



THE PORT AUTHORITY OF NY & NJ

**PROCUREMENT DEPARTMENT
ATTN: BID/PROPOSAL CUSTODIAN
ONE MADISON AVENUE, 7TH FLOOR
NEW YORK, NY 10010**

REQUEST FOR PROPOSALS

**TITLE: FIXED BASE OPERATOR (FBO) AT JOHN F. KENNEDY
INTERNATIONAL AIRPORT (JFK)**

RFP NO.: 20686

SUBMIT PROPOSALS BEFORE THE DUE DATE AND TIME TO THE ABOVE ADDRESS

SITE INSPECTION: APRIL 21, 2010 TIME: 10:00 A.M.

QUESTIONS DUE BY: APRIL 30, 2010 TIME: 2:00 P.M.

PROPOSAL DUE DATE: MAY 18, 2010 TIME: 2:00 P.M.

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1. INFORMATION FOR PROPOSERS

A. General Information: The Port Authority of New York and New Jersey

The Port Authority of New York and New Jersey (the "Port Authority") is an agency of the States of New York and New Jersey, created and existing by virtue of the Compact of April 30, 1921, made by and between the two States, and thereafter consented to by the Congress of the United States. It is charged with providing transportation, terminal and other facilities of trade and commerce within the Port District. The Port District comprises an area of about 1,500 square miles in both States, centering about New York Harbor. The Port District includes the Cities of New York and Yonkers in New York State, and the cities of Newark, Jersey City, Bayonne, Hoboken and Elizabeth in the State of New Jersey, and over 200 other municipalities, including all or part of seventeen counties, in the two States. The Port Authority manages and/or operates all of the region's major commercial airports (Newark Liberty International, John F. Kennedy International, Teterboro, LaGuardia and Stewart International Airports), marine terminals in both New Jersey and New York (Port Newark and Elizabeth, Howland Hook and Brooklyn Piers); and its interstate tunnels and bridges (the Lincoln and Holland Tunnels; the George Washington, Bayonne, and Goethals Bridges; and the Outerbridge Crossing), which are vital "Gateways to the Nation."

In addition, the Port Authority operates the Port Authority Bus Terminal in Manhattan, the largest facility of its kind in the world, and the George Washington Bridge and Journal Square Transportation Center bus stations. A key link in interstate commuter travel, the Port Authority also operates the Port Authority Trans-Hudson Corporation (PATH), a rapid rail transit system linking Newark, and the Jersey City and Hoboken waterfronts, with midtown and downtown Manhattan. A number of other key properties are managed by the agency including but not limited to a large satellite communications facility (the Teleport) in Staten Island, and a resource recovery co-generation plant in Newark. Prior to September 11, 2001, the Port Authority's headquarters were located in the World Trade Center, and that complex is still owned and being partially redeveloped by the Port Authority.

The Port Authority is hereby seeking proposals from qualified firms to provide for the Fixed Base Operation at the John F. Kennedy International Airport ("JFK" or the "Airport") as more fully described herein.

John F. Kennedy International Airport

JFK is located in the southeastern section of Queens County, New York City, on Jamaica Bay. It is fifteen miles by highway from midtown Manhattan. Equivalent in size to all of Manhattan Island from 42nd Street to the Battery, JFK consists of 4,930 acres, including 880 acres in the Central Terminal Area. The airport has more than 26 miles of roadways and provides employment for approximately 37,000 people. JFK also generates major economic benefits by providing over 500,000 jobs through on- and off-airport aviation activities that are directly and indirectly related businesses. JFK contributes approximately \$57 billion annually in economic activity to the NY/NJ region, including a total of approximately \$20 billion in wages and salaries.

JFK is the nation's premier international gateway. In 2009, the airport welcomed approximately 45.9 million passengers, including 21.9 million international passengers. Long-term passenger growth at JFK is currently expected but not guaranteed to be 2.4% annually.

B. Duration

By way of this Request for Proposals ("RFP") the Port Authority is seeking proposals from qualified firms to provide Fixed Base Operation services for General Aviation Aircraft, using the General Aviation Terminal ("GAT" or "Terminal") at JFK for a period of five (5) years with the Port Authority having the option to extend for an additional five (5) years. The terms General Aviation Aircraft and Fixed Base Operation are defined in the lease agreement attached hereto at Attachment A "Lease Agreement". For details on the Terminal please refer to Attachment B "Facility Background Information".

Project Goals

The Port Authority's goals for the FBO are as follows:

- 1) To ensure exemplary levels of customer service are offered at the GAT and meet the needs of the general aviation community, enhancing JFK's image. The term "customer" for purposes of this RFP shall mean any user of the services provided by the FBO;
- 2) To provide the Port Authority with the maximum revenue stream commensurate with the business opportunity afforded;
- 3) To have in place a general aviation operation that minimizes any Port Authority financial risk and liability associated with the service; and
- 4) To obtain a Lessee that can and will assume all costs for the FBO.

C. Deadline for Receipt of Proposals

All proposals are due on or before the due date and time specified on the cover page. Proposals that are delivered after this date and time will be rejected.

The Port Authority assumes no responsibility for delays caused by any delivery service.

D. Submission of Proposals

One (1) reproducible original (containing original signatures and clearly designated as such) and fifteen (15) double-sided copies, and one (1) CD of the proposal must be submitted on or before the due date and time in accordance with the information on the cover page of this RFP and be sent or delivered to the address specified on the cover page. Each copy of the proposal as well as the parcel(s) used for shipping must be conspicuously marked with the Proposer's name and address along with the title of this RFP, this RFP number and the Proposal Due Date. If there is any difference between the CD and paper copy, the paper copy takes precedence.

Consistent with environmentally preferable procurement practices, the Port Authority requests all documents submitted to be in a form that can be easily recycled (i.e., no plastic covers or binding) and to provide only supporting literature which directly relates to the proposal being submitted.

E. Communications Regarding this RFP

All communications concerning this RFP should be directed to the Buyer listed on the cover page. All questions regarding this RFP should be submitted in writing to the Buyer at the address or facsimile number listed on the cover page no later than 2:00 p.m. (EST) (*OR EASTERN DAYLIGHT SAVINGS TIME AS APPLICABLE*) on **April 30, 2010**.

The Buyer is authorized only to direct the attention of prospective Proposers to various portions of this RFP so that they may read and interpret such portions themselves.

Neither the Buyer nor any other employee of the Port Authority is authorized to interpret the provisions of this RFP or give additional information as to its requirements. If interpretation or other information is required, it will be communicated to Proposers by written addenda and such writing shall form a part of this RFP.

F. Proposal Acceptance or Rejection

Acceptance shall be only by mailing to or delivering at the office designated by the Proposer in its proposal, a notice in writing signed by an authorized representative on behalf of the Port Authority specifically stating that the proposal is accepted or by execution of an agreement covering the subject matter of this RFP signed by authorized representatives of the Port Authority and the Proposer. No other act of the Port Authority, its Commissioners, officers, agents, representatives, or employees shall constitute acceptance of a proposal. Rejection of a proposal shall be only by either (a) a notice in writing specifically stating that the proposal is not accepted, signed by an authorized representative of the Port Authority and mailed to or delivered to the Proposer at the office designated in the Proposal, or (b) omission of the Port Authority to accept the proposal within 180 days after the Proposal Due Date. No other act of the Port Authority, its Commissioners, officers, agents, representatives or employees shall constitute rejection of a proposal.

G. Union Jurisdiction

Proposers are advised to ascertain whether any union now represented or not represented at the facility will claim jurisdiction over any aspect of the operations to be performed.

H. City Payroll Tax

Proposers should be aware of the payroll tax imposed by the:

- a) City of Newark, New Jersey for services performed in Newark, New Jersey;

- b) City of New York, New York for services performed in New York, New York; and
- c) City of Yonkers, New York for services performed in Yonkers, New York.

These taxes, if applicable, are the sole responsibility of the Proposer. Proposers should consult their tax advisors as to the effect, if any, of these taxes. The Port Authority provides this notice for informational purposes only and is not responsible for either the imposition or administration of such taxes. .

I. Site Inspection(s)/Pre-Proposal Meeting

A Pre-Proposal Meeting/Site Inspection is scheduled for **April 21, 2010**, at JFK International Airport, Building 145, Jamaica, NY 11430 on the date and time noted on the cover page of the RFP.

Any questions concerning this RFP should be submitted in writing prior to the meeting so that the Port Authority may prepare responses in advance of the meeting. Additional questions may be permitted at the meeting; however, responses may be deferred and provided at a later date by written addenda. After the meeting, Proposers could tour and physically inspect the actual site(s) of work prior to the submission of proposals. No questions will be taken during the site inspection.

Attendance is strongly recommended. Information conveyed may be useful to Proposers in preparing their proposals and Proposers not attending assume all risks, which may ensue from non-attendance.

Attendees interested in attending should RSVP to Mr. Marcelo Morelli, Aviation Department, at (212) 435-3853 and/or mmorelli@panynj.gov, no later than 12 noon (EST) of the business day preceding the scheduled date(s) to confirm their attendance and/or receive traveling directions.

Note: For security reasons, one form of photo identification will be required for attendance at this meeting. No one will be admitted without appropriate identification; no exemptions will be made.

J. Available Documents/Aid to Proposers

The following documents, will be made available upon request by contacting Mr. Marcelo Morelli, Aviation Department, at (212) 435-3853 and/or mmorelli@panynj.gov, Monday through Friday between the hours of 9:00 AM-2:00 PM.

- The Port Authority of NY & NJ Tenant Alteration Application
- The Port Authority of NY & NJ Building Tenant Construction Review Manual
- The Port Authority of NY & NJ – Airport Standards Manual for Customer Care, Signing and Way Finding, and Terminal Planning & Design (latest editions)
- The Port Authority of NY & NJ – Sustainable Design Project Manual

The following documents can be viewed and printed at any time on the Port Authority's website, www.panynj.gov.

- The Port Authority of NY & NJ – Traffic Reports
- The Port Authority of NY & NJ – Air Terminal Rules & Regulations

The documents specified below will be made available for examination by Proposers at the Site Inspection:

- As-Built Drawings of Building 145 – GAT

Alternative arrangements to examine these documents may be made by contacting Mr. Morelli at the phone number or email address provided above.

These documents were not prepared for the purpose of providing information for Proposers on this RFP but they were prepared for other purposes, such as for other contracts or for design purposes for this or other contracts, and they do not form a part of this RFP. The Port Authority makes no representation or guarantee as to, and shall not be responsible for, their accuracy, completeness or pertinence, and, in addition, shall not be responsible for inferences or conclusions drawn therefrom. They are made available to Proposers merely for the purpose of providing them with such information, whether or not such information may be accurate, complete, pertinent, or of any value to Proposers.

K. Additional Proposer Information

Prospective Proposers are advised that additional vendor information, including, but not limited to forms, documents and other information, and protest procedures, may be found on the Port Authority website at:

http://www.panynj.gov/DoingBusinessWith/contractor/html/other_info.html

L. Proposer Presentations

After review of all proposal submissions, an oral presentation to the Port Authority Proposal Evaluation Committee may be requested. It should be noted that firms selected to make presentations might be given only short advance notice. Presentations will be limited to thirty minutes and shall include the material contained in the Proposer's proposal. The presentation will be followed by an approximately thirty-minute question and answer session. Notification of presentation scheduling will be made to the Proposer by email. Please provide the name and email address of the person who should be contacted for presentation scheduling as well as an alternate in the event that person is unavailable.

At the Proposer's request, the Port Authority may, but does not guarantee to, provide support equipment for presentation needs, including computer projectors, flip charts, etc. Prior arrangements must be made for the use of such equipment.

2. SCOPE OF WORK SUMMARY

It is currently anticipated that the successful Proposer will be awarded a Lease Agreement by the Port Authority pursuant to which the Lessee will take and hold designated property at the Airport to be used solely in the performance of Fixed Base Operation (FBO) services for General Aviation Aircraft operators. The FBO services, which shall be available on a 24 hour per day, seven-day per week basis, are described in detail in the Lease Agreement and include, but are not limited, to the following:

- Assisting the aircraft operated by General Aviation Aircraft operators in arriving at or departing from the FBO area;
- Parking and storage of aircraft operated by General Aviation Aircraft operators;
- Fueling and servicing of aircraft operated by General Aviation Aircraft operators and ramp equipment that is utilized by the Fixed Base Operator;
- Maintenance, repair and cleaning of aircraft operated by the General Aviation Aircraft operators;
- Maintenance, repair and cleaning of mobile equipment utilized by the Fixed Base Operator in connection with the servicing and loading/unloading of such aircraft;
- Providing the ground transportation service as described in the Lease Agreement;
- Providing office space for flight crews, maintenance personnel, inspectors and other supervisory personnel employed by the operators of the General Aviation Aircraft;
- Providing waiting rooms, conference facilities and lounges for the crew, passengers and guests of the operators of the General Aviation Aircraft
- Providing non-routine repair and maintenance to aircraft operated by General Aviation Aircraft operators;

Part 139 Requirements

1. The Lessee shall adhere to all 14 CFR Part 139 requirements as they pertain to vehicle operation and aircraft fueling on the Airport Operations Area (AOA). Violations of Part 139 shall constitute a material breach of the Lease Agreement.
2. All employees who are required to drive a vehicle on the AOA are required to successfully complete the Part 139 driver training program at the Airport prior to the initial performance of his/her duties and to obtain recurring instruction at least once during each subsequent 12 month period.

Design, Construction Reviews & Approvals

The Lessee will be responsible for conceptual design, design development, preparation of contract documents, construction and construction management of the retrofit portion of the GAT (Building 145). Any cost or risk associated with cost overruns, design errors or omissions for the design development, preparation of contract documents, construction and construction management will be borne by the Lessee.

The Port Authority shall have the right to review and approve all construction documents, drawings, specification, and design calculations prepared by the Lessee's architects and

engineers for compliance with in the Port Authority Tenant Alteration Procedures and Standards Guide, and the Tenant Construction Review Manual.

Development Plan

Lessee must submit a development plan for any retrofit of the GAT. The plan must fully describe the conceptual design and development of the site, and include graphics sufficient to detail the plan. Operations must coexist with all intended construction plans. The development plan and conceptual design will constitute the basis for design development and final design for implementation. Changes to the plan will not be accepted, unless agreed to by the Port Authority. The Port Authority reserves the right to approve the architect/engineer of record for the FBO Project.

Management and Operations

The Port Authority expects the Lessee to be responsible for the management and operation of the GAT leasehold area for the term of the lease. The Lessee will be responsible for all costs associated with managing and operating the facility and maintaining those areas identified above.

The Lessee is expected to actively manage the property to ensure maximum levels of customer service are met. The Lessee shall adhere to the latest version of the Port Authority Airport Standards Manual for Customer Care, Signing and Way Finding, and Terminal Planning and Design.

Site Conditions

Site conditions shall be accepted "as is" at the time the Lessee enters into agreement with the Port Authority.

3. PROPOSER PREREQUISITES

Only Proposers who can demonstrate that they comply with the following should submit proposals, as only proposals from such Proposers will be considered:

- A. The Proposer shall have had at least five (5) years of continuous experience immediately prior to the date of the submission of its proposal as an FBO business actually engaged in providing FBO services to commercial and industrial accounts under contract. (Please provide three references by completing the Proposer Reference Form included as Attachment C). The Proposer may fulfill this prerequisite if it can demonstrate that the persons or entities owning and controlling the Proposer have had a cumulative total of at least the same number of years and type of direct continuous experience immediately prior

to the submission of the proposal as is required of the Proposer, or have owned and controlled other entities which meet the requirement.

- B. During the time period stated in (A) above, the Proposer shall demonstrate satisfactory performance of at least one (1) lease agreement and/or contract for the performance of similar services of similar size and scope to those described herein.
- C. The Proposer shall demonstrate that it has earned gross income of at least four (4) million dollars a year for the most recent fiscal or calendar year from the performance of FBO services similar to those described herein.

In the event a proposal is submitted by a joint venture the foregoing prerequisites will be considered with respect to such Proposal as follows:

With respect to subparagraph (A) and (B) above, the prerequisite will be considered satisfied if the joint venture itself, or any of its participants individually, can meet the requirements. With respect to subparagraph (C) the gross income of the joint venture itself may meet the prerequisites or the gross income of the participants in the joint venture may be considered cumulatively to meet the prerequisite.

If the proposal is submitted by a joint venture that has not been established as a distinct legal entity, each participant of the joint venture shall be held jointly and severally liable and must individually execute all documents and perform all acts required of the Proposer by this RFP. Documents signed by a common law joint venture, in connection with this proposal, shall include the names of all participants of the joint venture followed by the words "acting jointly and severally". All joint venture Proposers must provide documentation of their legal status.

All Proposers must include documentation that they meet the above prerequisites. By furnishing this solicitation document to Proposers, the Port Authority has not made a determination that the Proposers have met the prerequisites or have otherwise been deemed qualified to perform the services. In addition, a determination that a Proposer has met the prerequisites is no assurance that they will be deemed qualified in connection with other proposal requirements included herein.

4. FINANCIAL INFORMATION

The Proposer will be required to demonstrate that it is financially capable of performing any Lease Agreement resulting from this RFP. The determination of the Proposer's financial qualifications and ability to perform the Lease Agreement will be in the sole discretion of the Port Authority. The Proposer shall submit, with its proposal, the following:

- A. (1) Certified financial statements, including applicable notes, reflecting the Proposer's assets, liabilities, net worth, revenues, expenses, profit or loss and cash flow for the most recent year or the Proposer's most recent fiscal year.