Question 46.
As a prudent and responsible Design – Build Team, sufficient time is required for design, DBE outreach and preparation of a high quality and competitive Proposal for the Kosciuszko Bridge Project. Therefore, we respectfully request an eight (8) week postponement to the Proposal due date of October 23, 2013.

Answer: The Department has extended the procurement schedule. The revised Proposal due date is December 4, 2013.

Question 47.
The table on Definitive Drawing DP-13 states that the building located at Block 2814, Parcel 102 in Brooklyn is to be partially demolished and property to be cleared. Please provide plans showing the extent of demolition on Block 2814, Parcel 102 in Brooklyn.

Answer: The portion of the existing building within the FEE limits on Map 72 shall be demolished and a new building fascia wall shall be constructed along the FEE line to enclose the remaining building space. See Acquisition Map 72 in Part 7 – Engineering Data for location of FEE line.

Question 48.
Brooklyn ROW/ Access to Buildings – Part 6, Directive Drawing DP-08, The building located on the southeast corner of the intersection of Cherry and Gardener (Block 2815, Lot 3) currently has an overhead door located on the north side of the building. Per Directive Drawing DP-08, the new bridge could be constructed immediately north of the referenced building. Has consideration been given to maintaining access to the north side of the referenced building? Please provide Proposers with any access requirements to this side of the building, if any.

Answer: The Design-_builder shall be required to maintain truck access to the overhead door located along the north side of the building. The Directive Drawings in the Final RFP will be revised to reflect this requirement.

Question 49.
ITP - After reviewing Table A on page A-5, it is determined that Form RFC is required in three separate places:

a. Section 2 (Proposer Information), “Changes in Organization.” Section A2.2.2 starting on page A-1 states, “Provide Form RFC approved by the Department for any change to the Proposer’s organization as represented in the Proposer’s SOQ.”
Attached to each approved Form, the Proposer shall provide a written description (two pages maximum) of the change(s) approved in the Form.”

b. Section 3 (Forms and Certificates) Form KP, Key Personnel Information supporting documentation also requires Form RFC, “for the substitute Key Personnel, attach copies of resumes plus the Department’s written consent (Form RFC) for the personnel change.”

c. Section 3 (Forms and Certificates) requires Form RFC.

To eliminate duplication of information in Volume I, would the Department consider requiring the form RFC and supporting information only in Section 2?

Answer: Form RFC, if approved, is only required in Section 2, Volume 1.

Question 50.

ITP - Section 3.4 Incorporation into Proposal, page 25 says, “Copies of the Department’s ATC approval letters for each incorporated ATC shall be included in the Proposal as specified in Appendix B.”

The only reference to ATC’s in Appendix B is found on page B3 in Section B3.1.1 Design Plan Narrative, which states, “A summary of any ATCs approved or conditionally approved by the Department should be included.”

Table B on page B-20 does not direct proposers where to include the copies of the Department’s ATC approval letters. Please clarify.

Answer: Copies of the Department’s ATC approval letters for each ATC that is incorporated into the Proposer’s proposal shall be included in the Volume 2, Section 2 – Technical Proposal.

Question 51.

The General Provisions Paragraph DB 104-15 discusses Warranties and Guarantees. As written, the Design-Builder must warrant that the project shall be free of defects including design defects, errors, and omissions and shall be fit for its intended function.

In addition, the RFP requires that such warranties, guarantees and obligations (including design) be obtained from all sub-contractors, and be extended from sub-contractors so that they “run directly to” and are “enforceable by” the Department (also referred to as “flowdown”)

We have been informed by our Design Group that this provision is beyond what is normally required on Design-Build projects. As such, this liability is excluded from coverage under a Professional Liability Policy.
Will the Department consider revising the language for DB 104-15 so that it is more in line with typical Design-Build projects; thereby permitting coverage under a Professional Liability Policy?

**Answer:** The Department notes that similar warranty language has been used by other jurisdictions on Design-Build projects.

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**Question 52.**
Phase 1 Cross Section & Drainage – Part 6, Indicative Drawings WZTC 93 – 95 and WZTC 105 – 108, indicate the Phase 1 westbound Queens Approach (will be EB mainline in Phase 2) require a fourth travel lane. We note this area requires only 3 lanes EB in Phase 2. Using this area of the Project as an example:

- Where Phase 2 cross slope break points don’t line up with Phase 1 stripped travel lanes and shoulder edges, what accommodations will be required for the Phase 1 configuration (allow cross slope breaks in the middle of Phase 1 lanes, Phase 1 cross slope adjustments with level up, etc.)? Please clarify this scope and criteria to the Proposers.

- What accommodations will be required for collecting of drainage runoff adjacent to the barrier at the end of the Phase 1 condition (allow drainage to pass beneath the barrier, additional collection structures built into the structural deck along the toe of the Phase 1 barrier, reduction is design storm frequency for interim condition, etc.)?

- What accommodations will be required to account for the eventual placement of the fixed barrier on the Queens Approach upon the completion of Phase 2 (allowance for doweling, notching in the deck, etc.)?

**Answer:**
(a) It is noted that the Work Zone Traffic Control Plans included in the Indicative Plans were developed based on a previous four contract Design-Bid-Build scheme and therefore do not reflect the current scope of the Design-Build Project. Per the Part 3 Project Requirements, four lanes of traffic are required in Phase 1 and Phase 2 (two lanes from the BQE WB mainline and 2 lanes of traffic from the LIE/local streets). It is also noted, that the intent of WZTC drawings 105 and 106 is to provide these four lanes of traffic. A lift of temporary asphalt can be installed to minimize breaks in the cross slope in temporary conditions where cross slope breaks occur within travel lanes.

(b) The Design-Builder’s design and construction shall allow for proper drainage during the temporary condition. It is acceptable to utilize temporary barriers with openings to allow runoff to flow to the drainage structures provided that the means to maintain the openings, including snow and ice removal, is included during construction.

(c) Doweling of the permanent concrete barrier in the bridge deck will be allowed.