



ADDENDUM NO. 1

FOR

Caesars Lane WWTP Expansion Phase
MBR Pre-Selection

Town of New Windsor
Orange County, New York

CLIENT:

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553

PREPARED BY:

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New Windsor, NY 12553

Addition to this Document is a
Violation of Section 7209(2)
of the New York State Education Law.

DATE: 29 JUNE 2022
JOB #: 18-732

THIS ADDENDUM CONSISTS OF SEVEN (7) PAGES

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Prospective Bidders are advised of the following revisions, additions and/or deletions to the contract documents.

RFI's

1. Question: *Please review notes and discussions with DEC to determine if the 19.6 gfd MDF flux cap applies to an N-1 scenario or with all MBR basins online.*

Response: The membranes need to be able to pass peak hourly flow at the N-1 scenario. Flux requirements specified are most critical to sustained flows, in particular average and maximum monthly flows. Bidders can take exception to flux rates outside of the sustained flow that occur at shorter intervals such as maximum daily flow and peak hourly flow as long as Bidders are comfortable this will not require excessive cleaning after this condition and will still provide the required performance guarantee and warranty requirements. Any exception to the bid requirements must include proper documentation and basis of such exception including documentation of other facilities that operate outside the recommended flux rates at non-sustained flows. It should also be noted that any exception must meet DEC review requirements.

2. Question: *Valves and in-basin pricing are very volatile right now and determining the appropriate price to use given the length of time before the project will get built exposes the owner and/or the Bidder to significant risk. Placing these items in the contractor's scope of supply allows the owner to get the price point available at the time the project bids.*

Response: MHE is willing to waive the requirement of the purchase of these valves and in-basin piping as part of the bidding process. As such, the Bidder shall disregard Section 1.1.B.3 from the scope of supply, however, a valve and piping list and/or drawings with specifications should still be submitted with proposal bid as this is an important aspect to understand with respect to the overall installation requirements and cost respective to each technology. The list will then be referenced in the General Contract scope of supply. For clarification, the elimination of valves and piping in the Bidder's scope of supply should be documented as an exception to the bid and reflected in Cost Item #4 in the MBR System Capital Cost Schedule in Section 2.01.G in the Bid Form.

3. Question: *Bidder has inquired about whether an automated CIP system is necessary as stated in the contract specifications, as compared to a manual CIP system.*

Response: For Bid comparison, the Bidder shall include pricing for automated cleaning as noted in the contract documents, however the Bidder is welcome to include an alternative cleaning method with cost differentials for Owner consideration.

4. Question: *Bidder has inquired whether the 316L stainless steel requirement for materials within membrane tank is necessary, or whether an alternative material such as 304 stainless steel may be used.*

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Response: If the Bidder feels that this material of construction is acceptable for their MBR tank, outside of the specified material of construction and will still provide the required performance guarantee and warranty requirements, the Bidder may submit with said material along with appropriate justification and documentation of alternate materials.

5. **Question:** *Filling the MBR tanks with cleaning chemicals should necessitate the installation of a tank liner to prevent the premature corrosion of the basin concrete. While the capital cost section asks whether a tank liner is needed there is no provision to include this added cost in the evaluation. It should be required to include tank liners in the cost evaluation, if applicable, and the cost of those liners should be defined on a \$/sq ft basis.*

Response: Bidders shall provide recommendations on protection of exposed concrete from membrane cleaning chemicals in their submission. This recommended protection will be factored into overall installation costs. Bidders shall provide recommendations to protect concrete to promote 30-year life span on the tank without excessive touch-up of any coatings or provide proof that other facilities are operating without adverse impact to concrete in this tank.

6. **Question:** *Bidder has inquired whether the phenol removal requirements stated in the contract specifications are valid, or whether these requirements should be removed.*

Response: Phenols can be highly biodegradable and is anticipated that at levels experienced in the influent these will be treated to acceptable levels with activated sludge given the longer SRT and more robust microorganisms, in comparison, if present. However, MHE understands that there are many factors that could affect removal of these compounds and that pilot testing has not been performed. Therefore, Bidders will not be required to provide performance guarantee for phenol removal requirements stated in the contract specifications.

7. **Question:** *While backpulsing is mentioned in the discussion of controls and instrumentation, there does not appear to be any provision in the RFP to capture the costs related to the backpulse tank itself. Bidders should need to determine the appropriate size of the backpulse tank, include the cost for it in their scope, and include the space it requires in the membrane equipment building.*

Response: It should be emphasized that the Bidder's proposed MBR system should be a COMPLETE system with all required support tankage necessary identified for operation and cleaning, including bulk chemical storage and utilities. Bidder will need to include the costs as additional concrete basin volume, if required.

8. **Question:** *The current specifications exclude MBR tank process volume from aerobic SRT considerations. It is believed to be reasonable to include the volume of the MBR tanks in the calculation for overall aerobic SRT purposes. If acceptable, the RFP specification language should be revised to allow for MBR tank volume inclusion.*

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Response: For clarification, Bidders can consider volume of MBR tanks in the calculation for overall aerobic SRT purposes if the design will still provide the required performance guarantee and warranty requirements, as long as proper documentation and justification is included. Examples should be provided of other facilities that operate successfully including the MBR tank process volume within the SRT calculations. Resulting SRT including MBR Tank process volume must be clearly identified as required by the bid documents. It should be noted that the submitted design must meet DEC approval.

9. **Question:** *Please confirm bottom of tank elevation for bioreactors (re: Hydraulic Profile).*

Response: The Hydraulic Profile provided in the contract documents is included for reference. Also for reference, approximate bedrock location is noted at two preliminary boring locations on Sheet SK-1. Bidders shall clearly note tank depth requirements for their respective systems for evaluation during the review process.

10. **Question:** *Consider replacing paragraph 5.01.6.2 in the Agreement in its entirety with the following: Contractor/Assignee shall pay Seller within 7 days of receipt of payment from the Project Owner under the construction contract.*

Response: MHE will revise the Agreement to require the Contractor/Assignee to pay the Seller within 15 days of receipt of payment from the Project Owner under the construction contract.

11. **Question:** *Consider revising the Bid Form, Page 23, as follows:*

- a. *Reword "Owner and Location" to Facility Name and Location.*
- b. *Delete: "Peak Hydraulic Rated Capacity in MGD"*
- c. *Delete: "Biological Nitrogen Removal (yes or no)"*
- d. *Delete: "Type of WAS Thickening Equipment, if any"*
- e. *Delete: Type of Dewater Equipment, if any*
- f. *Delete: Reference Contact Name, Title, and Phone Number*
- g. *Delete: Installation Contractor Contact Name, Title, and Phone Number.*

These edits will allow the MBR system supplier to provide their standard NAM reference list which may comprise several hundred installations. Alternatively, please consider reducing the number of installations to a minimum of 5 installations in each size category.

Response: MHE finds the proposed changes acceptable and will revise the Bid Form accordingly.

12. **Question:** *MBR Spec 455000, Page 10: Please consider deleting: "under data demonstrating installations operating successfully at higher concentration is provided." This deletion will ensure that 8 g/L MLSS is used as the basis of design for the bioreactor and provide a common basis for system evaluation.*

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Response: For clarification, Bidders may propose MLSS concentrations that are consistent with WEF Manual of Practice No. 36, 2011, so long as at least three years of operating data at the consistent and sustained higher concentrations greater than 8,000 mg/L are provided.

CLARIFICATIONS

1. The Owner has received requests for revisions to the General and Supplemental Conditions, and unless revised in this addendum, has decided to leave the standard contract conditions as provided in the bid documents.
2. The following sentence will be added at the end of paragraph in Section 2.01.E of the Bid Form:

The Owner reserves the right to consider additional factors that may cause an increase or decrease in actual construction costs, such as more costly materials due to bidder specified requirements in materials, equipment, or construction method and system configuration.

ATTACHMENTS

1. Section 2.05 Price Escalation shall be added in Article 2 of the Agreement.

ALL BIDDERS MUST SUBMIT ACKNOWLEDGEMENT OF RECEIPT OF ALL ADDENDUMS WITH BID
(PAGE 6 - A1 ATTACHED HEREIN)

THERE WILL BE NO CHANGE IN THE TIME FOR THE RECEIPT OF BIDS.

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ACKNOWLEDGEMENT OF RECEIPT OF ALL ADDENDUMS LISTED BELOW:

ADDENDUM NO. 1 – 29 JUNE 2022 _____

SUBMIT THIS SHEET WITH YOUR BID

(End of Addendum No. 1)

MHE Engineering, D.P.C.
33 Airport Center Drive, Suite 202
New Windsor, NY 12553

2.05 Price Escalation

- A. Certain markets providing essential materials and services to the Project may experience significant, industry-wide economic fluctuation during the performance of this agreement that may impact costs prior to fabrication. This section provides a fair allocation of the risk of such market conditions between the Owner and the Seller.
- B. Thus, the contract price may be subject to adjustment based on market fluctuation prior to assignment of this contract to the General Construction Contract for the overall WWTP Expansion project. Any contract adjustment is subject to Owner acceptance.
- C. The contract price will be adjusted based on the following:
 - 1. Seller's actual realized cost increases for materials and services (i.e., finished materials, raw materials, freight, fabrication, etc.) starting from the bid opening date of this contract and ending on the bid available date for the General Construction Contract of the overall WWTP Expansion project.
- D. The Seller must submit with their bid documentation of present costs, internal or outsourced, to be considered for future price adjustment. Submitted documentation should include actual invoices that detail the Seller's present costs. At minimum this should include the following:
 - 1. Description of material, product, or service being considered
 - 2. Name of source vendor or supplier if applicable
 - 3. Date of invoice, quote, or cost estimate
 - 4. Lump sum cost or unit price
 - 5. Make and model of product if applicable
- E. Within three (3) weeks after the Bid Available Date for the General Construction Contract, the Seller must submit, in writing, to the Owner a request for contract adjustment. The Seller must clearly state their proposed net adjustment to the contract price while providing supporting documentation showing the proposed adjustment reasonably reflects the change in costs experienced by the Seller. The Seller shall provide updated pricing for cost items submitted during their bid.
- F. After award of this contract, the Seller may propose an alternative method of price escalation for consideration by the Owner, however, the alternative method must be agreed upon in writing by the Seller and the Owner prior to the signing of the Agreement, and will then be memorialized via Change Order.
- G. The total adjusted contract price will be included in the General Construction Contract as applicable.