

**THE PORT AUTHORITY TRANS-HUDSON CORPORATION (PATH)
REQUEST TO QUALIFY (“RTQ”)**

FOR

**RTQ# 35137 - PATH – General Contracting Services for Salt Mitigation in Tunnels
A, B, E & F - Indefinite Quantity Contracts –2013 Through 2019**

October 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 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, including the Port Authority Trans-Hudson Corporation (“PATH”) provides the region with integrated transportation and trade services and operates facilities in connection therewith, including, but not limited to, five 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. All pre-qualified firms will be required to enter into an Indefinite Quantity Contract (“IQC”) prior to receiving Work Order/Bids.

Contracts awarded as a result of this RTQ 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

PATH wishes to pre-qualify prospective firms to submit bids for PATH General Contracting Services for Salt Mitigation in Tunnels A, B, E & F. Indefinite Quantity Contracts will be issued to the Pre-Qualified List over a period of 6 years, 2013 through 2019 for Work at PATH facilities located in New York and New Jersey. It is anticipated, but it is not guaranteed, that work required under the Contracts may include, but may not necessarily be limited to, the following:

A. Scope of work

1. Cleaning Operations & Protection of Equipment – Contractor shall clean tunnel infrastructure components listed below in order to reduce the chloride concentration to 30 ppm or less:
 - a. Cast Iron Rings
 - b. Protective Metal Blast Plates
 - c. Manholes (AC & DC)
 - d. Duct banks (AC & DC)
 - e. Direct Fixation Track Bed
 - f. Various structural & mechanical components Contractor shall protect all electrical and signal equipment during cleaning operations
 - g. Contractor shall hand wash certain infrastructure equipment
 - h. All wastewater run-off from said activities shall be collected and disposed of in accordance with all environmental rules, laws and regulations.

 2. Track Mechanical Systems – Remove and replace the following:
 - a. Fire protection system
 - b. Compressed Air lines
 - c. Pump Discharge lines

 3. Track Equipment – Remove and replace the following:
 - a. Running rail
 - b. Rail clips
 - c. Insulators

 4. Electrical, Signal and Communications – Remove and replace the following:
 - a. High Voltage Feeders (15KV AC/27 kV AC)
 - b. Traction Power Feeders (650 V DC)
 - c. Cable splicing
 - d. Circuit Breakers and Disconnect Switches
 - e. Contact rail (third rail) and Insulators
 - f. Low Voltage Electrical (277 V/480 V)
 - g. Lighting
 - h. Impedance bonds
 - i. Signals
 - j. Communications
 - k. Temporary Event Detection System (TEDS)
 - l. Corrosion Control System
-

B. Estimated Total Contract Costs

For information purposes only, PATH estimates that individual Work Order Contracts to be issued may be in the estimated range of \$150,000 to \$5 Million. The total amount of all work required under these Contracts will be in the estimated range of \$25 to \$30 million during this Phase I of the Project. Future Solicitations for IQC for Phase II of the Project will be issued at the discretion of PATH with the approval of the Board.

C. Contract Schedule

It is presently anticipated, but it is not guaranteed, that Bid Documents may be available to pre-qualified bidders on an As Needed Basis over the next six years starting in 2013 through 2019.

D. DBE Participation

The Contracts 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 pre-qualification, the Respondent must demonstrate to the satisfaction of the Chief Engineer of the Authority that it meets the minimum requirements of the RTQ as stated in Paragraphs III A.1 and III. A.2 below. 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 listed in Paragraph III A.1 a-c and Paragraph III A.2. 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

- a) The firm seeking to be pre-qualified must have a minimum of seven (7) years of construction experience working on projects of comparable size, type and complexity to that described in Paragraph II. A&B.
- b) The firm seeking to be pre-qualified must have, as prime or general contractor, completed or substantially completed, at least one (1) contract of

size, type and complexity comparable to that indicated in Paragraph II. A&B, with each project valued at \$10 Million or more.

c) The firm seeking to be pre-qualified must have Work experience in an active railroad tunnel environment.

The Respondent may also qualify if, during the time period stated above, the Respondent or persons or entities owning and controlling the Respondent have satisfactorily performed, as persons or entities 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/Superintendent :

The Respondent's Project Manager/Superintendent must have a minimum of five (5) years of construction experience on contracts comparable in size, type and complexity to that outlined in Paragraphs II.A&B. Work experience in an active railroad tunnel environment is required. Respondent shall provide resumes for staff proposed to hold these roles.

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 Respondent must complete and submit the attached documents. Responses that fail to adhere to this requirement may be excluded from consideration. The following attachments are incorporated herein and must be submitted:

A. Contractor's Qualification Statement

B. Agreement on Terms of Discussion

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

2. Performance And Payment Bond

The pre-qualified firms awarded Contracts will be required to obtain a Performance and Payment Bond for the amount indicated in each Contract from a surety company whose name appears on the current list of the Treasury Department of the United States as acceptable as a surety on federal contracts. Respondents must submit, with Responses to this RTQ, a letter from a surety company showing Respondent's bonding capacity.

3. Experience Modification Rate

The Respondent must submit a copy of its Experience Modification Rate (EMR) 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 pre-qualified firms awarded Contracts and/or approved proposed subcontractors must have all required New York and New Jersey certifications and/or licenses to perform the work in accordance with codes, rules and regulations, as 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 Respondent cannot demonstrate that it meets all of the required qualifications, then the Respondent may, with others, form a joint venture and request that the joint venture be deemed the Respondent (i.e. members of the joint venture may meet the qualification requirements collectively.)

6. Proof of Information Security Controls

(a) 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)** a 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 eight (8) copies of the required qualification information or preferably, one (1) hard copy and eight (8) 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 10/28/13** to:

Suchetha Premchan
The Port Authority of New York and New Jersey
Procurement Department
2 Montgomery Street, 3rd Floor
Jersey City, NJ 07302

It is necessary to carry valid photo identification when attempting to gain access into the building to hand-deliver proposals.

Any questions concerning this RTQ should be directed to Suchetha Premchan at spremchan@panynj.gov. Neither Ms. Premchan nor any employee of the Port Authority or PATH 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 Respondent 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/or PATH and mailed or delivered to the office designated by the Respondent in its response to this RTQ.

THE PORT AUTHORITY TRANS-HUDSON CORPORATION

CONTRACTOR'S QUALIFICATION STATEMENT

FOR

**RTQ 35137 - PATH – General Contracting Services for Salt Mitigation in
Tunnels A, B, E & F - Indefinite Quantity Contracts–**

2013 THROUGH 2019

October 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 No# of contact person if not individual mentioned above:

Check how bid will be submitted: Single Entity Joint Venture

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

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

Indicate which part of the work indicated in 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:

***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**, attached, 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.

Key Construction Supervision Personnel:

Name	Position	Date started with Organization	Date started in Construction	Prior Positions and Experience in Construction

--	--	--	--	--

- On **Schedule C**, attached, list current projects **currently under construction** (**work on hand and for bids submitted**) by your firm. If joint venture, list each joint venture partner's projects separately. Please follow format below and submit one page per contract.

Current Work on Hand:

Firm: _____

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 III.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 MBE/DBE/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? 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 a letter from your surety (a letter from a broker is unacceptable) confirming your firm's single limit and aggregate bonding capacity. The surety company name must appear on the current list of the Treasury Department of the United States as acceptable as a surety upon federal contracts.**

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)



INTENTIONALLY LEFT BLANK

**RTQ# 35137 - PATH – General Contracting Services for Salt Mitigation in Tunnels A, B, E & F Indefinite
Quantity Contract – 2013 Through 2019**

October 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 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)

ORIGINAL AND PHOTOCOPIES OF THIS PAGE ONLY. DO NOT RETYPE.