

Request for Proposals

INNER HARBOR DEVELOPMENT - PHASE 3A

Buffalo, New York

PIN 5755.80

INNER HARBOR TRANSPORTATION INFRASTRUCTURE FACILITY

CANAL SIDE - COMMERCIAL SLIP PARKING GARAGE PACKAGE

DESIGN PHASES V&VI (FINAL DESIGN, R.O.W. ACQUISITION AND CONSTRUCTION SERVICES)

Request for Proposals - Questions and Answers

Pre-Proposal Meeting

Q1. Who will be on the Selection committee?

A1. The Selection Committee will include ECHDC and ESDC staff. NYSDOT has been asked to participate with no response at this time.

Q2. Will the selected consultant be required to complete any environmental investigations or work under Phases I-IV?

A2. The selected Consultant will not be required to complete any work under Design Phases I-IV.

Q3. Can't find Design Guidelines on the ECHDC website.

A3. Design Guidelines can be found at <http://www.eriecanalharbor.com/>, click on the Canal Side logo (within the quick links along the right side) and then scroll down when the window opens. Appendix B, due to its size, consists of 7 pdf files.

Q4. Do we need geotechnical services?

A4. No geotechnical services are included in the scope of work for Design Phases I-IV. ECHDC would expect geotechnical information to be gathered at the site to ensure the structural design and analysis of the parking facility.

Q5. Will a Maintenance & Operations (O&M) Plan be required as part of the scope?

A5. Yes. A preliminary O&M Plan, including revenue generation and pricing plan will be included in the approved Design Report, as required by FHWA. However, a final O&M Plan will be required along with the bid documents.

Q6. Can you explain the M/WBE requirements as they relate to the federal DBE requirements?

A6. As stated in the RFP: "The selected consultant team shall be required to use its best efforts to achieve M/WBE participation of not less than 25% (20%-MBE, 5%-WBE) of the total dollar value of the contract. The selected consultant team shall also be required to use its best efforts to achieve DBE participation of not less than 18% of the total dollar value of the contract. The 18% DBE goal is NOT in addition to the 25% MBE/WBE goal, but can be achieved concurrently." Please note that ECHDC expects the Consultant Team to meet both M/WBE and DBE goals throughout the Project.

Q7. Is the Construction Administration/Construction Inspection phase part of the scope?

A7. Yes. It is expected that a Supplemental Agreement will be awarded to the chosen Consultant for the Construction Administration/Inspection Services.

- Q8. Do the CI/CA scope conflict with the scope of work under the Canal Side CM RFP?**
A8. No. After further review of both projects, the Canal Side CM will not have involvement with this Project, all CA/CI related to the parking facility will be handled under PIN 5755.80.
- Q9. How much work has been completed with respect to the parking access revenue control?**
A9. Several options for revenue and pricing have been provided to the FHWA for review and approval. The approved options will become part of the preliminary O&M Plan and will be included in the approved Design Report, as required by FHWA. However, a final O&M Plan (including revenue, pricing, and operations and maintenance) will be required along with the bid documents.

Inquiry No. 1

In review of the current RFP and the words “MWBE” and in knowing Ms. Bonnie Foit-Albert’s previous proposal, design, etc. the questions are:

- Q10. Was Bonnie in any way paid for her efforts for this parking ramp? If yes, may we have a copy? If not, it is fine.**
A10. Foit-Albert’s contract is with the City of Buffalo. They are completing Design Phases I-IV under PIN 5756.69. Questions regarding the City’s contract should be directed to Mr. Seyed Ghasemi at 851-4263.
- Q11. Recent site activities, I assume, were directed by your office. What DWGs were used and who originated the DWGs and may we have a copy?**
Q12. ECHDC has not directed any site activity regarding this project. Drawings found in the request for proposal were completed by Ehrenkranz Eckstut & Kuhn (EEK) architects and renderings were drawn by Charles Gordon (an eek sub-consultant). Copies will be made available to the selected Consultant.
- Q12. If Bonnie Foit-Albert’s firm information in any way or shape were used by your organization in planning & programming (as it appears was done); does that mean she has stomping ground over ever body else?**
A12. The preliminary design for this facility has been advanced by EEK under the Canal Side SEQR project. Foit-Albert is using this information as the basis for the Phases I-IV work.
- Q13. Please tell me who your organization Attorney is is.**
A13. Mr. Steven Matlin, 633 3rd Avenue, 37th Floor, New York, New York 10017
- Q14. In reference to Protocol, I was under impression your office suppose to answer inquiries, if not as stated please let me know who should receive my inquiry?**
A14. In accordance with Section IV.D.3 of the request for proposal and state finance law section 139-j, Steven Ranalli is the point of contact for this RFP. The Contract Reporter is only an advertisement service.

Inquiry No. 2

- Q15. Are sub-consultants subject to the same insurance requirements as listed on Pages 5 and 6 of the RFP?**
A15. While ECHDC prefers the sub-consultants have the same insurance as the Prime Consultant, the contract for this project is between the Prime Consultant and ECHDC. Therefore, it is ultimately the Prime Consultant’s decision if they will require the sub-consultants to carry the same insurance.
- Q16. At the Pre-Proposal Conference, you said that the Cost Proposals of the short-listed respondents will likely be opened and reviewed by the Selection Committee in order to**

have better discussions during the interview process and that Cost will not be used to determine the most highly-qualified respondent.

Will the act of opening and discussing fee, *prior* to the establishment of the first-ranked consultant (regardless of whether or not Cost is an official selection criterion), jeopardize the integrity of the Consultant Procurement process as prescribed in the NYSDOT's Procedures for Locally Administered Federal Aid Projects?

- A16. Due to the concern that reviewing the Cost Proposals could be an "indirect factor" in the final ranking, ECHDC has decided not to open the Cost Proposal until after the selection of the top-ranked consultant.

Inquiry No. 3

Q17. Is there any information available (record plans, etc.) for the footings of the Skyway and what it is founded on, i.e. rock?

- A17. The NYSDOT should be contacted for Skyway Record Plans.

Q18. Has a geotechnical analysis been performed of the area to determine if there is rock on site for support of the foundation of the garage? If so is this available?

- A18. Several geotechnical investigations have been performed in the vicinity of the Project site. ECHDC has recently completed a geotechnical investigation for the northern end of the former Memorial Auditorium block. Copies of this investigation, and any other information we have gathered for the area, will be supplied to the selected Consultant. See also A4 above.

Q19. There are numerous geotechnical and underground (utility, groundwater, natural gas, etc.) considerations in addition to the existence of rock. Will the analysis of these unknowns and associated cost be a part of the Consultant's agreement/contract, or will ECHDC provide this information?

- A19. ECHDC does not have any geotechnical or underground information specific to the Project site. A site analysis is expected as part of the scope of work.

Q20. The RFP states selection will be completed by November 23, 2009. When will the shortlist determination be made and when will the interviews take place – how long do the shortlisted teams have to prepare for the interview?

- A20. The tentative Proposal review schedule, subject to change at ECHDC discretion, is as follows:
- | | |
|----------------------------|------------------|
| Review/Short-list by | October 17, 2009 |
| Short-list Notification on | October 19, 2009 |
| Interviews | November 4, 2009 |

Q21. The RFP states 50 pages double sided. Is this 50 sheets of paper or 50 pages? In other words can we submit 100 pages of information on 50 sheets of paper?

- A21. The RFP shall not exceed 50 sheets of paper. Double-sided pages are allowable.

Q22. At the Pre-proposal meeting you stated that we would receive copies of the sign-in sheets from that meeting. I would like to confirm that.

- A22. The Sign-In Sheets are attached at the end of this document.

Inquiry No. 4

Q23. Based on yesterday's (Pre-Proposal Meeting) discussion, its my understanding that the successful Canal Side CM cannot be the Commercial Garage consultant for V and VI. However, subs to the CM are OK to propose. Can it work the other way also? Can the Canal Side CM be a sub on the Commercial Garage assignment?

- A23. After further review of both projects, the Canal Side CM will not have involvement with this Project. All CA/CI related to the parking facility will be handled under PIN 5755.80. Therefore,

there is no conflict of interest for consultants (prime or sub) proposing on both the Canal Side CM and PIN 5755.80 projects.

###

Erie Canal Harbor Development Corp.

INNER HARBOR DEVELOPMENT - PHASE 3A
 PIN 5755.80 Inner Harbor and Waterfront Development Transportation Infrastructure Facility

Coordination Meeting
 September 23, 2009 at 2:30 P.M., 95 Perry Street, Suite 500, Buffalo, NY 14203, Conference Room A
 SIGN-IN

No.	Name	Company	Address	Telephone	E-mail Address
1	STEVEY HULIHSON	PST	555 CANAL ROAD, CHELSEA, NY 14425	716-447-1335	STEVEY.HULIHSON@ERIECANAL.COM
2	DAVE SHROCK, PE	PSI	1384 Buffalo Rd, Rochester NY 14624	11	DAVE@SHROCKPSI.COM
3	DAVID R GASSNER	DRE ASSOCIATES	335 OCEAN ST, ROCHESTER, NY 14606	585-639-4460	DAVID@DRE-ASSOCIATES.COM
4	SESE NETZBOUN	FOUNDING ASSOCI	210 Redtail, #10, Orchard Park 14127	585-4580844	NETZBOUN@FOUNDINGASSOCI.COM
5	Leon Kowalski	FEA Engineering	"	716-712-0811	Leon.Kowalski@feaeng.com
6	Jim Leary	FEA Engineering	"	"	jleary@feaeng.com
7	MIKE JOHNSON	Walker Parking Consultants	525 Kuis Dr, Steel Ave Harbor, LIE 48108	734-6663-1070	MIKE@WALKERPKCONS.COM
8	THOMAS WHITNEY SUPER	Halcrow Yellies	22 Cortland St. NY NY 10007	646-253-8837	THOMAS@HALCROWYELLES.COM
9	RAY JOSEPH	TEA CONSULTANTS	1000 MARLBOROUGH, ELMS, NY 14058	716-655-8842	RAY@TEACONSULTANTS.COM
10	DAVE BATHURST	Staratex	2250 BATTLE, Rochester, NY	585-475-1440	DAVE@BATHURST.COM
11	W. Le Wood	La Bella Associates	300 State Street, Rochester, NY	585-295-6206	WLEWOOD@LABELLA.COM
12	JULIE STEARNS	DiDonato Assoc	689 Main St 14203	716-656-1900	JSTEARNS@DIDONATO.COM
13	John DiDonato	"	"	"	jdidonato@didonato.com
14	Gwen Hewitt	"	"	"	ghewitt@didonato.com
15	BILL WATTS	WATTS	95 Perry St, Suite 500	716-206-5121	bill@watts-ae.com
16	BOBERT FAIT-ALBERT	FAIT-ALBERT	763 Main St	716-856-8923	BOBERT@FAIT-ALBERT.COM
17	BRUCE BIRBY	"	"	"	bbirby@fait-albert.com
18	Lee Reprim	"	690 Delaware Ave Buffalo	716-882-9776	leereprim@fait-albert.com
19	John Drake	Empire 600	5167 South Park Ave Tonawanda	716-649-5110	JOHN@EMPIRE600.COM
20	STEVE FOSTER	FISHER ASSOCIATES	325 DEWANE AVE ST. 200 BUFFALO	716-858-1234	STEVE@FISHERASSOCIATES.COM
21	MARILYN KEMMEL	FYNN KEMMEL	617 Main St SUITE 401	847-2924	MARILYN@FYNNKEMMEL.COM
22	Tom Donohue	PANSONS	40 UNIVERSITY DR SUITE 350	9754-0733	TOM@DONOHUEPANSONS.COM
23	DAVE SCHIND	SCHIND ARCHT.	111 Elmwood Ave Bld 14201	716-854-0559	DSCHIND@SCHINDARCHT.COM
24	BOB GALUCCI	EDR	247 N. Goodman Rochester 14607	716-870-6489	BOB@GALUCCI.COM
25					

Erie Canal Harbor Development Corp.

INNER HARBOR DEVELOPMENT - PHASE 3A
 PIN 5575.80 Inner Harbor and Waterfront Development Transportation Infrastructure Facility

Coordination Meeting
 September 23, 2009 at 2:30 P.M., 95 Perry Street, Suite 500, Buffalo, NY 14203, Conference Room A

SIGN-IN

No.	Name	Company	Address	Telephone	E-mail Address
1	JENNIFER MICHNEBICE	CLARK PATTERSON LEE	216 MISSISSIPPI ST. STE 300 BUFFALO 14203	1 800 274 9200	JMICHNEBICE@CLARKPATTERSON.COM
2	CHRISTOPHER GURPRA	HAMILTON HANSEN LOWME	172 ALLEN ST BUFFALO 14201	716 885-5743	cgurpra@hhlarchitect.com
3	Theodore Lowme	HAMILTON HANSEN LOWME	" "	" "	flawme@hhlarchitect.com
4	ROBERT STREET	ADMINISTRATIVE STREET	303 SOUTH PARK AVE 14204	716.856.6448	rstreet@hhlarchitect.com
5	STAN BLAS	STB CONSULTING	5167 SOUTH PARK AVE, HARBOR	716-649-8110	STBLAS@STBES.COM
6	CHRISTOPHER GAUL	PARSONS	40 LA RIVIERE DR. BUFFALO 14203	716-541-0738	christopher.gaul@parsons.com
7	ANDRES ALBERTA	SYSTEMS ENGINEERING	200 JAUROUBAN PKWY, AUGUSTA 14228	716 633 9950	ALBERTA@SERP.ORG
8	JOHN HONAN	WATTS & S	95 PERRY ST, SUITE 300, B/L 14203	206-5112	jhonan@watts-a-e.com
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					

INNER HARBOR DEVELOPMENT - PHASE 3A
PIN 5575.80 Inner Harbor and Waterfront Development Transportation Infrastructure Facility

September 23, 2009 at 2:30 P.M., 95 Perry Street, Suite 500, Buffalo, NY 14203, Conference Room A

Coordination Meeting
SIGN-IN

No.	Name	Company	Address	Telephone	E-mail Address
1	Michael Lejterker	Wendel	140 John James Audubon Pkwy	688-0766	MLEJTERK@wend-ae.com
2	Matthews Dokes	Wendel			mdokes@wend-ae.com
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					