

THE PORT AUTHORITY TRANS-HUDSON CORPORATION (PATH)

REQUEST TO QUALIFY (“RTQ”)

FOR

**PORT AUTHORITY TRANS-HUDSON (PATH) – REPLACEMENT OF
SUBSTATION NO. 9 – DESIGN AND CONSTRUCTION**

CONTRACT PAT - 084.001

November 2013

I. INTRODUCTION

The Port Authority of New York & New Jersey (the “Port Authority” or the “Authority”) is a body corporate and politic created by Congress between 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, six major regional airports, interstate traffic through five bridges and two tunnels, a bus terminal, a bus station, the PATH rapid transit system, the Hoboken-lower Manhattan ferry service, the World Trade Center site and various 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.

Contracts awarded as a result of this Pre-qualification may be funded in whole or in part by the Federal Transit Administration (“FTA”). Accordingly, Contracts awarded as a result of this RTQ will contain Federal requirements and all qualified Firms that are awarded a Contract resulting from this RTQ must be able to comply with any and all of the applicable federal provisions set forth in the Contract.

II. PROJECT DESCRIPTION

The Authority wishes to pre-qualify prospective firms to submit bids for Contract PAT-084.001 PATH – Replacement of Substation No. 9 - Design and Construction. This work will be performed at PATH facilities located in Harrison, New Jersey. 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

1. General:

The project scope will include the design and construction of an approximately 19,900 square foot traction power substation, and related site, utilities and infrastructure. The scope also includes the commissioning of the Substation No. 9, de-energizing, de-commissioning and demolition down to grade of the existing Substation No. 9 building and outdoor switchyard after the new substation is commissioned into service.

All installation work and commissioning shall be done without any interruption to PATH train service and facility operations. The project will be based on established basic criteria that will only be provided to pre-qualified Contractors.

The Project design must meet Port Authority Climate change criteria, as well as be designed in conformance with NYS Executive Order 111, the New Jersey Energy Code, and all other codes and regulations having jurisdiction.

2. Existing Site Characteristics

The proposed site falls on a .33 acre parcel that was previously owned by the Public Service Electric and Gas Company (PSE&G). The parcel is adjacent to an existing Amtrak right-of-way, which is utilized for servicing the Northeast Corridor. The substation is on the same parcel and is adjacent to a new PATH Harrison Station.

3. Site Development

In addition to the Substation building, the Project site design will include a service plaza, which will provide vehicle staging and access to the Substation's loading dock, parking for PATH and Port Authority Police Department vehicles, and access to an adjacent existing Amtrak right of way. The site will have direct access to Frank E. Rodgers Blvd., a major roadway running north-south through the town of Harrison. To the south of the Substation, there will be a dedicated access route for PSE&G to its substation equipment.

Additionally, the site development will include sub-grade infrastructure, including power feed cables from an adjacent PSE&G manhole to the new substation in conformance with PSE&G requirements; sub-grade utility ductbank connections to the existing PATH tracks, including installation of DC feeder cables from the Substation to the track 3rd rails at track levels via track safety switches. Sub-grade infrastructure shall also include storm water management, sanitary service and domestic water utility service connections to Frank E. Rodgers Boulevard.

The existing site is deed-noticed. However, Environmental scope for this project may include but not be limited to preparation of an Environmental Evaluation Report, an Environmental Assessment, or an Environmental

Impact Statement, all in compliance with the National Environmental Policy Act (NEPA).

4. Traction Power Substation:

The main purpose of Substation No. 9 is to provide traction power to the eastbound and westbound PATH tracks. The scope will include:

- Furnish, install and commission Electrical equipment, including but not limited to 27KV switchgear lineup for PSE&G service as well as for PATH service; traction power transformer/rectifier units and related 750VDC switchgear; DC power system including battery charger and battery system and associated equipment.
- Furnish and install Electronics systems including Supervisory Control and Data Acquisition (SCADA) system; Synchronous Optical Network (SONET) equipment; Analog and Digital Video Surveillance; Recording and Storage Systems; Telephone VoIP systems; and Access Control and Alarm Monitoring Systems.
- Furnish, install and commission (standard commissioning) HVAC, plumbing/fire protection, fire alarm and lighting systems.
- Furnish detailed systems Operating and Maintenance (O&M) Manuals.

5. Coordination with Harrison Station Replacement Project:

Work related to the Electronic systems, storm water, sanitary waste and domestic water systems must be coordinated with the PATH - Harrison Station Replacement project. It will be the responsibility of the Contractor and the entity performing design work to perform all required coordination.

6. The Design Build team will develop Building Information Models (BIM Design Intent Model and Construction Model) and maintain and update the models throughout the design and construction process. Updates to the Contract Documents and the approved shop drawings pertaining to physical changes to constructed elements need to be incorporated into the models. The Design Build team will ensure that the final Design Intent Model is used to produce the Detailed Contract Drawings and that the BIM Construction Model accurately reflects the Contract Drawings and any future changes therein to actual field conditions and the as-constructed conditions. The Design Build team must have a Building Information Manager with at least five (5) years experience with buildings of at least 20,000 s.f. and demonstrate Building Information Modeling and Management expertise software including Revit and Navisworks.
7. The scope of work will include preparing Environmental Evaluation Reports, Environmental Assessments, Environmental Impact Statements, all in compliance with the National Environmental Policy Act (NEPA).

B. Estimated Total Contract Costs

For information purposes only, the Authority estimates that the total work required will be in the range of \$30M to \$40M.

C. Contract Schedule

It is presently anticipated but it is not guaranteed that Bid Documents may be available to pre-qualified bidders by the first quarter of 2014. It is the present intention of the Authority to have all Work under the Contract completed within thirty-six (36) months after award of the Contract.

D. DBE Participation

The Contract resulting from this RTQ is subject to the United States Department of Transportation Regulations on Disadvantaged Business Enterprises (DBEs) contained in Part 26 of Title 49 of the Code of Federal Regulations. The Port Authority's Office of Business Diversity and Civil Rights will set DBE participation goals on a Work Order basis. Only qualified and certified DBE firms will be counted towards meeting the goals.

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 IIIA.1 to IIIA.2.1b. 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.

Minimum Experience of the Contractor

The Respondent seeking to be pre-qualified must demonstrate the following:

1. The prospective bidder seeking to be pre-qualified must have as a prime or general contractor, a minimum of ten (10) years construction experience on at least two (2) contracts comparable in size, type and complexity to that described in Paragraphs IIA & B. At least one of those projects should have been completed in the last five (5) years, specifically as it relates to a medium voltage substation.

1a. The Respondent must demonstrate that it has a minimum of 5 years prior experience working on active electrified railroads involving flagging procedures, contact power rails and high tension AC and DC traction power.

1b. Minimum Qualifications of the Project Manager and Superintendent

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

The firm may also qualify if during the time period as stated above, the prospective bidder or persons or entities owning and controlling the prospective bidding firm, shall have satisfactorily performed, as owning and controlling another firm, having 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 entity performing design work for the Contractor.

The firm seeking to be pre-qualified must demonstrate the following:

1a. Minimum of seven (7) years design experience in the design of two (2) contracts comparable in size, type and complexity to the project described in Paragraphs II A& B.

1b. Have a LEED certified Sustainable Design professional on the design team with a minimum of three (3) years experience with respect to design and construction of at least one (1) LEED certified commercial use project with approximately 20,000 s.f. within the last five (5) years.

B. Submittals

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

1. Attachments

In order to expedite the evaluation of the qualification information furnished, the prospective bidder must complete and submit the attached documents. Responses that fail to adhere to this stipulation 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

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

Please follow submittal instructions in the BQQ package on the website.

2. Performance And Payment Bond

The prospective bidder must be able to obtain a Performance And Payment Bond for the highest end of the range indicated in Paragraph II.B 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 this RTQ.

3. Experience Modification Rate

The prospective bidder must submit a copy of the Experience Modification Rate (EMR) for itself and for each of its named Subcontractors 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 have all required NJ certifications and / or licenses to perform the work in accordance with codes, rules and regulations if applicable.

5. Joint Ventures/Sub Consultant

The Authority will entertain requests for pre-qualification from a joint venture. If a joint venture is pre-qualified to submit bids, or if two or more entities separately pre-qualified 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 requirement collectively.) As an alternative to forming a joint venture, a Contractor may form a team with a sub-consultant. In such cases, the sub-consultant's experience will be applied to the requirements as listed in the RTQ. A sub-consultant may not be a part of more than one (1) team. A Contractor may not change any sub-consultant after qualification. That is, a firm submitting a response to any future solicitation must be comprised of the same team that was pre-qualified during this RTQ.

6. Proof of Information Security Control

Designation of Security Information Manager: The pre-qualified firms (and the awarded Contractors) may require access to Port Authority Confidential or Confidential and Privileged 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, or be 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 be a national of the United States as defined by the Immigration and Nationality Act. This requirement may be waived in exceptional circumstances and contractors 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 (1)** Security Information Manager (a “**SIM**”) responsible for identifying members of their team who will need electronic access to documents (generally, via Livelink) and for assuring that those members have passed the requisite background checks and have completed the requisite Livelink access forms. The SIM will be responsible for maintaining their firm’s Livelink user account access list. In addition, the SIM will 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 prospective bidder’s team. Please submit the name and phone number of your SIMS.

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.

7. Non-Disclosure Agreement

By submitting your firm's pre-qualifications to PATH in accordance with this RTQ, your firm acknowledges and understands that if your firm becomes pre-qualified under this RTQ, it shall be required to execute a Non-Disclosure and Confidentiality Agreement (the "NDA") prior to receiving any confidential documents in accordance with the issuance of bid documents.

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 PATH 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 Respondents to complete a BQQP as part of their RTQ. In addition, Respondents will also be required to ensure that their respective subcontractors, subconsultants and vendors, of all tiers, also complete BQQPs.

The BQQP document may be downloaded at:

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

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.

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 to spremchan@panynj.gov in sufficient time so that the Authority receives it no later than 4:00 p.m. on **12/11/2013** to:

Suchetha Premchan

The Port Authority of New York and New Jersey

Procurement Department

2 Montgomery Street, 3rd Fl.

Jersey City, NJ 07302

Late submittals may be rejected.

Any questions concerning this RTQ should be directed to Suchetha Premchan at spremchan@panynj.gov. Neither Ms. Premchan 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.

V. NOTIFICATION

Notification as to whether a prospective bidder has been pre-qualified will be made only by a notice in writing, signed by the Director of Procurement 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.

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THE PORT AUTHORITY TRANS-HUDSON CORPORATION

CONTRACTOR'S QUALIFICATION STATEMENT

**PORT AUTHORITY TRANS-HUDSON (PATH) – REPLACEMENT OF
SUBSTATION NO. 9 – DESIGN AND CONSTRUCTION**

CONTRACT PAT - 084.001

NOVEMBER 2013

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 Number 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.

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 Paragraph III.A.1**. 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	Owner/ Name Address & Tel No	Design Engineer*	Date Completed	Contract Amount	Percent age of Work Comple ted by Own Forces

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

****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 (see III.A.1.b.)**, 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	Prior Positions and Experience in Construction

- On **Schedule C**, below, list projects **currently under construction** (work on hand) and 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 in one page per contract.

Schedule C - Current Work on Hand:

Firm Name: _____

Project Name, Location and Description	Owner. Name Address/ Tel No.	Design Engineer	Contract Amount	Scheduled Completion Date and Percentage Complete

Schedule D: Current Bids Submitted:

Firm Name: _____

Project Name, Location and Description	Owner Name, Address & Tel No	Design Engineer*	Contract Amount	Low Bidder (Y/N)	Anticipated award Date/Contract Duration

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

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

Does your firm have the required certification(s) and/or license(s) required under paragraph II.A, if Applicable **Yes** **No** **Not Applicable**

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

- Has your firm ever failed to complete any construction contract awarded 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 in a timely 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

Financial Information:

- Can your Firm provide a Performance And Payment Bond for the full amount of the range listed, if 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.**

D. Certification

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

(Business name of Firm)

By: _____
(Signature of officer of Firm)

(Title of officer of Firm)

Dated: _____

(Type or print title of officer of Firm)



AGREEMENT ON TERMS OF DISCUSSION

The Port Authority's receipt or discussion of any information (including information contained in any proposal, vendor qualification, 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. The foregoing applies to any information, whether or not given at the invitation of the Authority.

Notwithstanding the above, and without assuming any legal obligation, the Port Authority will employ reasonable efforts, subject to the provisions of the Port Authority Freedom of Information Code and Procedure adopted by the Port Authority's Board of Commissioners on March 29, 2012, which may be found on the Port Authority website at: <http://www.panynj.gov/corporate-information/pdf/foi-code.pdf>, not to disclose to any competitor of the undersigned, information submitted which are trade secrets or is maintained for the regulation or supervision of commercial enterprise which, if disclosed, would cause substantial injury to the competitive position of the enterprise, and which information is identified by the Proposer as proprietary, which may be disclosed by the undersigned to the Port Authority as part of or in connection with the submission of a proposal.

(Company)

(Signature)

(Title)

(Date)

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