

Bidding and Understanding Construction Contracts

Policy

The Port Authority's general policy is to solicit competitive bids for construction work. Generally, upon receipt, all bids are publicly opened and read, and the contract is awarded to the lowest qualified bidder. The award process includes determining whether the bid proposed is in proper form; the bidder has the technical qualifications, requisite experience, and financial resources to perform the work; and the bidder is a responsible contractor. The Port Authority reserves the right to accept or reject any and all bids and/or to accept that bid or bids that best suit the public interest.

Public Advertisements

Publicly advertised bids typically appear in the Engineering News Record. Advertisements may also appear in various New York and New Jersey newspapers. Publicly advertised bids are also posted in the [Current Bids and Opportunities](#).

Other Solicitation Methods

For contracts that require special construction, experience or expertise, or have critical facility operation constraints or special situations, the Port Authority uses, as appropriate, other solicitation methods such as Requests to Qualify (RTQ), Verification and Validation Process (VVP), select lists and sole source. Generally, RTQs and VVPs are publicly advertised. In these instances, prospective bidders may obtain the document from the Authority's website. For RTQs, the Port Authority evaluates the information provided and invites qualified bidders to submit bids. For VVPs, the Port Authority will determine whether the Contractor meets certain security requirements to obtain bid documents.

How to Register and Get on Bid Lists

You should complete a Vendor Registration/Profile by logging on to <https://www.paprocure.com>. When a need for a particular commodity or service arises, the Buyer solicits appropriate firms from specific bid lists for which vendors have registered. Inclusion on the various lists is not a determination of bidder qualifications. Instead, when a bidder submits the lowest responsive bid, the Authority reviews that bidder's qualifications to deliver the specific goods or services.

Viewing and Obtaining Bid Documents

Bid documents for publicly advertised contracts are available for viewing at the Port Authority's Construction Contract Desk, located at 2 Montgomery Street, 1st Floor, Jersey City, NJ

Each set of bid documents may be obtained upon receipt of a non-refundable payment of \$100.00. Only company checks or money orders payable to the order of the Port Authority of New York and New Jersey will be accepted. To confirm availability of the bid documents before coming to view or purchase, go to [Bid/Proposal Advertisements, Construction](#). Because of enhanced security measures, please bring proper photo identification (i.e. valid driver's license and company ID) when coming to view or pick up contract documents.

If you wish to mail company checks or money orders for contract documents for publicly advertised contracts, please send them to:

The Port Authority of New York and New Jersey
Construction Contract Desk
2 Montgomery Street, 1st Floor
Jersey City, NJ 07302

Please include the contract number and title on the company check or money order.

Submitting Bids

Sealed proposals for Port Authority construction contracts are usually received at the Procurement Department, Attention Bid/Proposal Custodian, 4 World Trade Center, 150 Greenwich Street, 21st Floor, New York, NY 10007 on the date and time indicated in the bid document. Bids are publicly opened and read at that time. Contractors are formal bid openings. Because of enhanced security measures, please bring proper photo identification (i.e. valid driver's license and company ID) when coming to bid openings.

Specific directions for bidding each Port Authority construction contract including date, time, place of bid opening and the name of the contact person for inquiries are contained in the bid document package and in the advertisement. Any changes regarding this information will be included in contract addenda issued to the companies who purchase contract documents.

The name and return address of the bidder as well as the contract number should be indicated clearly on the outside of the envelope. All bids must be sealed. **It is the responsibility of the bidder to ensure that a bid is delivered in a timely manner.** Whenever practical, it is recommended that bids be hand-delivered several days in advance of the due date. If a bid is delivered by mail, whether US Postal Service or private mail delivery such as UPS or FedEx, please note that due to enhanced security measures such delivery should be made several days in advance of the bid receipt date. Use of "Express Mail" type packaging, whether US Postal Service or private mail, is not recommended as the packaging obscures the nature of the contents and may delay delivery of the bid.

Prospective bidders are urged to resolve all questions concerning their proposal with the contact person listed in the advertisement and in the contract package prior to submitting their bid as any exceptions or qualifications made to the Port Authority's contract documents are deemed to render the proposal non-responsive. Non-responsive proposals are not considered bids.

Minority and Women-Owned Business Enterprises (M/WBE)

The Port Authority sets good faith M/WBE subcontracting goals for most of its contracts that are valued in excess of \$500,000. These goals are set on a contract-by-contract basis. Such contracts include a list of Port Authority-certified M/WBE firms. Disadvantaged Business Enterprises (DBEs) requirements will be included on projects that receive Federal funding as stipulated by Federal regulations. To learn more about this program please go to the [M/W/S/DBE Program](#) page.

Subcontracting Opportunities

Port Authority policy is to enter into contracts with "prime" contractors to ensure undivided responsibility for its work. Any subcontracting that takes place is the complete responsibility of the prime contractor. However, the Port Authority invites potential subcontractors to call to find out the names of the "plan holders" prior to a contract's bid date. For information on plan holders, please call the Construction Contract Desk at (973) 792-3935. Bid results can also be obtained from the [Contract Award Status](#) page on this site.

The Port Authority sets good faith M/WBE subcontracting goals for most of its contracts that are valued in excess of \$500,000. These goals are set on a contract-by-contract basis. Such contracts include a list of Port Authority certified M/WBE firms. Disadvantaged Business Enterprises (DBEs) requirements will be included on projects that receive Federal funding as stipulated by Federal regulations.

Contractor Responsibility and Integrity

The Port Authority's policy is to award construction contracts only to "responsible" contractors. The contract documents require that each bidder certify that it has never been indicted, convicted, suspended, debarred or terminated by any governmental agency; never failed to pay taxes; and never been the subject of a criminal investigation or a civil anti-trust investigation by any governmental agency. If the bidder cannot make such certification, the bidder is required to furnish with its bid a signed statement that sets forth the reasons therefore. The inability to make such certification does not in and of itself disqualify a bidder. In each instance, the Port Authority evaluates the reason provided by the bidders. Failure to disclose such information is viewed as bearing on the bidder's responsibility and integrity. As part of the review of an apparent low bidder's qualifications prior to award, the Port Authority reviews the contract documents submitted with the bid and performs a search of various databases to determine if there is any information regarding the low bidder, which may adversely affect the bidder's responsibility

and integrity. If adverse information is obtained, the bidder is given a further opportunity to explain the adverse information or the reasons why such information was not disclosed as part of the bid information.

Should the Port Authority's evaluation conclude that the information adversely affects the responsibility and integrity of the low bidder, a hearing is held where the low bidder is given an opportunity to demonstrate to hearing officers designated by the Port Authority that it is a "responsible" contractor. A determination is then made whether or not to award the contract to the low bidder.

Contact Us

If you have any questions about the Port Authority bidding and contracts process, please direct them to:

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