

Attach To Contract Document

**New York City Department of Transportation
Executive Division**

REQUEST FOR PROPOSALS

FOR

**GATEWAYS TO CHINATOWN: DESIGN AND CONSTRUCTION
OF AN ICONIC NEIGHBORHOOD MARKER**

**P.I.N. 84116MNAD033
E-PIN: 84116P0036**

**Addendum No. 3
June 15, 2017**

This Addendum Is Hereby Made Part of the Contract Documents

Attached please find:

Addendum No. 3

- 1. Notice to Proposers**
- 2. Written Answers to Written Questions Received**

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NOTICE TO PROPOSERS

Except as otherwise stated below and by any previous and subsequent Addenda, the above referenced solicitation remains unchanged. Furthermore, this Addendum is hereby made part of the contract documents.

Addendum No. 3 is hereby released to provide written to answers written questions received by the expiration of the question submission deadline.

Written Answers to Written Questions Received

- Q.1 When in Section III: Scope of Services (B) the RFP mentions under item 5: “assume all necessary liability associated with both design and construction”. What do you actually mean by liability associated with construction?
- A.1 As described in Section III: Scope of Services (E) Scope of Services – Final Design 4. Construction Contract Documents and Bidding, the consultant (the respondent that is awarded the RFP) will be expected to either partner with a general contractor in the response to the RFP, or bid out construction documents once they are completed, and manage the construction process. As stated in Appendix A, the City’s Standard Terms and Conditions, the selected contractor shall defend, indemnify and hold the City harmless from any claims that arise out of the contract awarded from this RFP.
- Q.2 Would the architect consultant selected have the contract with the contractor? Or would the DOT be open to having the contract with the GC instead?
- A.2 DOT will contract with the entity that submits the proposal, in this case, likely to be the “architect consultant.” That consultant would hold the contract with any sub-consultants or contractors.
- Q.3 Is it required to be Union Labor?
- A.3 The New York State Labor Law requires vendors on City contracts to pay appropriate prevailing wages, as set forth in the New York City Comptroller’s Office’s prevailing wage schedule. More information can be found on the Comptroller’s website at <https://comptroller.nyc.gov/services/for-the-public/prevailing-wage/wage-schedules/>
- Q.4 In Section V: Format and Content of the Proposal, under the "Technical Proposal" heading the RFP states "list all relevant current and prior projects completed within the last three (3) years." Are proposers allowed to include work from earlier than 3 years ago?
- A.4 In addition to the projects completed within the last three (3) years, proposers may submit up to five (5) projects completed more than three (3) years ago.
- Q.5 Regarding Attachment C Price Proposal in the RFP for Gateways to Chinatown, do you need only an hourly rate or could we provide a lump sum? Also, should the price proposal include sub-consultants, etc.?
- A.5 The proposer must provide hourly rates. If the proposer is including sub-consultants in its proposing team, contract hourly rates/job titles should be provided. The proposer should complete a separate price proposal form for the prime consultant and for each of the sub-consultants.
- Q.6 Is the temporary painted curb something that we can build on and relocate the trees on? Are there any particular stipulations for this portion of the site?

A.6 The current project scope and budget does not include a permanent build-out of the temporary painted curb extension; as such, the trees cannot be relocated to the curb extension area as part of the proposal. . While the design proposals may envision the build-out of the curb extension in a future phase, proposals should not be dependent on an eventual build-out of the curb extension.

Q.7 We would like to know beforehand, if a proposal coming from a newly established international (non-local) creative studio would even be considered by the jury board. If such a proposal would be considered, we would have a series of questions: As we are not able to hand deliver our proposal, would a courier delivery be accepted? If so, would the proposal need to have any additional information on the package? Is there a height limit for the proposal?

A.7 Proposals from all firms that submit the required materials and are responsive to the RFP will be considered. As this solicitation is for both the design and the implementation of the proposal, it is important that all proposals demonstrate an ability to manage the implementation process.

Courier delivery is acceptable. Refer to proposal package labeling requirements on page 45. Please note that the proposal must BE DELIVERED by the due date and time, not just postmarked, in order to be accepted.

With regard to height limits, there are no known absolute restrictions governing the site. Structural integrity and wind load factors would be key in determining the eventual height of any structure on the site. Other factors to consider with regard to height range from the building wall heights in the vicinity of the site to Federal Communications Commission (FCC) height restrictions. Structures above 10' will require a permit from the NYC Department of Buildings, but this should certainly not deter design proposals from employing heights rising above 10'.

Q.8 *With regard to Section V(A)(2)(a):* “Attach for each key staff position (i.e., personnel who will be primarily involved in the project), a resume and/or description of the qualifications required. Include any certifications earned, special training taken, and membership in professional groups.” *And at Section V(A)(2)(c):* “Provide an organization chart for staffing this project and attach resumes of all key personnel including sub-Proposers.” Please clarify if 2(a) refers to resumes for key staff of the 3 projects provided or if it's for the staffing of this proposal. If so do we need to provide again as stated at 2(c)?

A.8 2(a) refers to the key staff for the proposal being submitted. Please provide the materials requested in 2(a), along with the organization chart requested in 2(c); the rest of the materials requested in 2(c) are duplicative.

Q.9 *With regard to Section V(A)(2)(b)(i):* “Attach a copy of the Proposer’s latest audit report or certified financial statement, or a statement as to why no report or statement is available.” Our firm is single-owner; in a prequalification application we completed for NYC SCA recently, we were advised to submit the owner’s full tax return, in which Schedule C would be sufficient. Want to confirm that this will be sufficient for the

purposes of this proposal. Also, as we are on extension for 2016, we can only provide 2014 and 2015.

A.9 Yes, that would be sufficient.

Q.10 What is the height restriction for the new structure?

A.10 Refer to A.7.

Q.11 How far can the structure cantilever out from the curb line?

A.11 Currently, there are no known specific prescriptions for how far a structure may cantilever over the street from the curb line. Nonetheless, any structure cantilevered over the street must have a minimum height of 17' for vehicular clearance.

Q.12 Since our office is located in Los Angeles, CA, we will have our document to be sent via UPS, is there a mailing address we can use?

A.12 The delivery address is indicated on pages 5 and 45 of the RFP. Please note that the proposal must BE DELIVERED by the due date and time, not just postmarked, in order to be accepted.

Q.13 Are we able to disturb traffic patterns? My design includes street closures to enlarge the site. Is it possible to remove the section of walker between Baxter and canal st? Also, is it possible to remove the tiny part of Baxter St. on the west of the site? Also, are there any height restrictions for the site?

A.13 Based on traffic analyses performed by DOT, neither street may be closed at this juncture. Walker Street serves as an important truck connection between the Holland Tunnel and the Manhattan Bridge. Baxter Street, though lower in vehicle volume, is a necessary access road for accessing the Manhattan Detention Complex. A flexible street design may be viable on Baxter Street. For height restrictions, refer to A.7.

Q.14 Can you provide a detailed survey, site plan, and site section that documents the existing conditions?

A.14 A consultant is currently developing the topographic and utility surveys, but they will not be available until after the due date for proposals.

Q.15 Is there a maximum depth below grade that is permitted for new foundations?

A.15 The maximum allowable below-grade depth for new foundations has not yet been determined. Because of the site's location in the public right of way, however, proposers should presume that there might be limitations due to existing utilities and subway ceilings or vaults. Ultimately, allowable foundation depths would be determined by existing below-grade utilities and structures subject to the site survey that is currently being conducted. Refer to A.14 and A.16.

Q.16 Does a subway line run underneath the site? Are there any building restrictions given the site's proximity to the subway?

- A.16 In the absence of an exact utility survey, the precise location of the subway tunnels is not known at this time. Given the possible proximity to the subway, as well as to other utilities, extensive excavation is unlikely to be feasible.
- Q.17 Do all existing traffic signs and posts need to be maintained on the triangle?
- A.17 No. The placement of the traffic signs and posts would be reevaluated, as necessary, to accommodate the new design.
- Q.18 The site currently has 3 visible manhole covers. Do we need to maintain access to all 3 covers?
- A.18 In the absence of a completed survey, the necessity of maintaining access to all three manhole covers is indeterminate. While proposers should consider the implications of the existing manhole covers, it may be assumed at this time that they could be reconfigured, if necessary.
- Q.19 Can the triangle be resurfaced/repaved?
- A.19 Yes. This would need to be a part of the \$900,000 total project budget.
- Q.20 Are there any plans to add a raised sidewalk/curb to replace the temporary curb extension?
- A.20 At present, there are no plans or additional funding sources to build out the temporary curb extension. Refer to A.6.
- Q.21 Would the information/technological element need to connect to a broader NYC Tourism system?
- A.21 The proposal may include connections to other NYC tourism or informational systems, but there is no specific requirement or expectation for this to be included. It is worth noting, however, that the Chinatown Business Improvement District (BID) is envisioned as the long-term content manager and maintenance partner for the information/technological element, and the ultimate system would be developed in consultation with them.
- Q.22 What neighborhood signage regulations apply to the triangle?
- A.22 There are strict regulations limiting advertising in the public right-of-way, and DOT discourages neighborhood signage that is not compliant with the agency's *WalkNYC* pedestrian wayfinding system. Notably, regulations governing the location, size, illumination and construction as per *The New York City Building Code* and the *New York City the Zoning Resolution of the City of New York* are typically not applicable to such sites in the public right of way.
- Q.23 Are there any neighborhood lighting guidelines we should be aware of?

- A.23 There are no lighting guidelines specific to the Chinatown neighborhood. Citywide, DOT uses guidelines established by the Illuminating Engineering Society of North America (IES); the *Street Design Manual* (<http://www.nyc.gov/html/dot/html/pedestrians/streetdesignmanual.shtml>) provides information on lighting applications, lamping/optics, materials, colors, coast and spacing requirements in addition to design guidelines and references to specifications.
- Q.24 Are there any internal (NYC) partnerships we should be considering?
- A.24 As stated in A.21, the Chinatown BID will be the long-term maintenance partner and content manager for the site. The Little Italy Merchants Association also develops programming and other content for the area.
- Q.25 Are there any identity guidelines for the Chinatown Partnership or the Chinatown Business Improvement District that can be shared?
- A.25 The Chinatown Partnership's and the Chinatown BID's logos are available on the "Maps and Resources" page of the project website, <http://gatewaysto.chinatown.nyc/resources/>. For further reference, visit the Partnership's website: <http://www.chinatownpartnership.org/index.htm>.
- Q.26 Are proposals required to maintain a particular width for sidewalks/right of way around the perimeter of the triangle?
- A.26 Section 2.2 of the *Street Design Manual* (<http://www.nyc.gov/html/dot/html/pedestrians/streetdesignmanual.shtml>) sets forth provisions for sidewalks. Summarily, proposals must maintain ADA-compliant clear paths between crosswalks and should take into account the importance of adequate space for pedestrian circulation. Nonetheless, proposals need not provide or maintain sidewalks on the perimeter of the triangle.
- Q.27 Is there a height restriction on the proposed structure?
- A.27 Refer to A.7.
- Q.28 Can the proposed intervention extend beyond the edges of the traffic island?
- A.28 Physical at-grade design interventions must remain within the curb lines of the triangle. Nonetheless, proposals should employ innovative ways to extend the design's impact beyond the bounds of the triangle, possibly through the use of lighting and multimedia interventions. For a discussion of cantilevering a structure over the roadway, refer to A.11. For a discussion of closing Walker and Baxter streets, refer to A.13.
- Q.29 Will the large billboard facing Canal Street on 120 Walker Street remain in place?
- A.29 Proposals should assume the billboard will remain.
- Q.30 Should the relevant project experience be strictly ones completed within the last three (3) year? Can it include ongoing work?

- A.30 Refer to A.4.
- Q.31 The Price Proposal included in the RRP, Attachment C, asks only for hourly rates. Should a different form be used to describe the proposed allocation of the \$900,000 budget, broken down by consultant fee, direct expenses, and construction cost?
- A.31 The Price Proposal should use hourly rates. As this is a conceptual proposal, it should be understood that design workshopping with the community may result in important changes to the design, which decreases the utility of a lump-sum price proposal. That said, proposers should scale the proposal to the current project budget.
- Q.32 Can you clarify the insurance requirements that will be required of a general contractor or construction manager, included on the team and expected to perform the construction work?
- A.32 Refer to Article 7 – Insurance of Appendix A beginning on page 85 of the RFP.
- Q.33 Does the \$900,000 budget include construction? What is inclusive of this number?
- A.33 The entire current project budget, including design fees and other soft costs, as well as construction, is included in this figure.
- Q.34 Can the references for projects of similar size and scope be from the proposer and the subproposer? What is the max. number of reference projects that can be submitted?
- A.34 Relevant projects completed by subproposers may be submitted if they directly pertain to the role the subproposer will play in the *Gateways to Chinatown* proposal. There is no limit on the number of projects completed in the last three years, and up to five total projects (collectively) may be submitted that were completed before June 2014.
- Q.35 Could you please clarify how many drawings and renderings can be submitted? How many sheets (format 11x17)?
- A.35 Proposers may include more than one sketch/diagram/rendering, but should limit the number of these materials to what would comprehensively, but succinctly, convey their design intentions.
- Q.36 Does only the proposer need to fill out the forms (affirmations and certifications, doing business data form) or do all team members need to fill it out.
- A.36 The proposing entity (not team members), that is, the partnership, corporation, sole-proprietor, or joint-venture should complete forms 1P through 3P.
- Q.37 Will we be required to issue documents in Mandarin or Cantonese?
- A.37 "Proposals should provide translation and interpretation services in two of the three languages identified on page 25 of the RFP under Section III(A) Agency's Assumptions

Regarding Proposer's Qualifications and Experience. The omission of these services will not make a proposal non-responsive, but the proposal will be evaluated accordingly under "Demonstrated Quality and Quantity of Successful Relevant Experience."

- Q.38 If the proposer's intent is to bid the project for construction, will this affect the scoring of their proposal?
- A.38 As described in Sections V and VI in the RFP, part of the evaluation committee's scoring will be an assessment of the proposer's ability to implement the proposed design. While partnering with an entity capable of implementing the project (e.g., a general contractor) is a strong demonstration of the capacity to do that, it is not a prerequisite. If the proposer prefers to bid out the project, the proposal should include a clear articulation of that plan, and, where possible, previous experience demonstrating an ability to do so.
- Q.39 If the proposer's intent is to bid the project for construction, how does this affect the distribution of M/WBE contracts? Since the construction cost will likely be a majority share of the full contract, it will be difficult to achieve the M/WBE goals without stipulating that some portion of the construction cost be received by a M/WBE. Is it acceptable to assume that the bid process can stipulate that a M/WBE goal be applied to the bidder? Furthermore, would it be required that the design team portion of the contract (the non-construction, non-bid portion) would also need to meet the M/WBE goals? Or could those be satisfied solely by the bidding contractors?
- A.39 Yes, the bidding process may preference M/WBE firms. As the M/WBE goal is 20%, it is likely that the goal could be met purely by the entity performing construction.
- Q.40 Is there any known sub-surface conditions which would prevent a proposal including some excavation?
- A.40 See A.15, A.16 and A.18. Without the utility survey, we cannot be certain, but proposers should anticipate that minimal/targeted excavation shall not pose problems, while extensive excavation is unlikely to be feasible.
- Q.41 There is a 20% MBE/WBE goal, if the lead company meets one of these requirements, does this goal still need to be achieved?
- A.41 A prime contractor that is a State-certified MBE or WBE firm may count its own participation toward fulfillment of the 20% participation goal. The value of the prime contractor's participation shall be determined by subtracting from the total value of the contract or task order, as applicable, any amounts that the prime contractor pays to direct subcontractors.
- Q.42 We would like to get access to the important documents listed in the RFP PDF that were formative to the RFP. The PDF (84116MNAD033_1.pdf) which was downloaded here - <https://a856-cityrecord.nyc.gov/RequestDetail/20170413022> - lists these documents. Might you provide them to all teams competing? This background material would be helpful. These documents include:

- The 1974 “Chinatown Street Revitalization Study” organized by the NYC Department of City Planning
- “America’s Chinatown: A Community Plan” completed in 2004 by Asian Americans for Equality,
- The Chinese Consolidated Benevolent Association’s 2007 proposal for a gateway at Canal Street
- A 2012-13 collaboration with students of the Urban Design Studio at the New York City College of Technology. The college’s 2013 publication highlights key potential locations for gateways, and presents students’ conceptual visions of how they could be transformed into markers and public realm assets

A.42 Along with several other resources, all but the CCBA 2007 proposal have been posted to the “Maps and Resources” page of the project website:<http://gatewaysto.chinatown.nyc/resources>.

Q.43 Both PDF links on p.11 do not work.

A.43 See A.42. The url for the Chinatown and Little Italy Historic District application provided in the PDF, <http://www.twobridges.org/images/PDFs/chinatown-little-italyhd-nrn-final.pdf>, works when typed directly into the browser web address bar as of the issuance of this addendum.

Q.44 If the proposer does not have 3 projects at a similar scale and cannot demonstrate successful experience with “multi-functional public space interventions” will the proposer’s proposal still be considered, but with a lower score in the corresponding evaluation criteria?

A.44 Yes, that is correct.

Q.45 Who owns the large billboard directly behind the site and can its use be incorporated into the design proposal?

A.45 DOT does not have information regarding the ownership of the billboard at this time.

Q.46 What is the slope of the site?

A.46 The specific slope is unknown, as the topographic survey has not yet been completed. Proposers may assume a relatively flat slope and are encouraged to visit and inspect the site.

Q.47 What are the requirements for signage and other DOT requirements for the site that might be existing?

A.47 For signage, see A.22, and for height, see A.7. Several other foregoing answers address various other requirements and existing conditions.

Q.48 What is the requirement for stationing a physical person at the site? Is it encouraged to include space for someone or is a proposal without a physical person stationed there equally as valid?

A.48 There is no requirement one way or the other; proposers are encouraged to consider the information provided and otherwise obtained to determine what type of design and public interface is best suited to the site and circumstances.

Q.49 What utilities currently reach the site? Electrical, water, etc.

A.49 The site currently has electricity, but there is no water connection.

Q.50 Is there a limit to the amount of drawings (plans, sections, renderings), or number of 11x17" sheets? The RFP refers to "a plan" and "a rendering" but this doesn't seem enough to explain the project fully.

A.50 See A.35 and A.51.

Q.51 The subsequent written statement (1000 words) to be on 11x17, as part of the design package?

A.51 Only the plan drawing and rendering/sketch (and other graphics) are to be on 11" x 17" paper. The rest of the materials should be on 8.5" x 11" paper.

Q.52 The information on the bulleted points on pg. 42 is to be included in the 1000 words written statement, correct? But not the rest of the information required, i.e "Provide an organization chart for staffing this project and attach resumes of all key personnel including sub-Proposers. (...)", right?

A.52 Yes, that is correct.

Q.53 Are the documents mentioned on pg. 10-11 of the RFP available digitally, specifically the 2012-2013 document from NY City College of Technology?

- "Chinatown Street Revitalization Study," 1974 NYC Department of City Planning
- "America's Chinatown: A Community Plan," 2004 Asian Americans for Equality
- 2007 Proposal for a gateway at Canal Street, Chinese Consolidated Benevolent Association
- NY City College of Technology 2012-13 student collaboration & associated publication

A.53 Refer to A.42.

Q.54 As part of our design of an inclusive cultural identity, we would like to get in touch with some members of the community. Is there a person to contact within the Chinatown Partnership that could facilitate these connections?

A.54 To be fair to all respondents to the RFP, the only contact that all proposers should be contacting is the Authorized Agency Contact listed on pages 1 and 5. Nonetheless, pursuing an inclusive public outreach process during the course of the design of the project is essential; we encourage proposers to access materials on Chinatown and its

cultural history and broader significance, including the planning documents referenced in A.42 and assemble a team with the capacity for such engagement.

Q.55 We are an architecture office, not a design-build firm. Is it preferred that we partner with a General Contractor at the RFP stage or assume that we will bid out the project as described on page 31?

A.55 Refer to A.38.

Q.56 Are there minutes available from the May 9th meeting, or a recording we can view?

A.56 The script summary of remarks and accompanying slide presentation from the May 9, 2017 pre-proposal conference were incorporated in Addendum No. 1, available at the City Record Online and the project website at <http://gatewaysto.chinatown.nyc/resources/>

Q.57 We are performing Due Diligence for the site and were wondering if you are in possession of or are aware of any specific design guidelines or community regulations that would, beyond what is stated in the Zoning Resolution and the NYC Construction Codes, affect the design. In particular, we are hoping to learn if there are any signage or height requirements that might supersede or compliment the other codes.

A.57 For signage guidelines, see A.22, and for height guidelines, see A.7. Several other foregoing answers address various other requirements and existing conditions. Of particular note, the site is located within the public right of way; provisions set forth in the *Zoning Resolution of the City of New York* do not technically govern the site.

Q.58 Is it possible for one office to submit more than one proposal? In this case each proposal would contain unique design proposals. Other aspects of the technical submission would also vary such as the composition of the proposed team, but some forms such as the ones outlining relevant experience would be identical as it would be the same office. If so, would it be possible to propose the same project principal for multiple submissions?

A.58 Yes. Subsection V(A)(2)(d)(iii) on Page 43 of the RFP reads, "Proposers may also propose more than one approach. However, if an alternative approach affects other areas of the proposal such as experience, organizational capability, or price, that alternative approach should be submitted as a complete and separate proposal providing all the information specified in Section V of this RFP."

Q.59 What is the format for submitting the rendering / sketch? Is it to be on 8.5" x 11" or can it be printed on 11" x 17" paper like the plan? If it is 8.5" x 11" can the page be rotated so that a landscape image is printed to fill the entire page?

A.59 The plan drawing and rendering/sketch should be on 11" x 17" (folded) paper in landscape format.

Q.60 Can we submit more than one rendering if the design requires it?

A.60 Yes. Refer to A.35.

Q.61 Can we submit diagrams and illustrations distinct from the rendering?

A.61 Yes, refer to A.35.

Q.62 Can we include reference images in the written statement component of the Technical Proposal in order to help explain the concept?

A.62 Yes, refer to A.35.

Q.63 Is the Technical Proposal plastic spiral bound format 8.5” x 11”? If so, does the floor plan, printed on 11” x 17” need to be folded? Or can the entire Technical Proposal plastic spiral bound be 11” x 17”, with some 8.5” x 11” sheets and some 11” x 17” sheets inside?

A.63 The overall Technical Proposal should be 8.5” x 11”, with a suitable binding (such as plastic comb, coil, thermal, etc.). Plans and renderings/sketches (and other graphics) on 11” x 17” pages should be folded to fit within the 8.5” x 11” proposal format.

Q.64 Can you elaborate on “Failure to comply with any of these instructions will not make the proposal non-responsive” on p.39 of the RFP PDF? Does this mean that not following the specified format exactly will not disqualify the proposal?

A.64 DOT urges proposers to follow the format instructions specified at the beginning of page 39; however, failure to comply with font and paper fiber content requirements will not result in a proposal being found non-responsive.