

New Jersey Turnpike Authority

P.O. Box 5042, Woodbridge, NJ 07095



April 16, 2019

Document Change Announcement

2016 Standard Supplementary Specifications

Project Bids - Electronic Bidding Update

DCA2019SS-04

Subject: Revisions to

Advertisement for Proposals

Section 102 Bidding Requirements And Conditions, Subsection 102.16 Business Registration Act

Section 102 Bidding Requirements And Conditions, Subsection 102.19 Ethics Standards (Executive Order 189)

Section 106 Legal Relations And Responsibility, Subsection 106.02 Laws and Ordinances

Section 106 Legal Relations And Responsibility, Subsection 106.10 Permits, Licenses and Taxes

Description of Change:


This DCA makes updates related to the implementation of Project Bids, and miscellaneous compliance updates. All Proposal forms from the front-end of the Supplementary Specifications are removed and only appear in the Authority's electronic bidding software. A new Ownership Disclosure Form will appear on the BidX webpage for each Proposal. This DCA shall only be incorporated for contracts with lettings after May 6, 2019.

Notice to New Jersey Turnpike Authority Staff and Design Consultants


Effective immediately, all contracts currently in the design phase shall incorporate the revisions herein. For advertised contracts awaiting the opening of bids this revision shall be incorporated via addendum. Contact your New Jersey Turnpike Authority Project Manager for instruction.

The revisions may be accessed on the Authority's webpage: <https://www.njta.com/doing-business/professional-services>

Recommended By:

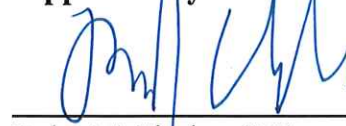


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Approved By:



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Distribution: Senior Staff Engineering, Law, Maintenance and Operations Depts., UTCA, AGC, All Prequalified Consultant Firms, File

NOTE: All text herein are REVISIONS, as indicated by the tracked changes, to the latest version of the 2016 Standard Supplementary Specifications.

ADVERTISEMENT FOR PROPOSALS

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Contract documents may be examined or purchased online starting **[insert date]*** at the Bid Express website, www.bidx.com. Instructions may also be found through the Electronic Bidding link found on the Authority's website (<https://www.bidx.com/njta/main>). The 2016 Standard Specifications, which form an integral part of the Contract, are available electronically on the Authority's website (<https://www.njta.com/doing-business/2016-standard-specifications>) and in print from the Authority at an additional cost of Forty Dollars (\$40.00) per copy.

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The following documents are no longer found in the Standard Supplementary Specifications and are now found solely in the Authority's bidding software: Prequalification Recapitulation, Non-Collusion Affidavit, and Addenda forms.

Disclosure Statement has been replaced with a new "Ownership Disclosure Form" shown in subsequent pages of this DCA. It will be found on the BidX webpage for each Proposal. This form is to be completed and uploaded via the Authority's bidding software for each bidder Proposal.

Additional instructions will be found at <https://www.bidx.com/njta>.

NOTE: All text herein are REVISIONS, as indicated by the tracked changes, to the latest version of the 2016 Standard Supplementary Specifications.

SECTION 102 – BIDDING REQUIREMENTS AND CONDITIONS

102.16 Business Registration Act

Add the following to the end of the second paragraph:

Failure to comply with the requirements of N.J.S.A. 52:32-44 will result in penalties per N.J.S.A. 52:49-4.1.

102.19 Ethics Standards

Replace the bullets sequentially with letters (A) through (G).

SECTION 106 - LEGAL RELATIONS AND RESPONSIBILITY

106.02 Laws and Ordinances

Delete the fourth paragraph and replace with the following:

The parties to this Contract agree to incorporate into the Contract the mandatory language of N.J.A.C. 17:27-3.6, N.J.A.C. 17:27-3.8, and N.J.A.C. 17:27-7.4 promulgated by the Treasurer pursuant to P.L. 1975, C 127, N.J.S.A. 10:5-31 et seq., and the Contractor or Subcontractor agrees to comply fully with these regulations.

See Appendix A in the Supplementary Specifications for Affirmative Action Mandatory Language.

106.10 Permits, Licenses and Taxes

Add the following after the sixth paragraph of this section:

Pursuant to N.J.S.A. 54:49-19, and notwithstanding any provision of the law to the contrary, whenever any taxpayer, partnership, or S corporation under contract to provide goods or services or construction projects to the State of New Jersey or its agencies or instrumentalities, including the legislative and judicial branches of State government, is entitled to payment for those goods or services or construction projects and at the same time the taxpayer, or the partner or shareholder of that entity, is indebted for any State tax, the Director of the Division of Taxation shall seek to set-off that taxpayer's, partner's or shareholder's share of the payment due to the taxpayer, partnership, or S corporation. The amount of set-off shall not allow for the deduction of any expenses or other deductions which might be attributable to a partner or shareholder subject to set-off under this act. No payment shall be made to the taxpayer, the provider of goods or services or the Contractor or subcontractor of construction projects pending resolution of the indebtedness.

The Director of the Division of Taxation shall give notice of the set-off to the taxpayer, the provider of goods or services, or the Contractor or Subcontractor of construction projects and provide an opportunity for a hearing, upon thirty (30) days notice, under the procedures for protests established under N.J.S.A. 54:49-18. No requests for conference, protest or subsequent appeal to the Tax Court from any protest under this Subsection shall stay the collection of the indebtedness. Interest that may be payable by the State pursuant to P.L. 1987, c. 184 (c.582:32-32 et seq.) to the taxpayer, the provider of goods or services, or the Contractor or Subcontractor of construction projects shall be stayed.

(B) Dewatering Permit

Delete the second and third paragraphs.

THE NEW JERSEY TURNPIKE AUTHORITY
1 TURNPIKE PLAZA
P.O. BOX 5042
WOODBIDGE, NEW JERSEY 07095

OWNERSHIP DISCLOSURE FORM

CONTRACT NUMBER: _____ BIDDER/PROPOSER: _____

PART 1

PLEASE COMPLETE THE QUESTIONS BELOW BY CHECKING EITHER THE "YES" OR THE "NO" BOX. ONLY THE PRIME PARTIES (**Successful Bidder/Proposer**) ENTERING INTO A CONTRACT WITH THE NEW JERSEY TURNPIKE AUTHORITY ARE REQUIRED TO COMPLETE THIS FORM PURSUANT TO N.J.S.A. 52:25-24.2

PLEASE NOTE THAT IF THE BIDDER/PROPOSER IS A NON-PROFIT ENTITY, THIS FORM IS NOT REQUIRED.

1. Are there any individuals, corporations, partnerships, or limited liability companies owning a **10% or greater** interest in the Bidder/Proposer?

YES ☐ NO ☐

IF THE ANSWER TO QUESTION 1 IS "NO", PLEASE SIGN AND DATE THE FORM.

IF THE ANSWER TO QUESTION 1 IS "YES", PLEASE ANSWER QUESTIONS 2 – 4 BELOW.

2. Of those parties owning a 10% or greater interest in the Bidder/Proposer, are any of those parties individuals?

YES ☐ NO ☐

IF ANY OF THE ANSWERS TO QUESTIONS 2 - 4 ARE "YES", PLEASE PROVIDE THE REQUESTED INFORMATION IN PART 2 BELOW.

3. Of those parties owning a 10% or greater interest in the Bidder/Proposer, are any of those parties **corporations, partnerships, or limited liability companies**?

YES ☐ NO ☐

4. If your answer to Question 3 is "YES", are there any parties owning a **10% or greater** interest in the corporation, partnership, or limited liability company referenced in Question 3?

YES ☐ NO ☐

PART 2

PLEASE PROVIDE FURTHER INFORMATION RELATED TO QUESTIONS 2 – 4 ANSWERED AS “YES”.

If you answered “YES” for questions 2, 3, or 4, you must disclose identifying information related to the individuals, corporations, partnerships, and/or limited liability companies owning a 10% or greater interest in the Bidder/Proposer. Further, if one or more of these entities is itself a corporation, partnership, or limited liability company, you must also disclose all parties that own a 10% or greater interest in that corporation, partnership, or limited liability company. This information is required by statute.

INDIVIDUALS

NAME _____ DATE OF BIRTH _____
ADDRESS 1 _____
ADDRESS 2 _____
CITY _____ STATE _____ ZIP _____

NAME _____ DATE OF BIRTH _____
ADDRESS 1 _____
ADDRESS 2 _____
CITY _____ STATE _____ ZIP _____

NAME _____ DATE OF BIRTH _____
ADDRESS 1 _____
ADDRESS 2 _____
CITY _____ STATE _____ ZIP _____

Attach Additional Sheets If Necessary.

PART 2 continued
PARTNERSHIPS/CORPORATIONS/LIMITED LIABILITY COMPANIES

ENTITY NAME _____

PARTNER NAME _____

ADDRESS 1 _____

ADDRESS 2 _____

CITY _____ STATE _____ ZIP _____

ENTITY NAME _____

PARTNER NAME _____

ADDRESS 1 _____

ADDRESS 2 _____

CITY _____ STATE _____ ZIP _____

ENTITY NAME _____

PARTNER NAME _____

ADDRESS 1 _____

ADDRESS 2 _____

CITY _____ STATE _____ ZIP _____

Attach Additional Sheets If Necessary.

In the alternative, to comply with the ownership disclosure requirement, a Bidder/Proposer with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10% or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10% or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest. N.J.S.A. 52:25-24.2.

CERTIFICATION

I, the undersigned, certify that I am authorized to execute this certification on behalf of the Bidder/Proposer, that the foregoing information and any attachments hereto, to the best of my knowledge are true and complete. I acknowledge that the New Jersey Turnpike Authority is relying on the information contained herein, and that the Bidder/Proposer is under a continuing obligation from the date of this certification through the completion of any contract(s) with the New Jersey Turnpike Authority to notify the New Jersey Turnpike Authority in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification. If I do so, I will be subject to criminal prosecution under the law, and it will constitute a material breach of my agreement(s) with the New Jersey Turnpike Authority, permitting the New Jersey Turnpike Authority to declare any contract(s) resulting from this certification void and unenforceable.

Signature

Date

Print Name and Title

FEIN/SSN