

KENNETH J. LUCIANIN  
Commissioner



MICHAEL DeFRANCISI  
Executive Director

GREGORY A. TRAMONTOZZI  
General Counsel  
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600 Wilson Avenue  
Newark, New Jersey 07105  
P (973) 344-1800 F (973) 465-1742  
www.nj.gov/pvsc

INVITATION TO BID AND INSTRUCTIONS TO BIDDERS PVSC CONTRACT A919  
FURNISH AND INSTALL NEW REPLACEMENT ELECTRIC FEEDER CABLES  
FOR A TWO (2) YEAR PERIOD

Notice is hereby given that Passaic Valley Sewerage Commission will receive sealed bids until 10:00 o'clock in the morning on Tuesday, October 22, 2013 in their office located at 600 Wilson Avenue, Newark, New Jersey, at which time and place said bid will be publicly opened and read.

Work to be performed under Contract No. A919 includes, but is not limited to, the furnishing of all safety, supervision, labor, materials, supplies, equipment and all other facilities required to:

Furnish and install new replacement electric feeder cables throughout PVSC. This includes known failed cables and any that may fail in the next two (2) years. The feeder cables that would require replacement consist of feeders rated at 15 kV, 5 kV and 600V for existing 13.8 kV, 4.16 kV and 480V circuits.

**Security Notice:** All contractors, subcontractors, contractor employees and/or representatives entering the plant must have and must present to PVSC Security, government issued identification such as a valid Driver's License or Passport. This applies to bid openings, pre-bid conferences and all on-premises contract work.

All bids must be made upon the blank form of proposal annexed hereto. All blank spaces must be filled in, in ink, in both words and figures, with the amounts for which the proposal is made. The proposal must be signed by the bidder who shall include his business address.

**Proposals shall be enclosed in opaque sealed envelopes, addressed to Passaic Valley Sewerage Commission, 600 Wilson Avenue, Newark, New Jersey 07105, with the name and address of the bidder plainly marked upon the outside thereof. (If forwarded by preferably registered mail, the sealed envelope containing the proposal, marked as directed above must be enclosed in another envelope addressed as specified in the Proposal.) The outside envelope containing the bids must clearly identify the bid number, contract name and bid opening date. Failure to properly identify the contents may result in the bid being rejected.**

It is the purpose of Passaic Valley Sewerage Commission not to award the contract to any bidder who does not furnish evidence satisfactory to them that he is responsible and that he has sufficient financial resources, ability, experience and plant to enable him to prosecute the work successfully, and to fulfill all requirements of the contract. As part of its evaluation of any bidder PVSC reserves the right to request, and upon such request the bidder shall supply, certified financial statements and/or other documentation to substantiate the bidder's ability to successfully prosecute the work. To the extent permissible by law, PVSC agrees to maintain confidential such documentation as the bidder may identify as "Business Confidential." In no event,

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however, shall PVSC be subject to any claims resulting from disclosure of any such information under law for any other reason.

Each bid must be accompanied by a certified check, or by a bid bond in an amount not less than 10% of the total bid, not to exceed \$20,000.00 enclosed in a sealed envelope, with the bid. Certified checks shall be drawn upon a National Bank or a Trust Company doing business in the State of New Jersey, and shall be payable to the order of the Passaic Valley Sewerage Commission. Bid bonds shall be prepared on the form of Bid Bond attached hereto, and shall be duly executed by the bidder as principal and having as surety thereon, sureties or a surety company shall be licensed to do business in the State Of New Jersey, and listed in the current Federal Register, Department of the Treasury Circular 570, "Surety Companies Acceptable on Federal Bonds", and shall be satisfactory to the Passaic Valley Sewerage Commission.

Certified checks will be returned to all except the three (3) lowest formal bidders within three (3) days after the formal opening of bids, and the remaining cash or checks will be returned to the unsuccessful bidders within three (3) days after the Commission and the accepted bidder have executed the contract, or if no contract has been so executed, within 60 days after the date of the opening of bids, upon demand of the bidder at any time thereafter, as long as he has not been notified of the acceptance of his bid.

All bidders on this contract are required to complete a "Statement of Ownership of all Owners of 10% or more of the Stock of the Corporation" found in the contract documents.

All bidders on this contract are required to hold or obtain a "New Jersey Business Registration Certificate" as required by N.J.S.A. 52:32-44 et seq. Information on New Jersey Business Registration Certification Program operated by the New Jersey Department of the Treasury can be found on the internet at [www.nj.gov/njbgs](http://www.nj.gov/njbgs) or by phone 609-292-1730. Failure to submit proof of registration requires mandatory rejection of bid as a non-waivable defect.

All bidders and their subcontractors on this contract are required to hold or obtain a "Public Works Contractor Registration" as defined in section 2 of P.L. 1963, c. 150 (C.34:11-56.26) amended 2003, c.91., s.2., and listed subcontractors are registered pursuant to P.L. 1999, c.238 (C.34:11-56.48 et seq.) at the time the bid is made.

The Bidder shall submit a copy of the Certificate of Registration issued by the Commissioner of Labor with the Bid.

Each contractor shall, after the bid is made, prior to the awarding of the contract, submit to the public entity the certificates of registration for all subcontractors listed in the bid proposal. Applications for registration shall not be accepted as a substitute for a certificate of registration for the purposes of this section, as required by L. 1999, c238; amended 2003, c.91, s.4.

If awarded a contract your company/firm shall provide written notice to its

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subcontractors of the responsibility to submit proof of business registration to the contractor.

Before final payment on the contract is made by the contracting agency, the contractor shall submit an accurate list and proof of business registration of each subcontractor or supplier used in the fulfillment of the contract or shall attest that no subcontractors were used.

For the term of the contract, the contractor and each of its affiliates and a subcontractor and each of its affiliates [N.J.S.A. 52:32-44(g)(3) et seq.] shall collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act on all sales of tangible personal property delivered into this state, regardless of whether the tangible personal property is intended for a contract with a contracting agency.

A business organization that fails to provide a copy of a business registration as required pursuant to section 1 of PL 2001, c. 134 (C.52:32-44 et al.) or subsection e. of section 92 of PL 1977, c 110 (c.5:12-92), or that provides false business registration information under the requirements of either of those sections, shall be liable for a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration copy not properly provided under a contract with a contracting agency.

Information on New Jersey Business Registration Certification Program operated by the New Jersey Department of the Treasury can be found on the internet at [www.nj.gov/njbgs](http://www.nj.gov/njbgs) or by phone 609-292-1730.

**All bidders on this contract are required to be eligible for contract award under the terms and conditions of New Jersey Executive Order Number 134 as described in the subsequent bid documents.**

The bidder to whom a contract is awarded will be required to provide the necessary documents as required by Public Law 1975, Chapter 127, Affirmative Action Compliance.

The bidder to whom a contract is awarded will be required to execute the contract within ten (10) business days (not including Saturday, Sunday or holidays) from the date of the mailing of a notice from Passaic Valley Sewerage Commission to the bidder, according to the address given him, that the contract is ready for signature; and in case of his failure or neglect so to do, Passaic Valley Sewerage Commission may, at their option, determine that the bidder has abandoned the contract; and thereupon the proposal and acceptance shall be null and void, the bid security accompanying the proposal shall be forfeited to the Passaic Valley Sewerage Commission, and the bidder shall additionally be liable for all damages to the Commission occasioned by such default.

Bid Security will be held in lieu of a Performance Bond for the duration of the contract, at which time it will be returned to the Contractor.

The bidder must file simultaneously with his bid a sworn statement, giving evidence of availability of required facilities and equipment as called for to carry out the terms of the



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contract and proof that such facilities will be in the possession of the contractor at the time of contract commencement.

The successful bidder shall be solely responsible for the safety of its employees, subcontractors, suppliers and representatives, including but not limited to the development and implementation of effective safety practices and programs in accordance with Federal, State and Local requirements, including the requirements of PVSC's Construction Safety & Health Manual for Contractors:

<http://www.nj.gov/pvsc/home/forms/pdf/ConstructionSafetyHealthManualforContractors08272012.pdf>

**Prior to commencing any work at the site the Successful Bidder shall designate in writing to PVSC the name of the person who is their on-site safety officer.** The successful bidder shall provide a competent safety officer that must be on the project site at all times. The competent safety officer must hold (or furnish suitable proof of course completion and application for), at a minimum, a valid 10 Hour OSHA Construction card prior to the performance of any work under the contract. The successful bidder shall also furnish personnel meeting the requirements of "competent person" as defined by OSHA for all applicable aspects of the work. Submission of a bid on this project shall constitute a representation by the bidder that it has obtained, reviewed and will comply with the requirements of the Construction Safety & Health Manual, referenced above, as well as all other Federal, State and Local safety requirements,

The Passaic Valley Sewerage Commission reserves the right to reject any and all bids, or to accept any bid should they deem it to be in their interest so to do. Passaic Valley Sewerage Commission also reserves the right to waive any informality in any bid should they deem it to be in their interest so to do pursuant to N.J.S.A. 58:14 et seq.

In accordance with N.J.S.A. 52:32-58 et seq., Bidder shall certify and submit with their bid as set forth therein on a form of Certification promulgated by State of New Jersey Division of Purchase and Property entitled "Disclosure of Investment Activities in Iran". The form of Certification and accompanying list dated January 28, 2013 can be found at: [http://www.state.nj.us/treasury/purchase/forms/DPA\\_Form\\_Packet.pdf](http://www.state.nj.us/treasury/purchase/forms/DPA_Form_Packet.pdf) (page 6 of 17) and <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>, respectively. **It is the responsibility of Bidder to insure that the most up to date list issued by the Division of Purchase and Property is attached to the Certification submitted with this Bid.**

Questions and request for proposals shall be directed to the Passaic Valley Sewerage Commission Purchasing Department, telephone number (973) 466-2723.

Passaic Valley Sewerage Commission  
Office of the Passaic Valley Sewerage Commission  
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Contract No. A919