

THE PORT AUTHORITY OF NY & NJ

**PROCUREMENT DEPARTMENT
4 WORLD TRADE CENTER
150 GREENWICH ST. 21ST FLOOR
NEW YORK, NY 10007**

REQUEST TO QUALIFY

**TITLE: PUBLIC SAFETY & LIFE SAFETY RADIO SYSTEM MAINTENANCE
AT WTC LOCATIONS**

NUMBER: 58384

**SUBMIT RESPONSE BEFORE THE DUE DATE AND TIME TO THE ABOVE
ADDRESS**

QUESTIONS DUE DATE: AUGUST 13, 2019 TIME: 2:00 P.M.

RESPONSE DUE DATE: AUGUST 20, 2019 TIME: 2:00 P.M.

**CONTACT NAME: STEVEN JOSEPH
PHONE NUMBER: 212-435-4658
EMAIL ADDRESS: stjoseph@panynj.gov**

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THE PORT AUTHORITY of NEW YORK AND NEW JERSEY

REQUEST TO QUALIFY (“RTQ”)

FOR

RTQ#58384: WTC Public Safety and Life Safety Radio System (PSLS) - On-Site Maintenance

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. The Port Authority Trans Hudson Corporation (“PATH”) is a wholly owned subsidiary of the Port Authority. Additionally, the most recent electronic version of the Authority’s Annual Report is available at <http://www.panynj.gov/corporate-information/annual-reports.html>.

Responses to this RTQ are on the Response Due Date set forth in the advertisement of this RTQ.

It is presently anticipated, but it is not guaranteed, that Bid Documents will be available for prequalified Respondents by the fourth quarter of 2019. At such time, the Port Authority of New York and New Jersey anticipates releasing Bid Documents to such prequalified Respondents. **Firms are encouraged to submit their qualification information early, as the evaluation process and security screening process may take time and may result in a delay to receipt of Bid Documents.**

II. SUBMITTAL PROCESS

The Authority will be accepting prequalification submissions for its anticipated “WTC - Public Safety and Life Safety Radio System Maintenance” bid.

Step (1): Interested Respondents must respond to this RTQ in order for the Port Authority to determine whether such Respondent(s) qualify to receive Bid Documents.

Step (2): The Port Authority anticipates that it will provide the Bid Documents for the “WTC - Public Safety and Life Safety Radio System Maintenance” bid to Respondents that the Port Authority determines meet the qualifications outlined in this RTQ in the fourth quarter of 2019.

Only prequalified firms who have received written notification from the Port Authority that they have been prequalified will be asked to respond to future solicitations on the specific project(s) described herein.

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

III. PREREQUISITES

To be prequalified, the Respondent must demonstrate to the satisfaction of the Port Authority that it meets the minimum requirement of this RTQ. Company brochures alone shall not be submitted for the purpose of demonstrating experience and technical expertise. Only Respondents demonstrating that they meet all of the below mentioned prerequisites will have their submissions reviewed:

- (a) The Respondent shall have had at least five (5) years of continuous experience immediately prior to the date of submission of its pre-qualifications submission in the maintenance, management and operation of at least one (1) radio system with the following scope and complexity:
 - (i) Redundant distributed architecture with Radio Frequency (RF) over Fiber Optic Cable of twenty (20) or more independent VHF/UHF/800MHZ radio channels receiving and transmitting simultaneously.
 - (ii) Distributed from two (2) or more head ends.
 - (iii) Operation of transmit, receive, and control functions from ten (10) or more independent locations.
 - (iv) Distributed to twenty (20) or more different building locations serving distributed antenna systems (DAS) each with its associated redundant RF amplification, coaxial cable and point source antennas.
 - (v) Monitored, switched, and controlled by a computer alarm and control system.

The Respondent may fulfill this prerequisite if the Responder can demonstrate to the satisfaction of the Port Authority that the persons or entities owning and controlling the Respondent have had a cumulative total of at least five (5) years of experience immediately prior to the date of the submission of pre-qualifications submission in the maintenance, management and operation of a business actually engaged in providing these services to commercial or industrial accounts under contract during that time, or have owned and controlled other entities which have actually engaged in providing the above described services during that time period.

- (b) During that time period stated in (a) above, the Respondent or entities owning or controlling the Respondent shall have had at least two (2) radio system contracts requiring similar services or similar scope to those described in the anticipated scope of work set forth in Section V below.
- (c) The Respondent must have a valid Auxiliary Radio Communication System Company Certificate issued by the New York City Fire Department (FDNY) to test ARC Systems.
- (d) The Respondent shall have had in its last fiscal year, or the last complete calendar year immediately preceding the opening of its response, a minimum of \$6,000,000 annual gross income.
- (e) The Respondent shall demonstrate that it meets the requirements of the Port Authority of New York and New Jersey's Information Security Handbook

(<http://www.panynj.gov/business-opportunities/pdf/Corporate-Information-Security-Handbook.pdf>) can view and/or obtain the Contract Documents.

The requirements and instructions for submitting documentation that the requirements have been met are available on-line at <http://www.panynj.gov/business-opportunities/information-security-requirements.html>. The submission should be sent to stjoseph@panynj.gov.

Interested respondents should complete the Information Security Requirements submission as soon as possible, as the process may take several weeks

In the event a pre-qualification submittal is submitted by a joint venture the foregoing prerequisites will be considered with respect to such Respondent as follows: The prerequisite in subparagraph (a), (b), and (c) above, will be considered satisfied if the joint venture itself, or any of its participants individually, can meet the requirements. The prerequisite in subparagraph (d) above, will be considered satisfied if the gross income of the joint venture itself meets the prerequisite or the gross income of the participants in the joint venture cumulatively meets the prerequisite. If a joint venture which has not been established as a distinct legal entity submits a pre-qualification submittal, it and all participants in the joint venture shall be bound jointly and severally and each such participant in the joint venture shall execute the pre-qualification submittal (and the bid during the second phase) and do each act and thing required by this Request to Qualify and the subsequent Invitation for Bid.

On each submittal, the original bid and wherever else the Respondent's name would appear, the name of the joint venture Respondent should appear if the joint venture is a distinct legal entity. If the Respondent is a common law joint venture, the names of all participants should be listed followed by the words "acting jointly and severally". All joint venture Respondents must provide documentation of their legal status.

Proof that the above prerequisites are met should be submitted with the RTQ.

IV. PROJECT DESCRIPTION

The Port Authority operates the PSLS Radio System at the World Trade Center (WTC) campus. The PSLS Radio System is a redundant co-primary distributed architecture Radio Frequency over Fiber Optic radio system serving all buildings (also called Elements or Element Buildings) of the WTC Campus with approximately seventy radio channels in the VHF/UHF/800 MHZ frequency bands operating simultaneously used by Public Safety Agencies, First Responders, and WTC Security, Operations and Maintenance. The PSLS Radio System is distributed to approximately seventy locations and is controlled from approximately twenty-five locations. The PSLS Radio System contains several miles of fiber optic and coaxial cable distributed from/to many locations and operates with approximately ten thousand pieces of active equipment. The PSLS Radio System distributes radio system signals to an area of eight million square feet above ground and two million square feet below ground. The PSLS system is monitored and managed by a computer controlled Radio Alarm and Control System integral to the PSLS Radio System.

V. PHASES OF SUBMITTAL

The Port Authority will evaluate submittals using a two-phased approach, as described. In Phase 1, the Port Authority will review Respondent's submittal and determine if Respondent is prequalified and eligible to receive the Bid Documents. In Phase 2, Respondents who are determined to be prequalified will receive the Bid Documents and the Port Authority will review bids that are received from such prequalified Respondents.

VI. SCOPE OF WORK

It is anticipated, but not guaranteed, that the Work required by the contract resulting from the Bid Documents may include, but may not necessarily be limited to, the following:

A. Scope of work

- i. Provide all necessary labor, supervision, expertise, tools, equipment, material, and incidentals to perform the scheduled maintenance and testing tasks for WTC PSLs Radio System in accordance with all applicable federal, state, city, local rules, codes, and regulations.
- ii. Perform all maintenance, including physical inspections of all equipment rooms, equipment testing for all equipment and systems, and RF Coverage testing of the entire PSLs System, in accordance with the WTC PSLs Maintenance Plan and Maintenance Routines, and in accordance with the procedures in the PSLs System Maintenance Manuals, Equipment Manufacturers Manuals, and Record Documents included with Available Documents (to the extent available).
- iii. Availability: Personnel must be available to perform corrective maintenance daily Monday through Friday 7AM to 3:30PM and at all times (365 days per year) to provide emergency response maintenance as required by the Port Authority during Off-Hours (3:30 PM to 7:00 AM, Monday through Friday, and all hours Weekends and Holidays). Off-Hour testing will also be required to accommodate peak-hour traffic and to avoid interruption to facility and retail operations.
- iv. Maintenance of all equipment located in the PSLs Radio Rooms and Facilities including but not limited to (number in parenthesis indicates approximate quantity):
 - a. Master Headend Rooms (2).
 - b. Outdoor Antenna Rooms (off-air-rooms) (2).
 - c. Hub Node Rooms co-located with head ends (2).
 - d. Hub Node Rooms (28).
 - e. Amplifier Rooms (3).
 - f. Retail Node Rooms (5).
 - g. Element Amplifier Rooms (Site-Wide Distribution Network Demarcation Equipment (SDN) for Towers 1, 3, 4, the Museum and Memorial, and the Performing Arts Center excluding the DAS associated with these buildings (10).

- h. Vehicle Service Center (VSC) Element Amplifier Rooms, and all ancillary equipment, including the DAS (7).
 - i. Property Manager Facility/Central Chiller Plant Element Amplifier Rooms, and all ancillary equipment, including the Distributed Antenna System (DAS) (1).
 - j. Radio Fire Command Stations (RFCS) for HUB and VSC, complete end-to-end maintenance (5).
 - k. Radio Fire Command Stations (RFCS) for the Element Buildings (partial maintenance coordinated with Element radio system contractors) (10).
 - l. Hub Node Demarcation Rooms (20).
 - m. All Distributed and Point Source Antenna locations.
 - n. All Antenna Cabling and Distribution locations.
 - o. All Radio System Dispatch Locations (RFCS, HUB Operational Control Center, Site Logistics Coordination Center).
 - p. Off-Site locations in New York and New Jersey, for Interconnected Radio Systems located at PA Facilities (Jersey City) and participating First Responder Facilities (Queens NY).
 - q. Future Element locations will include SDN Demarcation Equipment and Radio Fire Command Consoles for Tower 2, 5, and 7 (6).
- v. Maintenance of all signal distribution equipment located in the PSLS Radio Rooms and destination locations throughout the WTC and off-site locations including but not limited to:
- a. RF Signal Generation and Distribution (Optical and Coaxial).
 - b. Audio Signal Generation and Distribution.
 - c. Control Signal Generation and Distribution.
 - d. Fiber Optic Signal Generation and Distribution.
 - e. RF over Fiber Distribution.
 - f. Radio Control and Alarm System (RACS).
 - g. Interconnecting Fiber Optic Cabling.
 - h. Interconnecting Coaxial and Radiating Cabling.
 - i. Interconnecting Control Wiring and Cabling.
 - j. T1 Signal Multiplexing and Distribution.
- vi. Maintenance of all individual components of various manufacturers installed in the PSLS Radio System and Sub-Systems including but not limited to (number in parenthesis indicates approximate quantity):
- a. Radio Base Stations and Repeaters, Conventional, Trunked, P25, EDACS & MPT1327, and all ancillary equipment such as, but not limited to, antenna, speaker, microphone, line audio, and control systems.
 - b. TAIT Radio Trunked Base Stations Model TB8200 (14)
 - c. TAIT Radio Conventional Base Stations Model TB8100 (10)
 - d. SELEX Radio Conventional Base Stations Model RBS 4000 (58)
 - e. HARRIS Radio Control Stations Model M7100P (10)
 - f. HARRIS Dual Receivers Model SR8NO1 (8)

- g. Subscriber Units (Mobile and Portable Radios) (approx. 400)
- h. Subscriber Unit Batteries (approx. 400)
- i. Subscriber Unit Battery Conditioners, Chargers, single and multi-unit (approx. 400)
- j. Tone Remote Control, Carrier Operated Relay (COR), E&M Signaling, Radio Over Internet Protocol (ROIP) Operation.
- k. RF Amplifiers – Unidirectional and Bi-directional Amplifiers.
- l. RF Receiver Multi-Couplers.
- m. RF Transmitter Combiners.
- n. RF Filters.
- o. Receiver Voting Systems.
- p. RF Signal Splitters, Combiners, and Couplers (198).
- q. Distributed Coaxial and Radiating Cable Antenna Systems (DAS).
- r. Point Source Antennas.
- s. Axell Wireless Radio Frequency/Fiber Optic Modem.
- t. T1 Over Fiber Converters.
- u. Fiber Optic Active Distribution Equipment (1635).
- v. Audio Amplifiers.
- w. Convex Audio Distribution Amplifiers Model 2241-11-AC (42).
- x. Convex Audio Combining Equipment Model 2247A-AC (10).
- y. Convex Audio/PTT Panel Model 2240A-AC (80)
- z. HARRIS T1 Multiplexer.
- aa. Audio Logging Recorders
- bb. Audio Logging Instant Replay Devices.
- cc. Audio Control Consoles.
- dd. Radio Control Consoles/Dispatch Consoles.
- ee. Equipment Control Consoles including Radio Fire Command Stations (RFCS)
- ff. Data Distribution and Network Switches.
- gg. Programmable Logic Controllers GE Model.
- hh. Global Positioning System (GPS) Timing Signal Receivers, GPS Network Time Distribution, and GPS Antennas.
- ii. Computer and Computer ancillary systems and devices such as but not limited to; Display, Keypad, Mouse, Printer, KVM Switches, digital storage devices, and more.
- jj. Analog and Digital Devices such as but not limited to; Telephone, Intercom, RACS, and more.
- kk. Component and System Bonding and Grounding Systems including equipment cabinet isolated ground systems.
- ll. User Interface Equipment such as but not limited to Radio Desk Sets and Control Consoles, RFCS's, and computer control systems.

The prospective Respondent's Supervisors and Radio System Technicians must have a minimum of five (5) years' experience working on Radio Systems comparable in size, type and complexity to that outlined in Section III.

The Respondent and/or proposed sub-contractors must provide Radio Technicians holding a current and valid Auxiliary Radio Communication System (ARC) Radio B-03 Certificate of Fitness from the New York City Fire Department (FDNY), and a Federal Communications Commission (FCC) General Class Commercial Radiotelephone License to perform maintenance of the PSLS Radio System as outlined in the scope of work.

VII. SYSTEM DOCUMENTATION

- i. Documents mentioned (in “ii” and “iii”) below may be made available for viewing only to respondents that have been deemed qualified to participate in Phase 2, and only after satisfaction of certain information security requirements, including but not limited to, execution of Port Authority Non-Disclosure and Confidentiality Agreement, completion of Security Information Management training by proposer personnel, and potentially background screening. The documents will be made available for review at the office of the Port Authority at the WTC, no hard copies or electronic copies will be provided.
- ii. The “WTC Maintenance Plan” and “Maintenance Routines” will be available for viewing as “available documents” at the time of the document review process.
- iii. PSLS System Testing and Commissioning Documentation such as: The System Maintenance Manuals, Manufacturers Maintenance Manuals, Recommended Maintenance Procedures and Schedules, As-Built or Record Drawings, Maintenance Training Information, and RF Coverage Verification Documentation will be available for viewing as “available documents” at the time of the document review process to the extent available.
- iv. The prospective bidder should list and describe any documentation the bidder would like the PA to provide if available.

These documents were not prepared for the purpose of providing information for Respondents upon the present RTQ 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 RTQ or any contract that may arise in connection with it. 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 the conclusions to be drawn therefrom. They are made available to the Respondents merely for the purpose of providing them with such information as is in the possession of the Port Authority, whether or not such information may be accurate, complete or pertinent or of any value to the Respondents.

VIII. CONTRACT SCHEDULE

It is presently anticipated, but it is not guaranteed, that Bid Documents will be made available to prequalified Respondents by the fourth quarter of 2019. It is the present intention of the Authority to have the Work for “Public Safety and Life Safety Radio System (PSLS) On-Site Maintenance” begin one (1) month after award of the Contract.

IX. SUBMITTALS

Attachment I – Agreement on Terms of Discussion must be submitted in response to this RTQ in order to be considered for prequalification on this project.

X. SUBMISSION INSTRUCTIONS

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

RTQ#58384: WTC – Public Safety and Life Safety Radio System (PSLS) On-Site Maintenance

The Respondent shall submit eight (8) copies of the required prequalification information or, preferably, one (1) hard copy and eight (5) copies in USB Flash Drive to stjoseph@panynj.gov in sufficient time so that the Authority receives it no later than 2:00 p.m. on August 23, 2019.

PLEASE NOTE THE FOLLOWING-

All Responses 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. Respondents assume all responsibility for delays or problems in delivery.

Responses will be received at:
The Port Authority of New York and New Jersey Attention: Bid/Proposal Custodian Procurement Department 4 World Trade Center 150 Greenwich Street, 21st Floor New York, NY 10007

At this address, Responses 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.

- A. 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.
- B. There is no parking available at 4 WTC/150 Greenwich Street, and parking in the surrounding area is extremely limited.
- C. 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.
- D. As additional express carriers may be approved by Silverstein Properties and scheduled for recurring delivery times with the VSC, this information may be updated.
- E. 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.
- F. The Authority assumes no responsibility for delays, including, but not limited to, delays caused by any delivery services, building access procedures, or security requirements.
- G. All Responses must be delivered in sealed envelopes and/or packages. Address the Response as provided above. In case of conflict, the reproducible original of the Response shall take precedence over material on the compact discs.
- H. 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 Respondent 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.
- I. Provide the address of your firm to which any written correspondence should be sent.
- J. The cover of your submittal must include the RTQ Number and Contract Number(s) (as stated above) and the respective title(s). The Authority assumes no responsibility for delays caused by any delivery services.
- K. If your Response 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 Steven Joseph at stjoseph@panynj.gov. Neither Mr. Joseph 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.

XI. COMMUNICATION REGARDING THIS RTQ

All communications concerning this RTQ, including questions, shall be directed to the Contract Specialist listed on the cover page

The Contract Specialist is authorized only to direct the attention of prospective Respondents to various portions of this RTQ so that they may read and interpret such portions themselves. Neither the Contracts Specialist nor any other employee of the Port Authority is authorized to interpret the provisions of this RTQ or give additional information as to its requirements. If interpretation or other information is required, it will be communicated to prospective Respondents by written addenda and such writing shall form a part of this RTQ

XII. CONDITIONS FOR THE SUBMISSION OF A RESPONSE

(a) Changes to this RTQ. At any time, in its sole discretion, the Port Authority may by written addenda, modify, correct, amend, cancel and/or reissue this RTQ. If an addendum is issued prior to the date responses are due, it will be provided to all parties in the medium in which the parties obtained the RTQ. If an addendum is issued after responses have been received, the addendum will be provided only to those whose responses remain under consideration at such time.

(b) Prequalification Preparation Costs. The Port authority shall not be liable for any costs incurred by the Respondent in the preparation, submittal, presentation, or revision of its response, or in any other aspect of the Respondent's activity relating to its response. No Respondent is entitled to any compensation except under an agreement for performance of services signed by an authorized representative of the Port Authority and the Respondent.

(c) Disclosure of Submitted Materials. Response information is not generally considered confidential or proprietary. All information contained in the response is subject to the "Agreement on Terms of Discussion" attached hereto as Attachment I.

(d) Ownership of Submitted Materials. All materials submitted in response to or in connection with this RTQ shall become the property of the Port Authority. A determination that a Respondent has (or has not) been prequalified shall not affect this right.

(e) Authorized Signature. Responses must be signed by an authorized corporate officer (e.g., President or Vice President), General Partner, or such other individual authorized to bind the Respondent to the provisions of its Response and this RTQ.

(f) References. The Port Authority may consult any reference familiar with the Respondent regarding its current or prior operations and projects, performance, or other matters. Submission of a response shall constitute permission by the Respondent for the Port Authority to make such inquiries and authorization to third parties to respond thereto.

(g) Rights of the Port Authority.

1. The Port Authority reserves all its rights at law and equity with respect to this RTQ including, but not limited to, the unqualified right, at any time and in its sole discretion, to change or modify this RTQ, to reject any and all responses, to waive defects or irregularities in responses received, to seek clarification of responses, to request additional information, to request any or all Respondents to make a presentation, to undertake discussions and modifications with one or more Respondents, or to negotiate an agreement with any Respondent or third person who, at any time, subsequent to the deadline for Response submissions to this RTQ, may express an interest in the subject matter hereof, to terminate further participation in the responses process by a Respondent or to proceed with any responses or modified responses, which, in its judgment, will, under all circumstances, best serve the Port Authority's interest. The Port Authority may, but shall not be obliged to, consider incomplete responses or to request or accept additional material or information. The holding of any discussions with any Respondent shall not constitute acceptance of a response, and a response may be accepted with or without discussions. The Port Authority also reserves the unqualified right to utilize any information provided in response to this RTQ, to request further information from any Respondent or to not proceed with any further process.
2. No Respondent shall have any rights against the Port Authority arising from this RTQ, the content or receipt of responses thereto or the incorporation in or rejection of information contained in any response or in any other document. The Port Authority makes no representation, warranty, or guarantee that the information contained herein, or in any addenda hereto, is accurate, complete,

or timely or that such information accurately represents the conditions that would be encountered during the performance of the contract. The furnishing of such information by the Port Authority shall not create or be deemed to create any obligation or liability upon it for any reason whatsoever and each Respondent, by submitting its response, expressly agrees that it has not relied upon the foregoing information, and that it shall not hold the Port Authority liable or responsible therefor in any manner whatsoever. Accordingly, nothing contained herein and no representation, statement or promise, of the Port Authority, its directors, officers, agents, representatives, or employees, oral or in writing, shall impair or limit the effect of the warranties of the Respondent required by this RTQ and the Respondent agrees that it shall not hold the Port Authority liable or responsible therefor in any manner whatsoever.

3. At any time and from time to time after the opening of the responses, the Port Authority may give oral or written notice to one or more Respondents to furnish additional information relating to its response, or to meet with designated representatives of the Port Authority. The giving of such notice shall not be construed as an acceptance of a response. Any information so requested shall be submitted within three (3) calendar days after the Port Authority's request unless a shorter or longer time is specified therein.
4. Neither the expression of your organization's interest, nor the submission of your response to the solicitation and any documents or other information supplied by you, nor any correspondence, discussions, meetings or other communications between your organization and the Port Authority, shall impose any obligation on the Port Authority. The Port Authority shall have no obligation to any Respondent.
5. Acceptance shall be only by mailing to or delivering to the office designated by the Respondent in its response, a notice in writing signed by an authorized representative on behalf of the Port Authority specifically stating that the Respondent has been prequalified, signed by an authorized representative of the Port Authority. No other act of the Port Authority, its Commissioners, officers, agents, representatives or employees shall constitute prequalification. Rejection of a response shall be only by either (a) a notice in writing specifically stating that the response is not accepted, signed by an authorized representative of the Port Authority and mailed to or delivered to the Respondent at the office designated in the Response, or (b) omission of the Port Authority to accept the response or create a list of prequalified Solutions within 180 days after the Response Due Date. No other act of the Port Authority, its Commissioners, officers, agents, representatives or employees shall constitute rejection of a response.

6. The Authority reserves the unqualified right, in its sole and absolute discretion, to reject all responses, to undertake discussions and modifications with one or more Respondents and to proceed with those response(s) or modified response(s), if any, which in its judgment will, under all the circumstances, best serve the public interest.
7. Respondents are advised that additional vendor information, including but not limited to forms, documents and other information, including MBE/WBE Participation Plan Submission Forms and protest procedures, may be found on the Port Authority website at: <http://www.panynj.gov/business-opportunities/become-vendor.html>.
8. Vendor Profile – To ensure maximum opportunities, it is vitally important that Respondents keep their vendor profiles up to date with an appropriate e-mail address, as this will enable their firms to receive timely notice of advertisements, reminders, solicitations and addenda. Respondents may update their vendor profile or register as a Port Authority Vendor by accessing the online registration system at <https://panynjprocure.com/VenLogon.asp>.
9. Non-Liability of Port Authority Representatives: Neither the Commissioners of the Port Authority, nor any of them, nor any officer, agent or employee thereof shall be charged personally with any liability by a Respondent or another or held liable to a Respondent or another under any term or provision of this RTQ or any statement made herein or because of the submission or attempted submission of response hereto or otherwise.
10. Certifications with Respect to the Contractor’s Integrity Provisions: The terms and conditions of PA 3764A apply to this RTQ. A copy can be obtained from <http://www.panynj.gov/business-opportunities/become-vendor.html>.

ATTACHMENT I

AGREEMENT ON TERMS OF DISCUSSION

The Port Authority’s receipt or discussion of any information (including information contained in any proposal, respondents 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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