

NEW JERSEY TRANSIT CORPORATION

NOTICE TO CONTRACTORS

INVITATION FOR BID NO. 21-027

SIGNALS AND COMMUNICATIONS RESILIENCE PROGRAM - ENGINEERED GRAVITY WALL TYPE BIN SYSTEM

Notice is hereby given that this is an electronic bid submission. Electronic bids will be received via the Internet until 2:00 P.M. on **Tuesday June 8, 2021** by NJ TRANSIT for the Signals and Communications Resilience Program - Engineered Gravity Wall Type Bin System.

Bids for the project will be downloaded from the Bid Express website on the scheduled Bid Due Date (subject to change by Addenda) at 2:00 P.M. on **Tuesday June 8, 2021**, and publicly opened and read immediately thereafter. The Bidder must upload its bid prior to the hour named so that it is included in the project download. Late bids cannot be accepted. This is the only way to submit a bid for this project; paper bids will not be accepted.

The work under this Invitation for Bid (IFB) generally consists of but is not limited to the purchase of twenty-three (23) engineered gravity wall type bin system that are to be installed by New Jersey Transit Corporation (NJ TRANSIT) on its rail systems over the span of two (2) years. All work must be in strict conformance with the specifications provided in the Bid Documents.

In order to obtain all pertinent Bid Documents, interested firms must register with BID EXPRESS at <https://www.bidexpress.com>. To subscribe, follow instructions on the website. The fee schedule is available on the website. In order to submit a bid, NJ TRANSIT recommends that Bidders apply for a digital ID at least seven (7) business days prior to the Bid Due Date. All fees are directly payable to Bid Express. General navigation (registering, setting up to bid electronically, and solicitation review) of www.bidexpress.com prior to actual selection of a solicitation for bidding is free.

A Pre-bid Conference has been scheduled for 11:00 A.M Eastern Time on **Monday April 26, 2021**. The Pre-bid Conference will be held utilizing a telephone and video conference via Microsoft Teams. For access information for the Pre-bid Conference, please contact Samantha Chavanga, by e-mailing schavanga@njtransit.com. Bidders are advised that attendance at the Pre-bid Conference is strongly recommended.

Bidders will be required to download Microsoft Teams, located at <https://teams.microsoft.com/>, prior to the Pre-bid Conference, in order to access the web video conference and view the presentation. Upon confirmation of your firm's RSVP, NJ TRANSIT will forward an invitation for the video conference.

Contractors and subcontractors are also required to comply with the State of New Jersey, Division of Revenue and Enterprise Services Business Registration Certificate requirements (N.J.S.A. 52:32-44). Contractors or Subcontractors shall not engage in the performance of any work, unless the Contractor or Subcontractor is registered with the Department of Treasury Division of Revenue and Enterprise Services, as required. In addition, the requirements of N.J.S.A. 19:44A-20.14 et seq, Executive Order 117 (2008) apply to this project.

Bidders are required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27, regarding Equal Employment Opportunity Laws and Regulations. NJ TRANSIT requires bidders utilizing Disadvantaged Business Enterprise (DBE) subcontractors/vendors/suppliers to comply with all aspects of NJ TRANSIT's DBE Program in the use of DBE's. This is a Race Neutral project

In accordance with N.J.S.A. 27:25-11(b)(3) and N.J.A.C. 16:72-2.2, Bidders are notified that a bid bond in the amount of ten percent (10%) of the bid price is required with their Bids.

April 9, 2021

**THIS IS AN ELECTRONIC BID.
PAPER BID SUBMISSIONS WILL NOT BE ACCEPTED.**

**NEW JERSEY TRANSIT (NJ TRANSIT) will receive bids for: BID NO. 21-027
Signals and Communications Resilience Program - Engineered Gravity Wall Type
Bin System**

This Project is being bid by use of an electronic bidding process. Electronic bidding information is available on NJ TRANSIT's electronic bidding website: www.bidexpress.com. A free registration is required to access the Bid Documents. The Bidder shall download all bid documents from the website. NJ TRANSIT assumes no responsibility for errors or omissions in the downloaded documents except as specifically provided for in the Contract Documents. The Bidder shall address questions or problems with downloading or using the SmartForms™ solicitation, not the requirements of the Contract, to:

NJ TRANSIT Bid Express Administrator
E-Mail: intakeunit@njtransit.com

or

Bid Express Customer Support
Tel: (888) 352-2439
FAX: (888)971-4191
E-Mail: support@bidexpress.com

In order to bid, users must have a digital ID. Bidder digital IDs can take up to seven (7) calendar days to obtain. There are also associated costs for obtaining bids. Please plan accordingly. You may submit bids as early as possible as bids are held at BidExpress.com until the bid opening. You may resubmit bids as many times as you need to, however only your latest bid is valid.

A. This Invitation for Bids (IFB) electronic bidding file package contains the following Contract Documents available for download and fillable forms on NJ TRANSIT's electronic bidding website: www.bidexpress.com

Electronic Bidding File Contract Documents and Exhibits	
Instructions to Bidders	Available for download in the electronic bidding file.
Contract (General Provisions and Technical Specifications)	Available for download in the electronic bidding file.
Bid Price Form	Fillable form in the electronic bidding file.
Sample Bid Bond Form	Available for download in the electronic bidding file.
Non-Collusion Affidavit	Fillable form in the electronic bidding file.
Debarment, Suspension and Other Responsibility Matters	Fillable form in the electronic bidding file.
Contractor's Certification of Eligibility	Fillable form in the electronic bidding file.
Request for Change Form	Available for download in the electronic bidding file.
Mandatory Equal Employment Opportunity (EEO) Language	Available for download in the electronic bidding file.
NJ TRANSIT Corporation's Protest Procedure	Available for download in the electronic bidding file.
Buy America Certification	Fillable form in the electronic bidding file.
Certification for Contracts, Grants, Loans and Cooperative Agreements	Fillable form in the electronic bidding file.
Affidavit of Compliance/ NJ TRANSIT's Code of Ethics for Vendors	Fillable form in the electronic bidding file.
Prevention of Drug and Alcohol Abuse in Transit Operations Certification	Fillable form in the electronic bidding file.
Disclosure of Investment Activities in Iran	Available for download in the electronic bidding file.
Ownership Disclosure Form	Available for download in the electronic bidding file.
Source Disclosure Certification (For Service Procurements Only)	Fillable form in the electronic bidding file.
NJ TRANSIT Corporation's DBE Requirements for Federal Procurement Activities and Forms	Available for download in the electronic bidding file.
Addenda Acknowledgement Form	Fillable form in the electronic bidding file.
Certification of No Tax Liability or Felony Conviction	Fillable form in the electronic bidding file.
Statement of Joint Venture	Available for download in the electronic bidding file.
Asset Management Plan Sample	Available for download in the electronic

B. FORMS TO BE SUBMITTED VIA NJ TRANSIT's ELECTRONIC BIDDING WEBSITE: WWW.BIDEXPRESS.COM (or as otherwise indicated below)

1. All Bidders shall submit the following with their Bid:
 - . Bid Price Form
 - . Bid Bond or other acceptable Bid Security
 - . Non-Collusion Affidavit
 - . Debarment, Suspension and Other Responsibility Matters
 - . Contractor's Certification of Eligibility
 - . Buy America Certification
 - . Certification for Contracts, Grants, Loans and Cooperative Agreements
 - . New Jersey Code of Ethics Affidavit of Compliance
 - . Prevention of Drug and Alcohol Abuse in Transit Operations Certification
 - . Ownership Disclosure Form
 - . Addenda Acknowledgement Form
 - . Certification of No Tax Liability or Felony Conviction
 - . Statement of Joint Venture (if applicable)
2. Consistent with Governor Murphy's Executive Orders 103, 104 and 107 on COVID 19, NJ TRANSIT is committed to continue procurement operations to the maximum extent practicable. Accordingly, in consideration of the health, safety, and welfare of the agency employees and the bidding community alike, the public bid opening for the Signals and Communications Resilience Program - Engineered Gravity Wall Type Bin System which is scheduled for **Tuesday June 8, 2021 at 2:00pm** will be by CONFERENCE CALL ONLY. Microsoft Teams Meeting Dial-In: 1-862-294-4371
Conference ID: 771 881 178#

Bids must be received by www.bidexpress.com no later than **Tuesday June 8, 2021 at 2:00pm**. NJ TRANSIT will not accept any bids received after that time.

All Bidders should submit the following with the Bid but shall submit it within the indicated number of days after Bid Opening:

- DBE Forms (Within five (5) calendar** days of Bid Opening)
- Source Disclosure Certification Form (For Service Procurements Only)(Within five (5) calendar** days of Bid Opening)
- Disclosure of Investment Activities in Iran Form (due anytime prior to contract award)

****NOTE: If a form or notification submission required for this IFB is measured in calendar days and, if the last day is a Saturday, Sunday, or a legal holiday, the submission period continues to run until the end of the next day that is not a**

Saturday, Sunday, or legal holiday.

3. Bids may be modified or withdrawn in writing up to the Bid opening time.
4. Pursuant to N.J.S.A. 27:25-11, Bidders shall include a **Bid Security** equal to ten percent (10%) of the total bid price. Bid security may be in the form of a bid bond, cashier's check, certified check, or letter of credit. Cash shall not be considered an acceptable form of bid security. If multiple or alternate Bids are submitted, the security shall be equal to ten percent (10%) of the maximum bid price submitted. The Bidder shall ensure that the Bid Bond is properly completed and furnished by a corporation or corporations authorized to issue surety bonds in the State of New Jersey and listed in the current U.S. Treasury Department Circular 570 as of the date for the receipt of Bids and made payable to the New Jersey Transit Corporation.

For bidders submitting as a joint venture, the bid bond should include the name of the joint venture but may also include any or all of the individual entities comprising the joint venture.

Bidders may supply either an electronic bid bond or a paper bid bond.

Whenever the Bid Security accompanying the Bid is a Letter of Credit, it shall be issued by an "insured bank" within the meaning of the Act creating the Federal Deposit Insurance Corporation (12 U.S.C. 1811). When the Bid Security accompanying the Bid is a Cashier's Check or a Certified Check, it shall be drawn on an account with one of the banks identified in this paragraph.

Cashier's Checks, Certified Checks or Irrevocable Letters of Credit based on accounts with, or guaranteed by, persons, corporations or institutions other than those identified in the preceding paragraph shall not be considered acceptable Bid Security and the Bid shall be declared non-responsive.

All forms of Bid Security shall be valid for a minimum of one hundred and twenty calendar (120) days from the date of bid opening. If not, the Bid Security shall not be considered acceptable, and the Bid shall be declared non-responsive.

Electronic

If the Bid Security accompanying the Bid is an electronic Bid Bond, the Bidder shall choose one of two sureties available on the website. Bidder must complete the electronic bond form from the surety website and enter the electronic bid bond number in the Electronic Bid Bond section **in the space provided in the electronic bidding file.**

Paper

Whenever the Bid Security accompanying the Bid is a Bid Bond in non-electronic form, the Bidder shall ensure that the Bid Bond is properly completed and furnished by a corporation or corporations authorized to issue surety bonds in the State of New Jersey and listed in the current U.S. Treasury Department Circular 570 as of the date for the receipt of Bids and made payable to the New Jersey Transit Corporation.

Types of Paper Bid Bonds

The types of acceptable paper bid bonds are: Letter of credit, Cashier's Check, Certified Check, or Irrevocable letter of Credit. A sample Bid Bond is **available for download with the electronic bidding documents**.

Delivery of Paper Bid Bond

The Bid Bond shall be delivered to NJ TRANSIT's Procurement Intake Unit located at One Penn Plaza East, 6th Floor, Newark, NJ 07105, prior to the time and date set for the opening of bids. Failure to deliver such Bid Bond to NJ TRANSIT's Procurement Intake Unit prior to the time set for the opening of bids shall result in rejection of the bid as non-responsive.

5. In accordance with N.J.S.A. 52:32-44, all New Jersey and out of State business organizations must obtain a Business Registration Certificate (BRC) from the State of New Jersey, Department of the Treasury, Division of Revenue and Enterprise Services, prior to the time a contract is awarded or authorized by NJ TRANSIT.

The Bidder must submit its BRC and that of any named Subcontractor prior to the time the contract is awarded. No contract will be awarded without proof of business registration with the Department of the Treasury, Division of Revenue and Enterprise Services.

No contract with a Subcontractor shall be awarded by any Contractor unless the Subcontractor first provides proof of valid business registration.

Any questions in this regard can be directed to the Division of Revenue and Enterprise Services at (609) 292-1730. The business registration form (Form NJ-REG) can be found on-line at <http://www.state.nj.us/treasury/revenue/busregcert.shtml>.

6. Pursuant to N.J.S.A. 52:25-24.2, Bidders must submit an **"Ownership Disclosure Form"** prior to or with its Bid by uploading the document to Bid Express. For joint ventures, each individual entity comprising the joint venture must submit their own ownership disclosure form, by uploading each responsive form in the space provided on Bid Express.
7. (For Services Procurement Only) In accordance with N.J.S.A. 52:34-13.2, Bidders should submit a **"Source Disclosure Certification Form"** for all service contracts in

the space provided in the electronic bidding file. If the information is not submitted with the Bid, it shall be submitted within five (5) calendar days of Bid opening.

Failure to submit the Source Disclosure Certification Form shall preclude award of a contract to the bidder.

8. Pursuant to N.J.S.A. 52:32-55, a Bidder that is identified on a list created pursuant to such law by the New Jersey Department of the Treasury as a person or entity engaging in investment activities in Iran as described in such law, shall be ineligible to, and shall not, be awarded any contract with NJ TRANSIT. As required by such law, the Bidder must complete the certification entitled “**Disclosure of Investment Activities in Iran**” prior to the contract award to attest under penalty of perjury, that neither the person or entity nor any of its parents, subsidiaries or affiliates is identified on the Department of Treasury’s Chapter 25 list as a person or entity engaging in investment activities in Iran. Failure to complete the certification prior to contract award will preclude award of the contract to the Bidder. For joint ventures, each individual entity comprising the joint venture must submit their own Iran Disclosure form, by submitting the form to NJ TRANSIT’s contract specialist prior to contract award.
9. Disadvantaged Business Enterprise (DBE) Goal Assignment

This is a Race Neutral project. NJ TRANSIT requires bidders utilizing Disadvantaged Business Enterprise (DBE) subcontractors/vendors/suppliers to comply with all aspects of NJ TRANSIT’s DBE Program in the use of DBE’s. All NJ Unified Certification Program (NJUCP) certified DBE firms, including suppliers, are eligible to participate in this contract.

NJ TRANSIT’s DBE Program is accorded the same priority as compliance with all other legal obligations required by the USDOT. Contractors shall comply with the DBE Program requirements in the award and administration of NJ TRANSIT contracts. Failure by the Contractor to carry out these requirements shall constitute a breach of the contract, which may result in the termination of the contract or other such remedy, as NJ TRANSIT deems appropriate.

10. DBE Disadvantaged Business Enterprise (DBE) Program Compliance Requirements

The Bidder/Contractor shall refer to the “DBE Requirements for Federal Procurement Activities” available for download with the electronic bidding documents for instructions, guidance, and explanations for DBE Program obligations for Construction Contracts and subcontracts. For this Contract, the apparent low Bidder and the second low Bidder shall identify all DBE and non-DBE subcontractors and suppliers proposed to participate in and those solicited for this Contract, and shall complete and submit the mandatory DBE Form A – First Tier DBE Utilization, DBE Form A1 – Bidder Solicitation and Contractor Information, DBE Form A2 – Non-DBE Subcontractor Utilization, and DBE Form B – Intent to Perform as a 1ST Tier DBE. The apparent low Bidder and the second low Bidder must also submit a current DBE Certification Profile print out from

the NJUCP DBE Business Directory at www.njucp.dbesystem.com for all potential DBE subcontractors. Additionally, the apparent low Bidder and the second low Bidder shall submit any applicable supplemental forms (AA, AA1, AA2, BB, and D). All DBE forms and a current Certification Profile print out shall be submitted with the Bid or within five (5) calendar days of the Bid opening date. However, Bidders are strongly encouraged to submit all mandatory documents with the Bid to prevent delay of the Contract award. Bidders are requested to review carefully and complete the forms entirely, with no blank fields.

Notwithstanding the date of submission of the mandatory DBE forms, all negotiations between a Bidder and any potential DBE subcontractor or supplier shall be completed prior to the Bid opening date. The mandatory DBE Forms are available for download with the electronic bidding documents. Failure to submit any and all mandatory DBE documentation within five (5) calendar days of the Bid opening date shall result in a rejection of a Bid as non-responsible.

Any questions regarding the DBE requirements or the mandatory required forms for this contract should be directed to:

Melisa Campusano
Senior Business Development Specialist
973-491-8614
mcampusano@njtransit.com

11. The Bidder shall certify on the **“Contractor’s Certification of Eligibility”** in the space **provided in the electronic bidding file** that it is not included on the State of New Jersey, Department of Treasury, Consolidated Debarment Report or on the State of New Jersey, Department of Labor and Workforce Development, Division of Wage and Hour Compliance, Prevailing Wage Debarment List.
12. Bidders must have no exclusions with the System for Award Management (S.A.M). If the Bidder is included on any exclusion report, it may not be eligible for award of Contract.
13. Certification of No Tax Liability or Felony Conviction

As a condition of any contract award, a private corporation, partnership, trust, joint-stock company, sole proprietorship, or any other business association, including each participant in a joint venture, must certify, under penalty of perjury, that it has no unpaid federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

As a condition of any contract award, any such entity must also certify that it has not been convicted of any felony criminal violation under any federal law within the 24 months preceding the date of contract award.

Furthermore, any such entity awarded a contract by NJ TRANSIT is responsible for flowing down the requirements of the above two paragraphs to all lower tier subcontractors or subconsultants (including sub-subcontractors and sub-subconsultants, etc.), without regard to the value of any such sub-agreement (or sub-sub-agreement, etc.), and must verify that those sub-vendors satisfy the conditions stated in those paragraphs.

14. Statement of Joint Venture

Prospective Bidders seeking to submit Bids as Joint Ventures must submit a Statement of Joint Venture form, executed by all entities comprising the Joint Venture. For bidders that are not a joint venture, you may follow the “omission terms” language within Bid Express to exclude of submission of this document.

As noted above, each individual entity comprising the Joint Venture must also submit their own ownership disclosure form and Iran Disclosure form.

15. Asset Management Plan

The Contractor shall provide a database of all maintainable assets in an Excel format (flat file – with exclusions of any macros or formulas). The data shall be transferred with their specified field names and their order shall remain as specified in Section 62 of the General Provisions contract document. An example of this spreadsheet is available for download in the electronic bidding file.

C. WHERE TO SUBMIT BIDS AND/OR REQUEST ADDITIONAL INFORMATION

1. Bids must be submitted via the internet at www.bidexpress.com. Manual bids will not be accepted.
2. Inquiries regarding the bid package shall be submitted via email to NJ TRANSIT and must be addressed as follows:

Re: IFB No. 21-027
Attn: Samantha Chavanga
Email: schavanga@njtransit.com

To be given consideration, all such inquiries must adhere to the following:

1. Be received no later than **Monday, May 10, 2021 at 5:00 P.M.;**
 2. Reference the IFB name and number, section, and page number;
 3. Requests for information must be emailed in a non-scanned electronic
3. All Bidders are advised that communications with NJ TRANSIT that in any way relate to this procurement shall be conducted with or through the authorized representative of the Contracting Officer in NJ TRANSIT's Division of Procurement. All other contacts are strictly prohibited and are considered improper. Bidders are advised that violation of this prohibition may result in the removal of the firm from consideration for this Contract and possible suspension/debarment.
 4. Bids may be withdrawn at any time prior to the time specified for the opening of Bids by filing a written withdrawal with NJ TRANSIT, duly executed by the Bidder or its authorized representative. The withdrawal of a Bid does not prejudice the right of the Bidder to file a new Bid. Withdrawals received after the time specified for the opening of Bids will not be considered nor may any Bid be withdrawn after that time.
 5. Submission of more than one (1) Bid from an individual, firm, partnership, corporation, or combination thereof under the same or different names shall be cause for disqualification of the Bids submitted by such entities. Reasonable grounds for believing that any individual, firm, partnership, corporation, or combination thereof, is interested as a principal in more than one Bid for the procurement contemplated may cause the rejection of all Bids submitted by such individual, firm, partnership, corporation, or combination thereof.

D. HOW TO REQUEST CHANGES IN THIS IFB

1. Wherever brand names may appear in this IFB, they are included for the purpose of establishing identification and a general description of the item. Wherever such names may appear, the term "or approved equal" is considered to follow. NJ TRANSIT will render the decision on the approved equal at its sole discretion.
2. Bidders must submit requests for approved equals, contract modifications, and clarifications on the **"Request for Change Form"** (available for download with the **electronic bidding documents**). Each question or request shall be on a separate sheet. NJ TRANSIT must receive requests in writing, by **Monday May 10, 2021 at 5:00p.m.** Any requests for approved equals must be supported by technical data, test results, or other pertinent information that indicates that the substitute offered is equal to or better than that specified.

All questions and requests for changes or additional information shall be emailed to:

3. NJ TRANSIT will respond in writing to all Bidders within a reasonable number of days before the Bid opening date, and the Bid opening may be rescheduled at NJ TRANSIT's option to allow a reasonable amount of time between the response and Bid opening. Any response that NJ TRANSIT may choose to make will be by a written Addendum to the IFB and sent to all listed holders of the solicitation. All Addenda will become part of any contract resulting from this IFB.
4. Bidders are required to acknowledge receipt of all Addenda on the “**Addenda Acknowledgement Form**” in the space provided in the electronic bidding file. Failure to acknowledge receipt of all Addenda may cause the rejection of the Bid as non-responsive.

E. QUANTITY

When applicable, Bidders must bid a fixed price for the estimated quantity specified. NJ TRANSIT reserves the right to amend these quantities.

F. PREPARATION OF THE BID

1. The Bidder shall ensure that all Addenda, including Amendments to the Bid Form, are applied to the Bid, and properly acknowledged. The Bidder shall insert the price for each Pay Item in the appropriate box provided under the column designated “Unit Price”. The only entries permitted in the Bid Form will be the lump sum prices or unit prices for items that shall be bid. The software will perform all extensions of the unit prices and calculate the total bid amounts.
2. Prices shall be provided for all items called for on the Bid Form. All bid prices must be quoted in numeric form. When the Bidder intends to bid zero dollars (\$0.00) for a Pay Item, the Bidder shall insert a “0” in the appropriate box under the “Unit Price” column. Where no figure is provided by the Bidder in the "Unit Price" column for one or more Contract Items, the Bid will be considered to be nonconforming and shall be rejected.
3. In the event that the total value of the bid is listed in the Item List box, and a separate detailed price list is included as an Attachment, the detail price list will be a Required Document. As such the bidder will need to submit the detail pricing. The Bidder shall download the detail bid price form, fill it out with all pricing, and upload it to the Required Document List box before submitting the bid. Any omissions will be considered as non-responsive.

4. Alternate bids for any item will not be considered unless specifically requested in the Bid.
5. The Bidder shall check the bid before submission using the Check Bid button.

G. CAUSES FOR REJECTION OF BIDS

1. Bids will be considered irregular and shall be rejected for the following reasons:
 - a. If the Bid materially fails to conform to the requirements of the Invitation for Bids.
 - b. If the Bid is not received by the specified date and time.
 - c. If the Bidder fails to furnish satisfactory Bid Security with the Bid.
 - d. If the Bidder takes material exception to any of the Bid requirements, specifications, or Contract Terms.
 - e. If Bid offer is valid for less than one hundred and twenty (120) calendar days for acceptance.
 - f. If Bid includes payment terms requiring payment in less than thirty (30) calendar days.
 - g. If Bid is not signed by the authorized representative of the Bidder.
 - h. If the Bidder fails to complete and deliver the Ownership Disclosure Form as required by N.J.S.A. 52:25-24.2 before receipt of the Bid or with the Bid.
 - i. If the Bidder fails to execute the "Buy America" Certification.
 - j. If the Bidder fails to comply with all mandatory DBE requirements.
2. Bids will be considered irregular and may be rejected for the following reasons:
 - a. If the Bidder fails to complete and submit the Source Disclosure certification (For Services Procurement Only).
 - b. If the Bid is not properly completed.
 - c. If all addenda are not properly acknowledged.
 - d. If the Bid contains prices that are materially unbalanced.
 - e. For other reasons, if NJ TRANSIT deems it advisable to do so in its best interest.
3. NJ TRANSIT, in its sole discretion, reserves the right to reject any and all bids and to waive minor informalities and irregularities in bids received, notwithstanding other provisions of the Contract Documents.

H. AWARD PROCEDURES

1. NJ TRANSIT reserves the right to request additional information from any and all bidders.
2. NJ TRANSIT reserves the right to conduct a pre-award responsibility survey to ensure the successful bidder has adequate facilities, equipment, and staff to perform the contract within the time specified and provide warranty service.
3. NJ TRANSIT intends to award a contract within sixty (60) calendar days of the Bid opening but reserves the right to award within one hundred and twenty (120) calendar

days. Accordingly, all bids must be valid for a minimum of one hundred and twenty (120) calendar days from the date of Bid opening.

4. Prompt payment discounts will not be considered in determining the low bidder.
5. The award of a firm fixed price contract, if it is awarded, will be to the responsible bidder whose Bid conforms to the Invitation for Bid and is most advantageous to NJ TRANSIT (as indicated in the specifications).
6. Prior to execution of a contract, the successful Bidder will be required to:
 - Provide appropriate EEO/AA information or certificates as required by P.L. 1975, C.127 (N.J.A.C. 17:27), as described within this IFB in the **“Equal Employment Opportunity Requirements” (available for download with the electronic bidding documents)** and submit an Affirmative Action Employee Information Report (AA302).
 - Provide any required DBE forms **(available for download with the electronic bidding documents)** submitted with the bid or within five calendar (5) days of the Bid Opening.
 - Provide its Business Registration Certificate from the State of New Jersey, Department of the Treasury, Division of Revenue and Enterprise Services.
 - If an out of state corporation, provide a Certificate of Authority to do business in New Jersey in accordance with N.J.S.A. 14A:13-3 and appoint a New Jersey agent for service of process (only for out-of-state corporations).
 - Provide evidence of adequate levels of insurance as indicated in Section 32 of the General Provisions naming NJ TRANSIT as additional insured and providing for thirty (30) calendar days advance notice of cancellation.
 - (For Services Procurement only) In accordance with N.J.S.A. 52:34-13.2, submit a **“Source Disclosure Certification Form” in the space provided in the electronic bidding file** for all services contracts. If the information is not submitted with the bid, it shall be submitted within five (5) calendar days of NJ TRANSIT’s request.
 - If specifications so require, submit within ten (10) calendar days after notification of NJ TRANSIT’s intent to award, performance and payment bonds in the amount indicated in the specifications. The surety must comply with all requirements of N.J.S.A. 2A:44-143 (P. L. 1995, c.384).

I. OTHER INFORMATION

1. If only one bid is received, a cost proposal may be requested of the single Bidder. A cost/price analysis and/or audit may be performed in order to determine if the price is

fair and reasonable.

2. NJ TRANSIT is a public agency and exempt from paying Sales and Federal Excise Taxes. Bidders shall not include these taxes in their bid price.
3. This contract is funded in whole or in part by the United States Government and is subject to all Federal laws and regulations governing Federally funded projects. For bid submissions over \$150,000 a signed **“Buy America Certification” in the space provided in the electronic bidding file** must be included with the bid submission or the bid will be deemed “non-responsive” and will be rejected. Bidders must only sign one of the available signature lines. Bidders who sign both signature lines, indicating both complying with and not complying with “Buy America”, will have their bids deemed non-responsive and the bids will be rejected. Note that Buy America certificates cannot be changed after the bid opening date except in very specific instances in which a clerical error has been identified as described in current Buy America Regulations, 49 C.F.R. Part 661. Questions regarding Buy America compliance requirements should be submitted in writing to the authorized representative of the Contracting Officer in NJ TRANSIT's Division of Procurement.
4. Notice of Executive Order 125 Requirement for Posting of Winning Proposal and Contract Documents

Pursuant to Executive Order No. 125, signed by Governor Christie on February 8, 2013, the Office of the State Comptroller (“OSC”) is required to make all approved State contracts for the allocation and expenditure of federal reconstruction resources available to the public by posting such contracts on an appropriate State website. Such contracts are posted on the New Jersey Sandy Transparency website located at: <http://nj.gov/comptroller/sandytransparency/contracts/sandy/>.

The contract resulting from this IFB is subject to the requirements of Executive Order No. 125. Accordingly, the OSC will post a copy of the contract, including the [RFP/RFQ], the winning bidder's proposal and other related contract documents for the above contract on the Sandy Transparency website.

In submitting its proposal, a bidder may designate specific information as not subject to disclosure. However, such bidder must have a good faith legal and/ or factual basis to assert that such designated portions of its proposal (i) are proprietary and confidential financial or commercial information or trade secrets or (ii) must not be disclosed to protect the personal privacy of an identified individual. The location in the proposal of any such designation should be clearly stated in a cover letter, and a redacted copy of the proposal should be provided.

The State reserves the right to make the determination as to what is proprietary or confidential and will advise the winning bidder accordingly. The State will not honor any attempt by a winning bidder to designate its entire proposal as proprietary, confidential and/or to claim copyright protection for its entire proposal. In the event of

any challenge to the winning bidder's assertion of confidentiality with which the State does not concur, the bidder shall be solely responsible for defending its designation.

5. This contract will be awarded subject to the availability of funds.

NJ TRANSIT will not hold an in-person meeting for the pre-bid conference. The pre-bid conference will be held utilizing a telephone and video conference via Microsoft Teams, which is scheduled for **11:00 A.M.**, Eastern Time, on **Monday April 26, 2021**, for the purpose of answering questions, providing directives, and providing clarification. All interested firms are urged to participate. For access information for the pre-bid conference, please contact Samantha Chavanga, by emailing schavanga@njtransit.com

6. Summary of critical dates:

Date of Invitation for Bid:	April 9, 2021
Pre-bid Conference Call:	April 26, 2021 @ 11:00am
Request for Pre-qualification:	NOT APPLICABLE
Request for Changes Due:	May 10, 2021 by 5:00pm
Bid Opening:	June 8, 2021 @ 2:00pm

7. After the Contract award, all information submitted by Bidders in response to a solicitation is considered public information, notwithstanding any disclaimers to the contrary submitted by a Bidder, except as may be exempted from public disclosure by New Jersey Open Public Records Act, N.J.S.A. 47:1A-1 et seq., (OPRA) and common law.

Any proprietary and/or confidential information in your bid will be redacted by NJ TRANSIT. A Bidder may designate specific information as not subject to disclosure pursuant to the exceptions to OPRA found at N.J.S.A. 47:1A-1.1, when the Bidder has a good faith legal and or factual basis for such assertion. NJ TRANSIT reserves the right to make the determination as to what is proprietary or confidential and will advise the Bidder accordingly. The location in the bid of any such designation should be clearly stated in a cover letter. NJ TRANSIT will not honor any attempt by a Bidder to designate its entire bid as proprietary, confidential and/or to claim copyright protection for its entire bid. In the event of any challenge to the Bidder's assertion of confidentiality with which NJ TRANSIT does not concur, the Bidder shall be solely responsible for defending its designation.

Your bid can be released to the public during the protest period established herein or pursuant the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1 et seq., (OPRA)

or the common law right to know.

Sincerely,



Samantha Chavanga
Senior Contract Specialist
Purchasing & Materials Management
Procurement & Support Services

BID NO. 21-027

SUPERSTORM SANDY

ENGINEERED GRAVITY WALL TYPE BIN SYSTEM

SCOPE OF WORK

This Invitation for Bid (IFB) is for the purchase of twenty-three (23) engineered gravity wall type bin system that are to be installed by New Jersey Transit Corporation (NJ TRANSIT) on its rail system.

NJ TRANSIT is soliciting bids through an IFB procurement process that will involve the submission of bid prices for the items specified in the IFB.

APPLICABLE SPECIFICATIONS

See "Appendix A" for product specifications.

AWARD BASIS

A Contract will be awarded to the bidder, whose Bid conforms to the Invitation for Bid and is most advantageous to NJ TRANSIT. The actual purchases made during this period may be more than the estimated quantities. NJ TRANSIT also is not bound to purchase any minimum quantity. Prices shall remain firm for a period of two (2) years from the date of Contract issuance unless otherwise specified herein.

PRICING

1. Bidders are required to provide firm, fixed prices. All prices shall remain firm for the two-year Contract period.
2. Products must be priced on a delivery "FOB: Destination" basis with freight prepaid and allowed to the delivery point. All freight charges shall be included in the product Unit Price.
3. NJ TRANSIT reserves the right to increase quantities by up to twenty percent (20%) with no increase in price. The determination as to whether to increase quantities shall be made at NJ TRANSIT's sole option. In the event of a quantity increase, the Bidder will be provided with sufficient notice to allow for delivery by desired date. (If quantities increase and that results in reduction of price from manufacturers, cost savings will be passed on proportionally to NJ TRANSIT.

PRODUCTS TO BE SUPPLIED

Following are the items that NJ TRANSIT seeks to purchase per this IFB:

Engineered Gravity Wall Type Bin System

Item No.	Description	Unit	Quantity	Unit Price	Extended Price
1045-BERGEN-1	Bin-Type Retaining Wall 14'-0" W x 14'-0" L x 6'-0" H *Height includes 1'-0" for embedment	EA	1	\$ -	\$ -
1045-BERGEN-2	Bin-Type Retaining Wall 14'-0" W x 14'-0" L x 6'-0" H *Height includes 1'-0" for embedment	EA	1	\$ -	\$ -
1045-BERGEN-3	Bin-Type Retaining Wall 16'-0" W x 30'-0" L x 6'-0" H *Height includes 1'-0" for embedment	EA	1	\$ -	\$ -
1045-MAIN-1	Bin-Type Retaining Wall 14'-0" W x 28'-0" L x 5'-0" H *Height includes 1'-0" for embedment	EA	1	\$ -	\$ -
1045-MAIN-2	Bin-Type Retaining Wall 12'-0" W x 12'-0" L x 3'-0" H *Height includes 1'-0" for embedment	EA	1	\$ -	\$ -
1045-MAIN-3	Bin-Type Retaining Wall 14'-0" W x 14'-0" L x 6'-0" H *Height includes 1'-0" for embedment	EA	1	\$ -	\$ -
1045-ME-1	Bin-Type Retaining Wall 14'-0" W x 22'-0" L x 5'-0" H *Height includes 1'-0" for embedment	EA	1	\$ -	\$ -
1045-ME-2	Bin-Type Retaining Wall 16'-0" W x 30'-0" L x 6'-0" H *Height includes 1'-0" for embedment	EA	1	\$ -	\$ -
1045-ME-3	Bin-Type Retaining Wall 14'-0" W x 22'-0" L x 5'-0" H *Height includes 1'-0" for embedment	EA	1	\$ -	\$ -
1045-PVL-1	Bin-Type Retaining Wall 12'-0" W x 12'-0" L x 3'-0" H *Height includes 1'-0" for embedment	EA	1	\$ -	\$ -
1045-PVL-2	Bin-Type Retaining Wall 12'-0" W x 12'-0" L x 3'-0" H *Height includes 1'-0" for embedment	EA	1	\$ -	\$ -
1045-PVL-3	Bin-Type Retaining Wall 14'-0" W x 28'-0" L x 5'-0" H *Height includes 1'-0" for embedment	EA	1	\$ -	\$ -
1045-PVL-4	Bin-Type Retaining Wall 12'-0" W x 12'-0" L x 3'-0" H *Height includes 1'-0" for embedment	EA	1	\$ -	\$ -

Item No.	Description	Unit	Quantity	Unit Price	Extended Price
1045-PVL-5	Bin-Type Retaining Wall 12'-0" W x 12'-0" L x 3'-0" H *Height includes 1'-0" for embedment	EA	1	\$ -	\$ -
1045-PVL-6	Bin-Type Retaining Wall 12'-0" W x 12'-0" L x 3'-0" H *Height includes 1'-0" for embedment	EA	1	\$ -	\$ -
781-NJCL-1	Bin-Type Retaining Wall 10'-0" W x 10'-0" L x 11'-0" H *Height includes 1'-0" for embedment	EA	1	\$ -	\$ -
781-NJCL-2	Bin-Type Retaining Wall 14'-0" W x 14'-0" L x 7'-0" H *Height includes 1'-0" for embedment	EA	1	\$ -	\$ -
781-NJCL-3	Bin-Type Retaining Wall 12'-0" W x 12'-0" L x 6'-0" H *Height includes 1'-0" for embedment	EA	1	\$ -	\$ -
781-NJCL-4	Bin-Type Retaining Wall 12'-0" W x 12'-0" L x 11'-0" H *Height includes 1'-0" for embedment	EA	1	\$ -	\$ -
781-NJCL-5	Bin-Type Retaining Wall 10'-0" W x 10'-0" L x 8'-6" H *Height includes 1'-0" for embedment	EA	1	\$ -	\$ -
781-NJCL-6	Bin-Type Retaining Wall 14'-0" W x 14'-0" L x 9'-6" H *Height includes 1'-0" for embedment	EA	1	\$ -	\$ -
821-ME-1	Bin-Type Retaining Wall 10'-0" W x 12'-0" L x 8'-0" H *Height includes 1'-0" for embedment	EA	1	\$ -	\$ -
821-ME-2	Bin-Type Retaining Wall 16'-0" W x 64'-0" L x 6'-0" H *Height includes 1'-0" for embedment	EA	1	\$ -	\$ -
821-ME-3	Bin-Type Retaining Wall 8'-0" W x 10'-0" L x 8'-0" H *Height includes 1'-0" for embedment	EA	1	\$ -	\$ -
821-ME-4	Bin-Type Retaining Wall 8'-0" W x 14'-0" L x 6'-0" H *Height includes 1'-0" for embedment	EA	1	\$ -	\$ -
821-ME-5	Bin-Type Retaining Wall 8'-0" W x 14'-0" L x 6'-0" H *Height includes 1'-0" for embedment	EA	1	\$ -	\$ -

Items are to be provided in strict conformance with specifications identified in each item description. See "Appendix A" for specifications for items shown above.

QUALITY CONTROL / QUALITY ASSURANCE

Contractor shall establish and maintain a formal and documented quality assurance program as follows:

Where Contractor is involved with the design and/or development, production, installation, servicing, final inspection and testing of the product or service (to include manufacturers, manufacturer's participant or distributors), Contractor shall establish and maintain a formal documented quality assurance program in compliance with the latest revision of ANSI/ASQ/ISO 9001, AAR M-1003 or an approved equal quality assurance program.

Contractor's quality assurance will be subject to NJ TRANSIT verification at any time. Verification will include, but not be limited to: audit of quality assurance programs; surveillance of operations to determine that practice methods and procedures of the program are being properly implemented; inspection to measure the quality of items offered for acceptance; and inspection of items prior to release for shipment to ensure compliance with requirements of the contract.

Contractor's quality assurance program shall ensure compliance with the requirements of the Contract and its accompanying documents and shall include provisions ensuring compliance by subcontractors (and suppliers, where applicable) should any portion of the work be subcontracted. Contractor shall also ensure the appropriate formal and documented quality program of its subcontractors. NJ TRANSIT reserves the right to audit the quality system of any subcontractor should the need arise.

Failure by Contractor to promptly correct deficiencies discovered by either it or by NJ TRANSIT may be cause for suspension of the Contract until corrective action has been taken or until conformance of the work to prescribed criteria has been demonstrated to and approved by NJ TRANSIT. As a result of such suspension, no adjustment will be made with respect to increases in the cost or time of performance of this Contract. See specifications in "**Appendix A**" for additional requirements.

CONDITIONS

1. Contractor shall deliver items within sixty (60) calendar days after receipt of a Purchase Order. All Purchase Orders will be issued by the NJ TRANSIT Procurement Department only.
2. Contractor shall identify the manufacturer of items offered.
3. NJ TRANSIT has the right to inspect and reject all products in accordance with applicable law. All items offered are subject to the approval of NJ TRANSIT prior to shipment.
4. Drawings submitted for approval (if required) are required thirty (30) calendar days after Purchase Order issuance and shall become the property of NJ TRANSIT for inclusion in its Rail Standards archive and for dissemination and use by NJ TRANSIT for future procurements involving identical or similar products.

DELIVERY

1. All items shall be delivered to the following location:

NJ TRANSIT Rail
Port Morris Steel Fabrication Shop
205 Center Street
Landing, N.J. 07850
Attn: NJ TRANSIT Representative
2. The Contractor shall contact NJ TRANSIT's Representative (to be provided at the time of contract award) a minimum of forty-eight (48) hours prior to delivery to confirm delivery location and receive instructions.
3. All items shall be truck delivered.

WARRANTY

Contractor warrants to NJ TRANSIT that each product will be free from defects in material and workmanship and will meet the specified requirements for a minimum of one (1) year

or as per product specification or product specification reference, whichever is greater. See specifications in "Appendix A" for additional warranty information and requirements.

NJ TRANSIT reserves the right to inspect the items upon receipt of the shipment. Where NJ TRANSIT has reasonably determined that shipments or partial shipments fail to meet the specifications, or are defective in any other way, these shipments or partial shipments shall be rejected and shall be removed and replaced in a timely manner by the Contractor or his representative at no cost to NJ TRANSIT.

APPENDIX A
NEW JERSEY TRANSIT RAIL OPERATIONS
SPECIFICATIONS FOR ENGINEERED GRAVITY WALL TYPE BIN SYSTEM

1. SCOPE

- 1.1 These specifications cover the new galvanized bin type retaining wall system as described herein.

2. MANUFACTURE

- 2.1 The bidder shall provide all components necessary to construct a metal bin type retaining system as described on the bid form and specified herein.
- 2.2 The wall shall consist of parts, that when assembled provide a uniform appearance.
- 2.3 All parts shall be fabricated so that components of the same nominal size and thickness (gage) are fully interchangeable.
- 2.4 The system shall include, but not be limited to, the following components as required by design:
 - 2.4.1 Vertical Connectors
 - 2.4.2 Corner Vertical Connectors
 - 2.4.3 Stringers
 - 2.4.4 Stringer Stiffeners
 - 2.4.5 Spacers
 - 2.4.6 Grade Plates
 - 2.4.7 Split Vertical Connectors
 - 2.4.8 Spacer Closures
 - 2.4.9 Stringer Closures
 - 2.4.10 Fasteners
- 2.5 The metal bin wall components shall be manufactured to provide overlapping, bolted stringers and spacers. "T" shaped vertical connectors shall be provided to allow for the connection of the stringers and spacers at the corners. The various members of the wall shall be constructed of metal of the gage that is required by design, but not be less than 16 gages.

- 2.6 The metal bin wall shall be designed and supplied for the face height, wall length and depth for each bid line item shown on the bid form.
- 2.7 Assembly drawings, specifications and bill of materials must be provided for each metal bin wall type as shown on the bid form.
- 2.8 Design and delivery costs shall be included in the unit price for each bid line item.

3. MATERIAL

- 3.1 Pre-galvanized material shall conform to the applicable requirements of ASTM A929.
- 3.2 Vertical connectors shall be fabricated from steel conforming to ASTM A36 or ASTM A907 with a minimum yield strength of 36 ksi and shall be hot dipped galvanized in accordance with ASTM A 123 except coating shall be 2 oz. per square foot coating total both sides.
- 3.3 Fasteners shall be a minimum 5/8" diameter ASTM A 307, Grade A bolts with nuts.
- 3.4 Bin fill shall be provided by NJ TRANSIT.

4. WARRANTY

- 4.1 The bidder shall warrant that all products furnished under this specification are free from defects in material and workmanship for one year after the date of delivery. Obligation under this warranty shall not apply to any product which has been subject to misuse, negligence, or accident after it has been accepted and shipped.

April 29, 2021

Addendum No. 1

To Whom It May Concern:

**Re: NJ TRANSIT's IFB No. 21-027
NJ TRANSIT Signals and Communications Resilience Program - Engineered
Gravity Wall Type Bin System.**

The following constitutes Addendum No. 1 and must be acknowledged with each bid. Prospective bidders are advised of the following clarifications, additions and/or revisions to the above referenced Invitation for Bid (IFB):

1. IFB Pre-Bid Conference Presentation

The Pre-Bid Presentation summarizing information discussed at the Pre-Bid Conference held on Monday, April 26, 2021 is enclosed as Attachment A.

2. IFB Pre-Bid Conference Attendance Sheet

The Attendance Sheet from the Pre-Bid Conference held on Monday, April 26, 2021 is included as Attachment B.

This concludes Addendum No. 1. An authorized representative of your organization shall acknowledge receipt of this Addendum in the Exhibit provided with its bid. Failure to acknowledge receipt of all Addenda may cause the rejection of the Bid as non-responsive.

Sincerely,



Samantha Chavanga
Senior Contract Specialist
Procurement Department

Enc.

ADDENDUM NO. 1

ATTACHMENT A

INVITATION FOR BID NO. 21-027

**NJ TRANSIT SIGNALS AND COMMUNICATIONS RESILIENCE
PROGRAM - ENGINEERED GRAVITY WALL TYPE BIN SYSTEM**

PRE-BID CONFERENCE – PRESENTATION

NJ TRANSIT IFB No. 21-027
Signals and Communications Resilience Program -
Engineered Gravity Wall Type Bin Systems

Pre-Bid Conference
April 26, 2021

Samantha Chavanga
Senior Contract Specialist



Pre-Bid Conference Agenda

- Introduction
- Bidders Process & Requirements
- DBE Goal Assignment and DBE Program Compliance Requirements
- Project Overview & Technical Requirements
- Question and Answer Session



Key Dates

Friday, April 9, 2021	IFB formally advertised
Monday, April 26, 2021 at 11:00 a.m.	Pre-Bid Conference
Monday, May 10, 2021 at 5:00 p.m.	Request for Changes Due
Tuesday, June 8, 2021 at 2:00 p.m.	Bid Opening



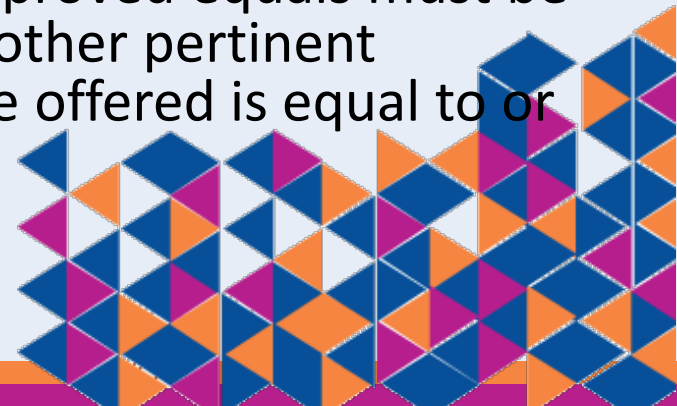
Communications

- Communications regarding this Invitation for Bid are solely to be conducted through NJ TRANSIT's Procurement Department.
- All other contacts are considered improper and are prohibited. Violation of this prohibition may cause for removal of a proposer from consideration for award of this contract.



Communications (continued)

- Proposers are also advised that any discussions held during this meeting are considered informal and are not binding. The only means for modifying this bid is through a formal written Addendum. Therefore, any inquiries or requests for clarification must be submitted by emailing schavanga@njtransit.com.
- Any response NJ TRANSIT elects to make will be made by a written Addendum and sent to all listed plan holders.
- **Request for Changes by Bidders** - Bidders must submit requests for approved equals, contract modifications, and clarifications on the “Request for Change Form” (available for download with the electronic bidding documents). Each question or request shall be on a separate sheet. NJ TRANSIT must receive requests in writing, **by Monday, May 10, 2021**. Any requests for approved equals must be supported by technical data, test results, or other pertinent information that indicates that the substitute offered is equal to or better than that specified.



Obtaining Bid Documents

- This Project is being bid by use of an electronic bidding process. Electronic bidding information is available on NJ TRANSIT's electronic bidding website: <https://bidexpress.com>. Registration and a subscription fee are required to access the Bid Documents. The Bidder shall download the bidding software. The Bidder shall not alter or in any way change the software.
- **Bidders need to apply for a Digital ID at least seven (7) business days prior to a letting if they want to submit a bid through Bid Express.**



Bid Security

- Bids shall be accompanied by Bid Security in the form of a Bid Bond, Cashier's Check, Certified Check or irrevocable Letter of Credit. Cash is not considered an acceptable form of security.
- The amount of the Bid Security shall equal to ten percent (10%) of the total bid amount. A Bid shall be rejected as non-responsive if it is not accompanied by satisfactory Bid Security.
- **Please Note:** Your Bid Security can be obtained electronically via Bid Express or you may submit a hard copy from your bonding company. However, the hard copy of your bid security must be uploaded in Bid Express and received by the Bid Desk prior to 2:00 pm for the Bid opening.



Bid Opening

- Consistent with Governor Murphy's Executive Orders 103, 104 and 107 on COVID 19, NJ TRANSIT is committed to continue procurement operations to the maximum extent practicable.
- Accordingly, in consideration of the health, safety, and welfare of the agency employees and the bidding community alike, the public bid opening for IFB No. 21-027 Signals and Communications Resilience Program - Engineered Gravity Wall Type Bin Systems, which is scheduled for June 8, 2021 at 2:00 PM will be by CONFERENCE CALL ONLY. The bids will be read aloud on the conference call. Conference call details are as follows:
 - Dial-in Number: 1-862-294-4371
 - Conference ID: 771 881 178#



Bid Opening (continued)

- For any bidder who wishes to participate, conference call access will be open five (5) minutes prior to the Bid Opening and remain open until all bids have been read.
- The apparent bid results will be made available for viewing electronically on Bid Express (www.bidexpress.com) and on NJ TRANSIT's Procurement Calendar <https://www.njtransit.com>.
- Late bids cannot be accepted.



OFFICE OF BUSINESS DEVELOPMENT

Disadvantaged Business Enterprise (DBE) Assigned Goal and DBE Program Compliance Requirements

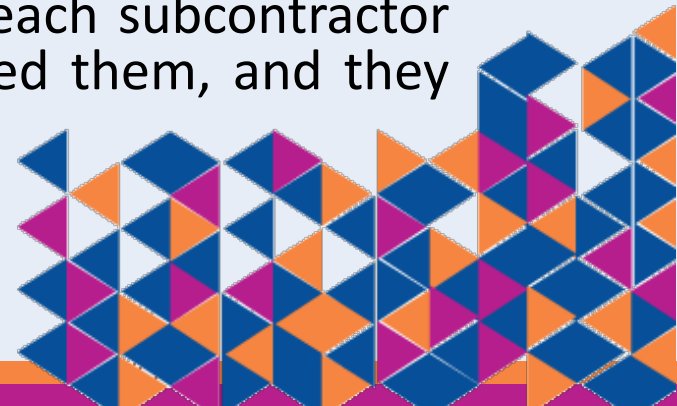
Melisa Campusano
Senior Business Development Specialist
973-863-4481

mcampusano@njtransit.com



Role of Office of Business Development (OBD)

- Administer NJ TRANSIT's DBE and SBE program in accordance with the State and Federal requirements.
- Provide guidance and direction to potential Bidders/Proposers, NJ TRANSIT's project team, and DBE and SBE firms.
- Answer questions, issues, or concerns regarding DBE and SBE requirements of the contract and meeting the assigned contract goal.
- Conduct DBE and SBE Program compliance review of bid/proposal submission. OBD shall contact each subcontractor firm you listed to ensure they were contacted them, and they know they will perform on this project.



DBE Goal Assignment

- NJ TRANSIT is committed to its Disadvantaged Business Enterprise (DBE) Program and has deemed this Project **Race Neutral** on the gross sum amount of the proposal or contract for DBE subcontracting participation.
- OBD encourages bidders to identify areas for utilization.
- The Proposer can refer to <https://njucp.dbesystem.com/> which provides a searchable database of all registered and approved Disadvantaged Business Enterprise firms certified by the New Jersey Department of Transportation, New Jersey Transit Corporation and the Port Authority of New York and New Jersey.



DBE Program Compliance Requirements

- The Mandatory Forms are the **Form A, A1, A2, B** and a **copy of the DBE's Certified Profile page** from the NJUCP DBE Directory.
- Bidders are requested to review carefully and complete the forms entirely, with no blank fields.
- Notwithstanding the date of submission of the mandatory DBE forms, all negotiations between bidders and any potential DBE subconsultant, or supplier shall be completed prior to the proposal due date.
- Failure to submit any and all mandatory DBE documentation **within five (5) calendar days after the bid due date** shall result in a rejection of a bid as non-responsible.



DBE Program Compliance Requirements (Cont'd)

- Bidders should not accept a DBE's Certification Letter as sole evidence that its DBE status is current and valid.
- Bidders must check the NJUCP DBE Directory at <https://njucp.dbesystem.com/>. Click on the firm's name to view the Certified Profile page and the DBE designation located in the Certification Information box.
-
- Bidders must print the NJUCP DBE Certified Profile page and submit with all other required DBE forms.



New Jersey Unified Certification Program

Vendor Certification

Search our database of DBE/ACDBE certified vendors

[Search for Certified Firms](#)

System Training

Learn how to fully utilize our system with a live trainer

[Training and Events](#)

About the System

Welcome to the New Jersey State Unified Certification Program Certification Portal! The NJUCP is responsible for DBE certification in the state of New Jersey and provides firms with "one-stop" shopping.

Get DBE Certified or Manage your DBE Certification

Click on a partner logo to apply or manage (e.g. request code expansion, submit annual affidavit) your certification. If your firm is applying for the first time, you may apply with any of the certifying partners listed below. Previous applicants must submit to the partner you originally applied with.



THE PORT AUTHORITY
OF NY & NJ



NJUCP Directory (cont'd)

Search Certified Directory

Search results may be downloaded to Excel, by clicking the "Download Results to Excel" button after your search results are displayed. To download the full Certification Directory do not enter search criteria, scroll to the bottom of the page and click the "Download Entire Directory to Excel" button.

*NOTE: This online directory lists firms that are DBE certified by the NJDOT, NJ Transit or The Port Authority of NY/NJ on behalf of the New Jersey Unified Certification Program (NJUCP). Firms that appear in the directory are currently certified and approved to be utilized toward meeting established contract goals in their displayed certification type(s). Firms that are noted as **suspended** cannot be utilized for-credit in new contracts until the suspension is removed. For additional details please reference the [US DOT Regulations](#) or contact the firm's certifying agency: NJDOT at DOT.DBE_ESBEPrograms@dot.nj.gov. NJ Transit at OBDP@njtransit.com; or The Port Authority of NY/NJ at certhelp@panynj.gov*

Search by Certification Type

Certifications

- ☒ Disadvantaged Business Enterprise (DBE)
- ☒ Airport Concessionaire Disadvantaged Business Enterprise (ACDBE)

Search by Business Name or DBA

Business Name/DBA

Tip: Try just a few letters of the firm's name.

Search by Business Description

Business Description

Tip: Try just a few letters of a keyword.

Search by Commodity Code

Commodity Codes

[Click to Lookup Commodity Codes](#)

Search by Contact Person

NJUCP Directory (cont'd)

Search Parameters

[Edit Parameters](#)[Clear Parameters](#)

CERTIFICATIONS

Disadvantaged Business Enterprise (DBE)

Airport Concessionaire Disadvantaged Business Enterprise (ACDBE)

BUSINESS NAME/DBA

[Download Search Results](#)

Search Results

1 firm with 1 certification found

[Click the certification type for contact information and certification details](#)

Vendor	Location	Certification
	Mercerville, NJ	NJDOT DBE

Training and Events



NJUCP VENDOR INFORMATION PAGE

DBE BUSINESS PROFILE

Business & Contact Information

BUSINESS NAME [REDACTED] & Associates

OWNER Ms. [REDACTED]

ADDRESS [REDACTED] [Map This Address](#)
[REDACTED]
Pelham, NY 10803

PHONE [REDACTED]

FAX [REDACTED]

EMAIL [REDACTED]

WEBSITE [REDACTED]

Certification Information

CERTIFYING AGENCY New Jersey Transit

CERTIFICATION TYPE DBE - Disadvantaged Business Enterprise

CERTIFIED BUSINESS DESCRIPTION Historical preservation; environmental consulting; and cultural resource assessment.

Commodity Codes

Code	Description
NAICS 541340	Drafting services
NAICS 541620	Environmental consulting services
NAICS 541690	Other Scientific and Technical Consulting Services
NAICS 541720	Research and Development in the Social Sciences and Humanities
NAICS 541990	All Other Professional, Scientific, and Technical Services



First Tier DBE UTILIZATION - FORM A

Project Name: _____

NJ Transit Contract No: _____

Assigned DBE Goal %: _____ NJT Procurement Specialist: _____

Contract Value (\$): _____

First Tier DBE must perform at least 51% of its subcontract value if subcontracting to a Second -Tier DBE or Non-DBE. Do not count Non-DBE portion toward the goal.

Name, Address and Telephone # of DBE Subcontractor/Subconsultant	Provide <u>Detailed</u> Scope of Work to be Performed (Identify all suppliers)	Dollar Value of Subcontract/Sub-consultant Work (\$) Awarded	Percentage of Subcontract Work (%)
			%
			%
			%
			%
			%
For DBE suppliers, show original subcontract value multiplied by 60% (\$2,000*60%=\$1200). For DBE portion of work, subtract Non-DBE portion of work from original subcontract value.	TOTALS	\$	%

The undersigned will enter into a formal agreement with the DBE(s) listed in this schedule conditioned upon execution of a contract with NJ TRANSIT for the above referenced project. The undersigned understands that removal/replacement of the DBE(s) listed is NOT PERMISSIBLE for any reason (pre or post-award), without submitting a written request to the Office of Business Development and receiving WRITTEN APPROVAL from the Office of Business Development. Failure to obtain written approval shall result in the breach of contract and subject to corrective action to be determined by NJ TRANSIT.

Company Name: _____

Authorized Signature: _____

Company Address: _____

Print Name: _____

Title: _____

Federal Tax ID #: _____

Prime Contractor's DBE Liaison Officer: _____

Company Tel #: _____

Date Signed: _____

BIDDER SOLICITATION & CONTRACTOR INFORMATION - FORM A1

Project Title: _____

Date: _____

Prime Contractor/Consultant: _____

Telephone #: _____

Complete the information below for Bidder/Proposer/Prime(s) working on this project. Use Page 2 for all subcontractors/subconsultants

	Bidder/Proposer/Prime	Bidder/Proposer/Prime	Bidder/Proposer/Prime
Company's Full Name			
Address			
City and State			
Zip			
County			
Phone			
Fax			
E-mail			
Owner			
Date Established			
Date Certified			
Ethnicity			
Gender			
Certification Status: DBE or Non-DBE			
Federal Tax ID # / SSN #			
Annual Gross Receipts: A - Less than \$500K B - \$500K to \$1M C - \$1M to \$2M D - \$2M to \$5M E - \$5M and over indicate the letter that applies			
Primary NAICS Code:			

BIDDER SOLICITATION & CONTRACTOR INFORMATION - FORM A1

Project Title: _____

Date: _____

Prime Contractor/Consultant: _____

Telephone #: _____

COMPLETE THE INFORMATION BELOW FOR "ALL" FIRMS INCLUDING SUPPLIERS SOLICITED; INCLUDING THOSE THAT WILL WORK ON THIS PROJECT.

	Subcontractor/Subconsultant	Subcontractor/Subconsultant	Subcontractor/Subconsultant
Company's Full Name			
Address			
City and State			
Zip			
County			
Phone			
Fax			
E-mail			
Owner			
Date Established			
Date Certified			
Ethnicity			
Gender			
Certification Status: DBE or Non-DBE			
Federal Tax ID # / SSN #			
Annual Gross Receipts: A - Less than \$500K B - \$500K to \$1M C - \$1M to \$2M D - \$2M to \$5M E - \$5M and over indicate the letter that applies			
Primary NAICS Code:			

NON-DBE SUBCONTRACTOR UTILIZATION - FORM A2

Directions: To be completed by any Bidder/Proposer/Prime for "all" subs including suppliers participating on this contract.

Bidder/Proposer Prime Name: _____ Project Title: _____

Date: _____ Prime Contract Value: _____

Name, Address and Telephone # of all Subcontractor/Subconsultants	FEIN #	Provide <u>Detailed</u> Scope of Work to be Performed	Dollar Amount of Subcontractor/Sub-consultant Work (\$) Awarded	Percentage of Subcontract or Work (%)
			\$	%
			\$	%
			\$	%
			\$	%
			\$	%
Must provide a detailed scope of work; one-word descriptions are not acceptable.		TOTALS	\$	%

To Add Subs Use Additional Forms

NJT Fed Form A2 effect 10.1.09 rev Sept 2010

INTENT TO PERFORM AS A 1ST TIER DBE - FORM B

The Bidder/Proposer/Prime is prohibited from completing any portion of this form and directing the DBE to sign a blank form.

DIRECTIONS: DBE(s) listed on the Form A must complete all information on this form.

Name of Bidder/Proposer/Prime: _____

Name of DBE Firm: _____

Project/Contract Name: _____

IFB/RFP Contract Number: _____

Does the undersigned DBE (Answer Accordingly):

Intend to perform subcontract work in connection with the above-mentioned project as a Joint Venture? Circle one. (Yes or No)

Intend to subcontract any portion of its scope of work to a DBE(s)? Circle one. (Yes or No)
If yes, DBE Sub-Primes must complete and submit Form AA. At what percent? _____ %

Intend to subcontract any portion of its scope of work to a Non-DBE(s)? Circle one. (Yes or No)
If yes, must complete and submit Form AA2. At what percent? _____ %

The undersigned will perform the following described work on the above-referenced project: (Provide a detailed description of the type of work you will perform on your subcontract. Attach a copy of quote approved and signed by Bidder (optional)).

Dollar Value of DBE Subcontract: \$ _____

Total Quantity/Units (if applicable): _____ Per Unit Cost (if applicable): \$ _____

The undersigned based the above scope of work and subcontract value on detailed project specs received from the Bidder contractor named above. Circle one. (Yes or No)

The Prime Contractor projected the following commencement and completion date for such work as follows:

DBE Contract Start Date: _____ DBE Contract Completion Date _____

The undersigned DBE will enter into a formal agreement for the above work with the Prime Contractor conditioned upon execution of a contract with NJ TRANSIT. As a DBE subcontractor, I will cooperate with the certification, compliance and monitoring process set forth by NJ TRANSIT. I attest that I will perform at least 51% of my subcontract with my own workforce for the referenced project.

Signature of 1st Tier DBE _____

Date _____

Title _____

Print Name _____

Telephone #: _____

Failure to adhere to these instructions or the falsification of any information on this form shall result in breach of contract and subject to the appropriate penalties to be determined by NJ TRANSIT.

Understanding the Form B

- The Bidder is not permitted to pre-fill **any** portion of the Form B on behalf of their DBE team. (A pre-filled Form B shall be deemed as **Fraud**)
- The DBE firm must be doing a minimum of 51% of their work to be serving a Commercial Useful Function on the contract.
- Only the DBE firm is permitted to complete a Form B and they must complete the document in their own words.
- Should a DBE require to sublet work to another firm, then it's recommended to seek out an additional DBE firm to preserve the Proposer's DBE utilization credit.
- The Form B must be signed and dated by an authorized member of the DBE firm.



Project Overview & Technical Requirements

**Glenn Zuber
Project Manager**



Project Goal

- Procure an engineered retaining wall system that will allow NJ TRANSIT to raise the grade at designated locations along its right-of-way in order to elevate critical signal and communications system components



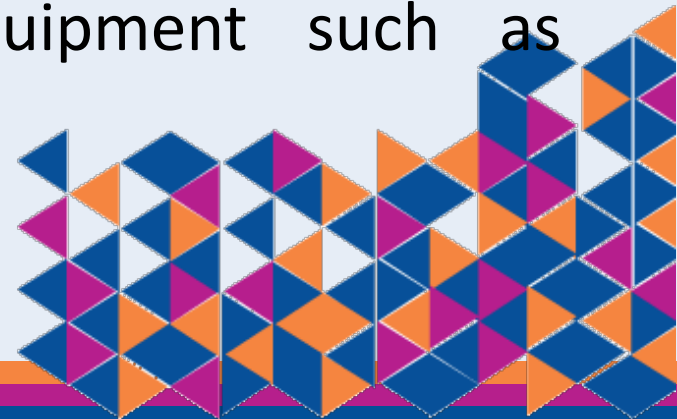
Project Background and Description

- A number of NJ TRANSIT's rail lines sustained damage from Superstorm Sandy
- Although repairs have been made, critical wayside signal and communications components need to be made resilient to possible future storm events by elevating them above FEMA flood levels



Project Requirements

- Gravity wall type bin system that relies solely on its own weight when filled for stability and support
- System shall be engineered and pre-fabricated to specified sizes, shall not require excavation greater than 36" and shall not require a separate foundation system
- System shall be comprised of lightweight components that can be assembled on-site without the need for specialty, heavy construction equipment such as cranes, pile drivers, etc.



Questions?



Key Dates

Friday, April 9, 2021.	IFB formally advertised
11:00 am, Monday, April 26, 2021	Pre-Bid Conference
5:00 pm, Monday, May 10, 2021	Request for Changes Due
2:00 pm, Tuesday, June 8, 2021	Bid Opening



**ADDENDUM NO. 1
ATTACHMENT B**

INVITATION FOR BID NO. 21-027

**NJ TRANSIT SIGNALS AND COMMUNICATIONS RESILIENCE
PROGRAM - ENGINEERED GRAVITY WALL TYPE BIN SYSTEM**

ATTENDANCE SHEET

Invitation for Bid No. 21-027**Signals and Communications Resilience Program - Engineered Gravity Wall Type Bin System****Pre-Bid Conference****Monday, April 26, 2021****Attendance Sheet****11:00 A.M.**

	Name	Firm	Email Address
1	Nicholas Stevens	Dalmar Energy Solutions, LLC	nstevens@dalmarenergy.com
2	Jesse Kahn	Hampton-Clarke, Inc.	Jkahn@hcvlab.com
3	Ken Tays	Minutemanpress	ktays@minutemanpress.com
4	Aparajita Sahoo	Distinct Engineering	scheduling@distinctengineering.com
5	Chandu Bhoraniya	TYLIN	chandu.bhoraniya@tylin.com
6	Frank Corradeti	West Bay Construction	info@westbayinc.net
7	Blair, Faith E.	NJ TRANSIT	fblair@njtransit.com
8	Chavanga, Samantha N.	NJ TRANSIT	schavanga@njtransit.com
9	Glenn Zuber	NJ TRANSIT	gzuber@njtransit.com
10	Lenora Isaac	NJ TRANSIT	LIsaac@njtransit.com
11	Elizabeth Perdomo	NJ TRANSIT	eperdomo@njtransit.com
12	Mariane Ibrahim	NJ TRANSIT	mibrahim@njtransit.com
13	Guieseppe X. Polizzi	NJ TRANSIT	GPolizzi@njtransit.com