

## **BATA Owner's Representative RFP Addendum, 4.7.20**

The following questions were received on March 31, 2020 in accordance with the terms identified at the mandatory pre-bid meeting held on March 24, 2020. Answers are provided below.

Bid proposals are due to BATA by 5pm on April 15, 2020; electronic submission is acceptable.

1) Can you confirm that the purchaser of the property is a Joint Venture [JV] between the Traverse City Housing Commission and the Bay Area Transit Authority? No. Ownership of the property is planned to be separate.

1a) Will the purchaser(s) use FTA funds entirely or in part to acquire the parcel?

No, but the FTA regulations must be followed as if FTA funds were being used (this is to ensure that future FTA funds can be used in the construction of the transit facility).

1b) Will the FTA funds be used for construction portion as well or just

acquisition? See above. FTA funds have not yet been granted but construction of the facility is contingent upon FTA funds. BATA is actively seeking those funds.

1c) If a JV, as stated above, should the partners be considered equal owners in the purchase or otherwise? The land division has not yet been determined. At a minimum, BATA will be purchasing approximately 15 of the 28 buildable acres.

2) Does TCHC have a team mobilized to work on the purchase akin to what BATA is doing? Not yet.

3) Other than what is customarily required of an Owner's Representative [and including what is listed in the RFP] what would the successful bidder's responsibilities be to the TCHC during Phase II and Phase III, if any? The Owner's Rep would ensure that a common design and site plan was being developed.

4) Given the current state of engagement during the pandemic, what probability would you place on the project not reaching Phase II or Phase III, if any? Is there a contingency policy in place for prospective Owner's Representative bidders that would apply under this scenario? It's hard to say. BATA is continuing to work towards the timelines identified in the RFP. I would not envision the need to re-bid due to an extension of timelines.

For example: Would we have to re-bid if cancelled/postponed indefinitely or; suppose we get through Phase II but Phase III becomes indefinitely delayed?

5) Does the proposed parcel have any Native American or otherwise known historical significance? Not yet known.

6) Please confirm BATA's agreed acceptance of the bid responses from respondents in digital format only... And would you still need three copies? Please advise. Digital format is acceptable and BATA

does not need 3 copies.

7) Do you anticipate any bonding required on the part of prospective bidders for Owner's Representation? If so, please describe. **No**

8) You are requiring prospective bidders to provide evidence of financial wherewithal to complete the project... will tax returns be sufficient evidence for this requirement?

**Cash flow statements will suffice.**

Questions received at the pre-bid meeting included:

What was the date of the Garfield Township Planning Commission Meeting where consensus support was received for the project? **February 12, 2020.**

Can a copy of the FTA's NEPA COA be provided? **Yes. See attachment.**

9) On Page 10 of the RFP Phase II Scope of work, it states...." Follow...NEPA process and any identified processes as required by FTA in order to use funds to be used for future transit facility construction on the property". We were provided with the NEPA review requirements – Are there any other "identified processes" that will be required that you are aware of at this time? **No.**

10) What is the responsibility of BATA for public bidding process for the project during Phase III? Or stated another way, is a public bid process required for the solicitation, evaluation and recommendation of the professional services required [listed on page 9 at the top of the page] or will it be some other process? **Yes, the bidding process will need to be in accordance with FTA guidelines which can be qualifications based.**

## Kelly Dunham

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**From:** Weber, Susan (FTA) <susan.weber@dot.gov>  
**Sent:** Wednesday, March 11, 2020 3:18 PM  
**To:** Kelly Dunham; Valerie Shultz (MDOT) <ShultzV@michigan.gov>; brusha@michigan.gov  
**Cc:** Koenig, Daniel (FTA)  
**Subject:** NEPA Class of Action: BATA Admin/Mtce Facility & Transfer Ctr

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good afternoon all,

FTA has determined the NEPA class of action: 23 CFR 771.118(c)(9) with documentation for the resource areas checked below along with Section 106 consultation for the BATA Administrative/Maintenance Facility and Transfer Center for the Bay Area Transportation Authority (BATA), Traverse City.

BATA/MDOT confirmed property acquisition will not proceed until NEPA is complete as noted in the below email dated 03/02/2020.

Please let us know when you would like to set up a kick off call.

**Date:** March 11, 2020

**Subject:** Environmental Class of Action Recommendation – Administrative/Maintenance Facility and Transfer Center for the Bay Area Transportation Authority (BATA), Traverse City, MI

**Sponsor:** Michigan Department of Transportation (MDOT) - BATA

**To:** Jay Ciavarella, Director, Office of Planning & Program Development

**cc:** Dan Koenig, Environmental Protection Specialist

**From:** Susan Weber, Community Planner

Project Description:

Bay Area Transportation Authority (BATA), is a Michigan Department of Transportation (MDOT) subrecipient. This proposed project includes property acquisition and the design, and construction of a new maintenance, administration, and operations staff facility and adjacent transfer station.

BATA's current headquarters facility was built in 1986, and was designed to accommodate the needs of the transit system at that time which was a fraction of what BATA is today. BATA has quadrupled in both vehicles and staff since the current facility was built. Additionally, the current facility is situated on one of the County's now busiest and most accident prone intersections. The location is not safely accessible on foot or bicycle, yet many transit dependent individuals attempt to reach the facility, compromising their safety, daily.

Proposed Project: Acquisition of parcel at LaFranier Rd/Hammond Rd W in Traverse City, MI

Facility Size: 57,000 square feet situated on approximately 8 acres of land shown on the southwest corner of the parcel. Current facility design calls for a 1 story building.

Transfer Station Area: The transfer station will be situated to the north of the HQ facility will encompass a 1.5 acre area with platform shelters but not an enclosed building.

Land excavation is estimate to range from 6'-60'.

- If a CE, include number: 23 CFR Part 771.118c-(9), which reads:  
*"Assembly or construction of facilities that is consistent with existing land use and zoning requirements (including floodplain regulations) and uses primarily land disturbed for transportation use, such as: Buildings and associated structures; bus transfer stations or intermodal centers; busways and streetcar lines or other transit investments within areas of the right-of-way occupied by the physical footprint of the existing facility or otherwise maintained or used for transportation operations; and parking facilities."*

Recommended Level of NEPA Review:

- CE with no Documentation Needed
- CE with Documentation (check all resource areas from the Checklist that will require substantive documentation)
  - Metropolitan Planning/Air Conformity
  - Land Use and Zoning
  - Traffic Impacts
  - CO Hot Spots
  - PM2.5 & PM10 Hot Spots
  - Historic Resources
  - Visual Quality
  - Noise
  - Vibration
  - Acquisitions/Relocations
  - Hazardous Materials
  - Social Impacts/Community Disruption
  - Environmental Justice
  - Use of Public Parkland/Recreation Areas
  - Wetlands
  - Floodplains
  - Water Quality, Waterways & Coastal Zones
  - Ecologically-Sensitive Areas/Endangered Species
  - Safety & Security
  - Impacts Caused by Construction

- Environmental Assessment (EA)
- Environmental Impact Statement (EIS)
- Section 106 Consultation

Thanks,

Susan M. Weber  
US Department of Transportation  
Federal Transit Administration, Region V  
200 W. Adams Street, Suite 320 | Chicago, IL 60606  
[susan.weber@dot.gov](mailto:susan.weber@dot.gov)  
P: 312.353.3888



 Please consider the environment before printing this email. Thank you.

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**From:** Kelly Dunham [mailto:dunhamk@bata.net]  
**Sent:** Monday, March 2, 2020 2:29 PM  
**To:** Weber, Susan (FTA) <susan.weber@dot.gov>  
**Cc:** Shultz, Valerie (MDOT) <ShultzV@michigan.gov>; Bowden, Heather (MDOT) <BowdenH@michigan.gov>  
**Subject:** RE: Requested info for BATA Development Project

Thanks Susan, for the additional information and for your patience as I become familiar with FTA language. BATA fully intends to proceed with the land acquisition in compliance with the full NEPA COA as prescribed by the FTA. Is it correct to refer to the land acquisition then as federally assisted, even though federal funds are not intended for use on the property acquisition?

And, do you think I should include the cost of the land acquisition in the 5339b application? This is what the application looks like as of now (with the land not included in the cost of the project). I'm just concerned that the confusion over the land piece might disqualify the request.

Thanks!

Kelly