



**REQUEST FOR QUALIFICATION STATEMENTS
("RFQS")**

FOR

**MASTER AGREEMENTS FOR GENERAL
CONSTRUCTION SERVICES ON A WORK
ORDER BASIS –
AIRTRAIN NEWARK REPLACEMENT
PROJECT**

December 29, 2022

RFQS# 6000001282



I. BACKGROUND

For background with respect to The Port Authority of New York and New Jersey (the “Authority” or “Port Authority”), see www.panynj.gov. Additionally, an electronic version of the Authority’s most recent Annual Report is available at <http://corpinfo.panynj.gov/pages/annual-reports/>.

II. INTRODUCTION

The Port Authority of New York & New Jersey (“Port Authority” or “Authority”) seeks to award multiple Master Agreements (also referred to as “Contracts”) for General Construction Services on a Work Order basis for the AirTrain Newark Replacement Project (the “Project”) (see below). The Authority anticipates awarding Master Agreements to multiple firms, who will compete for Work Orders. Only firms that have an executed Master Agreement will receive requests for bids for future Work Orders. Request for bids on future Work Orders may include, but not be limited to: the specific scope of work to be performed under the Work Order, any specific terms and conditions, notice of the application of any requirements as per any funding, bid bonds, if required, and a bid form. Unless otherwise stated in the request for bid, award of each Work Order shall be made to the responsible firm submitting the lowest responsive bid.

Firms that execute a Master Agreement will have the opportunity to compete for Work Orders, but execution of a Master Agreement does not guarantee that a firm will be awarded a Work Order.

Where Federal funding is anticipated the specific scope of work and associated federal requirements will be specified under the individual federally compliant Notice of Proposed Work Order. Firms will be required to comply with all applicable Federal requirements. Only firms that are prequalified under List B are eligible to propose on Work Orders that are anticipated to be Federally funded. Federal funding sources may include but are not limited to the Federal Transit Administration (“FTA”), Federal Aviation Administration (“FAA”), Federal Highway Administration (“FHWA”) and/or other Federal partners as applicable.

III. PROJECT DESCRIPTION

The new AirTrain will be a 2.5-mile elevated guideway automated people mover system and the centerpiece of the modernization of Newark Liberty International Airport. The new AirTrain will replace the Existing AirTrain, which opened in 1996 and is reaching the end of its useful life making it susceptible to more frequent breakdowns and delays. The new AirTrain will be designed to maximize customer convenience with seamless connections to other forms of transportation and provide modern wayfinding and amenities in AirTrain stations and in vehicles.

In an effort to expedite the completion of the Project, the Port Authority intends to maintain a roster of pre-qualified firms under contract to perform general

construction services for work that is required but is not explicitly covered under any existing contract including but not limited to work that will enable and facilitate the new AirTrain construction.

To that end, the Port Authority intends to execute Master Agreements (also referred to as “Contracts”) with multiple firms that prequalify under this RFQS. Work Orders issued under these Master Agreements may include, but may not necessarily be limited to, the following work types:

- Partial Demolition and Removal
- General Site Work (clearing, grading, grubbing, fencing, gates, restoration...)
- Abatement and Removal
- Rough Carpentry
- Construction Staging
- Drainage
- Lighting
- Field Investigation of Existing Structures
- Architectural (finishes, curtain walls, etc.)
- Foundations
- Structural Steel
- Concrete
- Plumbing
- HVAC
- Electrical, Electronics and Communications
- Fireproofing/ Fire Protection
- Hoists, Elevators, Escalators
- Masonry
- Roofing
- Utility Surveys and Relocations
- Geotech Surveys and Testing and Borings
- Environmental Borings and Testing
- Pile and / or Caisson Load Testing
- Paving
- Signing and Striping
- Maintenance of Traffic
- Temporary Signage
- Temporary Structures

A. Estimated Value Range for Work Orders

Firms may submit qualifications for one or more of the ranges below, but in every case must demonstrate compliance with the requirements below for the subject range. Firms shall indicate in their submissions which range(s) it is proposing to be qualified for.

Range A is set aside for Local Port Authority Certified M/WBE firms.

Range B are open to all firms.

1. Range A – Up to \$2,500,000 (Small Contracts Program set-aside)*
2. Range B – \$2,500,000 to \$20,000,000

*Only Local (as defined in Section VI 3 Local Businesses) Port Authority certified minority and women business enterprises (“MWBE”) firms can qualify for Range A. Local MWBE firms can also qualify for Range B.

The Authority currently estimates that the total amount of Work to be awarded under all Work Orders will be between \$50,000,000 to \$65,000,000.

The Authority expects to issue multiple Master Agreements in each range, to firms that meet the Evaluation Criteria set forth in Section IV below.

B. Contract Schedule

The anticipated duration for each Master Agreement is seven (7) years, with two (2), one (1) year extension options.

C. Security

The Authority operates facilities and systems at which terrorism or other criminal acts may have a significant impact on life safety and key infrastructure. The Authority reserves the right to impose multiple layers of security requirements on the performance of the Work issued under the Master Agreements, including on the Contractor, subcontractors, and materialmen, depending upon the level of security required, as determined by the Authority.

All stages may require Contractor-provided security that meets airside operations criteria. All vehicles and equipment will be escorted to the airside work areas. All Contractor’s employees must be accompanied by a guard(s). The Contractor may be required to delineate majority of work areas with low-mass barriers and provide spaced security personnel 24 hours a day.

D. Schedule & Reporting

In order to ensure compliance with aggressive construction schedule(s), upon award of each request for bids contractors may be required to submit a detailed milestone schedule with daily schedules for each section of work.

During construction, the Contractor shall submit timely baseline schedule updates and weekly look-ahead construction updates and demonstrate concurrence with the baseline schedule and milestones.

E. Inquiries/Point of Contact

Please direct all inquiries regarding this Master Agreement RFQS to the individual(s) named below, only. This individual is the sole point of contact throughout the entire Master Agreement RFQS process until award. Neither this individual nor any other employee of the Authority is authorized to interpret the Master Agreement RFQS or give additional information as to its requirements. Such interpretation or additional information will be given only by written addendum to this Master Agreement RFQS.

Name: Megan Connors, Procurement Manager
Procurement Department
Port Authority of NY & NJ

Email: MeConnors@panynj.gov

IV. SELECTION PROCESS

A. Qualification Requirements

To be considered for the award of a Master Agreement in any range, the proposing firm must provide documentary evidence, to the satisfaction of the Authority, that the firm meets the following minimum requirements for each range that the firm is requesting to be qualified.

Company brochures shall not be submitted for the purpose of demonstrating experience and technical expertise. Submittals must be tailored to the specific requirements of this RFQS. If a firm cannot demonstrate that it meets all of the below mentioned qualifications, then that firm may form a joint venture with others and request that the joint venture be considered as a proposing firm, as set forth in Section IV (C) below.

Range A – Qualification Requirements

1. Minimum Experience of the Firm:

As a prime or general contractor, with at least five (5) years of construction experience on two (2) or more projects of similar type to those listed in Section III, with multiple disciplines or subcontractor management that each have a total construction cost of at least \$500,000 per project.

2. Minimum Qualifications of Key Staff (Project Manager, Superintendent and Site Safety Manager(s))

The firm's Project Manager, Superintendent, and Site Safety Manager(s) must each have a minimum of five (5) years construction experience on two (2) or more projects of similar type to those listed in Section III, each with a total construction cost of at least \$1 million.

Range B - Qualification Requirements

1. Minimum Experience of the Firm:

- a) As a prime or general contractor, with at least five (5) years of construction experience on projects of similar type to those listed in Section III, each with a total construction cost of at least \$5 million; and
- b) As a prime or general contractor, during the last five (5) years, it has successfully completed or substantially completed at least two (2) construction contracts of a similar type to those listed in Section III, each with a total construction cost of at least \$5 million, with multiple disciplines and subcontractor management.

2. Minimum Qualifications of Key Staff (Project Manager, Superintendent, and Site Safety Manager(s))

The firm's Project Manager, Superintendent, and Site Safety Manager(s) must each have a minimum of ten (10) years construction experience on contracts of similar types to those listed in Section III, each with a total construction cost of at least \$5 million.

The firm may also qualify if, during the time period stated above, it has (or persons or entities owning and controlling it have) owned and controlled another firm that has satisfactorily and successfully performed and completed services of similar scope to those anticipated to be required in Work Orders issued under these Master Agreements.

B. Evaluation Criteria

Firms (including joint ventures) that are found to satisfy the submission requirements of this RFQS will be evaluated by a Selection Committee, which will determine which firm(s) (or joint venture(s)) may proceed with the award of a Master Agreement.

The Selection Committee will be composed of Port Authority personnel and will base its evaluation on a Pass/Fail basis considering the requirements in Section III above.

Scope specific requirements – Individual Work Orders may include additional requirements based on funding and third-party agreements that may be specific to the scope of work.

The Port Authority expects that the Firm's proposed team and workforce reflect the full diversity of the community that the Port Authority serves. The Port Authority also is strongly committed to providing opportunities to businesses

and individuals who historically have been underrepresented. The Port Authority seeks submissions that reflect that the values of diversity and inclusion are core to the Firm's business policies and practices.

C. 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 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.)

V. SUBMISSION INSTRUCTIONS AND CONTENT

A. The Port Authority has transitioned to an entirely digital submission process for the receipt of proposals in response to RFQs, as detailed below.

B. Your Submission must be uploaded to Bonfire in sufficient time so that the Authority receives it **by 2:00 p.m. Eastern Time (ET) on FEBRUARY 15, 2023.**

The Authority shall accept only those submissions in electronic format for which the submission or modification is completed at the time of the Bid Due Date. Submissions will be accepted by upload only, at <https://panynj.bonfirehub.com/portal/?tab=login> and must be uploaded and received by the Authority by 2:00 PM EST on the date indicated in order to be considered. Hand deliveries and mailed deliveries (e.g., UPS, USPS) will not be accepted. The Port Authority may request an original, signed paper submission at any time following the Bid Due Date. If requested, such original, signed paper submission must be identical to the electronic submission. In the event of a discrepancy, the electronic submission shall control.

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

1. Attachments

In order to expedite the evaluation of this pre-qualification based on 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 – submit a complete form for each range you are proposing to be qualified for.

B. Attachment I – Agreement on Terms of Discussion

C. Business Qualification Questionnaire (BQQ) Package –
Accessible by clicking on the following link:
<http://www.panynj.gov/port-authority/en/help-center/oig.html>

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

These Items should not be included with your RFQS.

2. Letter stating whether the Respondent is requesting qualification for one or more of the ranges specified in Section III above.

3. Firm Qualifications and Experience

For each range you are proposing to be qualified for, Respondent shall submit, with the RFQS response, written verifiable supporting documentation that it has satisfied or exceeded the requirements set forth for the applicable range(s) in Section III above.

4. Staff Qualifications and Experience

For each range you are proposing to be qualified for, Respondent shall submit with the RFQS response, resume(s) or supporting documentation demonstrating that Respondent meets or exceeds the requirements set forth for the applicable range(s) in Section III above.

5. Safety Record

As part of your submission, please provide, at a minimum, your firm's safety record of for the past three (3) years and the documentation below. In addition, please include the safety record for all your firm's affiliates. Provide the following data regarding your firm's safety record:

- Experience Modification Rate – Provide your firm's Insurance Experience Modification Rate (EMR) for the last three (3) years and supply a letter from your firm's insurance broker or carrier indicating the EMR of your firm for the last three (3) years. If the rate exceeds 1.2, a written explanation shall be provided.

6. Financial Responsibility

A. Bond Requirements – Range B Only

Bid, Performance, and Payment bonds may be required for each Work Order issued under Range B. If you are submitting to be qualified under Range B, include with your response 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.

Bid bonds may be required for individual Work Orders in Range B. Individual Work Order requests will state whether Bid Bonds are required. Performance and Payment bonds or other acceptable forms of security may be required, based on the financial capacity of the selected firm(s).

B. Financial Responsibility – Range A and B

A financial capacity review will be required for Work Orders awarded under Range B.

Typical requirements for a financial capacity review includes but is not limited to the following information:

- i. Certified financial statements, including applicable notes, reflecting your firm's assets, liabilities, net worth, revenues, expenses, profit or loss and cash flow for the most recent calendar year or your most recent fiscal year.
- ii. Where such certified financial statements are not available, then either reviewed or compiled statements from an independent accountant setting forth the information described in the first bullet above.
- iii. Where neither certified financial statements nor financial statements from an independent accountant are available, then self-prepared financial statements containing the information described in (i) above. However, such financial statements must be accompanied by a signed copy of your firm's most recent federal income tax return and a statement in writing, signed by a duly authorized representative of your firm, that such statements accurately reflect your firm's current financial condition.
- iv. Where statements submitted pursuant to (i) and (ii) above show your firm's position as of a date more than forty-five (45) days prior to the date on which RFQS responses are due, also submit a statement in writing signed by your firm's duly authorized representative, that your firm's present financial condition is at least as good as that shown on the statements submitted.
- v. A statement of work which your firm has on hand, including any work on which a bid has been submitted, containing a description of the work, the dollar value, the location by city and state, the current percentage of completion and the expected date for

completion.

- vi. Fill in below the name and address of your firm's primary banking representative handling your firm's account.

Banking Institution: _____

Address: _____

Bank Representative: _____

Telephone Number: _____

- Fill in below your firm's Federal Employer Identification Number (i.e., the number assigned to firms by the federal government for tax purposes); your firm's Dun and Bradstreet number, if any; the name of any other credit service to which your firm has furnished information and the number, if any, assigned by such service to your firm's account.

Federal Employer
Identification No: _____

Dun & Bradstreet No.: _____

Other Credit Service: _____

Account No.: _____

VI. REQUIREMENTS

1. REQUIRED LICENSES/CERTIFICATIONS

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

2. M/W/DBE/SDVOB SUBCONTRACTING PROVISIONS

The Port Authority has a long-standing practice of making its business opportunities available to Minority Business Enterprises (MBEs) and Women-Owned Businesses (WBEs) and has taken affirmative steps to encourage such firms to seek business opportunities with the Port Authority. Firms awarded Work Orders will be required to use good faith efforts to achieve a goal of 20 percent (20%)

participation by Authority certified MBEs and 10 percent (10%) participation by Authority certified WBEs to provide for meaningful participation by the Authority certified M/WBEs as defined in this document, in the purchasing and subcontracting opportunities associated with this RFQS and any resultant Work Order, including purchase of equipment, supplies and labor services.

Work Orders that are anticipated to receive federal funding may be subject to Disadvantaged Business Enterprise ("DBE") regulations contained in Part 26 of Title 49 of the Code of Federal Regulations.

Individual Work Orders, if when issued against this Master Agreement will indicate if federal funding is anticipated and will specify the corresponding MBE/WBE or DBE goal.

It is also Port Authority policy to encourage service-disabled veteran-owned business enterprises ("SDVOB") to participate in agency contracts. As such, firms awarded Work Orders will be required to make a good-faith effort to achieve an SDVOB subcontracting goal of 3%.

Each Work Order MWBE plan must be approved by the Office of Diversity, Equity and Inclusion (ODEI) prior to award of each Work Order. MWBE or DBE and SDVOB plans shall be developed in consultation with ODEI Compliance and shall include concurrence on list of firms to be considered for MWBE, DBE and SDVOB subcontracting opportunities. MWBE plans shall include a diverse pool of firms, i.e., diversity within diversity-spread across all underrepresented groups. Failure to meet approved subcontracting goals may result in liquidated damages, as may be set forth in each Work Order.

3. LOCAL BUSINESSES

Each contractor issued a Master Agreement will be required to make a good faith effort to maximize the use of local business enterprises on each Work Order. Firms shall give, wherever possible and practicable, priority to local workers/laborers.

"Priority Zones" shall mean business entities residing within the localities in the following order of prioritization: as a first priority, the municipalities of Newark and Elizabeth ("Zone 1"); as a subset of zone 1, priority zone 1A includes all municipalities within a 5-mile radius of the outside border of the Airport; as a second priority, cities in Essex, Union and Hudson counties that are not inclusive of priority zone 1; as a third priority, the Counties of Middlesex and Bergen Counties; as a fourth priority, within the Port District in the State of New Jersey; as a fifth priority, within the Port District in the State of New York; and as a sixth priority, anywhere else outside of the Port District (hereinafter "Priority Zones" shall mean from these localities and in this order of prioritization, and "Local" or "Local Zones" shall mean from the first and second Priority Zones and in that order of prioritization).

4. CONFLICT OF INTEREST

If the Respondent or any employee, agent or subcontractor of the Respondent may have, or may give the appearance of having, a possible conflict of interest, the Respondent shall include in its proposal a statement indicating the nature of the conflict. The Authority reserves the right to disqualify the Respondent if, in the Authority's sole discretion, any interest disclosed from any source could create, or give the appearance of, a conflict of interest. The Authority's determination regarding any question(s) of conflict of interest shall be final.

5. PERFORMANCE EVALUATION FOR CONSTRUCTION CONTRACTOR SOURCE SELECTION POLICY

In accordance with the Authority's "Performance Evaluation for Construction Contractor Source Selection Policy," which can be found at <https://www.panynj.gov/business-opportunities/become-vendor.html>, Respondents should be aware that Port Authority will consider any Respondent's Unsatisfactory or Marginal Performance Evaluation as an important factor in determining whether the Respondent is deemed qualified, or recommended for ultimate contract award.

6. VENDOR CODE OF ETHICS

The Port Authority has adopted a Code of Ethics for Port Authority Vendors which can be found at: <https://www.panynj.gov/business-opportunities/become-vendor.html>

7. NOTIFICATION

Notification as to whether a Respondent has been pre-qualified will be made only by a notice in writing, signed by the Chief Procurement Officer or her designated representative on behalf of the Authority and electronically delivered to the designated representative identified by the Respondent in its response to this RFQS.

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

CONTRACTOR'S QUALIFICATION STATEMENT

FOR

RFQS# 6000001282

General Construction Services on a Work Order Basis –AirTrain Newark Replacement Project

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 Paragraphs II and II.A of the attached Request for Qualification Statements ("RFQS") 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 Section III of this RFQS**. 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	Name of Owner(s), Address, Tel No. & Email	Design Engineer*	Date Completed	Contract Amount**	Percentage of Work Completed by Own Forces

***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 **meeting of the requirements indicated in Section III of this RFQS** of the individuals who will function as the **Project Manager, Superintendent, and Site Safety Manager(s)** as well as those of any other **key staff** 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 STAFF:

Name	Position	Date Started with Organization	Date Started in Construction Field	Prior Positions and Experience in Construction

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

SCHEDULE C - CURRENT WORK ON HAND:

FIRM NAME: _____

[illegible]

- ☐ 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, one page per contract.

SCHEDULE D: CURRENT BIDS SUBMITTED:

FIRM NAME: _____

Project Name, Location and Description	Name of Owner(s) Address, Tel No. & Email	Design Engineer*	Bid Amount	Low Bidder (Y/N)	Anticipated Award Date/Contract Duration (If Applicable)

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

- ☐ On **Schedule E** below, provide information about past Performance Evaluations on Port Authority or PATH contracts. Submit a copy of this Schedule E completed for each entity that comprises the joint venture. Attach additional pages as necessary.

SCHEDULE E: CONTRACTOR PAST PERFORMANCE

Firm Name: _____

Indicate below whether your firm's performance on a past Port Authority or PATH contract(s) has been rated less than satisfactory (e.g., received a Performance Evaluation rating of "Marginal" or "Unsatisfactory") within three years prior to submission of this RFQS.

- ☐ No.
- ☐ Yes. Further information (including rating(s) and contract(s)):

_____.

Indicate below whether an affiliate, subsidiary or parent company of your firm has been rated less than satisfactory (e.g., received a Performance Evaluation rating of "Marginal" or "Unsatisfactory") within three years prior to submission of this RFQS on a past Port Authority or PATH contract(s).

- ☐ No.
- ☐ Yes. Further information (including rating(s) and contract(s)):

_____.

Indicate below whether an entity in which your firm was a substantial component or over which your firm exerted substantial control has been rated less than satisfactory (e.g., received a Performance Evaluation rating of "Marginal" or "Unsatisfactory") within three years prior to submission of this RFQS on a past Port Authority or PATH contract(s).

- ☐ No.
- ☐ Yes. Further information (including entity (ies), rating(s) and contract(s)):

_____.

Indicate below whether an entity which has some of the same key senior personnel as your firm has been rated less than satisfactory (e.g., received a Performance Evaluation rating of “Marginal” or “Unsatisfactory”) within three years prior to submission of this RFQS) on a past Port Authority or PATH contract(s).

- ☐ No.
- ☐ Yes. Further information (including entity(ies), rating(s) and contract(s)):

In accordance with the Authority’s “Performance Evaluation for Construction Contractor Source Selection” policy, which can be found at <https://www.panynj.gov/business-opportunities/become-vendor.html>, the Port Authority will not qualify, or recommend for award, any prospective bidder or bidder that has received one or more Marginal or Unsatisfactory ratings unless, in the sole discretion of the Chief Engineer or his or her designee with information from the evaluation committee, the prospective bidder or bidder has provided substantive information showing that the root cause of the adverse performance has been identified and definitively corrected or the circumstances giving rise to the Performance Evaluations have changed and will not reoccur. The determination of the Chief Engineer or his or her designee will be conclusive.

- ☐ Does your firm have the necessary certification(s) and/or license(s) required under the RFQS?

_____ **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 to 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 as per the Contract requirements?

_____ **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

C. 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.**

E. Certification

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

(Type or print business name of Firm)

By:

(Signature of Officer of Firm)

(Print name of Officer of Firm)

Dated: _____

(Type or print title of officer of Firm)

Sworn to before me

this _____ day of _____ 20____

Notary Public

.....

ATTACHMENT I

RFQS# 6000001282

General Construction Services on a Work Order Basis – AirTrain Newark Replacement
Project

AGREEMENT ON TERMS OF DISCUSSION

The Port Authority's receipt or discussion of any information (including information contained in any proposal, vendor qualification(s), 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.

Any information (including information contained in any proposal, vendor qualification(s), ideas, models, drawings, or other material communicated or exhibited by us or on our behalf) provided in connection with this procurement is subject to the provisions of the Port Authority Public Records Access Policy adopted by the Port Authority's Board of Commissioners, which may be found on the Port Authority website at: <http://corpinfo.panynj.gov/documents/Access-to-Port-Authority-Public-Records/>. The foregoing applies to any information, whether or not given at the invitation of the Authority.

(Company)

(Signature)

(Title)

(Date)

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DO NOT RETYPE.