

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY
REQUEST TO QUALIFY (“RTQ”) FOR

**RTQ# 45312 FOR HT-224.117 – HOLLAND TUNNEL WATERSIDE BUFFER
ZONE PROTECTION AND LT-234.179 – LINCOLN TUNNEL WATERSIDE
BUFFER ZONE PROTECTION**

RTQ# 45312 replaces RTQ for Contract MF-234.179. If your firm has submitted a response for the RTQ for Contract MF-234.179, and wish us to keep your previous submittal for RTQ# 45312, please submit (1) the attached certificate of no change, if there have been no changes. If there have been changes, and you wish to be considered for this RTQ, please submit a response in accordance with the instructions contained herein. If you wish us to return your original submittal, please email your request to the contact person listed under Section IV: Submittal Instruction

PROCUREMENT CONTACT:

Suchetha Premchan: spremchan@panynj.gov

I. INTRODUCTION

The Port Authority of New York & New Jersey (the “Port Authority” or the “Authority”) is a body corporate and politic created by the States of New York and New Jersey with the consent of the Congress of the United States. The Port Authority, together with its wholly-owned subsidiaries, provides the region with integrated transportation and trade services and operates facilities in connection therewith, including, but not limited to, four major regional airports, four bridges and two tunnels that serve interstate traffic, a bus terminal, a bus station, the PATH rapid transit system, the Hoboken-lower Manhattan ferry service, the World Trade Center site and certain New York-New Jersey port facilities.

Responses to this Request to Qualify (“RTQ”) are due on the Response Due Date set forth on the advertisement of this RTQ. Responses received after that date and time may not be accepted.

Only pre-qualified firms who have received written approval from the Authority will be asked to respond to future solicitations on the specific project described below.

Note: In this RTQ, “firm,” “contractor,” “you,” “bidder,” “Respondent” and “Proposer” shall refer to the same party.

II. PROJECT DESCRIPTION

A. The Authority wishes to pre-qualify prospective firms to submit bids for RTQ# 45312 for Contract HT-224.117 – Holland Tunnel Waterside Buffer Zone Protection and Contract LT-234.179 – Lincoln Tunnel Waterside Buffer Zone Protection. This work will be performed at the Holland Tunnel (HT) and Lincoln Tunnel (LT) facilities located in New York (NY). It is anticipated but

it is not guaranteed that work required by the Contract may include, but may not necessarily be limited to, the following: **Scope of Work**

1. HT-224.117 - Holland Tunnel Waterside Buffer Zone - HT NY River Ventilation Building – Repairs to existing anti-swimmer barrier

- a) Fabrication, delivery and installation of steel bar grating to fill voids between the top of the existing grating and the underside of the concrete pier deck.
- b) Furnishing and installation of all clamps, bolts, studs, nuts, washers and any other required hardware.
- c) Preparing all steel surfaces and thereafter shop coating in accordance with manufacturers' written recommendations and applicable technical specifications.
- d) Welding horizontal and vertical steel grating and tack welding all bolts.
- e) All work must be performed waterside from a work barge.

2) LT-234.179 – Lincoln Tunnel Waterside Buffer Zone Protection LT NY River Ventilation Building – Furnishing and Installation of new anti-swimmer barrier

- a) Fabrication and delivery of stainless steel chain link netting and installation of the netting by attaching to the underside of the concrete pier structure and anchoring below the mud line.
- b) Furnishing and installation of anchors, bolts, nuts, washers, shackles and any other required hardware.
- c) Tack welding nuts to bolts.
- d) All work must be performed waterside from a work barge.

3) Drawings of Record

Providing detailed AutoCAD drawings of record with accurate dimensions of all elements at the completion of work.

B. Estimated Total Contract Costs

For information purposes only, the Authority estimates that the total work required for the Holland Tunnel Contract will be in the range of \$.5 to \$1 million and for the Lincoln Tunnel Contract will be in the range of \$2 to \$3 million.

C. Contract Schedule

It is presently anticipated, but it is not guaranteed, that Bid Documents for the Holland Tunnel Contract may be available to pre-qualified bidders by April 2016 and for the Lincoln Tunnel Contract by July 2016. It is the present intention of the Authority to have all Work under the Holland Tunnel Contract completed within twelve (12) months after award of the Holland Tunnel

Contract, and to have all Work under the Lincoln Tunnel Contract completed within twenty-four (24) months after the award of the Lincoln Tunnel Contract.

III. SUBMITTAL INSTRUCTIONS AND CONTENT

A. Requirements

To be considered for prequalification, the respondent must demonstrate to the satisfaction of the Chief Engineer of the Authority that it meets the minimum requirement of the RTQ as stated in Paragraphs III. A.1 and III. A.2. Company brochures alone shall not be submitted for the purpose of demonstrating experience and technical expertise. Submittals must be tailored to the specific requirements of this RTQ. If the Respondent cannot demonstrate that it meets all of the below mentioned qualifications, then the Respondent may with others form a joint venture and request that the joint venture be pre-qualified as set forth in Paragraph B.5 below.

1. Minimum Experience of the Firm

The firm seeking to be pre-qualified should have a minimum of ten (10) years construction experience and shall have completed (or substantially completed) as a prime or general contractor at least three (3) contracts of size, type and complexity comparable to that indicated in Paragraphs II.A and II.B.

The firm may also qualify if during the time period stated above the prospective bidder has (or persons or entities owning and controlling the prospective bidding firm have) satisfactorily performed, as owning and controlling another firm, and completed services of scope similar to that required under this Contract. The work must have been completed skillfully in a satisfactory manner and on time.

2. Minimum Qualifications of the Project Manager and Superintendent

The prospective bidder's Project Manager and Superintendent must each have a minimum of ten (10) years construction experience on contracts comparable in size to that outlined in Paragraphs II.A and II.B.

B. Submittals

The following items must be submitted in order to be considered for pre-qualification on this specific project:

1. Attachments

In order to expedite the evaluation of this pre-qualification based on information furnished, the Respondent must complete and submit the attached documents. Responses that fail to adhere to this requirement may be excluded from consideration. The following attachments are incorporated herein and must be submitted:

A. Contractor's Qualification Statement

B. Attachment I – Agreement on Terms of Discussion

C. **Attachment II – Non Disclosure and Confidentiality Agreement**

(click the above link to download)

D. **Business Qualification Questionnaire Package** – Accessible by clicking on the following link: **<http://www.panynj.gov/inspector-general/inspector-general-programs.html>**

2. Performance And Payment Bond

The prospective bidder will, upon award, be required to obtain a Performance and Payment Bond for the amount indicated in Paragraph II.C from a surety company whose name appears on the current list of the Treasury Department of the United States as acceptable as a surety upon federal contracts. A letter from the surety company must be submitted with your response to this RTQ.

3. Experience Modification Rate

The Respondent must submit a copy of its Experience Modification Rate (EMR) as a measure of the Respondent's safety record. If the rate exceeds 1.2, a written explanation shall be provided.

4. Required Licenses/Certifications

The Contractor and/or proposed sub-contractors must, upon award, have all required New York and New Jersey certifications and/or licenses to perform the work in accordance with applicable codes, rules and regulations.

5. Joint Ventures

The Authority will entertain requests for prequalification from a joint venture. A joint venture itself may be prequalified if it submits its prequalification package as such, and is prequalified in accordance with this RTQ. If two or more entities separately are prequalified and elect to submit a proposal as a joint venture, all participants in the joint venture shall be bound jointly and severally and each participant shall execute the Bid/proposal. (i.e., members of the joint venture may meet the qualification requirements collectively.)

6. Proof of Information Security Controls

(a) Designation of Security Information Manager

The pre-qualified firms (and the awarded Contractor(s) may require access to Port Authority Confidential or Confidential and Privileged Security Information. Confidential and Privileged Security Information is information belonging to the Port Authority that, if it were subject to unauthorized access, modification, loss or misuse, could seriously damage the Port Authority, public safety or homeland security. Protecting this sensitive information requires the application of uniform

safeguarding measures to prevent unauthorized disclosure and to control any authorized disclosure of this information within the Port Authority or when released by the Port Authority to outside entities. These procedures are identified in the Port Authority's "Information Security Handbook". Respondents may obtain a copy of the Information Security Handbook from the Port Authority's website:

<http://www.panynj.gov/business-opportunities/pdf/Corporate-Information-Security-Handbook.pdf>

The Information Security Handbook requires that certain criteria be met prior to being granted access to Confidential Information. Generally, an individual must be a U.S. Citizen, an alien who has been lawfully admitted for permanent residency or employment (indicated by immigration status), as evidenced by Immigration and Naturalization Service documentation, or a national of the United States, as defined by the Immigration and Nationality Act. This requirement may be waived in exceptional circumstances and Respondents should refer to § 3.2 of the Information Security Handbook for details on this policy and the process for waiver. An individual may also be required to undergo background screening prior to being approved for receipt of certain information. As of January 29, 2007, the Secure Worker Access Consortium (S.W.A.C.) is the only Port Authority approved provider to be used to conduct background screening and personal identity verification, except as otherwise required by federal law and/or regulation (such as the Transportation Worker Identification Credential for personnel performing in secure areas at Maritime facilities). Information about S.W.A.C., instructions, corporate enrollment, online applications, and location of processing centers can be found at:

<http://www.secureworker.com>

S.W.A.C. may be contacted directly at (877) 522-7922 for more information.

Individuals may also be required to attend an Information Security Awareness and Education training session. This training has been offered in the past, is offered from time to time and, if determined to be appropriate for this solicitation, will be offered again to the pre-qualified firms at a time and location to be determined at a later date.

Each Respondent, and each participant in a joint venture, if a joint venture is a Respondent, shall designate **at least one** Security Information Manager ("**SIM**") responsible for identifying members of their team who will need electronic access to documents (generally, via Livelink) and for ensuring that those members have passed the requisite background checks and have completed the requisite Livelink access forms. SIMs shall be required to maintain their firm's Livelink user account access list. In addition, the SIM shall identify an individual

who will be trained by the Port Authority in the use of Livelink and that individual will subsequently be responsible for training the Respondent's team.

For each SIM, please submit the following information:

- (1) Full legal name
- (2) Title
- (3) Physical address
- (4) Email address
- (5) Phone number and fax number and
- (6) Proof that the SIM has been issued a SWAC credential.*

* If your firm's designated SIM has been issued a SWAC credential, submit a copy of the face of the SWAC card with your response. While firms are not required to have a SIM with SWAC at the time of RTQ submission, you are highly encouraged to do so. Firms may be asked to supplement their responses to provide proof of issuance of a SWAC credential after they are notified of their pre-qualification determination.

(b) Checklist for Project Team

You must submit a Microsoft spreadsheet showing the status, at the time of the RTQ submission, of your firm's team for this project with respect to information security requirements. The spreadsheet must list all persons at your firm that may require access to Port Authority Confidential or Confidential and Privileged Information, and must set forth their status as to whether they have (1) undergone Port Authority Information Security Training; (2) executed a Port Authority Non-Disclosure Agreement ("NDA"); (3) executed a Port Authority Exhibit A to the a NDA; (4) executed an Exhibit B to the NDA; and (5) been issued a SWAC credential, if required.

Example Spreadsheet Illustration:

Name	Trained?	NDA	Exhibit A (to NDA)	Exhibit B (to NDA)	SWAC
Jason Jones (Principal, C.E.O.)		1/31/2013	1/31/2013		
Noah Jacobs (Estimator)	2/12/2013		1/13/2013		Yes
Rodney Manning (SIM)	1/12/2013		1/12/2013		Yes
Franklyn Benjamin, P.E. (Subcontractor)	2/12/2013			2/15/2013	

7. Non-Disclosure Agreement

By submitting your firm’s pre-qualifications to the Authority in accordance with this RTQ, your firm acknowledges and understands that if your firm becomes pre-qualified under this RTQ, it may be required to execute additional Non-Disclosure and Confidentiality Agreements and any required Acknowledgments prior to receiving any Confidential or Confidential and Privileged documents as described in the Information Security Handbook, in accordance with the issuance of bid documents. Additionally, if awarded the Contract, additional Non-Disclosure and Confidentiality Agreements and Acknowledgments may be required.

8. Background Qualification Questionnaire Package

The Port Authority has implemented a Project Corruption Prevention Program (“PCPP”) for this Project. One of the components of the PCPP is contractor and vendor screening, designed to ensure that, in addition to demonstrated records of quality performance and solid financial capacities, firms awarded contracts for work on Port Authority Projects possess high ethical standards and records of law abiding conduct. Screening is performed through the use of a background qualification questionnaire package (“BQQP”). This solicitation requires each Respondent to complete and submit a BQQP as part of its RTQ. In addition, Respondents will also be required to ensure that their respective subcontractors, subconsultants and vendors, of all tiers, also complete and submit BQQPs.

The BQQ may be downloaded at:

<http://www.panynj.gov/inspector-general/inspector-general-programs.html>

The completed BQQ should be submitted to the Office of Inspector General by the Submission date set forth in Section IV.

IV. SUBMISSION INSTRUCTIONS

Respondents must clearly indicate the RTQ# and Title on the outside of any package or document submitted in connection with this Contract.

RTQ #45312 for Contract HT-224.117 - Holland Tunnel Waterside Buffer Zone Protection and Contract LT-234.179 – Lincoln Tunnel Waterside Buffer Zone Protection

The Respondent shall submit six (6) copies of the required qualification information or, preferably, one (1) hard copy and six (6) copies in CD-Rom format in sufficient time so that the Authority receives it no later than 4:00 p.m. on **03/18/16** to:

A. PLEASE NOTE THE FOLLOWING-

All proposals must be delivered in sealed envelopes and/or packages.

The Procurement Department is located at 4 World Trade Center (4 WTC), located at 150 Greenwich St., 21st Floor, New York, New York, 10007.

PLEASE READ THE FOLLOWING DELIVERY REQUIREMENTS CAREFULLY. Bidders assume all responsibility for delays or problems in delivery.

Proposal submissions will be received at:

The Port Authority of New York and New Jersey
Attention: Proposal Custodian
Procurement Department
4 World Trade Center
150 Greenwich Street, 21st Floor
New York, NY 10007

At this address, proposals **will be accepted only when submitted via the United States Postal Service, UPS or hand delivery.**

Clearly mark the solicitation number on the outermost package.

- B. There is extensive security at the World Trade Center Site. You must present a valid government-issued photo ID to enter 4 WTC. Individuals without packages or carrying small packages, envelopes or boxes that can be conveyed by hand or on a hand truck may enter through the lobby. All packages, envelopes and boxes may be subject to additional security screening.
- C. There is no parking available at 4 WTC/150 Greenwich Street, and parking in the surrounding area is extremely limited.
- D. Express carrier deliveries by commercial vehicles may be made only via vendors approved by Silverstein Properties, the WTC Property Manager,

- through the Vehicle Security Center (VSC). Presently, UPS is the only delivery vendor with approved recurring delivery times. UPS makes deliveries to 4 WTC around 9:30 a.m. each day. Please plan your submission accordingly.
- E. As additional express carriers may be approved by Silverstein Properties and scheduled for recurring delivery times with the VSC, this information may be updated.
 - F. Under certain circumstances, a solicitation may allow for a commercial vehicle to be approved to make a delivery in accordance with VSC procedures. If applicable, the specific solicitation document will include that information.
 - G. The Authority assumes no responsibility for delays, including, but not limited to, delays caused by any delivery services, building access procedures, or security requirements.
 - H. All proposals must be delivered in sealed envelopes and/or packages. Address the Proposal as provided above. In case of conflict, the reproducible original of the Proposal shall take precedence over material on the compact discs.
 - I. In each submission to the Authority, including any return address label, information on the compact disc and information on the reproducible original and copies of the Proposal, the Proposer shall use its **FULL LEGAL NAME WITHOUT ABBREVIATIONS**. Failure to comply with this requirement may lead to delays in contract award and contract payments, which shall be the responsibility of the Proposer.
 - J. Provide the address of your firm to which any written correspondence should be sent.
 - K. The cover of your submittal must include the RTQ Contract Number (as stated above) and the title. The Authority assumes no responsibility for delays caused by any delivery services.
 - L. If your proposal is to be hand-delivered, please note that only individuals with proper identification (e.g. photo identification) will be permitted access to the Authority's offices. Individuals without proper identification will be turned away and their packages not accepted. It is necessary to carry valid photo identification when attempting to gain access into the building to hand-deliver proposals.

Late submittals may be rejected.

Any questions concerning this RTQ shall be directed to Suchetha Premchan at spremchan@panynj.gov. Neither Ms. Premchan nor any employee of the Port Authority is authorized to interpret the RTQ or give additional information as to its requirements. Such interpretation or additional information will only be given by written addendum to this RTQ.

V. CONFLICT OF INTEREST

If the Respondent or any employee, agent or subcontractor of the Respondent may have, or may give the appearance of having, a possible conflict of interest, the Respondent shall include in its proposal a statement indicating the nature of the conflict. The Authority reserves the right to disqualify the Respondent if, in the

Authority's sole discretion, any interest disclosed from any source could create, or give the appearance of, a conflict of interest. The Authority's determination regarding any question(s) of conflict of interest shall be final.

V. NOTIFICATION

Notification as to whether a Respondent has been pre-qualified will be made only by a notice in writing, signed by the Chief Procurement Officer or her designated representative on behalf of the Authority and mailed or delivered to the office designated by the Respondent in its response to this RTQ.

RTQ#45312 for HT-224.117 – Holland Tunnel Waterside Buffer Zone Protection and LT-234.179 – Lincoln Tunnel Waterside Buffer Zone Protection

CERTIFICATE OF NO CHANGE

**THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY
REQUEST TO QUALIFY (“RTQ”)
FOR**

RTQ#45312 for HT-224.117 – Holland Tunnel Waterside Buffer Zone Protection and LT-234.179 – Lincoln Tunnel Waterside Buffer Zone Protection

Instructions: Please have a principal of the firm complete and execute one original. Forward directly to:
Suchetha Premchan, C.P.P.B
Procurement Department
4 World Trade Center (4 WTC)
150 Greenwich Street, 21st Floor
New York, NY 10007

Name of Firm:

Address:

I, _____, state, that to the best of my
(Title and Name of Firm)

knowledge, there has been no change in status with respect to the information and representations in my firm’s March 2015 submission in response to the RTQ for Contract MF-234.179. I understand that the Port Authority will utilize said submission and rely upon its accuracy as of this date in order to make a determination as to whether my firm has met the requirements set forth therein.

If there have been any changes, they are as follows (attach additional sheets if necessary):

A materially false statement willfully or fraudulently made in connection with this certification, and/or failure to conduct appropriate due diligence in verifying the information that is the subject matter of this certification may prevent the Company and/or the undersigned from being found to be responsible bidders/proposers in connection with future agreements.

(Print Name)

(Signature)

Date: _____

RTQ#45312 for HT-224.117 – Holland Tunnel Waterside Buffer Zone Protection and LT-234.179 – Lincoln Tunnel Waterside Buffer Zone Protection

ACKNOWLEDGMENT BY NOTARY PUBLIC

STATE OF _____)

)ss:

COUNTY OF _____)

On the ___ day of _____ in the year 20___, before me, the above undersigned, personally appeared _____, the _____, of _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity.

Name of Notary (print) _____

(Affix Notary Stamp _____)

Here) My Commission

Expires _____

(Notary Signature)

(Date)

ATTACHMENT I - AGREEMENT ON TERMS OF DISCUSSION

**RTQ# 45312 for HT-224.117 – Holland Tunnel Waterside Buffer Zone Protection and
LT-234.179 – Lincoln Tunnel Waterside Buffer Zone Protection**

March 2016

The Port Authority’s receipt or discussion of any information (including information contained in any proposal, vendor qualification(s), ideas, models, drawings, or other material communicated or exhibited by us or on our behalf) shall not impose any obligations whatsoever on the Port Authority or entitle us to any compensation therefor (except to the extent specifically provided in such written agreement, if any, as may be entered into between the Port Authority and us). Any such information given to the Port Authority before, with or after this Agreement on Terms of Discussion (“Agreement”), either orally or in writing, is not given in confidence. Such information may be used, or disclosed to others, for any purpose at any time without obligation or compensation and without liability of any kind whatsoever. Any statement which is inconsistent with this Agreement, whether made as part of or in connection with this Agreement, shall be void and of no effect. This Agreement is not intended, however, to grant to the Port Authority rights to any matter, which is the subject of valid existing or potential letters patent.

Any information (including information contained in any proposal, vendor qualification(s), ideas, models, drawings, or other material communicated or exhibited by us or on our behalf) provided in connection with this procurement is subject to the provisions of the Port Authority Freedom of Information Code and Procedure adopted by the Port Authority’s Board of Commissioners on October 22, 2014, which may be found on the Port Authority website at: <http://www.panynj.gov/corporate-information/pdf/foi-code.pdf>. The foregoing applies to any information, whether or not given at the invitation of the Authority.

(Company)

(Signature)

(Title)

(Date)

**ORIGINAL AND PHOTOCOPIES OF THIS PAGE ONLY.
DO NOT RETYPE.**

Port Authority Non-Disclosure and Confidentiality Agreement (NDA)
Instructions:

Please fill in the NDA as described below. All original NDA's must be forwarded to the Port Authority contact with a copy to the Port Authority Law Department (as described on Page 8 of the NDA).

Field Form Number	Description of Data to be Entered
[1]	Insert Name of Your Company (All caps)
[2]	Insert Calendar Date
[3]	Insert Month
[4]	Insert Year
[5]	Insert Name of Your Company (All caps)
[6]	Insert Company's full street address (no P.O. boxes) – city, state, and zip code
[7]	Insert Agreement No. or Awarded Contract, Duration of Agreement or Contract, and Official Title of Agreement or Project.
[8a], [8b] & [8c]	Insert Name and address of Port Authority contact
[9]	Print Your Name (Signatory must be a Principal of the Company)
[10]	Print Your Title – (Signatory must be a Principal of the Company)
[11]	Insert Date Signed (Should match date on Page 1)

The NDA signor must also sign an Exhibit A Related Party Individual Acknowledgment. All Prime employees that will come in contact with information must sign an Exhibit A Related Party Individual Acknowledgment.

EXHIBIT A

Port Authority Acknowledgment by Related Party Individual Instructions:

Please fill in the Exhibit A Related Party Individual Acknowledgment as described below. All original Related Party Individual Acknowledgments must be forwarded to the Port Authority contact with a copy to the Port Authority Law Department.

Field Form Number	Description of Data to be Entered
[1]	Insert Your Name
[2]	Insert Your Working Title (i.e. Project Manager, Field Inspector, Civil Engineer, etc.)
[3]	Insert Name of Your Company
[4]	Insert Name of Your Company OR if employed by for Sub-consultant/Sub-contractor insert the Prime Company's Name . (All caps)
[5a], [5b] & [5c]	Insert Month, Date, and Year of the Prime's Company NDA (page1) ,
[6]	Insert "Port Authority" OR if you are an employee of Sub-Consultant/Sub-Contractor, insert the Prime's Company Name .
[7]	Print Your Name
[8]	Insert Date Signed

EXHIBIT B

Port Authority Acknowledgment by Related Party Entity Instructions
(For use by Sub-Consultants or Sub-Contractors ONLY)

Please fill in the Related Party Entity Acknowledgment as described below. All original Related Party Entity Acknowledgments must be forwarded to the Port Authority contact with a copy to the Port Authority Law Department.

Field Form Number	Description of Data to be Entered
[1]	Insert Your Name – (Signatory must be a Principal of the Company)
[2]	Insert Your Title
[3]	Insert Name of Entity (Company Name)
[4]	Insert Type of Entity (Corp., LLC, etc.) and Jurisdiction of Formation (State)
[5]	Insert Full Address of Entity (Company Address)
[6]	Describe Scope of Work of Related Party (Work performing for Prime)
[7]	Describe Project (include Prime’s Agreement Number or Awarded Contract Number and Official Title)
[8a], [8b] & [8c]	Enter Month, Date and Year of the <u>Prime’s Company NDA</u> (page 1).
[9]	Insert Name of <u>Prime Company</u>
[10]	Print Your Name – (Signatory must be a Principal of the Company)
[11]	Insert Date Signed

Sub-Consultant or Sub-contractor that signs Exhibit B must also sign an Exhibit A Acknowledgment. All Sub-Consultant or Sub-contractor employees must sign Exhibit A Acknowledgment.