



GOVERNMENT OF PUERTO RICO
PORTS AUTHORITY

November 20, 2024

REQUEST FOR PROPOSALS

Infrastructure Mitigation Program Architectural and Engineering Services
Community Development Block Grant – Disaster Recovery

RFP PRPA-CDBG-MIT-2024-001

ADDENDUM NO. 1

NOTICE OF CHANGE

In accordance with Section 4.2 & 4.7, The PRPA reserves the right to amend this RFP at any time. Any amendments to the RFP will be issued as written Addenda which will be published for all prospective Proposers to download at the PRPA Website (<http://www.prpa.pr.gov>). Addenda will become a part of this RFP.

Responses to Proposers' questions will be distributed as an Addendum to this RFP on or before the date established in Section 4.3 and will be posted on PRPA Website (<http://www.prpa.pr.gov>).

The Responses provided by the Authority to the questions submitted by the registered participants, in accordance with the table provided below:

Se attachment A



Romel Pedraza, P.E.
Deputy Executive Director

**Request for Proposals (RFP)
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Puerto Rico Ports Authority (PRPA)
RFP PRPA-CDBG-MIT-2024-001**

Answers to Questions and Requests for Clarifications						
No.	Question	RFP Section	RFP Page No.	Proposer	Submission Date	Answer
1	Should we include a completed MWBE utilization Plan template with RFP response? https://cdbg-dr.pr.gov/en/section-3/enterprise-woman-minority-mwbe/utilization-plan/	3.11 Minority and Women Owned Business Enterprises	10	Jacobs Caribe Engineers, PSC	11/7/2024	Yes. In accordance with Section 3.1 (Minority and Women Owned Business Enterprises), Proposer should provide this completed template as part of their overall efforts for M/WBE compliance for evaluation. We are enclosing the form as part of this Addendum. Per the RFP, it can also be downloaded at: https://cdbg-dr.pr.gov/en/section-3/enterprise-woman-minority-mwbe/utilization-plan/
2	1.1.4. Work Approach and Organization (maximum 6 pages, excluding required forms). 6.3 Respondents are encouraged to include information about any unique or specialized approaches and capabilities they will bring to the engagement. The Work Approach responses shall not exceed fifteen (15) pages. Please confirm page limit for this section.	5.3 Proposal Sections and 6.3. Work Approach and Organization	16 and 22	Jacobs Caribe Engineers, PSC	11/7/2024	The PRPA hereby clarifies that the Work Approach responses shall not exceed fifteen (15) pages as further detailed in Section 6.3. Section 5.3 has been revised and corrected to ensure consistency in the RFP documentation. We are enclosing the updated version as part of this Addendum.
3	Do the six (6) key personnel resumes count towards section page limit? • Professional Engineer (PE) or Registered Architect (RA) of Record • Subject Matter Expert (SME) • Project Manager • Design and Permitting Coordinator • Environmental Manager • Construction Manager	6.3. Work Approach and Organization	22	Jacobs Caribe Engineers, PSC	11/7/2024	No, resumes are not included in the maximum page limits specified in the RFP for this proposal section.
4	We kindly request a two-week extension to ensure that our proposal is comprehensive and meets all the requirements outlined in the RFP. We are committed to delivering a high-quality proposal and believe that this additional time will enable us to provide a more thorough and well-prepared submission.	4.3 Schedule	12	Jacobs Caribe Engineers, PSC	11/7/2024	The PRPA has agreed to extend the Proposal Due Date until Monday, December 23, 2024 5:00PM (AST). REQUIRES DISCUSSION WITH PRPA MANAGEMENT
5	Section 3.4 states that the contract term is stated to be 36 months with the option to extend an additional 24 months. However, the introductory section 3 to the scope of services states that "The A/E Services are being sought for an initial contract term of 6 months, with an option to extend the contract term for an additional 6 months until the project reach closeout." Please clarify if the contract term will be 36 months.	3 Scope of Services and 3.4 Contract Term	8 and 9	Jacobs Caribe Engineers, PSC	11/7/2024	The correct term is set forth in Section 3.4. (Contract Term). The term of the Contract will be for a performance period of thirty-six (36) months with the option of an additional twenty (24) months, extension until the Project reach closeout. Section 3 introductory paragraph has been revised and corrected to ensure consistency in the RFP documentation. We are enclosing the updated version as part of this Addendum.
6	6.2 Qualifications, Experience and Capabilities, RFP instructions indicate the proposal must include at least three comparable projects, preferable with state and municipal government projects and within the past ten (10) years. Exhibit C requires: The Proposer must provide a list of at least three (3) comparable projects, current or within the last 8 years,... Please confirm if it is eight or ten years	6.2 Qualifications, Experience and Capabilities. Exhibit C	19	Jacobs Caribe Engineers, PSC	11/7/2024	Ten (10) years. Exhibit C (List of Comparable Projects) has been revised and corrected. We are enclosing the updated version as part of this Addendum.
7	Exhibit B. 3.3. Asks for very similar same information requested in RFP Instructions, Qualifications, Experience and Capabilities Legal Actions (page 20). Please Clarify if responding to Exhibit B. 3.3 will be sufficient to address the financial capabilities Legal Actions requirement.	Exhibit B, RFP Instructions	Exhibit B. Page 3. RFP Instructions Page 20	Jacobs Caribe Engineers, PSC	11/12/2024	Section 6 outlines the Technical and Price Proposal Requirements by area of interest. As detailed in Section 6.2 (Qualifications, Experience, and Capabilities), Proposers must provide the requested information as part of Exhibit B (Statement of Qualifications). While some of the information is included in Exhibit B, the Proposer is responsible for meeting all requirements stated in Section 6, including any supporting documentation requested therein.



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8	PRPA to confirm that project management task during design phase is for construction documents up to 30% rather than 100% as stated in the document. Please clarify.	Attachment 1 Scope of Services 3.1.1	13	Jacobs Caribe Engineers, PSC	11/12/2024	No. As further detailed in Section 3 of the Attachment 1 (Scope of Services) and Exhibit G - Price Form, the PRPA confirms that the selected Proposer will be responsible for the Project Management tasks during every stage of the Project, beginning with the original concept and Project definition, and ending with the Project's closeout after construction. See Section 3.1.1. of the Attachment 1 (Scope of Services).
9	On the cover page of the request for proposal, the document states: "Proposal due Date: Until December 6, 2024." Since this is an \$89 Million project which has quite a detailed scope, we respectfully request a time extension to December 23, 2024, in order to be able to provide a responsible price and scope for the project. Furthermore, once questions are answered, this will require additional time for review of the impact on scope and fee.	1	1	Burns & McDonnell	11/12/2024	The PRPA has agreed to extend the Proposal Due Date until Monday, December 23, 2024 5:00PM (AST). REQUIRES DISCUSSION WITH PRPA MANAGEMENT
10	The paragraph states the contract is for 6 months with an option to extend 6 additional months. However, section 3.4 states the contract term of 36 months with an option for an additional 24 months, totaling 60 months. Please clarify which of the Contract Terms are correct so that we can properly price the project.	1	8	Burns & McDonnell	11/12/2024	The correct term is set forth in Section 3.4. (Contract Term). The term of the Contract will be for a performance period of thirty-six (36) months with the option of an additional twenty (24) months, extension until the Project reach closeout. Section 3 introductory paragraph has been revised and corrected to ensure consistency in the RFP documentation. We are enclosing the updated version as part of this Addendum.
11	This section lists the deliverables to be priced and provided. However, it also states the deliverables are not limited to the deliverables listed. We respectfully request that the "Not limited to" verbiage be removed from this paragraph in order to be able to properly price the project.	1	8	Burns & McDonnell	11/12/2024	This section clearly states that the Deliverables to be provided are detailed in Attachment 1 (Scope of Services). Please refer to Attachment 1 (Scope of Services).
12	This section states a Model Contract is included as a draft and may be subject to modifications as a result of negotiations. Please confirm that the highest ranked firm who will be called in for negotiations will be able to submit the proposed modifications to the draft contract and the refuse that the offer presented in "Exhibit 6-Price Form" is non-binding unless mutually acceptable contract terms have been negotiated and accepted by PRPA and the Proposer.	3.1	8	Burns & McDonnell	11/12/2024	As stated in the RFP, the draft Model Contract provided in Attachment 2 may be subject to modifications during the negotiation process. During this process, the Selected Proposer will have the opportunity to propose modifications to the draft contract at that time by virtue of law or regulations, or any other event that may affect the dispositions therein contained. However, please note that while the "Exhibit G - Price Form" offer is considered part of the Proposal submission, it will be subject to the final terms agreed upon in the negotiated contract. Until the contract is executed by both parties, all terms and conditions, including pricing, will remain non-binding.
13	Please confirm that the method of payment will be lump sum where services will be billed on a monthly basis and where the deliverables will be billed on a monthly basis/percent until 100% complete	3.5	9	Burns & McDonnell	11/12/2024	Payment Terms and Methods of Payment are further described in Section 6.4 (Price Proposal), Exhibit G - Price Form, and in Attachment 2 (Model Contract).

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14	We respectfully request that all liquidated damages clauses be removed from the RFP since this is non-standard for professional services contracts. Not doing so will most likely increase fees due to risk or prevent proposers from participating. Also, the documents do not address what a delay is nor who will be the decision maker and by which metrics these will be accounted for. The model contract does not have an arbitration clause to deal with these issues. If this section cannot be removed then we recommend a maximum liquidated damage of \$5 per day. Please confirm how PRPA will address this item.	3.6	9	Burns & McDonnell	11/12/2024	<p>In response to your inquiry regarding the liquidated damages clause, please note that the inclusion of such provisions is standard in contracts where the timely completion of services is critical to the success of the project, particularly those funded with CDBG Mitigation funds. The clause is meant to protect the PRPA's interest by providing a mechanism to address delays that could significantly impact the overall project schedule and ultimately jeopardize the funding timeline or compliance with federal requirements.</p> <p>While we understand your concerns, the clause is expected to remain in the contract model to ensure accountability and timely performance of the selected Proposer. The request to cap liquidated damages at \$5 per day will also be taken into consideration during the negotiation process. However, please be advised that the final amount will reflect the project's needs and risk considerations. Although the current draft model does not include an arbitration clause, this is something that can be discussed and potentially incorporated during negotiations if mutually agreed upon.</p> <p>Proposers are encouraged to submit their best terms, and PRPA will work collaboratively with the selected Proposer to establish fair and reasonable Contract terms.</p>
15	<p>–Please confirm that only applicable insurance policies will need to be in place once selected and the contract has been negotiated.</p> <p>–Please confirm that the language in Attachment 4: Insurance Requirements can be modified, i.e. all sections stating "shall be no less than" can read "shall be XX or XX in the aggregate," removing the "no less than" from the verbiage.</p>	3.9	9	Burns & McDonnell	11/12/2024	<p>Section 3.9 (Insurance Requirements) clearly states that, if selected for the award under this RFP, the Proposer must maintain the required minimum insurance policies and coverages. For detailed information on these requirements, please refer to Attachment 4 (Insurance Requirements).</p> <p>At PRPA's discretion, and as part of the negotiation process with the Selected Proposer, modifications to the insurance language may be considered. However, please note that the liability limits set forth in Attachment 4 will remain unchanged.</p>
16	Please confirm 20% will be for (MBE 10%) and (WBE 10%) of the total price. Also, please advise how this will affect DBE % participation since no % is listed. Or is it the intent to be 10% W/MBE and 10% DBE? Please confirm. Also, please provide a listing of all PR MBE, WBE firms or a link where these can be obtained.	3.11	10	Burns & McDonnell	11/12/2024	<p>As stated in Section 3.11 (Minority and Women Owned Business Enterprises), All participating entities engaged with PRPA must make a commitment and demonstrate an acceptable "Good Faith Effort" toward the achievement of PRDOH's M/WBEs subcontracting goals of twenty percent (20%) of the entire contract value consisting of ten percent (10%) for MBE and ten percent (10%) for WBE participation.</p> <p>With regards to Disadvantaged Business Enterprises (DBE), the PRPA shall consider 5 Preference Points for DBE participation. This is further explained in Section 7 (Preference for Section 3 Business Concern Local Participation, M/WBE and/or DBE Businesses) and Section 8.4 (Proposal Scoring) of the RFP.</p>
17	Please confirm a proposal can be withdrawn in the event that mutually acceptable contract terms and conditions have been negotiated and accepted by both parties.	4.9	14	Burns & McDonnell	11/12/2024	Proposal withdrawal terms are clearly established in Section 4.9 (Proposal Withdrawal) of the RFP Instructions.

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18	This section states the page limits for the proposal: cover page—1 page; cover letter—max 2 pages; qualifications, experience, and capabilities—max 10 pages; work approval and organization—max 6 pages; price proposed—2 pages. However, section 6.3 “Work Approach and Organization” on page 22/31 states the maximum page limit is 15 pages. Please clearly list the maximum page limit for each section to ensure consistency in the RFP.	5.3	16	Burns & McDonnell	11/12/2024	The PRPA hereby clarifies that the Work Approach responses shall not exceed fifteen (15) pages as further detailed in Section 6.3. Section 5.3 has been revised and corrected to ensure consistency in the RFP documentation. We are enclosing the updated version as part of this Addendum.
19	In the section of experience and capacity of the team the RFP is requesting to provide a list of on-going contracts. Please confirm only to be provided by the Professional Services Corporation, LLP or LLC who is registered in P.R. and submitting the proposal. Please confirm what metrics PRPA will utilize for scoring this section.	6.2	18	Burns & McDonnell	11/12/2024	Proposals must comply with the technical requirements outlined in Section 6 (Technical and Price Proposal Requirements). PRPA's Evaluation Committee will conduct a comprehensive, fair, and impartial evaluation of all Proposals submitted in response to this RFP. Regarding the Qualifications, Experience, and Capabilities section, as detailed in Section 6.2, Proposers must demonstrate their reputation, managerial and organizational structure, financial stability, and technical expertise necessary to perform the services outlined in the RFP. This section will be evaluated with a maximum score of 60 points. Please refer to Section 6.2 for further details on the maximum score breakdown per area of interest.
20	Year End (fiscal calendar) audited reviewed or compiled financial statements. Per our policy we do not provide full financial statements to clients without a signed NDA. Please confirm PRPA will sign the NDA for this requested information	6.2	19	Burns & McDonnell	11/12/2024	PRPA understands the importance of maintaining the confidentiality of financial information. However, in order to ensure a fair and comprehensive evaluation process, it is necessary that Proposers submit financial statements as outlined in the RFP, which are required to demonstrate financial capability. PRPA will treat all financial information submitted as confidential, in accordance with applicable laws and regulations. At this time, PRPA is not able to sign individual NDAs for Proposers. We recommend that Proposers limit the submission of financial information to only what is necessary to comply with the RFP requirements and clearly mark any confidential sections, as appropriate. PRPA will take all reasonable precautions to protect such information during the evaluation process.
21	Per our company policy we do not provide interim financial statements as we are a private company and do not go through the Quarterly review process. Please confirm it will be acceptable to PRPA that we do not submit documents for this section and that we will not be penalized when allocating points for this section during the scoring process.	6.2	20	Burns & McDonnell	11/12/2024	See answer above. All Proposers shall comply with the technical information specified in Section 6 (Technical and Price Proposal Requirements).
22	Please confirm if a letter older than 60 days can be provided. If no, please confirm the RFP due date will be extended to December 23, 2204 in order to allow sufficient time to gather.	6.2	20	Burns & McDonnell	11/12/2024	Proposer shall comply with each of the following requirements set forth in Section 6.2. (Qualifications, Experience and Capabilities). Regarding the Proposal Due Date, the PRPA has agreed to extend the deadline until Monday, December 23, 2024 5:00PM (AST).

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23	The RFP lists a limited number of positions for the project. However, in our experience in projects of this nature the Roles and Responsibilities shall be the responsibility of the proposing firm in order to properly execute the project. Please confirm if proposers can modify (Add or Subtract) and submit alternate organizations they deem appropriate for the project.	6.3	18	Burns & McDonnell	11/12/2024	<p>The Key Personnel listed in the RFP are essential for the Project. However, Proposers may suggest additional personnel to support the services as deemed necessary for effective Project execution.</p> <p>Refer to Attachment 1 (Scope of Work) for detailed requirements and roles of each Key Personnel member. Key Personnel required as part of the responses to this RFP include the following:</p> <ol style="list-style-type: none"> 1. Professional Engineer (PE) or Registered Architect (RA) of Record 2. Subject Matter Expert (SME) 3. Project Manager 4. Design and Permitting Coordinator 5. Environmental Manager
24	This section states: All key personnel must be located on island when performing work under the contract. Please confirm key personnel will only be required to be on island during the executions of certain limited activities that are pertinent and would require such local presence. And that nonpertinent activities can be performed elsewhere.	2.2	7	Burns & McDonnell	11/12/2024	Section 2.2 (Key Personnel Experience and Qualifications) of Attachment 1 clearly states that all Key Personnel must be based in Puerto Rico during the performance of work under the Contract.
25	Please confirm that non Spanish speaking personnel can be supported by Spanish speaking personnel at the team and also that key team members will only be required to be in Puerto Rico when deemed applicable for pertinent activities that require such. Please confirm if key personnel will be supported by Spanish speaking team members that proposers will not be penalized for this action	2.2	7	Burns & McDonnell	11/12/2024	<p>As stated in the RFP, PRPA requires that all Key Personnel be based in Puerto Rico during the performance of work under the Contract to ensure effective project management, communication, and coordination with local stakeholders. While non-Spanish speaking personnel may be supported by Spanish-speaking team members, the expectation remains that Key Personnel must be physically present on the island for pertinent activities that require their direct involvement.</p> <p>Please note that PRPA will not penalize Proposers for including non-Spanish speaking Key Personnel, provided that appropriate measures, such as having Spanish-speaking team members, are in place to ensure seamless communication and project delivery. However, the requirement for Key Personnel to be present in Puerto Rico for critical activities remains unchanged.</p>
26	The RFP states: "Key Personnel Required: Project Manager Full time equivalent cap criteria: Max 1 FTE for life of the contract" Please confirm that the rate submitted for each key position shall be inclusive of all other supporting team members who will be assisting the PM as well as expenses foreseen for the proper execution of these tasks.	3.1.4	15	Burns & McDonnell	11/12/2024	As stated in the Notes included in Exhibit G - Price Form, the Rate Per Hour includes overhead, profit, royalties, reimbursements, travel, fringe benefits, taxes, as well as any other additional fees and administrative cost applicable to the Services.



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27	Please confirm additional services will be negotiated after the highest team has been contracted and therefore prices for these services are not part of this submission.	3.2	16	Burns & McDonnell	11/12/2024	<p>Proposers are required to list and price allowances for Additional Services anticipated to be necessary during the performance of the Services. The PRPA confirms that the Total Cost of Additional Services Allowance will be considered during the evaluation of Cost Proposals. The evaluation will focus on the need and reasonableness of proposed costs, compliance with applicable federal, state, and local codes, regulations, and laws, and the overall value offered by the Proposer.</p> <p>For any Additional Services included in the Contract, an allowance will be established. During the performance of the Services, the Selected Proposer must submit an Additional Service Work Plan through a Request for Approval (RFA) to the PRPA for review and approval prior to performing such services.</p> <p>Further details are provided in Section 3.5 (Additional Services) of Attachment 1 (Scope of Services).</p>
28	This section seems to list some items that are not applicable to the project scope. Please confirm that items deemed to be not applicable shall be removed from this document during contract negotiations	3.2.1.3	18-20	Burns & McDonnell	11/12/2024	As further stated in Section 3.2.1.3 (Code, Standards, and Regulatory Analysis), this list is for reference purposes and is not intended to be all-inclusive. The Selected Proposer is responsible for identifying, securing, and complying with all applicable codes, standards, and regulations, as required for the design and construction of the Works.
29	This section requires that Design Drawings be stamped by a licensed P.E. Please remove this requirement due to the fact that the proposer will not be the Engineer of Record for the final design and therefore signing and sealing drawings is not applicable.	3.2.2.2	25	Burns & McDonnell	11/12/2024	The requirements set forth in 3.2.2.2 (Preliminary Design Deliverables) of Attachment 1 (Scope of Services) will remain unchanged.
30	Please provide the document that contains the obligations that are to be met by PRPA for the HUD Grant. HUD Grant document.			Burns & McDonnell	11/12/2024	Please find attached a copy of the Subrecipient Agreement (SRA) 2024-DR0068 executed with the PRDOH on March 26, 2024. We are enclosing it as part of this Addendum.



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31	Please confirm that the fee for this project will be in accordance as % of construction and per the CIAPR "Manual for Professional Practice and Guidelines for the Compensation of Professional Services"			Burns & McDonnell	11/12/2024	<p>In projects funded under the CDBG-MIT program, ensuring cost reasonableness is a critical requirement for all architectural and engineering (A/E) fees. The U.S. Department of Housing and Urban Development (HUD) mandates that these costs be reasonable, necessary, and in line with market rates for similar services, as required by federal regulations.</p> <p>Service fees shall be determined by the Proposer based on the following factors:</p> <p>(1) Customary fees for non-federally funded projects of comparable scope and complexity. (2) The nature and scope of the services required. (3) The expertise, past performance, and qualifications of the Proposer, while always adhering to cost reasonableness principles pursuant to 2 C.F.R. § 200.459.</p> <p>For design-related services, including services during the construction phase, fees must be fair, reasonable, and consistent with the Colegio de Ingenieros y Agrimensores de Puerto Rico (CIAPR) guidelines, as detailed in the Manual for Professional Practices and Guidelines for the Compensation of Professional Services (CIAPR A/E Tables).</p>
32	Are the Resumes excluded from the page limit from the Work Approach and Organization?	5.3, 6.3	16, 22-23	Miyamoto International Puerto Rico, LLC	11/8/2024	Yes, resumes are excluded from the maximum page limits specified in the RFP for this proposal section.
33	For the Key personnel the Subject Matter Expert (SME) is obligatory to be registered in Puerto Rico as PE?	Attachment 1, Section 2.2.	8	Miyamoto International Puerto Rico, LLC	11/8/2024	Yes. As per Section 2.2 (Key Personnel Experience and Qualifications) of the Attachment 1 (Scope of Services), the Subject Matter Expert (SME) must be a professional Engineer (PE) or Registered Architect (RA) licensed in Puerto Rico.
34	Please clarify if the "Section 3" workers requirement applies only to the construction phase and not to the design team.	Section 3.12		Miyamoto International Puerto Rico, LLC	11/8/2024	<p>The "Section 3" requirements, established under the U.S. Department of Housing and Urban Development (HUD), aim to provide employment, training, and contracting opportunities for low and very-low-income persons, particularly those receiving housing assistance, and for businesses that provide economic opportunities to these individuals.</p> <p>For projects funded by CDBG-MIT (Community Development Block Grant - Mitigation), Section 3 applies primarily to construction-related activities, which means that contracts involving physical construction work are typically required to comply with Section 3.</p> <p>Architectural and Engineering (A/E) firms that are providing design services only, and not directly involved in physical construction, may not be subject to the Section 3 worker requirements. However, this matter shall be further discussed with the Puerto Rico Public Housing Authority (PRDOH) and additional information will be provided to all Proposer via an Addendum to the RFP.</p>