shall submit a list of intended Subcontractors and vendors. In addition, the Design-Builder will be required to update the list of Subcontractors and vendors as the Work progresses so that the Department will have, at all times, a current and accurate list of Subcontractors along with the Work that they perform and vendors along with the items that they supply. The required forms for the submission of Subcontractor information will be supplied by the Department.

In the solicitation of Subcontractors and vendors to perform Work under this Contract, prior to entering into any commitments for subcontracting or for purchase or leasing of supplies, material or equipment, the Design-Builder shall refer to the following, then current publication to solicit participation of DBEs, MBEs, or WBEs. The Design-Builder is required to consider Subcontractors from the list of certified DBE firms that can be accessed via a link on the
SECTION 7  PUBLIC INVOLVEMENT

7.1  SCOPE

The goal of the public involvement activities is to inform the public and agency participants by providing timely information throughout the design and construction process. The Design-Builder shall be responsible for supporting and cooperating with the Department for all public involvement activities.

7.2  STANDARDS

The Design-Builder, in close coordination with the Department, shall perform the Public Involvement activities in accordance with the NYSDOT Project Development Manual: Appendix 2, Public Involvement Manual.

7.3  REQUIREMENTS

7.3.1  Public Outreach

The Design-Builder shall have the primary responsibility for performing public outreach activities for the Project, but the lead in all public outreach activities shall be the Department. All public outreach activities shall be coordinated through the Department’s Construction Quality Assurance Engineer (CQAE). All public communication activities must be reviewed and approved by the Department. This includes communication and notifications of key stakeholders (motorists, general public, area residents, educational institutions, emergency services, businesses, etc.) of road closure information, Project milestones or Project construction related activities that have the potential to affect the general public and/or residents in proximity to the Project area. Project milestones include, but are not limited to: the visible start of construction activities; travel pattern changes; significant Project accomplishments, and construction completion.

The Design-Builder shall be aware that outreach to the public is a critical component to the successful completion of any NYSDOT project. Design-Build projects by their nature introduce unknowns and variables that the public is not aware of due to the fact the design is not complete. In an effort to offset those potential concerns and anxieties that a yet fully vetted design could create, in the eyes of the public, outreach to the public shall commence early on this project. The Design-Builder shall be prepared to meet with appropriate stakeholders and the elected officials and the general public within 75 days following the issuance of the Notice to Proceed. The Department remains the lead on this activity but the Design-Builder will assist in coordinating the logistics, preparing the presentation material, the announcement of the meeting(s), and other outreach efforts necessary to capture the communities interest and participation. The Design-Builder shall be prepared at this time to discuss the design, the reason for said design, the construction methods, the schedule of the construction contract, the time periods of the day that the work will be on-going, and how traffic and pedestrians will be accommodated, as a minimum. This will all be coordinated with the Department’s Project Manager and the discussion of this meeting and coordination will begin at the Design Workshop and shall be so listed as an agenda item for the Design Workshop.

The Design-Builder shall coordinate with and provide a minimum of two weeks advance notice to the CQAE prior to all changes to traffic patterns and the following Project milestones: start of construction; Project completion; and any other interim completion milestone(s) as determined by the Department.
The Design-Builder shall provide the Department with a minimum of two weeks advance notification for each public information activity (press announcements, travel advisories, PVMS postings, etc.) to allow for proper review and comment by the Department.

The Design-Builder shall provide the Department’s CQAE with a written work Schedule (including anticipated traffic changes) two weeks in advance of work that will change traffic patterns.

7.3.2 Media Relations

Media Inquiries: All media inquiries, requests for interviews from local print or broadcast news media, trade magazines or other media outlets must be referred to the CQAE for direction. The Department will coordinate and respond to all media requests. The Design-Builder shall alert all project personnel about this policy.

Travel Advisories: To allow for timely notice to the public, two weeks advance notice of the start of work, any lane closures, road closures, or changes to traffic patterns is required to be given to the CQAE and the Department’s Project Manager.

Notifications referenced above are in addition to the written work schedule discussed in Section 7.3.1. The Department will develop a draft travel advisory for content and quality review by the Design-Builder and other Department staff as deemed appropriate. The travel advisories will be finalized and distributed to the press and appropriate state elected officials, and posted on the Project website by the Department. However, the Design-Builder is responsible for the notification of local public officials, emergency service providers, schools, residents, businesses, and other affected parties, of any major travel pattern change.

The strategies described above are consistent with the requirements of Part 3 Section 15 – Work Zone Traffic Control and Access, and shall include Construction Bulletins published by the Department, based on information provided by the Design-Builder, especially focused on traffic changes, night time work, higher-noise construction periods or locations, or other construction activities of potential concern to the public. The Design-Builder shall be responsible for interaction with the affected homeowners, tenants and businesses with regards to issues including but not limited to, security of and access to their property or properties, utility services, night time operation, etc.

7.3.3 Public Information Meeting

The Design-Builder shall be prepared to partner with the Department on a Public Information Meeting(s) to discuss the Project with the community in an open forum format. It is anticipated that a Public Information meeting will be necessary after Notice to Proceed and prior to implementing the detour and/or staged construction. The Design-Builder shall prepare design and construction related information about the Project and the Design-Build process, schedule or construction methods being used, etc., that will help inform Project stakeholders. The Design-Builder shall work in cooperation with the CQAE in determining the necessary presentation materials.

Project update meetings including public informational meetings may be required during the course of construction, depending on how smoothly the Project is progressing and the community(s) reaction and receptiveness to the construction of the Project.
18.3.2 Design Requirements

Design requirements for the reconstruction of NY 347 and local streets shall be as specified below.

- Design speed: NY 347, 60 mph; Local streets, 35 mph;
- Lane Widths: Three 11 foot wide Eastbound lanes; three 11 foot wide Westbound lanes;
- Turning Lane Width: 11 foot wide at all turning lane locations;
- Shoulder Widths: A 6 foot wide right shoulder and a 2 foot wide left shoulder in the Eastbound and Westbound directions, except at right turn lane locations. A 4 foot wide right shoulder and a 2 foot wide left shoulder at right turn lane locations; A 2 foot wide right shoulder and 2 foot wide left should shall be provided at local streets;
- Shared Use Path Width: A minimum 12 foot wide shared use path on the Eastbound side;
- Sidewalk Width: A minimum 5 foot wide walkway on the Westbound side.

The Design-Builder shall determine turning bay lengths, taper and number of turn lanes required, for NY 347 and the side roads, to achieve a minimum overall intersection Level of Service (LOS) ‘C’ at Southern Blvd, a minimum overall intersection LOS ‘B’ at Lake Avenue, and a minimum overall intersection LOS ‘B’ at Gibbs Pond Road. Level of Service shall be based on a 2035 design year. The Design-Builder shall add an appropriate factor of safety to the turning bay lengths by assuming non-uniform arrivals. Permissive lefts across three lanes of traffic are not permitted.

In addition to the above requirements for sidewalk and shared use paths along the Eastbound and Westbound sides of NY 347, the Design-Builder shall reconstruct any portions of the existing sidewalk and shared use path which are impacted by the Project Work.

18.3.3 Curbs

Curbs along NY 347 shall be M150 mountable concrete curb, with a 4 foot imprinted concrete shelf between the curb and shared use path or sidewalk for the entire length of the project. Curbs along cross streets shall be VF150 vertical faced concrete curb.

18.3.4 Posted Speed

The proposed posted speed on NY 347 shall be 45 mph; all other posted speeds shall remain.

18.3.5 Railings

If bicycle and pedestrian railing is needed based on the proposed design, the railing design materials and color should blend with the aesthetics of the overall roadway proposed elements. The color of fencing or railing shall be either black or dark brown.

18.3.6 Barrier Systems and Impact Attenuators

The Design-Builder shall remove and dispose of all existing barrier systems within the Project limits, and replace with new barrier systems to current NYSDOT Standards. All existing un-signalized openings in the median barriers shall be eliminated.

The limits of work for new roadside and new median barrier outside of the project limits shall be the lesser of the following:

1) The point where barrier is no longer warranted; or