

**THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY**  
**REQUEST TO QUALIFY (“RTQ”)**  
**FOR**  
**CONTRACT PAT-640**  
**PATH – NEW YORK AND NEW JERSEY FACILITIES – BUILDING AND SITE**  
**IMPROVEMENTS VIA WORK ORDER**

**MAY 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 interstate compact 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 airports, interstate traffic through four 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 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.**

**II. PROJECT DESCRIPTION:**

The Authority wishes to pre-qualify firms to submit bids for Contract No. PAT-640, entitled “PATH – New York and New Jersey Facilities – Building and Site Improvements via Work Order”. This work will be performed at all PATH facilities. It is anticipated, but not guaranteed that the work required by the Contract may include, but may not necessarily be limited to the following:

**A. Scope of Work**

1. Work on an active railroad related to, but not limited to, miscellaneous work on or near active tracks, train yards, PATH tunnels and on PATH stations including electrical work, structural work and mechanical work. Strict coordination of the work with other contractors and PATH facility forces is required to limit disruption to PATH train operations.
2. Building construction work related to but not limited to, miscellaneous facility improvements including repair, rehabilitation, demolition and construction of various interior and exterior building system including: curtain wall, roof, concrete slab, ceiling, floor tile, interior finishes, construction, painting, mechanical, HVAC, electrical, electronics, sprinkler,

plumbing, conveying systems, interior landscaping and utility runs within buildings.

3. Site improvement work related to, but not limited to, repair, rehabilitation, demolition and construction of concrete and/or asphalt paving, landscaping, concrete pads, sidewalks, curbs, erosion control, cracks and slurry seals, irrigation, pavement striping, signage, traffic signals, electrical and communication ductbanks and wiring, drainage structures and piping, guide rails, concrete traffic barriers, exterior screening, exterior demising walls, fencing, various utility runs to building lines and maintenance of traffic and work area protection.

#### **B. Estimated Total Contract Price**

For information purposes only, PATH estimates that the maximum compensation for the aggregate of all work orders is \$2,000,000.

#### **C. Contract Schedule**

It is anticipated but it is not guaranteed that Bid Document(s) may be available to pre-qualified bidders August 30, 2013. It is the present intention of PATH to have all Work under the Contract completed within 24 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, III.A.2 and III.A.3. 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 C below.

##### **1. Minimum Experience of the Firm:**

The firm must have as a prime or general contractor completed or substantially completed as a prime or general contractor at least two (2) Contracts within the previous five (5) years of size, type and complexity comparable to that indicated in Paragraphs II A&B above.

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 Project Manager and Superintendant**

The firm's Project Manager/Superintendent must have a minimum of five (5) years construction experience on contracts comparable in size, type and complexity outlined in Paragraphs II.A.1, II.A.2 and II.A.3 and that involve performing work to active train tracks, tunnels and stations, electrical substations, restrictive work hours and construction staging conditions. Such conditions shall include, but not limited to, no construction activities allowed during peak hour conditions.

## **3. Specific Work Experience Critical to the Project**

Respondents must demonstrate construction experience on contracts comparable in size, type and complexity to that described in Paragraphs II.A.1, II.A.2 and II.A.3 that involve performing work to active train tracks, tunnels and stations, electrical substations, restrictive work hours and construction staging conditions. Such conditions shall include, but are not limited to, no construction activities being permitted during peak hour conditions.

## **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

### **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 Ratio**

The prospective bidder must submit a copy of the most recent Experience Modification Ratio (EMR) for itself as a measure of the respondent's safety record. If the ratio 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, NYS and / or NYC certifications and / or licenses to perform the work in accordance with codes, rules and regulations if applicable.

### **5. Joint Ventures**

PATH 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 to be the prospective bidder (i.e. members of the joint venture may meet the qualification requirement collectively.)

## **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 seven (7) total submissions of the required qualification information preferably, one (1) original, five (5) hard copies and one (1) copy in CD-Rom format to Emily Baxter in sufficient time so that the Authority receives it no later than 4:00 p.m. on **June 20, 2013** to:

Emily Baxter, Senior Buyer  
Procurement Department  
Port Authority of New York and New Jersey  
Two Montgomery Street, 3<sup>rd</sup> Floor  
Jersey City, NJ 07302

Late submittals may be rejected.

Any questions concerning this RTQ should be directed to Emily Baxter at [ebaxter@panynj.gov](mailto:ebaxter@panynj.gov). Neither Emily Baxter 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.

#### **IV. 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 OF NY & NJ**

**CONTRACTOR'S QUALIFICATION STATEMENT  
FOR  
PATH – NEW YORK AND NEW JERSEY FACILITIES – BUILDING AND  
SITE IMPROVEMENTS VIA WORK ORDER  
CONTRACT PAT-640**

MAY 2013

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**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:**

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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.

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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 subcontracting to another firm.

Work to be performed with own forces:

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Work to be performed by subcontractors:

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**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 and III.A.3**. 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.

**CONTRACTS COMPLETED:**

<b>Project Name, Location and Description</b>	<b>Owner/ Name Address &amp; Tel No</b>	<b>Design Engineer*</b>	<b>Date Completed</b>	<b>Contract Amount</b>	<b>Percent age of Work Comple ted by Own Forces</b>

**\*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/Superintendent** 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.

**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 current projects **currently under construction** by your firm. If a joint venture, list each joint venture partner's projects separately. Please follow format below.

**Current Work on Hand:**

**Firm:** \_\_\_\_\_

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

- On Schedule D, **below**, list projects for which bids have been submitted by your firm. If a joint venture, list each joint venture partner's projects separately. Please follow format below.

**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 certification(s) and/or license(s) under paragraph II.A, 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 M/WBE participation and how such goals were met or exceeded:

<b>Contract</b>	<b>Stated Goals</b>	<b>Actual % Obtained</b>	<b>Comments</b>

**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)

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**MAY 2013**

**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 (FOI Code) 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 which, if disclosed, would cause injury to the competitive position of the enterprise, and which information is identified by the Proposer as proprietary, as more fully set forth in the FOI Code, 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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DO NOT RETYPE.**