



**Pier 26 Upland Park Construction – General Construction  
Project/Contract #C4891-A  
Addendum # 1  
November 8, 2018**

**To All Respondents:**

- 1. Part I, Section 2.2.4.1 of the above referenced Request for Proposals (RFP) contained in the Project Manual is hereby amended to extend the date for questions/clarifications to Tuesday, November 13, 2018 at 5:00pm.**
- 2. Exhibit 2 of the RFP contained in the Project Manual is hereby amended and restated as set forth in Attachment 1, herein.**
- 3. Attachment A of the RFP contained in the Project Manual is hereby amended as restated as follows and as specifically set forth in Attachment 2 herein:**

**(A) “1. C4891 –A-E Pier 26 Upland Park Construction” is amended and restated to include the following drawing modifications:**

<b>Drawing</b>	<b>Update</b>
<b>L-101</b>	Sheet references updated.
<b>L-199</b>	Extents of gravel at ecological platform are outlined.
<b>L-210 series</b>	Concrete cores shown in subslabs.
<b>L-411 &amp; L- 412</b>	Existing sump pits to be infilled as shown.
<b>L-602</b>	Umbrella layout and quantity adjusted
<b>L-800</b>	Detail added for filling in existing sump pits along northern edge.
<b>L-838</b>	Length of storage increased to fit potential umbrella height.
<b>L-840-843</b>	Footings extended to existing deck, refer to structural detail 3/S-401.
<b>L-850</b>	Foundation for umbrella included

<b>L-920</b>	Notes referencing 'existing' soil have been removed
<b>L-900</b>	General Notes pea gravel changed to organic mulch.
<b>L-900s</b>	Legend Lawn is called out as Turfgrass sod
<b>L-921</b>	Detail for woodland sunny edge mix has been expanded to include all areas of mix A and B.
<b>L-922 &amp; L-923</b>	Sheets added detailing woodland sunny edge mix areas.
<b>L-930</b>	Woodland sunny edge mix given as quantity instead of percentage.
<b>S-401 &amp; S-402</b>	Notes added to clarify reinforcing.
<b>S-401</b>	Detail 8 note clarifying that shed foundations are the same.
<b>S-401</b>	Detail 5 for overlook shed attachment added.
<b>W Series</b>	Callouts re-labelled in accordance with the set.
<b>W-310</b>	Note 6 clarified as coordination reference.
<b>E-300-303</b>	Note regarding conduit below deck clarified.
<b>E-303</b>	Walkway noted correctly, not as aerial walk.
<b>E-304</b>	Note confirms conduit size.
<b>E-304</b>	MH called out.
<b>E-307</b>	Lineweights corrected.
<b>E-307</b>	Notes are no longer cut off.
<b>P-311&amp; P-312</b>	Exposed plumbing manifold called out.
<b>P-312</b>	CI Valve box noted as 5 ¼".
<b>P-312</b>	Drain pipe dimensions coordinated.

<b>P-401</b>	Drywell detail removed and replaced with pipe ending in foamed glass aggregate typical fill in that area.
<b>Irrigation General Notes</b>	Note 7 gives range if cover for various systems.
<b>Irrigation General Notes</b>	Note 9 explains who would modify pump.
<b>I-207</b>	Details of piping through various systems shown.

**(B) “2. P26 Upland MATRIX\_rev4” is deleted in its entirety and replaced with “2. P26 Upland MATRIX\_rev5”.**

**(C) “4. C4981-A General Construction – Specifications” is amended and restated to include the following specification modifications**

<b>Specification</b>	<b>Update</b>
<b>Section 01100-Summary</b>	C4891-A – General Construction <ul style="list-style-type: none"> <li>- Modified paragraph 1.2.D.3.a to be included as Add Alternate #2</li> <li>- Modified paragraph 1.2.D.3.c to be included as Add Alternate #1</li> <li>- Added Café Tables, Chairs, and Parasols Scope to Paragraph 1.2.D.4.j</li> </ul>
<b>Section 01500-Temp. Fac. Controls</b>	C4891-A – General Construction - Added snow removal scope to Paragraph 3.3.D
<b>Section 02583</b>	2.2B 2. Location updated
<b>Section 02810</b>	2.4 Pipe fitting updated.
<b>Section 02810</b>	2.14 Booster pump altered.
<b>Section 02870</b>	2.12 Mounting for lounge added.
<b>Section 02870</b>	2.13 Loose furnishing mounting instructions clarified. Alternate umbrella added.
<b>Section 02920</b>	1.11B Removed.
<b>Section 02920</b>	2.6 Section removed.
<b>Section 02920</b>	3.3 Section updated to coordinate with project drawings.

<b>Section 02920</b>	2.3 Water to be furnished by Owner.
<b>Section 02930</b>	1.10D Section updated for plant and trees on this Project.
<b>Section 02930</b>	1.2A 8. Stabilization Materials added.
<b>Section 06150</b>	references to decking heartwood, removed
<b>Section 06150</b>	3.5C end cut sealing removed.
<b>Section 16123</b>	1.2B related sections updated.
<b>Section 16132</b>	1.2B related sections updated
<b>Section 16072</b>	Removed completely.

4. **Annexed hereto as Attachment 3 is a MWBE Waiver Request Form. Such form must be submitted with the appropriate documentation demonstrating Good Faith Efforts if the Respondent determines that it cannot meet the goals set forth in the RFP.**
5. **All requirements of the original RFP shall remain in full force and effect, except as set forth in this Addendum and any other previously issued Addenda.**
6. **All capitalized terms set forth in this Addendum shall have the same meaning as set forth in the RFP being amended hereby.**

**THIS ADDENDUM MUST BE SIGNED BY THE PROPOSER AND ATTACHED TO THE TECHNICAL PROPOSAL WHEN SUBMITTED.**

HUDSON RIVER PARK TRUST

By: Kevin Quinn

Title: Senior Vice President

**ACKNOWLEDGED AND AGREED:**

Name of Proposer: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**ATTACHMENT 1**  
**AMENDED AND RESTATED PRICE PROPOSAL**  
**(SEPARATE ATTACHMENT)**

Hudson River Park Trust  
**PROPOSAL FORM**

Pier 26 Upland Park – General Construction

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**PROJECT IDENTIFICATION:**

HUDSON RIVER PARK  
PIER 26 UPLAND PARK – GENERAL CONSTRUCTION  
CONTRACT No. C4891-A

**PROPOSAL TO:** Hudson River Park Trust  
Project Management Field Office  
353 West Street, Pier 40 – 2<sup>nd</sup> Floor  
New York, NY 10014

**PROPOSAL FROM:** \_\_\_\_\_ (PROPOSER's Name)  
\_\_\_\_\_ (Address)  
\_\_\_\_\_  
\_\_\_\_\_ (Telephone Number)

1. The undersigned PROPOSER agrees, if the PROPOSAL is accepted, to enter into an agreement with the OWNER, in the form included in the REQUEST FOR PROPOSAL Documents, to perform and furnish the Work as specified and indicated in the REQUEST FOR PROPOSAL Documents for the PROPOSAL Price and within the PROPOSAL Times indicated in this PROPOSAL and in accordance with the other terms and conditions of the Contract Documents.
2. In submitting this PROPOSAL, PROPOSER represents, as more fully set forth in the Contract, that:
  - a. This PROPOSAL will remain subject to acceptance for 90 days after the day of PROPOSAL opening;
  - b. The Owner reserves the right to reject this or any and all PROPOSALS;
  - c. PROPOSER accepts the provisions of the Instructions and Supplementary Instructions to PROPOSERS regarding disposition of PROPOSAL Security;
  - d. PROPOSER will sign and submit the Contract with Bonds and other documents required by the REQUEST FOR PROPOSAL Requirements within five days after the Execution of the Contract;
  - e. PROPOSER has examined copies of the REQUEST FOR PROPOSAL Documents;
  - f. PROPOSER has visited the site and become familiar with the general, local, and site conditions;
  - g. PROPOSER is familiar with federal, state, and local laws, regulations, and permit requirements;
  - h. PROPOSER has correlated the information known to the PROPOSER, information and observations obtained from visits to the site, reports and drawings identified in the REQUEST FOR PROPOSAL Documents and additional examinations, investigations, explorations, tests, studies, and data with the REQUEST FOR PROPOSAL Documents;
  - i. The PROPOSAL is genuine and not made in the interest of or on behalf of an undisclosed person, firm or corporation and is not submitted in conformity with an agreement or rules of a group, association, organization, or corporation; PROPOSER has not directly or indirectly induced or solicited another PROPOSER to submit a false or sham PROPOSAL; PROPOSER has not solicited or induced a person, firm, or corporation to refrain from REQUEST FOR PROPOSAL, and PROPOSER has not sought by collusion to obtain for itself an advantage over another PROPOSER or over OWNER.

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- j. PROPOSER has received the following Addenda, receipt of which is hereby acknowledged;

Date	Number
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

3. PROPOSER acknowledges that the Work indicated by REQUEST FOR PROPOSAL Documents (REQUEST FOR PROPOSAL Requirements and proposed Contract Documents) with respect to the Pier 26 Upland Park – General Construction (C4891-A) Work, is to be included in the Lump Sum Base PROPOSAL Price. The required Work Sequence of three (3) milestone Phases with a total of five (5) milestone Parts is described in Division 1 Section 01100 “Summary”.
4. PROPOSER shall complete the Work in accordance with the proposed Contract Documents for the following price(s):



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PROPOSER shall identify lump sum costs associated with this Project. The Owner reserves the right to award all or a portion of these individual lump sum costs as a part of the work:

**A. Lump Sum Price:** All work as called for in the Contract Documents to accomplish the Pier 26 Upland Park – General Construction Work Scope. See Division 1 Section 01100 “Summary – C4891-A General Construction” for a description of what is included in each of the items below.

	DESCRIPTION	QTY	AMOUNT IN NUMBERS
1	Mobilization/Demobilization	1 LS	_____
2	Wood Decking	1 LS	_____
3	Wood Cladding	1 LS	_____
4	Installation of Owner Provided Furnishings	1 LS	_____
5	Furnish and Install Site Furnishings	1 LS	_____
6	Railings and Gates	1 LS	_____

**Total Lump Sum Base Proposal Price (Sum of Items 1-6 Above):**

\_\_\_\_\_ Dollars (\$) \_\_\_\_\_  
(written amount) (numerals)

and which Sum includes all federal, state, and local taxes as may be applicable.

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In compliance with the Request for Proposal issued for this project and having carefully examined the Contract Documents and familiarized ourselves with the site and all conditions likely to be encountered affecting the cost and schedule of the proposed work, the undersigned hereby proposes to furnish all labor, materials, delivery, transportation, equipment, tools and services necessary to provide, install and complete all work of this trade in strict accordance with the Contract Documents listed in the Request for Proposal for the above Lump Sum amount.

**NOTE: SCOPE EXCLUSIONS WILL NOT BE ACCEPTED.**

**B. Alternates** – Alternate pricing listed below shall be the Additive or Deductive Price that includes any costs associated with Scope that is removed from the Lump Sum Base Price above and include all costs associated with the Alternate Scopes listed below. All work as called for in the Alternate Contract Documents Set should be included in the Alternate Pricing below. The Hudson River Park Trust reserves the right to award the below items separately.

	DESCRIPTION	QTY	AMOUNT IN NUMBERS
1	<b>Add Alt 1 – Wood Cladding for Overlook Shed (See Drawing L-844)</b>	1 LS	_____
2	<b>Add Alt 2 – Wood Cladding for Wood Shed (See Drawings L-840 and L-841)</b>	1 LS	_____
3	<b>Add Alt 3 – .TBD</b>	1 LS	_____

**C. Unit Prices**

The following Unit Prices shall be proposed by PROPOSER as a basis for additions to or deductions from the Contract Sum resulting from changes that may be incorporated in the Work after Contract execution. Unit Prices shall include all charges for labor, material, handling, delivering, storing, restocking, fees, general expenses, insurance, labor burdens, tools, shop drawings, overhead, profit, and other costs related to the item. Changes in quantities for extent of work shall not be a cause for change to Contract Time.

PROPOSERS shall propose on each Unit Price item. Unit Prices listed in this PROPOSAL Form shall remain firm, without adjustment, throughout the duration of the Contract and any extension thereto for the items of Work described. If actual quantities measured in place vary by more or less than twenty percent (20%) than the quantities indicated by Contract Documents, the Unit Price listed in the PROPOSAL Form may be equitability adjusted.

The increased or decreased resultant Contract Amount shall represent the changed material quantity multiplied by the applicable add or deduct Unit Price.

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Schedule of Unit Prices: Unit Price proposals are requested and additionally described in Division 1 Section 01270 “Unit Prices” and related Contract Specification Sections.

Description

PROPOSAL Unit Price

*Note: Unit Price add / deduct pricing shall not vary by more than 10% of the other corresponding value.*

Unit Price No. 1 –xxxxx:

(\$ \_\_\_\_\_ / LF) (add)

(\$ \_\_\_\_\_ / LF) (deduct)

Unit Price No. 2 – xxxxxx:

(\$ \_\_\_\_\_ / LF) (add)

(\$ \_\_\_\_\_ / LF) (deduct)

**NOTE:** All prices are for work furnished, delivered and installed, measured in place of installation.

5. PROPOSER agrees that the Work will be Substantially Complete and ready for final payment in accordance with the Contract Conditions on or before the dates described in the Contract Documents.
6. SUPPLEMENTARY INFORMATION: Include the following supplementary information requested in the REQUEST FOR PROPOSAL Documents as an attachment to this PROPOSAL Form, which are to be accurately completed and must be submitted as a part of and condition of this PROPOSAL:
  - a. PROPOSAL Security: Attach PROPOSAL Security in the Amount equal to 10% of the total PROPOSAL amount (Lump Sum Base PROPOSAL) in the form of a certified check, bank check, or PROPOSAL Bond and in the form of AIA Document A310
  - b. Schedule: Attach to PROPOSAL Form a preliminary schedule of proposed operations showing sequences of various portions of the work required to reach the Project completion date(s) stated in this PROPOSAL Form. Prepare as specified in Contract Conditions and Division 1 Section 01320 "Construction Progress Documentation". At a minimum, describe the Work in milestone parts as per the Work Sequence described in Division 1 Section 01100 "Summary".
  - c. Subcontractor and Supplier Identification: Attach to PROPOSAL Form a list of subcontractors and suppliers for the portions of the Work not being performed directly by the Contractor. Please use Preliminary Subcontractors and Major Materials Suppliers Listing in the form of CSI Form 1.5A as per Division 1 Section 01330 “Submittal Procedures”.
  - d. Preliminary M/WBE Utilization Form.
  - e. Preliminary Service-Disabled Veteran-Owned Business Enterprises (SDVOB) utilization form.
  - f. New York State Contractor Responsibility Questionnaire Packet completed within the last two years.
  - g. Completed “Contractor Certification” form ST-220 completed within last twelve months.

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- h. The old New York City “VENDEX” system has been replaced with an online system named PASSPort. PROPOSER must have an active PASSPort account and submit either a Change Request or a Certification of No Change Online. Confirmation of either submission must be included in your Proposal response.
- i. Doing Business Data Form.
- j. Disclosure of Prior Non-Responsibility Determinations (Lobbying) Forms.
- k. Iran Divestment Form.
- l. Non-Collusion Form.
- m. NYS Small Business Acknowledgement.
- n. EEO Policy Statement
- o. Supplemental Contracting Questionnaire.

7. COMPLETION DATE(S)

- a. The undersigned PROPOSER agrees to coordinate and expedite the Work and to substantially complete the Work:
  - 1) For Base Contract (C4981-A) Work – Phases 1, 2 & 3 Milestone Parts 1, 2, 3, 4, and 5:  
Before December 31, 2019.
- b. Time shall be of the essence in the Contract. The time schedule for Substantial Completion of the Work identified herein will establish a Date of Completion in the Contract between Owner and Contractor.

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**PROPOSAL FORM**

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SUBMITTED on \_\_\_\_\_, 2018

By \_\_\_\_\_ (SEAL)  
(Firm Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name of Person Authorized to Sign)

Business Address: \_\_\_\_\_  
\_\_\_\_\_

Federal I.D. Number: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

\*\*\*\*\*

If the PROPOSER is a corporation, indicate officers, or if the PROPOSER is a firm, indicate members, or if PROPOSER is a partnership, indicate partners:

Name	Legal Residence
_____ President / Member / Partner	_____
_____ Vice President / Member / Partner	_____
_____ Secretary / Member / Partner	_____
_____ Treasurer / Member / Partner	_____

## **ATTACHMENT 2**

### **AMENDED ATTACHMENT A DOCUMENTS**

#### **(INCORPORATED BY REFERENCE)**

**(A) 1. C4891 A-E\_Pier\_26\_Upland\_Park\_Construction\_Addendum1.PDF**

**Download at following link: [C4891CONSTRUCTIONADD1](#)**

**(B) 2. P26 Upland MATRIX\_rev5.pdf**

**Download at following link: [C4891A-DMATRIXV5](#)**

**(C) 4. C4981-A General Construction – Specifications – Addendum1.pdf**

**Download at following link: [C4891ASPECSADD1](#)**

**ATTACHMENT 3**  
**MWBE WAIVER REQUEST FORM**  
**(SEPARATE ATTACHMENT)**

## APPLICATION FOR WAIVER OF MWBE PARTICIPATION GOALS

*This form must be submitted for review and approval by HRPT MWBE staff and the Governor's staff.  
Waiver approval must be received prior to completion of the project and is a prerequisite for full and final payment.*

Section 1: Basic Information			
<b>Contractor's Name:</b>		<b>Federal ID Number:</b>	<b>SFS Vendor ID Number:</b>
Are you a NYS MWBE certified by the NYS Empire State Development Corp? <input type="checkbox"/> Yes <input type="checkbox"/> No			
<b>Street Address:</b>		<b>E-Mail Address:</b>	
<b>City, State, Zip Code:</b>		<b>Telephone:</b>	
<b>Contract Number:</b>		<b>Location:</b>	
<b>Description of Project:</b>		<b>MWBE Goals Assigned to the Contract</b>	
		<b>MBE%</b>	<b>WBE %</b>
Section 2: Type of MWBE Waiver Requested			
<b>MBE Waiver</b>	<input type="checkbox"/> Total Waiver	<input type="checkbox"/> Partial Waiver	If partial waiver is being requested please indicate the proposed MBE utilization: MBE: _____%
<b>WBE Waiver</b>	<input type="checkbox"/> Total Waiver	<input type="checkbox"/> Partial Waiver	If partial waiver is being requested please indicate the proposed WBE utilization: WBE: _____%
Does a certified MWBE exist anywhere in New York State that can provide at least 30% of the products and/or services needed for the contract? If so, please explain in detail the reason you are requesting a waiver.			
Section 3: Supporting Documentation			
Provide the following documentation as evidence of your good faith efforts to meet the M/WBE goals set forth in the contract and support of your waiver application: (Please check all that apply).			
<input type="checkbox"/> <b>Attachment A.</b> List of the general circulation, trade and MWBE specific publications and dates of publications in which your firm solicited for certified MWBE participation as a subcontractor/supplier and copies of such solicitations.			
<input type="checkbox"/> <b>Attachment B.</b> List of the certified MWBEs appearing in the Empire State Development M/WBE directory ( <a href="http://www.esd.ny.gov">www.esd.ny.gov</a> ) that were solicited for this contract. Provide proof of dates or copies of the solicitations and copies of the responses made by the certified MWBEs. Describe specific reasons that responding certified MWBEs were not selected.			
<input type="checkbox"/> <b>Attachment C.</b> Descriptions of the contract documents/plans/specifications made available to certified MWBEs by the contractor when soliciting their participation and steps taken to structure the scope of work for the purpose of subcontracting with or obtaining supplies from certified MWBEs.			
<input type="checkbox"/> <b>Attachment D.</b> Description of the negotiations between the contractor and certified MWBEs for the purposes of complying with the MWBE goals of this contract.			
<input type="checkbox"/> <b>Attachment E.</b> Identify dates of pre-bid, pre-award or other meetings attended by the contractor and scheduled by HRPT with certified MWBEs whom HRPT determined were capable of fulfilling the MWBE goals set in the contract.			
<input type="checkbox"/> <b>Attachment F.</b> Other information deemed relevant to the request.			
Section 4: Signature and Contact Information			
<b>DECLARATION: The undersigned certifies that s/he is authorized by the Contractor identified above to make this Declaration. The Contractor has made good faith efforts, as defined in NYS law, to meet the MWBE goals contained in NYS law and under the applicable contract. The undersigned acknowledges that failure to submit complete and accurate information in connection with a waiver request may result in denial and/or a finding of noncompliance. Failure to establish good faith efforts may result in suspension or termination of a New York State contract.</b>			
Prepared By : (Signature)			Date:
Name and Title of Preparer:			



## **APPLICATION FOR WAIVER OF MWBE PARTICIPATION GOALS**

*Instructions for Completing and Submitting an Application for a Waiver of MWBE Utilization Goals*

Article 15-A of the New York State Executive Law and 5 NYCRR 140-145 require State agencies to set goals for participation by minority and women owned business enterprises (MWBEs) on many types of State contracts. Prior to the contract award, separate goals are established for MBE and WBE utilization, expressed as a percentage of anticipated payments made under the contract. A State agency shall not grant any automatic waivers of goal requirements on a State contract but may grant a partial or total waiver of goal requirements established on a State contract only upon the submission of a waiver form by a contractor, documenting good faith efforts. Failure to make good faith efforts may result in a State contract being awarded to another bidder, or, if the contract is already in progress, may result in financial penalties.

### **Section 1: Basic Information**

Complete all sections, enter the contractor's name, address, federal identification number, State Financial System (SFS) vendor identification number, contract number. Please provide a current e-mail address and telephone number where the firm can be reached. In the space provided, please summarize a detailed description of the project and state the location of the work under the contract. Please state the MWBE utilization goals assigned to the contract.

### **Section 2: Type of Waiver Request**

You may request a total or partial waiver of the MBE goals and/or a total or partial waiver of the WBE goals. If a partial waiver is being requested, please state the MWBE utilization that the firm is proposing. In the space provided, explain in detail the need of a waiver for the MWBE participation goals.

### **Section 3: Supporting Documentation**

Extensive documentation is required to demonstrate good faith efforts to comply with the MWBE goals. See the form for the specific details on the required documentation and check all that apply.

### **Section 4: Signature and Contact Information**

The waiver application must be signed by an authorized official of the firm who will be responsible for the contract. By signing the waiver application, the authorized official is certifying that he or she is authorized to make the DECLARATION that has been set forth, and that the Contractor has made good faith efforts, as defined in NYS law, to meet the MWBE goals contained in NYS law and under the applicable contract. The undersigned acknowledges that failure to submit complete and accurate information in connection with a waiver request may result in denial and/or a finding of noncompliance. Failure to establish good faith efforts may result in suspension or termination of a New York State contract. Please state the date that the Application for Waiver of MWBE Participation Goals was signed by the authorized official who is responsible for the contract.

**For HRPT Office Use Only:**

**Reviewed By:**

**Date:**

**HRPT's Waiver Recommendation for Submission to Governor's Staff, if required :**

- Full MBE waiver granted
- Partial MBE waiver granted; revised MBE goal: \_\_\_\_\_ %
- MBE waiver denied \_\_\_\_\_
- Full WBE waiver granted
- Partial WBE waiver granted; revised WBE goal: \_\_\_\_\_ %
- WBE waiver denied \_\_\_\_\_

**Date the notice of determination was sent:**

**Comments:**