



**Addendum #3**

New Jersey Schools Development Authority  
Office of Procurement  
32 East Front Street  
Trenton, NJ 08625  
Phone: 609-858-2986  
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**Date:** October 20, 2016

**PROJECT #:** ES-0027-B01  
Madison Avenue Elementary School  
Irvington Public Schools

**DESCRIPTION:** Addendum #3

This addendum shall be considered part of the Design-Build Information Package issued in connection with the referenced project. Should information contained in this Addendum conflict with the Design-Build Information Package, this Addendum shall supersede the relevant information in the Design-Build Information Package.

**A. CHANGES TO THE PROCUREMENT PROCESS:**

NOTE that modifications to the following items will be shown as follows: additions in **bold and underlined** text; deletions in *strikethrough and italics*.

**1. Revised Price Proposal Form:**

- a. Replace the Price Proposal form originally issued, with revised Price Proposal form dated 10-18-2016, included here with as attachment 3.1. The Price Proposal form has been amended to revise the Total Allowances included for this project.

**B. CHANGES TO THE PROJECT MANUAL:**

- 1. Not Applicable.

C. CHANGES TO THE PROCEDURAL SPECIFICATIONS:

NOTE that modifications to the following items will be shown as follows: additions in **bold and underlined** text; deletions in *strikethrough and italics*.

1. VOLUME 1 Procedural Specifications

a. **MODIFY:** Section 01010 Summary of Work – 1.3 Work Covered by Contract Documents, B.4, modify as follows:

4. The Project scope may also include Allowance Work, including *Environmental Engineering Controls*, **Excess Soil Disposal Allowance** as described in Section 1.4 below.

b. **MODIFY:** Section 01010 Summary of Work – 1.4 Allowances, A and B, modify as follows:

A. The Contract contains the following Allowance categories and amounts:

	<u>AMOUNT</u>
1. <b><u>General Design and Construction</u></b> <i>GMP Reserve</i> Allowance	\$ 500,000.
2. Fire Pump Allowance .....	125,000.
3. Emergency Responder System Allowance .....	145,000.
4. Building Envelope Acoustical Enhancement Allowance.....	250,000.
<del>5. <i>Environmental Engineering Controls Allowance</i> .....</del>	<del>775,000.</del>
5. <b><u>Excess Soil Disposal Allowance</u></b> .....	<b><u>500,000.</u></b>
<hr/>	
<i>Total</i> .....	<i>\$1,795,000.</i>
GMP Reserve Total .....	\$1,520,000.

~~B. *The Allowances shall be utilized to cover unanticipated or unforeseen costs which are necessary to complete the Services and Work, or to achieve Authority-directed upgrades in the Services and Work, authorized at the discretion of the Authority. The Allowances includes individual amounts for a GMP Reserve Allowance, Fire Pump Allowance, Emergency Responder Subsurface Conditions Allowance, Sewer Connection Allowance and a Building Envelope Acoustical Enhancement Allowance. The Allowances shall be utilized only after written authorization from the Authority, in accordance with Section 01020 "Allowances".*~~

**B. The Allowances shall be utilized to cover unanticipated or unforeseen costs which are necessary to complete the Services and Work, or to achieve Authority-directed upgrades in the Services and Work, authorized at the discretion of the Authority. The Allowances includes individual amounts for the following Services and Work. The Allowances shall be utilized only after written authorization from the Authority, in accordance with Section 01020 "Allowances".**

1. The **General Design and Construction** GMP Reserve-Allowance is provided for unanticipated or unforeseen costs to complete the Services and Work, or to achieve Authority-directed upgrades in the Services and Work.

c. **REPLACE:** Section 01010 Summary of Work – 1.4 Allowances, B.5, shall be replaced as follows:

5. ~~The Environmental Engineering Controls Allowance is provided for all additional design and construction costs related to provision of site environmental engineering controls in accordance with the Remediation Responsibilities Plan, in the event it is determined that such controls are required. This Allowance does not include design or construction costs related to site preparation, earthwork, or removal, disposal, or replacement of soils required for the Project in the event that Environmental Engineering Controls are not required, which costs shall be included in the Design-Builder's lump sum cost proposal.~~

5. **The Excess Soil Disposal Allowance shall be utilized only after written authorization from the Authority, in accordance with Section 01020, for the off-site disposal of non-hazardous ID27 soil. This Allowance Amount may be utilized, upon proper authorization, to compensate the Design-Builder for costs associated with the disposal of excess soil from the project site as a non-hazardous ID27 waste if the excess soil cannot be reused on-site or does not meet project specifications. Although current testing data indicate the site's soil quality meets New Jersey's unrestricted Residential Direct Contact Soil Remediation Standards (RDCSRS), it is possible that excess soils generated from the site, after testing provided by the Design-Builder as required in the Design-Build Agreement (5.12.2 - Exportation of Fill Materials), may contain low-levels of petroleum-based compounds and heavy metals in excess of the RDCSRS which prohibit its off-site use as an unrestricted material, and therefore, must be lawfully disposed as a non-hazardous waste material (ID27).**

**The Design-Builder shall provide for the inspection and testing of all soil and fill materials, and acquisition of all necessary approvals from the disposal and/or reuse facility at its own expense, before it is exported from the site.**

**The determination of any costs to be charged will include quoted disposal rates, any additional testing, stockpiling, relocation, net increase in transportation, off-site disposal, and all associated cost of labor, material, equipment, taxes, supervision, overhead and profit.**

d. **MODIFY:** Section 01010 Summary of Work – 1.4 Allowances, D, modify as follows:

- ~~1. Fire Pump Allowance.~~
- ~~2. Emergency Responder System Allowance.~~
- ~~3. Building Envelope Acoustical Enhancement Allowance.~~
- ~~4. Environmental Engineering Controls~~

1. **General Design and Construction Allowance**
2. **Fire Pump Allowance**
3. **Emergency Responder System Allowance**
4. **Building Envelope Acoustical Enhancement Allowance**
5. **Excess Soil Disposal Allowance**

**D. CHANGES TO THE PERFORMANCE SPECIFICATIONS:**

NOTE that modifications to the following items will be shown as follows: additions in **bold and underlined** text; deletions in *strikethrough and italics*.

**1. VOLUME 2 Performance Specifications**

a. **ADD:** Section D5040.10 Lighting Control – I Performance, A.4, add the following:

- h. **The lighting controller shall be revised to include a dimmable function for the daylighting row.**

**E. CHANGES TO THE DRAWINGS:**

1. **REPLACE:** Replace Drawing AS-100 Site Plan, dated August 3, 2016, with Revised Drawing AS-100 Site Plan, dated 10/19/2016, issued herewith as Attachment 3.2. All other plans, sections and elevations are modified accordingly by implication.

**F. BIDDER'S QUESTIONS, REQUESTS FOR INFORMATION AND RESPONSES:**

1. Question: Please consider Taraflex Sport M+Plus as an equal to the Tarket 9+2 Flooring specified for the Gym Floor. Supporting documentation attached. This product is seen as an equal or better product from both a performance and cost savings perspective  
-The Tarkett 9 + 2 Product, that is specified for the Gymnasium floor, is a poured urethane type of floor, and it is classified a Class 2 product per the ASTM F2772  
-Our Alternative, Taraflex Sport M+ Plus, or Taraflex Sport M Performance is performance vinyl, and it is also a Class 2 product with equal to and greater performance characteristics  
-Taraflex Sport M+ / Taraflex Sport M Performance material can be installed by any commercial sports flooring installer  
-Urethane pours are a niche product, and they will require a specialized

installation crew.

-As a very specialized install, there are not many union pour installers, which exponentially drive a higher cost for labor.

- As a union installation, the choice of the specified poured urethane floor will be very costly, whereas our alternate of Taraflex Sport M+ / Taraflex Sport M Performance can be installed by a standard, qualified commercial flooring installer using union labor.

Answer: The Taraflex Sport M+Plus is rejected as a substitution request for the Tarket 9+2 Flooring specified for the Gym Floor.

2. Question: Please provide the anticipated award date and anticipated notice to proceed date.

Answer: The anticipated Notice of Award date is December 27, 2016; and the anticipated Commencement Date is January 17, 2017.

3. Question: Please confirm that the existing soil considered clean and can be used for backfilling.

Answer: On-site soils may be utilized for on-site backfilling, but only if such on-site soils are determined to be geotechnically suitable.

4. Question: Please confirm that the project shall achieve the Substantial completion with 859 Calendar days and shall achieve the final completion within 931 Calendar days.

Answer: Confirmed.

5. Question: Price Proposal has total allowances of \$1,020,000 (as described below), while specification section 01010 Summary of work includes total allowances of \$1,795,000. Please confirm that the total allowances for this total allowances described in the Summary of work spec section: project is \$1,020,000 and described in the price proposal as follow, or revise the Price proposal to match the

- GMP Reserve allowance \$500,000.
- Fire Pump Allowance \$125,000.
- Fire Pump Allowance \$125,000.
- Emergency Responder System Allowance \$145,000.
- Building Envelope Acoustical Enhancement Allowance \$250,000.

Answer: Refer to Items A.1 and C.1.b.A, in this Addendum, and Attachment 3.1 hereto.

6. Question: Please confirm that the Specification Section 01010- 1.4.B.5- Environmental Engineering Control Allowance will include all costs associated with the design and construction of the environmental remediation per NJDEP technical requirements including all testing and disposal of excess material and implementation and construction of the required engineering controls.

Answer: The Environmental Engineering Controls Allowance has been deleted from the Project. Refer to Item C.1.c, in this addendum for details.

7. Question: The Project Manual Volume 3 of 3 Utility Analysis Report Section 1.1 states that a separate NJDEP permit will not be required to complete work related to the water supply. The NJ American March 18, 2015 "will serve" letter included in the Report states that a NJDEP BSDW permit will be required. Please confirm that the NJDEP BSDW permit will not be required for this Project.

Answer: While NJAW maintains a BSDW master permit, an individual BSDW permit may be required under certain circumstances. The Design-Builder must submit an application for the new water service and if an individual BSDW permit is required, all costs associated with the BSDW permit are the Design-Builder's responsibility.

8. Question: Please confirm that any Sewer Authority or NJDEP sanitary sewer connection and or application fees will not be included in the Design-Build base bid.

Answer: School projects constructed by SDA are statutorily exempt from connection, tapping, maintenance or capital improvement fees or charges with respect to connection of a school facility to a state or municipal water or sewerage system, pursuant to N.J.S.A. 52:18A-242 (c), which states: "Notwithstanding the provisions of any law, rule or regulation to the contrary and except as otherwise provided by any federal law, the development authority shall be exempt from all connection, tapping, maintenance or capital improvement fees or charges in respect to each connection of any school project with a water or sewerage system operated by a political subdivision or agency of the State."

As mentioned in the Design-Build Information Package, Volume 3, Utility Investigation Analysis Report, the Township of Irvington is the local sewage authority and Joint Meeting is the receiving facility for the sanitary sewage. Accordingly, pursuant to the above statute, the Project shall be exempt from water and sewer connection and tapping fees, as broadly defined in the statute, that may be charged by the above municipal entities. If any difficulties are encountered in the application of the statutory exemption, the Authority will assist the Design Builder in asserting the exemption against any state or municipal water or sewerage system that attempts to charge such fees.

The Design-Builder is responsible for application fees and all other costs for any utility connections that are not subject to the above exemption. Notably, all application fees, review fees, design approval fees or other administrative charges levied by the Township, the Joint Meeting, or the NJDEP (for a Treatment Works Approval (TWA)) shall the responsibility of the Design-Builder.

9. Question: Please confirm that any PSE&G gas or electric tariff fees with respect to the gas and electric service connections will be paid by NJSDA.

Answer: Incorrect. All PSE&G gas or electric tariff fees shall be paid for by the Design-Builder.

10. Question: The preliminary geotechnical report only identifies subsurface conditions with no design and construction recommendations. Please verify the type of the foundation system (i.e. shallow foundation), allowable bearing pressures and seismic site class to be used as a basis of bidding this project.

Answer: The Design Builder and their Licensed Design Professionals are to determine the type of foundation system suitable for this project. The Design Builder and their Licensed Design Professionals shall utilize the Preliminary Geotechnical Report provided, as well as the content of any additional geotechnical investigation(s) that the Design-Builder is required to provide to meet presiding codes and other related project criteria.

11. Question: Are there any special environmental procedures for geotechnical subsurface investigation? (i.e. borings and test pits)

Answer: There are no special environmental procedures for geotechnical subsurface investigation.

12. Question: Will a Perimeter Air Monitoring Program (PAMP) be required, as considered in N.J.A.C. 7:26E-5.5, (b)(7)?

Answer: The question references the need for a PAMP in the context of the NJDEP's requirements, and while there is no direct reference to a PAMP, the contractor shall handle all regulated material in a manner which protects site personnel, the public, and the environment in accordance with all applicable Federal, State, and Local laws and regulations. As part of that work, and consistent with the Design-Builder's Health and Safety Plan (HASP -which must be reviewed and accepted by the SDA), dust suppression controls must be implemented by the Design-Builder. In the event that the Design-Builder's HASP requires it or if dust suppression methods appear to be insufficient, additional dust control measures and/or PAMP may be necessary and would be the responsibility of the Design-Builder.

#### **G. CHANGES TO PREVIOUS ADDENDA:**

NOTE that modifications to the following items will be shown as follows: additions in **bold and underlined** text; deletions in *strikethrough and italics*.

1. The response in Addendum #1 Bidder Questions #24, #25, #26, #27, #29 and #30 shall be modified as follows:

24. Question: The Preliminary Assessment Report (PAR) identifies that a former #4 fuel oil underground storage tank (#0176835) was present on site. The

various documentation resources within the PAR provide conflicted resolution regarding the UST wherein it is identified as being both removed as well as abandoned in place on or about 1 August 1989. Please provide the status of this UST and verify if it has been removed or abandoned in place.

Answer: The status of the UST will be clarified in the Post-Demolition/Existing Conditions Plan to be included in a subsequent Addendum. **See Attachment 3.3 to this Addendum.**

25. Question: Historic fill is identified in the Preliminary Assessment Report (PAR) as well as the Limited Site Investigation Report- Final (LSI) as an Area of Concern (AOC). The LSI resulted in the identification of typical historic fill constituents (e.g. metals, P AHs) above the NJDEP SRS. Is the historic fill site-wide? Has the vertical delineation of the historic fill been completed? What is the maximum depth of the historic fill material?

Answer: The status of the historic fill will be clarified in the Post-Demolition/Existing Conditions Plan to be included in a subsequent Addendum. **See Attachment 3.3 to this Addendum.**

26. Question: What is the status of the Early Site Preparation Phase identified in the Remediation Responsibility Plan (RRP), Section IV, A? Has it been implemented?

Answer: The status of the early site preparation phase will be clarified in the Post-Demolition/Existing Conditions Plan in a subsequent Addendum. **See Attachment 3.3 to this Addendum.**

27. Question: The Remediation Responsibility Plan (RRP), Section I identifies a Post Demolition/Existing Conditions Report. Has this report been completed and is it available for review?

Answer: The Post Demolition/Existing Conditions Report will be included in a subsequent Addendum. **See Attachment 3.3 to this Addendum.**

29. Question: The Case Inventory Document, APEC #5 Historic Fill, Current Status/Outcome identifies that the identified soil contamination would be addressed during the demolition phase of the project. Has delineation of the identified constituents been completed? Has a volume of each type of constituent been calculated?

Answer: The status of the historic fill will be clarified in the Post-Demolition/Existing Conditions Plan to be included in a subsequent Addendum. **See Attachment 3.3 to this Addendum.**



30. Question: The Limited Site Investigation Report- Final (LSI) in Section 1.0 identifies that in additional soil sampling is to be completed for total petroleum hydrocarbons (TPH) at the location of as former garage on site. Should EPH be substituted for TPH laboratory analysis? If so, which EPH is to be sampled Category 1 or Category 2? Is the purpose for the soil sample presence/absence determination or for delineation? How many samples will be required by the NJSDA LSRP for said investigation?

Answer: The status of the garage investigation will be clarified in the Post-Demolition/Existing Conditions Plan to be included in a subsequent Addendum. **See Attachment 3.3 to this Addendum.**

#### **H. ATTACHMENTS:**

1. Attachment 3.1 Revised Price Proposal dated 10-18-2016.
2. Attachment 3.2 Replace Drawing AS-100 Site Plan, dated August 3, 2016, with Revised Drawing AS-100 Site Plan, dated 10/19/2016.
3. Attachment 3.3 Anticipated Post-Demolition Site Conditions Report, dated October 19, 2016.

#### **I. SUPPLEMENTAL INFORMATION**

1. Design-Build Information Package (DBIP) References to “Post-Demolition/Existing Site Conditions Report”:

All citations in the DBIP to a “Post-Demolition/Existing Site Conditions Report” shall be interpreted to refer to the “Anticipated Post-Demolition Site Conditions Report” supplied as Attachment 3.3 to this Addendum.

2. Remediation Responsibilities Report references to Engineering Control:

To the extent that the Remediation Responsibilities Report (RRP), previously supplied as part of the Design-Build Information Package (DBIP), refers to obligations or conditions relating to a potential engineering control for the Project, please be advised that:

- a) in accordance with the Anticipated Post-Demolition Site Conditions Report, supplied as Attachment 3.3 to this Addendum, it is anticipated that upon completion of planned post-demolition site work and soils removal, an Unrestricted Use Response Action Outcome (RAO) will be issued for the Project Site by the LSRP;

b) consistent with the anticipated Unrestricted Use RAO, no engineering control is anticipated to be required for the Project, and no Deed Notice requirement will be imposed on the Project, based on current available data; and

c) therefore, for bidding purposes, bidders should assume that an engineering control will not be required for the Project, and references in the DBIP to potential impacts and/or obligations relating to inclusion of an engineering control for the site are inapplicable.

### 3. Existing Retaining Wall and Fence:

Along the South property boundary, approximately 150 LF of an existing retaining wall with an embedded fence has been left in-place at the completion of the Early Site Package work to avoid undermining the adjacent property. See the Anticipated Post-Demolition Site Conditions Report, included as Attachment 3.3 to this Addendum, for a description of the existing retaining wall.

It is the design intent that a new retaining wall shall be constructed on the low side of the existing retaining wall to accommodate the proposed grades. The new retaining wall shall be located with the surface of the stem facing the adjacent property and be located within 2'-0" of the boundary. Cantilever retaining walls shall accommodate both the existing wall and the proximity of the boundary, be configured with a minimal heel, and if necessary, an extended toe and footing key. No easements have been obtained or are anticipated to be required.

The top of the new wall shall match the top of the existing wall. The space between the new and existing retaining walls shall be back-filled and finished with concrete pavement. See the SDA Materials and Systems Standard Manual, Section G2060.60 Retaining Walls, A.1 for additional requirements. The proposed fence shall be located within the concrete paved space between the existing and new retaining walls.

The existing fence shall be removed from the existing wall and the remaining holes grouted.

***Any bidder attempting to contact government officials (elected or appointed), including NJSDA Board members, NJSDA Staff, and Selection Committee members in an effort to influence the selection process may be immediately disqualified.***

**End of Addendum No. 3**

Katherine M. Belk 10/20/16  
NJSDA Date

**Addendum #3**

New Jersey Schools Development Authority  
Office of Procurement  
32 East Front Street  
Trenton, NJ 08625  
Phone: 609-858-2986  
Fax: 609-656-7238

**Date:** October 20, 2016

**PROJECT #:** ES-0027-B01  
Madison Avenue Elementary School  
Irvington Public Schools

**DESCRIPTION:** Addendum #3

Addendum No. 3

**Acknowledgement of Receipt of Addendum**

Contractor hereby acknowledge the receipt of the Addendum by signing in the space provided below and returning via scanned copy (nkathiari@njsda.gov) or fax (609-656-7238). Signed acknowledgement must be received prior to the Bid Due Date. Acknowledgement of the Addendum must be made in Section E.5 of the Price Proposal Submission.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Date