

# THE PORT AUTHORITY OF NY & NJ

THE PORT AUTHORITY OF NEW YORK & NEW JERSEY  
PROCUREMENT DEPARTMENT  
4 WORLD TRADE CENTER, 150 GREENWICH STREET, FLOOR 21  
NEW YORK, NY 10007

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Date: May 18, 2017

## ADDENDUM #1

### TO PROSPECTIVE RESPONDENTS TO RFQ #49625 REQUEST FOR QUALIFICATIONS FOR OPERATIONS, MAINTENANCE AND CONCESSION MANAGEMENT SERVICES RELATING TO THE NEWARK LIBERTY INTERNATIONAL AIRPORT TERMINAL A REDEVELOPMENT PROJECT

We have made the following changes to the subject RFQ:

1. In Section 1.4(a), add the following language at the end of the last sentence:

*“If the Respondent is a single firm, it may submit in its own name. If the Respondent becomes the Preferred Proposer, the Preferred Proposer may create a special purpose entity to enter into the Advisory Agreement and the OM&C Agreement so long as those entities which were pre-qualified during the RFQ are guarantors of the special purpose entity's obligations and performance under the Advisory Agreement and OM&C Agreement.”*

2. In Appendix C, Section 1.2, replace “May 31, 2017” with “June 7, 2017”.

3. In Appendix C, Section 2, add the following at the end of the sentence:

*“The Respondent must submit the Financial Information required under Appendix C, Section 3, Part 1, Section 3 as part of its original hard copy; no additional hard copies of Appendix C, Section 3, Part 1, Section 3 are required. In addition, the Respondent must submit only one hard copy of Part 2 (Confidential and Proprietary Information) (if any).”*

4. See attached responses to potential Respondents’ questions.

*Note: The attached document contains responses to questions submitted by prospective Respondents. The responses should not be deemed to answer all questions that have been submitted by Respondents to the Port Authority. It addresses only those questions that the Port Authority has deemed to require additional information or clarification. The fact that information has not been supplied with respect to any questions asked by a Respondent does not mean or imply, nor should it be deemed to mean or imply, any meaning, construction, or implication with respect to the terms.*

*The Port Authority makes no representations, warranties or guarantees that the information contained herein is accurate, complete or timely or that such information accurately represents the conditions that would be encountered during the performance of the Project. The furnishing of such information by the Port Authority shall not create or be deemed to create any obligation or liability upon it for any reason whatsoever and each Respondent, by submitting its Statement of Qualifications, expressly agrees that it has not relied upon the foregoing information and that it shall not hold the Port Authority liable or responsible therefor in any manner whatsoever. Accordingly, nothing contained herein and no representation, statement or promise, of the Port Authority, its Commissioners, officers, agents, representatives, or employees, oral or in writing, shall impair or limit the effect of the warranties of the submittals required by this Request for Qualifications, and the Respondent agrees that it shall not hold the Port Authority liable or responsible therefor in any manner whatsoever.*

This communication should be initialed by you and annexed to your Statement of Qualifications upon submission.

In case any Responding Teams fails to conform to these instructions, its Statement of Qualifications will nevertheless be construed as though this communication had been so physically annexed and initialed.

**THE PORT AUTHORITY OF NEW YORK & NEW JERSEY**

RESPONDENT'S NAME: \_\_\_\_\_

INITIALED: \_\_\_\_\_

DATE: \_\_\_\_\_

**QUESTIONS / REQUESTS FOR CLARIFICATIONS / COMMENTS  
REGARDING REQUEST FOR QUALIFICATIONS (RFQ #49625)  
FOR OPERATIONS, MAINTENANCE AND CONCESSION MANAGEMENT SERVICES  
RELATING TO THE NEWARK LIBERTY INTERNATIONAL AIRPORT TERMINAL A REDEVELOPMENT PROJECT**

Question #	RFQ Section Reference	Question/Request for Clarification/Comment	Port Authority's Response
1	RFQ Section 1.4  Appendix C  Section 3.2	<p><i>Section 1.4 and Appendix C, Section 3.2 "Organization of the SOQ and the List of Submittal Requirements/Respondent's Team Profile" of the RFQ anticipate that, in certain circumstances, the Respondent that performs the Terminal Operator Services may be a newly formed entity.</i></p> <p>Please confirm that, to the extent that the entity responding to the RFQ is a single firm, it may submit the RFQ in its own name, but subsequently create a new wholly-owned Respondent entity to enter into the Advisory Agreement and OM&amp;C Agreement.</p>	<ul style="list-style-type: none"> <li>▪ Confirmed. If the Respondent is a single firm, it may submit in its own name. If the Respondent becomes the Preferred Proposer, the Preferred Proposer may create a special purpose entity to enter into the Advisory Agreement and the OM&amp;C Agreement so long as those entities which were pre-qualified during the RFQ are guarantors of the special purpose entity's obligations and performance under the Advisory Agreement and OM&amp;C Agreement.</li> </ul>
2	Appendix C, Section 1.2	Will the SOQ deadline be extended?	<ul style="list-style-type: none"> <li>▪ The Closing Time for submission of SOQs has been extended. The new SOQ Closing Time is now Wednesday, June 7, 2017.</li> </ul>
3	Section 4.1	What is the compensation for the existing Terminal Operator for OM&C services?	<ul style="list-style-type: none"> <li>▪ We anticipate providing this information to shortlisted firms during the RFP phase.</li> </ul>
4	Section 4	<p>The RFQ states that the Terminal Operator "will be responsible under the OM&amp;C:</p> <p><i>Agreement for all operations and maintenance, and concessions management for the New Terminal and, until its decommissioning, the Existing Terminal. " The RFQ further states, "The Terminal Operator will be expected to negotiate and enter into direct lease agreements with</i></p>	<ul style="list-style-type: none"> <li>▪ Refer to Sections 4.2 and 4.4 of the RFQ.</li> </ul>

		<p><i>concessionaires for concession facilities in the New Terminal . ... "</i></p> <p>Accordingly, will a concession operator be permitted to provide Concession Management Services in the Existing Terminal and in the New Terminal?</p>	
5	Appendix C Section 2	Do all documents need to be submitted in one original hard copy and 10 hard copies, or if the financial statements for the three most recent years (Appendix C, section 3, Part 1, Section 3 Financial Information) could be exempt from the 10 additional hard copy requirement to reduce the size of the RFQ box substantially.	<ul style="list-style-type: none"> <li>▪ The Respondent must submit the financial documents required under Appendix C, Section 3, Part 1, Section 3 Financial Information as part of its original hard copy only. No additional hard copies are required. This change will be reflected in Addendum #1.</li> </ul>
6	Appendix C Section 2	Can you please confirm that only one set of the confidential and proprietary binders (Part 2 of the Submittal Requirements) will be required (and not 10 hard copies of each as required by Part 1 of the Submittal Requirements)	<ul style="list-style-type: none"> <li>▪ Confirmed. Only one set of the confidential and proprietary binders (Part 2 of the Submittal Requirements) are required. This change will be reflected in Addendum #1.</li> </ul>