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.

Contracts awarded as a result of this Pre-qualification may be funded in whole or in part by the Federal Transit Administration (“FTA”). Accordingly, all Contractors must comply with the applicable provisions set forth in the Bid Documents, which will be provided to all qualified bidders.

II. PROJECT DESCRIPTION

The Authority wishes to pre-qualify prospective firms to submit bids for Contract PAT-084.039 “PATH – Tunnels E & F Event Detection System.” This work will be performed at PATH facilities located in New York and 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. Furnish, Install, Calibrate, Test, and Commission Monitoring Systems

   a) Furnishing, delivery, installation, calibration, testing and commissioning of various commercial, off-the-shelf cameras, sensors and monitoring systems.
b) Modification/Upgrade of existing Command and Control Integration Platform/Automatic Control System (CCIP/ACS) hardware and software for the additional cameras, sensors and monitoring systems identified in item a) above.

c) Interface the cameras, sensors and monitoring systems identified in item a) above with the existing gate operations equipment, Lenel Access Control system and Verint CCTV system.

d) Modification/Upgrade of existing communication network systems.

e) Fabrication, delivery, installation of stainless steel equipment enclosures for in-tunnel equipment.

f) System support services including full system documentation and user training. In addition, system documentation and user training program and/or project manuals or reports shall be curtailed to project specific installation requirements.

g) Development and adherence to a quality assurance plan.

h) Project and contract management services including scheduling, resource management, reporting, and coordination of all work with PATH force account work and related specialty construction to be performed by others for the project. 

Note: The interface to integrate the new devices and systems into existing PATH systems (as briefly described in items a through c above) shall be performed by a prequalified Systems Integrator approved by the PA. The PA will provide a listing of the prequalified integrators to the bidders at the time of bid. The successful bidder will be responsible and shall have all oversight of this integrator who will be under contract to the successful bidder.

2. Decommissioning and Removal of the Temporary Event Detection System

Upon notification of the successful completion of the Event Detection System 30 Day Operational Test, remove and decommission the Temporary Event Detection Equipment in the tunnels.

B. Estimated Total Contract Costs

For information purposes only, the Authority estimates that the total work required by the Contract will be in the range of $10 to $20 million.

C. Contract Schedule

It is presently anticipated but it is not guaranteed that Bid Documents may be available to pre-qualified bidders by September 2013. It is the present intention of the Authority to have all Work under the Contract completed within 24-30 months after award of the 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 working on the following:

a) contracts comparable in size, type and complexity to that described in Paragraph II. A&B.

b) 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 Paragraph II. A&B.

The firm may also qualify if during the time period stated above the prospective bidder 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/Superintendent must have a minimum of ten (10) years construction experience on contracts comparable in size to that outlined in Paragraph II. A&B.

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. Non Disclosure and Confidentiality Agreement (NDA): Links:
   [NDA instructions](#) and [NDA form](#)

D. Background Qualification Questionnaire Package – Link:
   [http://www.panynj.gov/inspector-general/inspector-general-programs.html](http://www.panynj.gov/inspector-general/inspector-general-programs.html)

Your submittal should contain the following:

(1) The Non-Disclosure and Confidentiality Agreement executed by a principal or officer of your firm on behalf of your firm;

(2) An Exhibit A- *(Acknowledgment by a Related Party Individual)* executed by the **same principal** who executed the firm Non-Disclosure Agreement.

(3) An Exhibit A- *(Acknowledgment by a Related Party Individual)* executed by the Security Information Manager named in paragraph 6, below.

(4) An Exhibit A- *(Acknowledgment by a Related Party Individual)* executed by any other member of your proposing team, now known that may require access to sensitive Port Authority information to assist in the preparation of your bid/proposal.

2. **Performance And Payment Bond**

   The prospective bidder must be able to obtain a Performance And Payment Bond for the amount 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**

   b. The Contractor and/or proposed sub-contractors must have all required NJ, NYS and / or NYC certifications and / or licenses to perform the work in accordance with codes, rules and regulations whether national or of the state where the work is to occur.

   Such certifications and/or licenses include but are not limited to those for the following work:
   
   - Electrical
   - Electronics
   - Systems Integration
   - Mechanical
   - Structural
5. Joint Ventures

The Authority will entertain requests for prequalification 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 the prospective bidder (i.e. members of the joint venture may meet the qualification requirement collectively.)

6. Proof of Information Security Controls

(a) Designation of Security Information Manager

The Pre-Qualified firms (and the awarded Contractor) 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 Security Handbook from the Port Authority’s website.

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

Individuals may also be required to be 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 prequalified firms at a time and location to be determined at a later date.

Each prospective bidder and each participant in a joint venture shall designate **at least one (1)** a Security Information Manager (a “SIM”) responsible for identifying members of their team who will need access to 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 their:

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 it with your response. Proof of SWAC issuance can be provided by submitting a photocopy of the face of the SWAC card. While you are not required to have a SIM with SWAC at the time of RTQ submission, you are highly encouraged to do so. Firms may supplement their response to provide proof of issuance of a SWAC credential after they are notified of their Prequalification determination.

**(b) Checklist for Project Team**

You should submit a Microsoft spreadsheet providing 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 should list all persons at your firm that may require access to Port Authority Confidential or Confidential and Privileged Information, and set forth their status as to whether they have (1) undergone Port Authority Information
Security Training; (2) executed a Port Authority NDA; (3) executed a Port Authority Exhibit A to the NDA; (4) executed an Exhibit B to the NDA; and (5) been issued a SWAC credential, if required.

Example Spreadsheet Illustration:

<table>
<thead>
<tr>
<th>Name</th>
<th>Trained?</th>
<th>NDA</th>
<th>Exhibit A (to NDA)</th>
<th>Exhibit B (to NDA)</th>
<th>SWAC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jason Jones (Principal, C.E.O)</td>
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<td>1/31/2013</td>
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<td>Noah Jacobs (Estimator)</td>
<td></td>
<td>2/12/2013</td>
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<td>1/13/2013</td>
<td>Yes</td>
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<td>Rodney Manning (SIM)</td>
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<td>1/12/2013</td>
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<td>Yes</td>
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<tr>
<td>Franklyn Benjamin, P.E. (Subcontractor)</td>
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<td>2/15/2013</td>
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7. 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 Contract requires prospective bidders to complete a BQQP as part of their RTQ. In addition, prospective bidders 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 8/23/13 to:

Suchetha Premchan  
The Port Authority of New York and New Jersey  
Procurement Department  
2 Montgomery Street, 3rd Floor  
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.
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.

☐ Does your firm have experience managing simultaneous work similar in complexity to that of the subject Contract at continuously operating, occupied, transportation or commercial facilities throughout the metropolitan area?

☐ Yes ☐ No

➤ If Yes, indicate project, locations, construction budget, owner, etc.
➢ If No, indicate how you plan on meeting this requirement.

___________________________________________________________________
___________________________________________________________________

❑ Does your firm have experience coordinating and/or working in and around active railways and within tunnel environments subject to specific site safety and operation requirements within the past ten (10) years?

☐ Yes  ☐ No

➢ If Yes, indicate project, locations, construction budget, owner, etc.

___________________________________________________________________
___________________________________________________________________

➢ If No, indicate how you plan on meeting this requirement:

___________________________________________________________________
___________________________________________________________________

❑ Indicate which part of the work indicated in Paragraph II.A. of the attached Request To Qualify (“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 Paragraph II.A. 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 subcontractor. Submit each project on one page in the following format.

SCHEDULE A - CONTRACTS COMPLETED:

<table>
<thead>
<tr>
<th>Project Name, Location and Description</th>
<th>Owner/ Name Address &amp; Tel No</th>
<th>Design Engineer*</th>
<th>Date Completed</th>
<th>Contract Amount</th>
<th>Percent age of Work Completed by Own Forces</th>
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*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:**

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Date started with Organization</th>
<th>Date started in Construction</th>
<th>Prior Positions and Experience in Construction</th>
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</table>
On Schedule C, below, list projects currently under construction (work on hand and bids submitted) by your firm. If 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: ____________________________________________

<table>
<thead>
<tr>
<th>Project Name, Location and Description</th>
<th>Owner, Name Address/ Tel No.</th>
<th>Design Engineer</th>
<th>Contract Amount</th>
<th>Scheduled Completion Date and Percentage Complete</th>
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<tr>
<td>Project Name, Location and Description</td>
<td>Owner Name, Address &amp; Tel No</td>
<td>Design Engineer*</td>
<td>Contract Amount</td>
<td>Low Bidder (Y/N)</td>
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SCHEDULE D: CURRENT BIDS SUBMITTED:
FIRM NAME: ____________________________________________
*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 III.B.4, if required?  ___ 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 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 DBE participation and how such goals were met or exceeded:

<table>
<thead>
<tr>
<th>Contract</th>
<th>Stated Goals</th>
<th>Actual % Obtained</th>
<th>Comments</th>
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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.

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)

________________________________________________________________________

Signature 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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