ADDENDUM No. 3

RFP #21-21

Barton Dam – Right Embankment Remediation

Due: August 12, 2021 at 2:00 P.M. (local time)

The information contained herein shall take precedence over the original documents and all previous addenda (if any) and is appended thereto. **This Addendum consists of four (4) pages of text. Additional resources noted below are posted on the share site and are not attached to the Addendum.**

The Offeror is to acknowledge receipt of this Addendum No. 3, including all attachments in its Proposal by so indicating in the proposal that the addendum has been received. Proposals submitted without acknowledgement of receipt of this addendum may be considered non-conforming.

The following forms provided within the RFP Document should be included in submitted proposal:

- **Attachment C - Non-Discrimination Ordinance Declaration of Compliance Form**
- **Attachment D - Living Wage Declaration of Compliance Form**
- **Attachment E - Vendor Conflict of Interest Disclosure Form**

Proposals that fail to provide these completed forms listed above upon proposal opening may be rejected as non-responsive and may not be considered for award.

I. CORRECTIONS/ADDITIONS/DELETIONS

Changes to the RFP documents which are outlined below are referenced to a page or Section in which they appear conspicuously. Offerors are to take note in its review of the documents and include these changes as they may affect work or details in other areas not specifically referenced here.

Section/Page(s)	Change
II.3 / 12	Add the following document references (*Listed documents have been uploaded to the RFP share site.*): *Barton Power Plant: Location Map*. Garner S. Williams Consulting Engineer. November 15, 1915. *barton_piezometer_graphs.pdf*. Graphs that include recent piezometer data.
II.6 / 15	Add the following bullet point under "FERC/DHAC" under "Requirements": ▪ PFMA meeting with FERC.

II.6 / 19 Add the following bullet point under "Requirements":

- Televise Toe Drain #23 from its discharge point to the terminus in the embankment. Televising may require removal of boot on end of pipe. Televising shall include video recording with audio notes and distance in from end.

- Prepare and conduct a Probable Failure Mode Analysis (PFMA) meeting with FERC regarding the proposed design solution. Include the results of the PFMA in the Design Basis Report.

- Final design shall include a concept drawing for constructing a future Phase 2 if seepage were to move closer to the spillway following construction of the designed repair.

III.D / 22 Change the last Fee Proposal line item as follows:

(As provided in the original RFP #21-21 document)
~~$15,000 Allowance for Permit Fees.~~

(As updated here in Addendum No. 3)
$20,000 Allowance for Permit Fees.

II. QUESTIONS AND ANSWERS

Questions received from potential proposers may have been modified or formatted as appropriate for this section.

Question 1: It is stated that detailed design of wetland mitigation is not part of this scope; but an EGLE permit will not be issued without addressing wetland mitigation in detail (if not fairly a detailed proposed mitigation design, then a contract for purchase of wetland bank credits). Without knowing the amount of mitigation required (i.e., we don't know the amount of wetland to be impacted), the City must account for the potential of a significant budget placeholder for mitigation. How will the City address this unknown for the RFP considering an EGLE permit will not be issued without a plan for wetland mitigation (either mitigation design or a wetland banking contract), in view of the fact that permit acquisition is included within this scope?

Answer 1: In the preliminary strategy for wetland mitigation (included in the required scope spelled out by RFP 21-21) the Consultant is to indicate proposed feasible site(s) for mitigation, and/or specifics about the requirements of a wetland bank contract. (Note: In preparing the preliminary strategy, the Consultant needs to include contact time with the City or the City's representative for buy-in on the strategy including possible mitigation location(s).) The preliminary strategy shall include a brief write-up with graphics indicating proposed mitigation site(s). However, detailed survey of proposed mitigation site(s) is not required for the preliminary strategy. After the City's approval of the Consultant's preliminary strategy, the Consultant will then propose an additional fee for completing detailed mitigation design and/or administrative requirements for a wetland bank contract as required.

Question 2: Many threatened and endangered species are known in this vicinity, including aquatic species like mussels and federally protected bat species (Indiana bat, E and northern long-eared bat, T). How will the City address the need for a mussel survey if required for repair work of the under-bridge access? Or can the City provide documentation indicating mussel concerns do not exist in this location?

Answer 2: If the Consultant identifies need of a mussel survey during the project, the Consultant should propose an additional fee for completion of this scope.

Question 3: Bat species concerns can often be avoided by clearing trees during the inactive season—can the City commit to tree clearing during the inactive season prior to the estimated start of construction in July 2023? If not, how will the City address the potential need for bat surveys if required prior to active season tree clearing?

Answer 3: If given sufficient advanced notice, the City can commit to tree clearing during the inactive season. It will be the Consultant's responsibility to advise the City of any cut exclusion intervals, and to indicate these requirements in the contract documents that are prepared for construction.

Question 4: The RFP indicates an allowance for permit fees specifically for costs paid to the City. Should this amount be included in our proposal cost?

Answer 4: Yes. Include it as a separate line item. Note: The allowance has been changed from $15,000 to $20,000 per this Addendum.

Question 5: The RFP indicates costs, including insurance policies required by the railroad or other stakeholders, will not be part of the allowance. Is this to be understood that all permitting costs required beyond the City's own internal permit requirements are to be included in the proposal cost as additional charges (i.e., Permit to Enter railroad property, railroad insurance, flagging during design services, railroad design reviews and expenses, etc.)?

Answer 5: No. Any direct permit-related fees or access-related fees that the Consultant incurs (including the railroad's Permit to Enter fee, fees for flagging services and railroad design reviews, or EGLE's Joint Permit Application fee) may be charged to the Allowance. To draw from the Allowance, the Consultant must present to the City invoices for fees that the Consultant has paid to each respective agency. However, payment for any insurance, including policies that the railroad requires the Consultant to carry, is excluded from the Allowance. Miscellaneous expenses related to dealing with agencies (e.g., personal expenses or vehicle expenses while meeting with the railroad's engineer, internal training expenses to satisfy the railroad's safety program, purchase of special safety equipment that may be required for access, etc.) are excluded from the Allowance. In addition, none of the Consultant's labor costs may be charged to the Allowance. If, during the course of the project, the Consultant expects remaining permit/access fees to exceed available funds in the Allowance, the Consultant shall notify the City per the terms of the Professional Services Agreement.

Question 6: Is analysis of, or are improvements to, the existing Barton Dam spillway included in the project scope?

Answer 6: No.

Question 7: Are provision of additional spillway capacity, installation of emergency spillway capacity within the right embankment, and/or implementation of measures to mitigate overtopping of the right embankment to be included in the project scope?

Answer 7: No.

Question 8: Are all of the existing piezometers still functional?

Answer 8: Yes.

Question 9: Is there piezometer data after Aug 2018?

Answer 9: Yes. Updated piezometer graphs have been uploaded to the RFP share site.

Question 10: How will engineering services during construction and construction quality control services be procured?

Answer 10: These will be procured under a separate fee for services contract.

Question 11: Would the City entertain an alternate path for heavy construction along the bridge (i.e., the north side where there is an existing right-of-way)? The path would be from Barton Shore Drive to the access drive for the spillway, to the bridge, to the project.

Answer 11: Yes, if it is approvable by the railroad and other relevant agencies.

END OF ADDENDUM