

THE PORT AUTHORITY OF NY & NJ
REQUEST TO QUALIFY (“RTQ”)

FOR RTQ #57012

SMALL BUSINESS ENTERPRISE (SBE) CONTRACTORS

IMMEDIATE REPAIRS WORK ORDER CONTRACTS

MARCH 2019 THROUGH MARCH 2021

I. INTRODUCTION:

For background with respect to The Port Authority of New York and New Jersey (the “Authority” or “Port Authority”), see www.panynj.gov. Additionally, an electronic version of the Authority’s most recent Annual Report is available at <http://corpinfo.panynj.gov/pages/annual-reports/>.

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

Only Authority Certified SBE firms that have been pre-qualified through this RTQ will be asked to bid to future solicitations on the specific contracts described below.

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

II. PROJECT DESCRIPTION AND REQUIREMENTS:

The Authority wishes to pre-qualify SBE firms to submit bids for two (2) separate Immediate Repairs Work Order Contracts on a call-in basis as needed. The Contracts will be for a duration of two (2) years, with two (2) one (1) year options. This work will be performed at the various Port Authority New York facilities as noted below:

Contract A - JFK International Airport

Contract B – Real Estate Services facilities & Planning and Regional Development facilities in the State of New York including:

1. Bathgate Industrial Park Buildings, Bronx, New York
2. Teleport Center Buildings, Staten Island, New York
3. Battery Park City Ferry Terminal, New York, New York

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:

A. Scope of Work

The contracts provide for immediate repair work orders and inspection support work orders, to be issued by the Chief Engineer, to ensure public safety and maintain essential facility operations. These work orders will provide a mechanism for resolving structural integrity problems requiring immediate repairs, as required, to ensure public safety and/or maintain essential facility operations.

Samples of the types of conditions that require immediate repair are enclosed with this document.

The firm shall:

1. Provide labor, materials and equipment not more than 24 hours after notification of the need for an Immediate Repair by the Chief Engineer.
2. Respond with all required construction disciplines. In addition, the firm shall be able to obtain construction permits, such as lane closure permits, and shall be able to close lanes on major highways, sidewalk closure permits, road-opening permits, environmental permits and other permits required by state and local jurisdictions. All work needs to be completed in accordance with current federal, state and local environmental, health and safety regulations.
3. Provide inspection support services including elevated access, lane closures, providing various types of equipment for the use of inspection team, removal/replacement of architectural finishes such as ceilings and cladding, etc. within 7 days notice by the Chief Engineer.
4. Complete multiple immediate repair and inspection support service responses simultaneously.

The firm shall have appropriate administrative and management procedures in place to i) maintain detailed financial records and ii) schedule and manage multiple responses. In addition, the firm should have available written safety procedures for the various element of work.

B. Estimated Contract Price

The total cost shall not exceed \$2,500,000 for the Contract A and \$1,500,000 for Contract B.

C. Contract Schedule

It is the present intention of the Authority to have all Work under these Contracts completed within two (2) years after the date of the acceptance of any of each successful Bid. However, if a Work Order is issued prior to the end date of the Contract, including any option periods that may be executed, that the work or part thereof can be performed after the aforementioned contract period. The Contractor shall perform such Work and the Contract shall continue in full force and effect until the completion of such a Work Order.

D. Security

The Port Authority of New York and New Jersey operates facilities and systems at which terrorism or other criminal acts may have a significant impact on life safety and key infrastructures. The Authority reserves the right to impose multiple layers of security requirements on the performance of the Work of the Contract, including on the Contractor, subcontractors and materialmen, depending upon the level of security required, as determined by the Authority.

All work may require Contractor-provided security that meets airside operations criteria. All vehicles and equipment will be escorted to the airside work areas. All Contractor's employees must be accompanied by a guard(s). The contractor may be required to delineate majority of work areas with low-mass barriers and provide spaced security personnel 24 hours a day.

E. Schedule & Reporting

In order to ensure compliance with aggressive construction schedule(s), upon award of each Work Order, the Contractor shall be required to submit a detailed milestone schedule with daily schedules for each section of work.

During construction, the Contractor shall submit timely schedule updates and weekly look-ahead construction updates and demonstrate concurrence with the baseline schedule and milestones.

F. Submission of Information

The Authority will accept proposals on the Contract only from pre-qualified bidders. Notwithstanding pre-qualification to bid, bidders will be required to submit certain additional information with their bids, and, if so required, shall submit further information after the submission of bids, all as will be stated in the Contract. The Authority reserves the right at any time to modify, waive or vary the terms and conditions of this RTQ Information.

G. Local Businesses

Each prospective Responder will be required to make a good faith effort to maximize the use of local business enterprises.

H. Option Periods

The Port Authority option to exercise the two (2) one year options at its sole discretion for any reason.

III. SUBMITTAL INSTRUCTIONS AND CONTENT

A. Requirements

To be considered for prequalification, the prospective Bidder must demonstrate to the satisfaction of the Chief Engineer of the Authority that it meets the minimum requirements of this RTQ as stated in sections III.A.1 and III.A.2. Company brochures or other marketing materials 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 as per the Scope of Work indicated in Section II.A and II.B of this RTQ. If the prospective Bidder cannot demonstrate that it meets all of the below mentioned qualifications, then the prospective Bidder may with others form a joint venture and request that the joint venture be pre-qualified as set forth herein.

1. Minimum Experience of the Firm:

The submitting entity must demonstrate that it has a minimum of 5 year(s) construction experience on contracts comparable in size, type and complexity to that described in paragraph II.A&B. The prospective Bidder must also demonstrate that:

- A) During the last 5 years it has successfully completed or substantially completed as a prime or general contractor at least one (1) contract of size, type and complexity comparable to that indicated in Paragraph II.A&B above, each in excess of approximately \$1.5 million.
- B) It has a minimum of three (3) years experience in performing work as the prime contractor for steel repairs of various structure types including bridges, buildings and waterfront structures during the last five (5) years.
- C) It had at least 1 previous contract, during the last three (3) years, demonstrating that has the capability to provide equipment, sufficient labor forces, to successfully complete the work and maintain multiple responses.
- D) Has a minimum of three (3) years experience in performing work on a Call-In Basis or Emergency Response on a 24 hour/ 7 days a week basis.

Alternatively, the prospective Bidder may also meet this minimum experience requirement if, during the time period as stated above, the prospective Bidder or persons or entities owning and controlling the prospective bidding firm, has satisfactorily performed, as owning and controlling another firm, and completed services of similar scope to those 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, type and complexity to those outlined in Paragraph II.A & B and Paragraph II.A.1.

B. Submittals

The following items must be submitted in order to be considered for prequalification on this project:

1. Attachments

In order to expedite the evaluation of the qualification information furnished, the prospective Bidder must complete and submit the attached documents, listed below. 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. Agreement on Terms of Discussion

2. Performance and Payment Bond

The Contractor, upon award, may be required to obtain and provide a Performance and Payment Bond for each Work Order 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 prospective Bidder must submit a copy of its Experience Modification Rate (EMR) for itself and for each of its named subcontractors as a measure of the Prospective Bidder's safety record. If the rate exceeds 1.2, a written explanation shall be provided.

4. Resumes

The Prospective Bidder must provide resumes of the proposed Project Manager/Superintendent.

5. Required Licenses/Certifications

The prospective Bidder and/or proposed sub-contractors must have all required applicable New York State certifications and/or licenses to perform the work in accordance with all applicable codes, rules, and regulations if applicable.

6. 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 are separately prequalified to bid elect to submit a bid as a joint venture, all participants in the joint venture shall be bound jointly and severally and each participant shall execute the bid. If the prospective Bidder cannot demonstrate that it meets all of the referenced qualifications, then the prospective Bidder may with others form a joint venture and request that the joint venture

be deemed to be the prospective Bidder (i.e. members of the joint venture may meet the qualification requirements collectively.)

7. SBE Certification

Provide a current SBE Certification document issued by The Port Authority of New York & New Jersey.

C. Performance Evaluation for Construction Contractor Source Selection Policy

In accordance with the Authority's "Performance Evaluation for Construction Contractor Source Selection Policy," which can be found at <https://www.panynj.gov/business-opportunities/become-vendor.html>, Prospective Bidders should be aware that Port Authority will consider any prospective Bidder's Unsatisfactory or Marginal Performance Evaluation as an important factor in determining whether the prospective Bidder is deemed qualified, or recommended for ultimate contract award.

D. Vendor Code of Ethics

The Port Authority has adopted a Code of Ethics for Port Authority Vendors which can be found at: <https://www.panynj.gov/business-opportunities/become-vendor.html>

IV. FINANCIAL INFORMATION

The Respondent will be required to demonstrate that it is financially capable of performing Contracts in the dollar amount based on the scope of work. The determination of the Proposer's financial qualifications and ability to perform such Contracts will be in the sole discretion of the Port Authority. The Respondent shall submit, with its Proposal, the following:

- A.** 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.
- B.** If the Certified Financial Statements above are not available, reviewed statements from an independent accountant setting forth the aforementioned information shall be provided.

Where the statements submitted pursuant to aforementioned subparagraphs (a) and (b) do not cover a period which includes a date not more than forty-five (45) days prior to the Proposal Due Date, then the Proposer shall also submit a statement in writing, signed by an executive officer or his/her designee, that the present financial condition of the Proposer is at least as good as that shown on the statements submitted.

- C.** A statement of work which the Proposer has on hand, including any work on which a bid and/or proposal has been submitted, containing a description of the work, the annual dollar value, the location by city and state, the current percentage of completion, the expected date for completion, and the name of an individual most familiar with the proposer's work on these jobs.
- D.** The name and address of the Proposer's banking institution, chief banking representative handling the Proposer's account, the Proposer's Federal Employer Identification Number (i.e., the number assigned to firms by the Federal Government for tax purposes), the Proposer's Dun and Bradstreet number, if any, the name of any credit service to which the Proposer furnished information and the number, if any, assigned by such service to the Proposer's account.

All Proposals will be reviewed by the Port Authority to determine if they adhere to the format required in this RTQ, if they contain all required submissions and if the Proposer has the experience, skill and financial ability to perform the work that is anticipated.

V. SUBMISSION INSTRUCTIONS:

PLEASE READ THE FOLLOWING DELIVERY REQUIREMENTS CAREFULLY.

Prospective Bidders must clearly indicate the RTQ# 57012 and Title: ‘Immediate Repairs Work Order Contracts’ on the outside of any package or document submitted in connection with this Contract. All proposals must be delivered in sealed envelopes and/or packages. Bidders assume all responsibility for delays or problems in delivery. Late submittals may be rejected.

The prospective Bidder shall submit three (3) hard copies of the required qualification information and (1) copy in CD-Rom format to Elza Renazile at the below address in sufficient time so that the Authority receives it no later than **2:00 p.m. on May 6, 2019:**

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

At this address, proposals **will be accepted only via the United States Postal Service, UPS, FED EX or hand delivery. Clearly mark the solicitation number on the outermost package.**

1. 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.
2. There is no parking available at 4 WTC/150 Greenwich Street, and parking in the surrounding area is extremely limited.
3. 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.
4. As additional express carriers may be approved by Silverstein Properties and scheduled for recurring delivery times with the VSC, this information may be updated.
5. Under certain circumstances, a solicitation may allow for a commercial vehicle to be approved to make a delivery in accordance with the VSC procedures. If applicable, the specific solicitation document will include that information.
6. The Port Authority assumes no responsibility for delays, including, but not limited to, delays caused by any delivery services, building access procedures, or security requirements.
7. 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.
8. The cover of your submittal must include the RTO Number (as stated above) and the RTO title.
9. 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.

10. Provide the address of your firm to which any written correspondence should be sent.
11. The Authority assumes no responsibility for delays caused by any delivery services.
12. 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 shall be turned away and their packages not accepted.

Any questions concerning this RTQ should be directed to Elza Renazile at erenazile@panynj.gov. Neither Elza Renazile nor any employee of the 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.

VI. CONFLICT OF INTEREST

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

VII. NOTIFICATION

Notification as to whether a prospective Bidder 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 prospective bidder in its response to this RTQ.

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

CONTRACTOR'S QUALIFICATION STATEMENT
FOR
RTQ #57012NY -IMMEDIATE REPAIRS WORK ORDER CONTRACTS
MARCH 2019 THROUGH MARCH 2021

A. Contractor's General Business Information

Statement submitted by:

Name of Firm:

Name of Principal:

Business Address:

Telephone No:

Fax No:

E-mail:

Name & Telephone No. of contact person if not individual mentioned above:

Check how bid will be submitted: Single Entity Joint Venture

If a Joint Venture, each participant in such Joint Venture must submit all the information that is required for a single entity.

Indicate the type of work generally performed with your own work force.

-
- Indicate which part of the work indicated in Paragraphs II.A and II.B of the attached Request to Qualify Information ("RTQ") you plan on performing with your own forces and what work you plan on sub-contracting to another firm.

Work to be performed with own forces:

Work to be performed by sub-contractors:

B. Relevant Experience and Past Performance:

- On **Schedule A**, below, list construction contracts completed by your firm which document **your firm's meeting of the requirements indicated in the RFQ**. If a joint venture, list each joint venture partner's projects separately. Indicate if the contract was performed by your firm's own forces or by a sub-contractor. Submit each project on one page in the following format.

SCHEDULE A- CONTRACTS COMPLETED:

Project Name, Location and Description	Name of Owner(s), Address, Tel No. & Email	Design Engineer*	Date Completed	Contract Amount**	Percentage of Work Completed by Own Forces

***Include Name, Address and Phone No. of Reference Contact**

****Indicate amount of Firm's contract and if work was done as prime contractor**

- On **Schedule B**, below, list the name and qualifications of the individual who will function as the **Project Manager** as well as those of any other **key construction supervision personnel** to be assigned to the Contract along with the anticipated function and relevant experience of each person in the format below. Attach resumes.

SCHEDULE B - KEY CONSTRUCTION SUPERVISION PERSONNEL:

Name	Position	Date Started with Organization	Date Started in Construction Field	Prior Positions and Experience in Construction

- On **Schedule D**, below, list Bids submitted by your firm. If a joint venture, list each joint venture partner's projects separately. Please follow format below, one page per contract.

SCHEDULE D: CURRENT BIDS SUBMITTED:

FIRM NAME: _____

Project Name, Location and Description	Name of Owner(s) Address, Tel No. & Email	Design Engineer*	Bid Amount	Low Bidder (Y/N)	Anticipated Award Date/Contract Duration (If Applicable)

***Include Name, Address, Phone No. and Email of Reference Contract**

- On **Schedule E**, below, provide information about past Performance Evaluations on Port Authority or PATH contracts. Submit a copy of this Schedule E completed for each entity that comprises the joint venture. Attach additional pages as necessary.

SCHEDULE E: CONTRACTOR PAST PERFORMANCE

Firm Name: _____

Indicate below whether your firm’s performance on a past Port Authority or PATH contract(s) has been rated less than satisfactory (e.g., received a Performance Evaluation rating of “Marginal” or “Unsatisfactory”) within three years prior to submission of this RTQ.

- No.
- Yes. Further information (including rating(s) and contract(s)):

_____.

Indicate below whether an affiliate, subsidiary or parent company of your firm has been rated less than satisfactory (e.g., received a Performance Evaluation rating of “Marginal” or “Unsatisfactory”) within three years prior to submission of this RTQ on a past Port Authority or PATH contract(s).

- No.
- Yes. Further information (including rating(s) and contract(s)):

_____.

Indicate below whether an entity in which your firm was a substantial component or over which your firm exerted substantial control has been rated less than satisfactory (e.g., received a Performance Evaluation rating of “Marginal” or “Unsatisfactory”) within three years prior to submission of this RTQ on a past Port Authority or PATH contract(s).

- No.
- Yes. Further information (including entity (ies), rating(s) and contract(s)):

_____.

Indicate below whether an entity which has some of the same key senior personnel as your firm has been rated less than satisfactory (e.g., received a Performance Evaluation rating of “Marginal” or “Unsatisfactory”) within three years prior to submission of this RTQ) on a past Port Authority or PATH contract(s).

- No.
- Yes. Further information (including entity (ies), rating(s) and contract(s)):

In accordance with the Authority’s “Performance Evaluation for Construction Contractor Source Selection” policy, which can be found at <https://www.panynj.gov/business-opportunities/become-vendor.html>, the Port Authority will not qualify, or recommend for award, any prospective bidder or bidder that has received one or more Marginal or Unsatisfactory ratings unless, in the sole discretion of the Chief Engineer or his or her designee with information from the evaluation committee, the prospective bidder or bidder has provided substantive information showing that the root cause of the adverse performance has been identified and definitively corrected or the circumstances giving rise to the Performance Evaluations have changed and will not reoccur. The determination of the Chief Engineer or his or her designee will be conclusive.

- Does your firm have the necessary certification(s) and/or license(s) required under the RTQ?

Yes **No** **Not Applicable**

- If Yes - Submit documentation of required certification(s) and/or license(s)
- If No, indicate how you plan on meeting this requirement:

- Has your firm ever failed to complete any construction contract awarded to it?
 Yes **No**

If yes, describe the circumstances on a separate piece of paper.

- In the last five years, has your firm ever failed to substantially complete a contract as per the Contract requirements manner? **Yes** **No**

If yes, describe the circumstances on a separate piece of paper.

- Identify prior contracts that contained stated goals for M/WBE participation and how such goals were met or exceeded:

Contract	Stated Goals	Actual % Obtained	Comments

C. Financial Information:

- Can your firm provide a Performance and Payment Bond for the full amount required?
 Yes **No**

- Indicate approximate total bonding capacity: _____

- Indicate name of your proposed surety company and name, address and phone number of agent:

➤ Name: _____

➤ Address: _____

➤ Telephone No. _____

- **Submit letter from your surety documenting your ability to submit the required Bond.**

E. Certification

I hereby certify that the information submitted herewith, including attachments, is true to the best of my knowledge and belief.

(Type or print business name of Firm)

By: _____
(Signature of Officer of Firm)

(Print name of Officer of Firm)

Dated: _____

(Type or print title of officer of Firm)

Sworn to before me

this _____ day of _____ 20____

Notary Public



ATTACHMENT I
RTQ 57012 Immediate Repairs Work Order Contracts

AGREEMENT ON TERMS OF DISCUSSION

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 Public Records Access Policy adopted by the Port Authority's Board of Commissioners, which may be found on the Port Authority website at: <http://corpinfo.panynj.gov/documents/Access-to-Port-Authority-Public-Records/>. The foregoing applies to any information, whether or not given at the invitation of the Authority.

(Company)

(Signature)

(Title)

(Date)

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DO NOT RETYPE.