

# **THE PORT AUTHORITY OF NY & NJ**

## **REQUEST TO QUALIFY (RTQ)**

### **FOR**

### **CONSTRUCTION MANAGEMENT / GENERAL CONTRACTING SERVICES FOR THE LAGUARDIA AIRPORT CAPITAL INFRASTRUCTURE (LGACI) PROGRAM CONTRACT LGA-124.223**

**JUNE 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, four major regional 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 the performance of Construction Management and General Contracting (CM/GC) services to procure and administer multiple simultaneous construction projects as part of the LaGuardia Capital Infrastructure (LGACI) Program. Projects will be issued via Work Order and will require both building and site work at LaGuardia Airport (LGA). This may include but is not limited to roadway, utility, exit plaza, bridge and terminal related work. The work required by the Contract may include, but may not necessarily be limited to the following:

##### **A. Scope of Work**

###### **1. Construction Management / General Contracting Services**

###### **a. Pre-Construction Phase:**

- i. Provide a thorough constructability review of design documents,**

- ii. Provide information, estimates and schemes and participate in decisions regarding construction phasing, temporary facilities, and temporary access routes/detours that will minimize disruption to facility operations during construction,
  - iii. Provide information on construction materials, means and methods, systems, phasing and costs to assist the Authority and the design team,
  - iv. Review in-progress design documents and provide input and advice with respect to construction feasibility, alternative materials/methods and long-lead material procurements,
  - v. Review contract packages and suggest modifications to improve completeness or clarity,
  - vi. Recommend division of work to facilitate bidding and award of trade contracts, considering such factors as minimizing disruption to existing facilities, improving or accelerating construction completion, minimizing trade jurisdiction disputes and other related issues,
  - vii. Preparation of construction cost estimates for the project as requested,
  - viii. Assist the Authority in preparing the necessary documentation to obtain all environmental and administrative permits for individual contract packages.
  - ix. Conduct site visits for prospective subcontract bidders.
- b. Construction Phase:
- i. Solicit, conduct contract bidding, and enter into contract for all construction work except any which is specifically exempted by the Authority,
  - ii. Maintain a qualified, full time Superintendent for each project with necessary staff at the job-site to coordinate and direct the work. Staff may include but not be limited to a Quality Control Manager, Project Controls Scheduling Engineer and a Project Site Safety Manager,
  - iii. Develop and maintain a critical path schedule and keep the Authority fully advised of work progress status,
  - iv. Make available to the Authority all cost and budget estimates, including support materials and records. Provide monthly reports of

actual costs and work progress as compared to estimated cost projections and scheduled work progress. Explain all variations from the plan and provide information as requested by the Authority,

- v. Maintain and update construction phasing as the work progresses,
  - vi. Establish an effective quality control plan for all construction and monitor the work as it is being performed to assure that materials furnished and quality of work performed are in accordance with the plan and construction documents,
  - vii. Establish a job-site safety program,
  - viii. Establish programs for maintaining current job-site records, labor relations, and DBE, MBE, WBE, and SBE participation,
  - ix. Review and process all invoices from subcontractors and material suppliers in accordance with the terms of their contracts. Review and resolve, on behalf of the Authority, all subcontractors' and/or material suppliers' requests for additional costs,
  - x. Schedule and conduct job meetings to ensure orderly progress of the work. Prepare and distribute record of the meetings to meeting attendees and the Authority,
  - xi. Keep the Authority apprised of all disputes between the CM/GC and their subcontractors and/or suppliers and recommend resolution to the Authority.
- c. Closeout Phase:
- i. Perform the necessary work to satisfy the Authority that the facility operates as designed before the facility is deemed substantially complete, including but not limited to, witnessing and managing site and system acceptance testing including maintaining and resolving punch list items.
  - ii. Coordinate and expedite the submittal of record documents,
  - iii. Organize and index operations and maintenance manuals,
  - iv. Coordinate and provide for all required training of Authority personnel in the operation of installed equipment and systems,
  - v. Assist in securing occupancy permits where required,

- vi. Provide continuing change order review and processing services. Prepare final reports, including collection and presentation of supporting documentation, of all construction costs. Obtain lien waivers from all subcontractors and material suppliers if approved by the PA Law Department

## **2. Work Orders**

The diverse range of projects requiring CM/GC execution may include, but may not necessarily be limited to:

- i. Clearing, grubbing, removal, and disposal of vegetation and debris
- ii. Removal, replacement and relocation of utilities
- iii. Removal, replacement and relocation of roadways
- iv. Construction of an aeronautical lighting vault
- v. Construction of a pedestrian connector bridge
- vi. Construction of parking lot toll plazas
- vii. Relocation and construction of staff offices

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

1. For information purposes only, the Authority estimates that the total work required will be in the range of \$150 - \$200 million.
2. CM/GC compensation will consist of a fee based on cost of construction of the work orders listed in A.2. and a direct labor multiplier for CM/GC staff employed at the project office or on site. Provisions for compensation and payments will provided in Contract LGA-124.223.

### **C. Contract Schedule**

It is presently anticipated but it is not guaranteed that Bid Document(s) may be available to pre-qualified bidders in August 2013. It is the present intention of the Authority to have all Work under the Contract completed within three years after the award of the Contract.

## **III. SUBMITTAL INSTRUCTIONS AND CONTENT**

### **A. Requirements**

The selection process will evaluate the ability of each prospective CM/GC firm to provide constructability review, cost estimating, scheduling, construction management including sub contractor bid solicitation and general contracting services, among other services, for delivering Work Orders under aggressive schedules and within budget.

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.

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

a. Overall Experience

- i. Experience as a CM/GC contracting firm conducting business operations in at least one major metropolitan area for a minimum of ten (10) years
- ii. Experience as a CM/GC with expertise in procuring and managing multiple subcontractors within a confined work site in at least one major metropolitan area for a minimum of ten (10) years
- iii. Experience in successfully completing five (5) contracts, each in excess of \$10 million (construction in place), in performing a similar scope of services to those described in this document, in at least one major metropolitan area within the last ten (10) years
- iv. Demonstrate ability to provide or obtain dedicated staff to manage simultaneous Work Orders.

b. Financial Reliability

- i. Demonstrate financial strength, bonding capacity and insurability to perform the scope of services described in this document within the estimated cost and duration described within paragraphs II.B and II.C.

**2. Minimum Qualifications of the Project Manager and General Superintendent**

a. Project Manager

- i. Demonstrate having at least ten (10) years experience in construction management and general contracting on contracts that are comparable in size, type and complexity to the subject Contract, including the last five (5) years in a Project Manager or similar role. This must include management of construction at occupied/operational facilities;

b. General Superintendent

- i. Demonstrate having at least fifteen (15) years experience in a General Superintendent's role and responsibility for

- construction projects containing complex staging, coordinating and aggressive project schedules; and
- ii. Experience within the last five (5) years managing the construction of contracts that are comparable in size, type and complexity to the subject Contract, while maintaining pedestrian and vehicular access to existing facilities (may be obtained from multiple projects rather than from a single project containing all the features).

## **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 Experience Modification Ratio (EMR) for itself and for each of its named Subcontractors as a measure of the respondent's safety record. If the ratio exceeds 1.2, a written explanation shall be provided.

### **4. Staff Resource Utilization Plan**

A staff resource utilization plan demonstrating sufficient staff availability to support this contract including but not limited to Superintendent(s), Quality Control Manager, Project Controls Scheduling Engineer, and Project Site Safety Manager.

## **5. Required Licenses/Certifications**

The Contractor and/or proposed sub-contractors must have all required NYS and / or NYC certifications and / or licenses to perform the work in accordance with codes, rules and regulations if applicable.

## **6. Joint Ventures**

The Authority will entertain requests for prequalification from single entities only

## **7. Name and Phone Number of Security Information Manager**

The Contract may require access to Port Authority Confidential and Privileged Security 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". To that end, the Security Capital Program maintains a secure collaborative Program Website called Livelink to store, share and distribute all Project documentation. For any information deemed to be Confidential & Privileged Security Information/SSI, Livelink is the only acceptable means of electronically distributing and sharing such information. Each prospective bidder and each participant in a joint venture shall designate a Security Information Manager ("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.

### **NOTE:**

**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**

**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) copies of the required qualification information or preferably, one (1) original, five (5) hard copies and one (1) copy in CD-Rom format to ebaxter@panynj.gov in sufficient time so that the Authority receives it no later than 4:00 p.m. on **July 16, 2013** to:

Emily Baxter  
The Port Authority of New York and New Jersey  
Procurement Department  
2 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. Neither Ms. 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

**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 OF NY & NJ**

## **CONTRACTOR'S QUALIFICATION STATEMENT**

**FOR**

**CONTRACT LGA-124.223 - LAGUARDIA AIRPORT – CONSTRUCTION  
MANAGEMENT / GENERAL CONTRACTING SERVICES**

**FOR THE**

**LAGUARDIA AIRPORT CAPITAL INFRASTRUCTURE (LGACI) PROGRAM**

**JUNE 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:**

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 For Qualification Information ("RFQ") 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:

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

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

**B. Relevant Experience and Past Performance (Continued):**

- On **Schedule B**, attached, list the names and qualifications of the individuals who will function as the **Project Manager** and the **General 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

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

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

**B. Relevant Experience and Past Performance (Continued):**

- 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 in one page per contract

**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>

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

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

**B. Relevant Experience and Past Performance:**

**Schedule D: Current Bids Submitted:**

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

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

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**\*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.5 of the Request to Qualify document, 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:

Contract	Stated Goals	Actual % Obtained	Comments

**Financial Information:**

Does your firm have the required financial strength required under paragraph III.A.1.b. of the Request to Qualify document  Yes  No

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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**JUNE 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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