

THE PORT AUTHORITY OF NY & NJ

REQUEST TO QUALIFY (“RTQ”)

FOR

RTQ # 59024

IMMEDIATE REPAIRS WORK ORDER CONTRACTS NOVEMBER 2019 THROUGH NOVEMBER 2023

I. INTRODUCTION:

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/>.

Responses to this Request to Qualify (“RTQ”) are due on the Response Due Date and time set forth in 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 bid to future solicitations on the specific projects described below.

Note: In this RTQ, “firm,” “Contractor,” “you,” “Bidder,” “Respondent” and “Proposer” shall refer to the same party.

Please note that the submission of qualifications under the referenced RTQ shall remain open throughout the solicitation period(s). Firms will be qualified on a rolling, ongoing basis. It is anticipated that the bid document(s) will be available to pre-qualified bidders on call-in basis as needed. **Firms are encouraged to submit their qualification information early, as the evaluation process and security screening process may take time, and may result in a delay to receipt of bid documents.**

II. PROJECT DESCRIPTION AND REQUIREMENTS:

The Authority is seeking proposals from firms interested in participating in a Pre-Qualification Program for three (3) separate immediate repairs work order contracts (“Work Order Contracts” or “Contracts”) on a call-in basis as needed. This prequalified list will be for a duration of four (4) years. This work will be performed at various Port Authority facilities, including:

- a. Newark Liberty International and Teterboro Airports
- b. John F. Kennedy (JFK) International Airport
- c. Facilities for Real Estate Services and Planning & Regional Development Departments that includes the following facilities in the states of New York and New Jersey:
 1. Essex County Resource Recovery Center, Newark, New Jersey
 2. Newark Legal Center Building and Pedestrian Bridge, Newark, New Jersey
 3. Hoboken Waterfront Blocks A, B and C Buildings, Hoboken, New Jersey

4. 2 Montgomery Street Office Building, Jersey City, New Jersey
5. Elizabeth Industrial Park Warehouse Building, Elizabeth, New Jersey
6. Hoboken Ferry Terminal, Hoboken, New Jersey
7. Bathgate Industrial Park Buildings, Bronx, New York
8. Teleport Center Buildings, Staten Island, New York
9. Battery Park City Ferry Terminal, New York, New York

Through a separate prequalification process, the Authority is currently working to establish a pre-qualified list of Small Business Enterprises contractors that will be afforded the opportunity to bid on future work orders for Real Estate Services and Planning & Regional Development Departments at various facilities.

Contract documents will be issued only to firms that have been selected pursuant to this RTQ to be placed on a pre-qualified list that the Authority anticipates will be valid for the years 2019 through 2023.

Contracts will be awarded based on a competitive bidding process in which all firms placed on the pre-qualified list will be asked to participate for a given project in the sole discretion of the Authority.

It is anticipated but it is not guaranteed that work required by the Contract may include, but may not necessarily be limited to the following:

A. Scope of Work

The contracts provide for immediate repair work orders and inspection support work orders, to be issued by the Chief Engineer, to ensure public safety and maintain essential facility operations. These work orders will provide a mechanism for resolving structural integrity problems requiring immediate repairs, as required, to ensure public safety and/or maintain essential facility operations.

The firm shall, at a minimum:

1. Provide labor, materials and equipment not more than twenty-four (24) hours after notification of the need for an immediate repair by the Chief Engineer.
2. Respond with all required construction disciplines. In addition, the firm shall demonstrate the ability to obtain construction permits, such as lane closure permits, and shall also be able to close lanes on major highways, sidewalk closure permits, road-opening permits, environmental permits and other permits required by state and local jurisdictions. All work needs to be completed in accordance with current federal, state and local environmental, health and safety regulations.
3. Provide inspection support services including elevated access, lane closures, providing various types of equipment for the use of inspection team, removal/replacement of architectural finishes such as ceilings and cladding, etc. within seven (7) days notice by the Chief Engineer.
4. Complete multiple immediate repair and inspection support service responses simultaneously.

The firm must possess administrative and management procedures to i) maintain detailed financial records and ii) schedule and manage multiple responses. In addition, the firm should have available written safety procedures for the various element of work.

B. Estimated Contract Price

The total cost of each Work Order Contract shall not exceed \$2,500,000 for Newark Liberty International and Teterboro Airport contract and \$1,500,000 for JFK International Airport contract and for Real Estate Services and Planning & Regional Development Departments contract.

C. Contract Schedule

It is the present intention of the Authority to have all work under the Work Order Contracts completed within four (4) years after the date of the acceptance of any of each successful bid. However, if a work order is issued prior to the end date of the Work Order Contracts, including any option periods that may be executed, that work or part thereof can be performed after the aforementioned contract period. The Contractor shall perform such work and the Contract shall continue in full force and effect until the completion of such a work order.

D. Security

The Port Authority of New York and New Jersey operates facilities and systems at which terrorism or other criminal acts may have a significant impact on life safety and key infrastructures. The Authority reserves the right to impose multiple layers of security requirements on the performance of the Work of the Contract, 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 twenty-four (24) hours a day.

E. Schedule and Reporting

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

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

F. Submission of Information

The Authority will accept proposals on the Contract only from pre-qualified bidders. Notwithstanding pre-qualification to bid, Bidders will be required to submit certain additional information with their bids, and, if so required, shall submit further information after the submission of bids, all as will be stated in the Contract. The Authority reserves the right at any time to modify, waive or vary the terms and conditions of this RTQ Information.

G. M/WBE 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 Contracts will be required to use good faith efforts to achieve a goal of twenty percent (20%) participation by Authority certified MBEs and ten percent (10%) participation Authority certified 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.

To ensure meaningful participation of MBEs and WBEs on this Contract, the Authority has set good faith Contract goals of twenty percent (20%) for firms owned and controlled by minorities, and 10 percent for firms owned and controlled by women, of the Estimated Total Contract Price of each Work Order Contract. In the event that this Contract is awarded to an Authority certified MBE or WBE firm, and such firm is performing at least thirty percent (30%) of the scope of work, the ten percent (10%) WBE goal and/or twenty percent (20%) MBE goal requirement, as appropriate, will be met. If the Contract is awarded to an Authority certified MBE and WBE firm, both the ten percent (10%) WBE goal and twenty percent (20%) goal requirement, will be met.

III.SUBMITTAL INSTRUCTIONS AND CONTENT

A. Requirements

To be considered for prequalification, the prospective Bidder must demonstrate to the satisfaction of the Chief Engineer of the Authority that it meets the minimum requirement of this RTQ as stated in sections 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 as per Scope of Work indicated in Section II.A and II.B of this RTQ. If the prospective Bidder cannot demonstrate that it meets all of the below mentioned qualifications, then the prospective Bidder may with others form a joint venture and request that the joint venture be pre-qualified as set forth herein.

1. Minimum Experience of the Firm:

The firm seeking to be pre-qualified must demonstrate the following minimum experience:

- A) During the last five (5) years it has successfully completed or substantially completed as a prime or general contractor at least one (1) contract of size, type and complexity comparable to that indicated in Sections II.A and B above, each in excess of approximately \$1.5 million.
- B) It has a minimum of three (3) years experience in performing work as the prime contractor for steel repairs of various structure types including bridges, buildings and waterfront structures during the last five (5) years.

- C) It has at least one (1) previous contract, during the last three (3) years, demonstrating that has the capability to provide equipment, sufficient labor forces, to successfully complete the work and maintain multiple responses.
- D) Has a minimum of three (3) years experience in performing work on a call-in basis or emergency response on a twenty-four (24) hour/ seven (7) days a week basis.

Alternatively, the prospective Bidder may also meet this minimum experience requirement if, during the time period as stated above, the prospective Bidder or persons or entities owning and controlling the prospective bidding firm, has satisfactorily performed, as owning and controlling another firm, and 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 Superintendent

The prospective Bidder's Project Manager and Superintendent must each have a minimum of ten (10) years construction experience, during the last ten (10) years, on contracts comparable in size, type and complexity to those outlined in Section II.A and B and Section II.A.1.

B. Submittals

The following items must be submitted in order to be considered for pre- qualification on this specific RTQ Submission:

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
- B. Attachment A - Agreement on Terms of Discussion

2. Performance and Payment Bond

The prospective bidder must be able to, upon award, obtain a Performance and Payment Bond for the amount of the 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 upon federal contracts. A letter from the surety company must be submitted with your response to this RTQ. The Contractor, upon award, may be required to obtain and provide a Performance and Payment Bond for the Work Order 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 upon federal contracts. A letter from the surety company must be submitted with your response to this RTQ.

3. Experience Modification Rate

The prospective Bidder must submit a copy of its Experience Modification Rate (EMR) for itself and for each of its named subcontractors as a measure of the Prospective Bidder's safety record. If the rate exceeds 1.2, a written explanation

shall be provided.

4. Resumes

The Prospective Bidder must provide resumes of the proposed Project Manager and Superintendent.

5. Required Licenses/Certifications

The prospective Bidder and/or proposed sub-contractors must, upon award, have all required applicable New York State and/or New York City and New Jersey State certifications and/or licenses to perform the work in accordance with all applicable codes, rules, and regulations if applicable.

7. 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.)

C. 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>, Prospective Bidders should be aware that Port Authority will consider any prospective Bidder's Unsatisfactory or Marginal Performance Evaluation as an important factor in determining whether the prospective Bidder is deemed qualified, or recommended for ultimate contract award.

IV. FINANCIAL INFORMATION

The Respondent will be required to demonstrate that it is financially capable of performing Contracts in the dollar amount based on scope of work. The determination of the Proposer's financial qualifications and ability to perform such Contracts will be in the sole discretion of the Port Authority. The Respondent shall submit, with its Proposal, the following:

- A.** Certified Financial Statements, including applicable notes, reflecting the Proposer's assets, liabilities, net worth, revenues, expenses, profit or loss and cash flow for the most recent year or the Proposer's most recent fiscal year.
- B.** If the Certified Financial Statements above are not available, reviewed statements from an independent accountant setting forth the aforementioned information shall be provided.

Where the statements submitted pursuant to aforementioned subparagraphs (a) and (b) do not cover a period which includes a date not more than forty-five (45) days prior to the Proposal Due Date, then the Proposer shall also submit a statement in writing, signed by an executive officer or his/her designee, that the present financial

condition of the Proposer is at least as good as that shown on the statements submitted.

- C. A statement of work which the Proposer has on hand, including any work on which a bid and/or proposal has been submitted, containing a description of the work, the annual dollar value, the location by city and state, the current percentage of completion, the expected date for completion, and the name of an individual most familiar with the proposer's work on these jobs.
- D. The name and address of the Proposer's banking institution, chief banking representative handling the Proposer's account, the Proposer's Federal Employer Identification Number (i.e., the number assigned to firms by the Federal Government for tax purposes), the Proposer's Dun and Bradstreet number, if any, the name of any credit service to which the Proposer furnished information and the number, if any, assigned by such service to the Proposer's account.

All Proposals will be reviewed by the Port Authority to determine if they adhere to the format required in this RTQ, if they contain all required submissions and if the Proposer has the experience, skill and financial ability to perform the work that is anticipated.

V. SUBMISSION INSTRUCTIONS:

Prospective Bidders must clearly indicate the RTQ Number (RTQ #59024) and Title ("Immediate Repairs Work Order Contracts") on the outside of any package or document submitted in connection with this Contract.

The prospective Bidder shall submit four (4) hard copies of the required qualification information and one (1) copies in CD-Rom format to Megan Lancelot-Zielinski at the below address in sufficient time so that the Authority receives it no later than **2:00 p.m. on October 30, 2019.**

PLEASE NOTE THE FOLLOWING:

All proposals must be delivered in sealed envelopes and/or packages. The Procurement Department is located at 4 World Trade Center (4 WTC), located at 150 Greenwich St., 21st Floor, New York, New York, 10007.

PLEASE READ THE FOLLOWING DELIVERY REQUIREMENTS CAREFULLY.

Bidders assume all responsibility for delays or problems in delivery.

Proposal submissions will be received at:

The Port Authority of New York and New Jersey
Attention: Megan Lancelot-Zielinski
Procurement Department
4 World Trade Center
150 Greenwich Street, 21st Floor
New York, NY 10007

At this address, proposals **will be accepted only via the United States Postal Service, UPS, FED EX or hand delivery.**

Clearly mark the solicitation number on the outermost package.

1. There is extensive security at the World Trade Center Site. You must present a valid

government-issued photo ID to enter 4 WTC. Individuals without packages or carrying small packages, envelopes or boxes that can be conveyed by hand or on a hand truck may enter through the lobby. All packages, envelopes and boxes may be subject to additional security screening.

2. There is no parking available at 4 WTC/150 Greenwich Street, and parking in the surrounding area is extremely limited.
3. Express carrier deliveries by commercial vehicles may be made only via vendors approved by Silverstein Properties, the WTC Property Manager, through the Vehicle Security Center (VSC). Presently, UPS is the only delivery vendor with approved recurring delivery times. UPS makes deliveries to 4 WTC around 9:30 a.m. each day. Please plan your submission accordingly.
4. As additional express carriers may be approved by Silverstein Properties and scheduled for recurring delivery times with the VSC, this information may be updated.
5. Under certain circumstances, a solicitation may allow for a commercial vehicle to be approved to make a delivery in accordance with the VSC procedures. If applicable, the specific solicitation document will include that information.
6. The Port Authority assumes no responsibility for delays, including, but not limited to, delays caused by any delivery services, building access procedures, or security requirements.
7. All proposals must be delivered in sealed envelopes and/or packages. Address the Proposal as provided above. In case of conflict, the reproducible original of the Proposal shall take precedence over material on the compact discs.
8. The cover of your submittal must include the RTQ Number (as stated above) and the RTQ title.
9. In each submission to the Authority, including any return address label, information on the compact disc and information on the reproducible original and copies of the Proposal, the Proposer shall use its **FULL LEGAL NAME WITHOUT ABBREVIATIONS**. Failure to comply with this requirement may lead to delays in contract award and contract payments, which shall be the responsibility of the Proposer.
10. Provide the address of your firm to which any written correspondence should be sent.
11. The Authority assumes no responsibility for delays caused by any delivery services.
12. If your proposal is to be hand-delivered, please note that only individuals with proper identification (e.g. photo identification) will be permitted access to the Authority's offices. Individuals without proper identification shall be turned away and their packages not accepted.

Any questions concerning this RTQ should be directed to Megan Lancelot-Zielinski at mlancelotzielinski@panynj.gov. Neither Megan Lancelot-Zielinski 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.

VI. CONFLICT OF INTEREST

If the Prospective Bidder or any employee, agent or subcontractor of the Prospective Bidder may have, or may give the appearance of a possible conflict of interest, the Prospective Bidder shall include in its proposal a statement indicating the nature of the conflict. The Authority reserves the right to disqualify the Prospective Bidder if, in its 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.

VII. NOTIFICATION

Notification as to whether a prospective Bidder 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 mailed or delivered to the office designated by the prospective bidder in its response to this RTQ.

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

CONTRACTOR'S QUALIFICATION STATEMENT FOR RTQ #59024 -IMMEDIATE REPAIRS WORK ORDER CONTRACTS NOVEMBER 2019 THROUGH NOVEMBER 2023

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.

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- ☐ Indicate which part of the work indicated in Paragraphs II.A and II.B of the attached Request to Qualify Information ("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:

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 Paragraphs II.A and II.B**. If a joint venture, list each joint venture partner's projects separately. Indicate if the contract was performed by your firm's own forces or by a subcontractor. Submit each project on one page in the following format.

SCHEDULE A - CONTRACTS COMPLETED:

Project Name, Location and Description	Owner/ Name, Address & Tel No. *	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 of the individual who will function as the **Project Manager**, as well as those of any other **key construction supervision personnel** to be assigned to the Contract along with the anticipated function and relevant experience of each person in the format below.
Attach resumes.

SCHEDULE B - KEY CONSTRUCTION SUPERVISION PERSONNEL:

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

- ❑ On **Schedule C**, below, list projects **currently under construction** (**work on hand**) by your firm. If 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: _____

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

***Include Name, Address and Phone No. of Reference Contact**

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

SCHEDULE D: CURRENT BIDS SUBMITTED:**FIRM NAME:** _____

Project Name, Location and Description	Owner Name, Address & Tel No.*	Design Engineer	Contract Amount	Anticipated award Date/Contract Duration

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

Does your firm have the required certification(s) and/or license(s) required under paragraph III.B.4 of the RTQ, 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 (5) 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/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.**

D. 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)

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STATE OF _____)
COUNTY OF _____)ss:

Name of Notary (print) _____

(Affix Notary Stamp Here) _____
My Commission
Expires_____

(Notary Signature)

(Date)