PORT AUTHORITY NY NJ
AIR LAND RAIL SEA

January 18, 2023

SUBJECT: PERFORMANCE OF EXPERT PROFESSIONAL INTEGRITY MONITORING SERVICES FOR PORT AUTHORITY FACILITY INFRASTRUCTURE PROJECTS – AS REQUESTED ON A "CALL-IN" BASIS DURING 2023 THROUGH 2028 (RFP# 6000001251) - ADDENDUM # 3

The following questions were received from a Request for Proposals (RFP) recipients(s). The questions and the corresponding Authority answers are provided for your information and use, as appropriate.

Question1: If we are proposing as a single entity, per Submission Requirement D, do we need to provide "multipliers" for all members of the team, including subconsultants?

Answer 1: See answer#7 in addendum #2.

Question 2: If we are proposing as a single entity, per Submission Requirement F, do we need to provide the hourly and billing rates of all personnel included in the proposal, including subconsultants?

Answer 2: See answer#7 in addendum #2.

Question 3: Regarding proposals in response to the Port Authority's RFP# 6000001251, where should we indicate the billing and hourly rates for subconsultants?

Answer 3: See answer#7 in addendum #2.

Question 4: Can you please explain in more detail how a consultant will be selected for each specific Task Order? Would each Consultant selected as a member of the Call-In panel be required to submit proposal for each Task Order, or could a consultant choose not to submit a proposal at all for a Task Order? This is relevant to avoiding potential conflicts of interest that could arise.

Answer 4: See section VII in the RFP letter regarding the Task Order Solicitation Process. The Consultant can decline to submit a Task Order.

Question 5: What type of response is expected for letter L under section IV.

Answer 5: No response is expected as long as the selected Consultant(s) shall comply with the requirements of the Agreement.

Question 6: Could you please define "common-law joint venture"? Is any documentation needed to qualify?

Answer 6: See section IV letter C.1. of the RFP letter.

Question 7: If our firm proposes as a "common-law joint venture," do Subconsultants need to complete Attachment B or only the Prime Consultant?

Answer 7: Subconsultants are not considered as a common-law joint venture and do not need to complete an Attachment B. If a single-entity proposer cannot demonstrate that it meets all of the referenced qualifications, then the single-entity proposer may, with others, form a joint venture and request that the joint venture be deemed to be the Proposer (i.e., members of the joint venture may meet the qualification requirement collectively). If proposing as a common-law joint venture, then each firm part of the joint venture must complete the Attachment B.

Question 8: The RFP asks for "billing rates" for partners and "actual hourly rates" for all other billable employee. Since we are a legal firm, would it be acceptable to provide fully loaded hourly rates for our partners?

Answer 8: Yes, this is acceptable.

Question 9: Can we provide a range for fully loaded hourly rates for our partners?

Answer 9: It is your business decision on how you would like to provide your rates for your partners.

Question 10: As the Prime Consultant, may we also include rates for our Subconsultants? (We understand that it is not required but are not sure if it is allowed.)

Answer 10: No. See answer#7 in addendum#2.

Question 11: Is there a maximum billing rate or approved government hourly rate, or is this project subject to third-party pay?

Answer 11: There is no maximum approved hourly rate. However, should your firm be awarded an agreement, your firm would compete with other firms on the call-in list for task orders where cost would be considered as part of the selection process. See section VII of the RFP letter.

Question 12: Are the Integrity Monitor fees paid directly to the Consultant by the Port Authority and/or the states of New York and New Jersey, or is this third-party pay?

Answer 12: All invoices are paid directly to the Consultant by the Port Authority.

Question 13: Please advise if the pre-conference presentation is available for all attendees?

Answer 13: The Authority has attached the subject pre-proposal meeting's presentation for your reference.

If you have any questions, please contact Mr. Thomas Lal at TLAL@panynj.gov

PORT AUTHORITY NY NJ

REQUEST FOR PROPOSALS (RFP) FOR THE PERFORMANCE OF EXPERT PROFESSIONAL INTEGRITY MONITORING SERVICES FOR PORT AUTHORITY FACILITY INFRASTRUCTURE PROJECTS AS REQUESTED ON A "CALL-IN" BASIS DURING 2023 THROUGH 2028.

For Information Purposes Only. Requests for Proposals will supersede any information included in this presentation.

Pre-Proposal Presentation

January 10, 2023

AIR LAND RAIL SEA

AGENDA

1. **Introduction**
2. **Scope of Work - Joseph P. Piazza, Assistant Director, Office of Inspector General**
3. **M/WBE Policies – Earlyne Alexander, Business Development Executive, Office of Diversity, Equity and Inclusion**
4. **Insurance Requirements - Jasmine Suarez, Operations Manager, Treasury**
5. **Procurement Process- Thomas Lal, Solicitation Manager, Procurement Department**

Scope of Work

Joseph P. Piazza
OFFICE OF INSPECTOR GENERAL

Office of Inspector General

- Law Enforcement Organization
  - Police power in New York and New Jersey
- Criminal and administrative investigations
  - Corruption, fraud, waste and abuse and other misconduct by Port Authority employees or third-party individuals or organizations doing business with the Port Authority

Office of Inspector General

Use of Integrity Monitors (IMs)

- Critical Component of OIG Fraud Prevention Program
  - Prevent and detect fraud, waste and abuse on PA construction projects
- IMs serve as “eyes” and “ears” of OIG on these projects
  - Visible presence serves as a deterrent to fraud, waste and abuse
  - Establishes a strong anti-fraud message to contractors and others
  - Provides real time response, advice and counsel to government officials and contractors on fraud prevention and other critical decisions
  - Assists OIG in conducting investigations

Office of Inspector General

Use of Integrity Monitors (IMs)

Multi-discipline teams: Investigations, Auditing, Forensic Engineering, Legal, Environmental & Safety

Functions

- Labor monitoring
- MWBE compliance
- Forensic auditing
- Forensic engineering
- Environmental compliance
- Safety compliance

Tasks

- Procedure and Process Review
- Design and Implement Controls to Mitigate Identified Risks
- Records Review and Compliance
- Forensic Reviews and Oversight
- Investigations and Oversight

Infrastructure Call-In Projects

IM Services

- Currently identified infrastructure projects are at JFK
  - Task orders will be issued for comprehensive IM services to cover specific projects
  - No guarantee that all PA-funded infrastructure projects will be covered
  - IM services will be on an “as-needed” basis
  - For purposes of this solicitation, the estimated construction cost of these projects ranges from $10 million to $600 million

Earlyne Alexander

OFFICE OF DIVERSITY, EQUITY & INCLUSION

PORT AUTHORITY NY NJ
AIR LAND RAIL SEA

Our Mission is to keep the region moving.

Our Priorities: What we focus on to achieve this mission

Safety & Security
Provide peace of mind through world-class protection

Capital Plan
Revitalize our infrastructure

Customer Experience
Ensure a 21st century customer experience

Operational Excellence
Deliver first-class operations
Maintain financial self-sufficiency

Sustainability
Reduce our environmental impact

Employer of Choice
Retain, grow and attract top talent

Our Standards: How we meet these priorities

- Integrity
- Diversity, Equity & Inclusion
- Global Best Practices
- 21st Century Technology
- Collaboration
- Speed

Office of Diversity, Equity and Inclusion

Priorities and Standards

1

Maximize opportunities available for minority, women-owned, small and disadvantaged business enterprises (MWSDBEs).

OPPORTUNITIES

2

Promote Workforce Diversity in Port Authority and tenant business activities.

DIVERSITY

3

Offer capacity-building services for MWDSBEs/SDVOBs.

CAPACITY BUILDING

4

Implement reforms and develop agency policies.

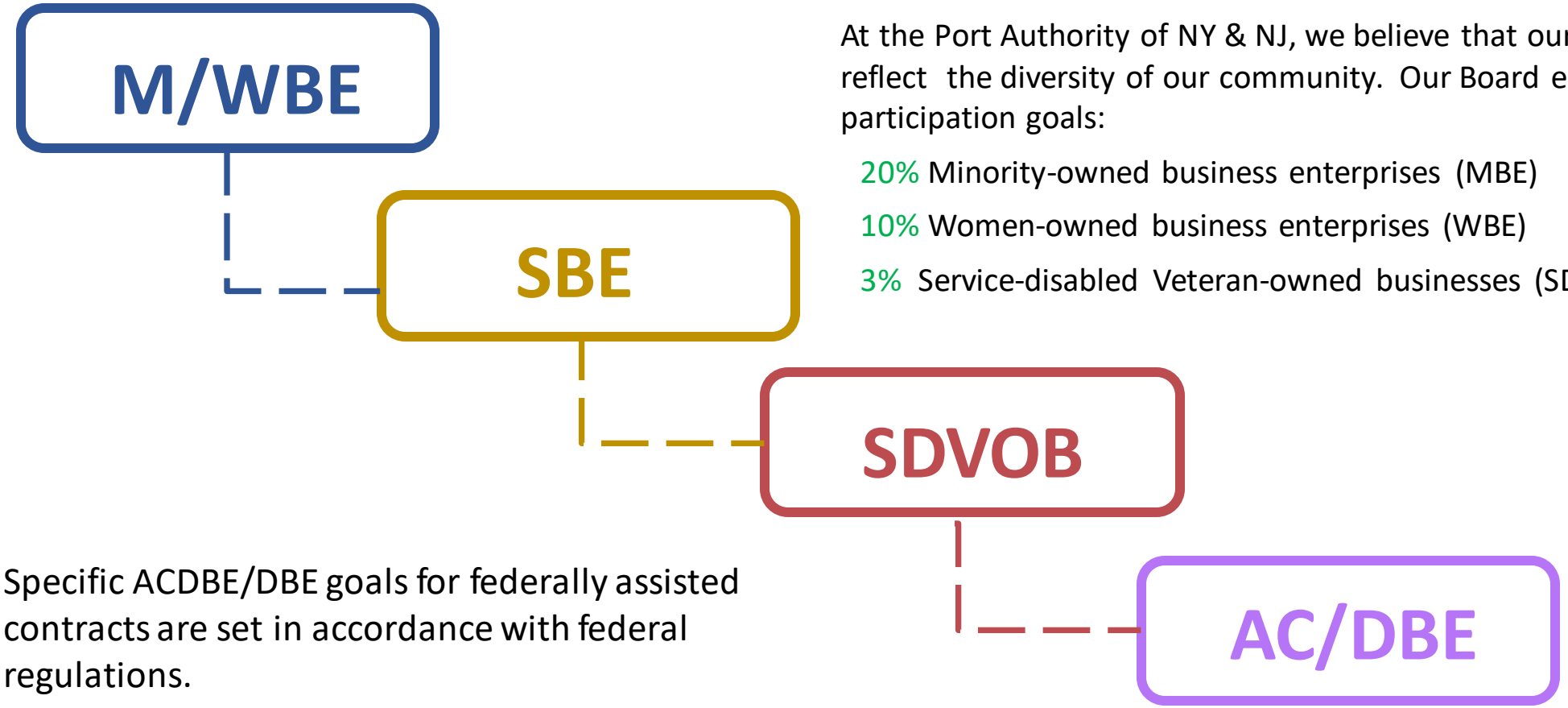
POLICY OVERSIGHT

5

Initiate remedial plans to address deficiencies. Enforce compliance measures to ensure goals are met.

COMPLIANCE

Certification Programs



At the Port Authority of NY & NJ, we believe that our operations should reflect the diversity of our community. Our Board enacted the following participation goals:

- 20% Minority-owned business enterprises (MBE)
- 10% Women-owned business enterprises (WBE)
- 3% Service-disabled Veteran-owned businesses (SDVOB)

Specific ACDBE/DBE goals for federally assisted contracts are set in accordance with federal regulations.

Good Faith Efforts

Pre-award Expectations

- Engage certified subcontractors before proposals are due:
  - Identify MWBEs/SDVOBs from our database listing of certified firms;
  - Advertise opportunities in local and minority periodicals, as well as on their project web site;
  - Hold meetings and negotiate with certified subcontractors before due dates; and,
  - Submit a formal MWBE or SDVOB subcontractor Participation Plan together with the bid or proposal.

Read more about Good Faith Efforts HERE

Good Faith Efforts

Post-award Expectations

- Set up procedures to ensure that compliance with MWBE/SDVOB participation goals is underway, and goals can be met;
- Ensure that the selected certified subcontractors are performing a “commercially useful” function only the funds paid to MWBEs/SDVOBs and DBEs that perform a commercially useful function can be counted towards the participation percentage goal; and,
- Update B2G with MWBE/SDVOB or DBE subcontractor payment reports.

Read more about Good Faith Efforts HERE

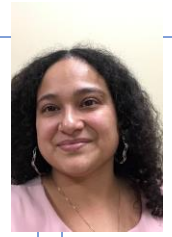
Certification: Resources

- PA Website: www.panynj.gov/supplierdiversity
- Certification and to search for certified firms: https://panynj.diversitysoftware.com
- Certification Hotline: 212-435-7888
- Cert Help email: certhelp@panynj.gov
- We encourage firms seeking certification to also register with Procurement at www.paprocure.com to be considered for business opportunities and to fill out the PSFQ to participate in A&E business opportunities.

ODEI Compliance Contacts



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SECURITY

INSURANCE REQUIREMENTS

Jasmine Suares

TREASURY | RISK FINANCING

Insurance Requirements

- **Commercial General Liability Insurance** – **$5 million** per occurrence for bodily injury and property damage liability (Airside escorted $5 million, unescorted $25 million)

- **Automobile Liability Insurance** – **$5 million** per accident for bodily injury and property damage liability covering any auto, owned, non-owned, rented or hired automobiles . (Airside escorted $5 million, unescorted $25 million)

- **Workers' Compensation and Employers Liability Insurance** – to statutory limits and in accordance with the requirements of law in the state(s) where work will take place, and Employer's Liability Insurance of not less than **$1 million** for bodily injury by accident and **$1 million** for bodily injury by disease, and least bodily injury/disease of at least **$1 million** for each accident.

- **Professional Liability (Errors and Omissions) –** Insurance appropriate to the Consultant's profession, with limit no less than **$5 million** per occurrence.

PROCUREMENT PROCESS

Thomas Lal

Procurement

Procurement RFP Solicitation Process

1. Proposer Requirements
2. Staff Qualifications
3. Firm Qualifications
4. Management Approach
5. MBE/WBE/SDVOBs Participation Plan
6. Cost – Multiplier(s) and Salary Schedule
7. Conflict of Interest
8. Standard Agreement
9. Attachment A – Scope of Work
10. Attachment B – Terms of Discussion
11. Attachment C – Company Profile

Proposer Tips

- ✓ Know the name of the Procurement contact
- ✓ Ask questions if you have any
- ✓ Check for any addenda
- ✓ **Demonstrate how you meet the Proposer Requirements**
- ✓ Be as specific as possible when describing what projects your staff and firm have worked on
- ✓ Include MBE, WBE and SDVOB subconsulting opportunities



After Proposal Process

- Debrief
  - Prepare your questions before the debrief
  - Discuss strengths and weaknesses in your proposal
- Transparency – Awards Page
- Monitor – Upcoming Solicitations (including subconsulting opportunities)



Questions?



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Thank You!

