

New Jersey Turnpike Authority

P.O. Box 5042, Woodbridge, NJ 07095



May 7, 2021

Document Change Announcement

**2016 Standard Supplementary Specifications
Compliance Updates II
DCA2021SS-04**

Subject: Revisions to

Section 102 Bidding Requirements And Conditions, Subsection 102.09 Submitting Proposals

Section 102 Bidding Requirements And Conditions, Subsection 102.11 Causes for Rejection

Section 102 Bidding Requirements And Conditions, Subsection 102.15 Public Works Contractor
Registration Act

Section 102 Bidding Requirements And Conditions, Subsection 102.18 Disclosure of Investment Activities in
Iran

Section 104 Control Of Work, Subsection 104.03 Plans and Specifications

Description of Change:

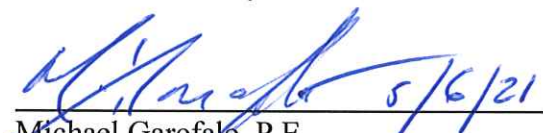
This DCA contains miscellaneous compliance updates.

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

NOTE: Tracked changes herein indicate REVISIONS to the latest version of the 2016 Standard Supplementary Specifications.

ADVERTISEMENT FOR PROPOSALS

Contractors shall comply with the Public Works Contractor Registration Act ("PWCRA"), as amended in, N.J.S.A. 34:11-56.48 et seq. All Bidders shall be registered pursuant to the PWCRA at the time of Proposal submission and ~~shall~~ are requested to submit a valid certificate of registration with their Proposals. No Contractor or Subcontractor, including lower tier Subcontractors, shall engage in the performance of any public work subject to the Contract, unless the Contractor or Subcontractor is registered pursuant to the Act.

All Bidders must comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. relating to affirmative action rules prohibiting discrimination in employment and requiring affirmative action in performance of Contracts awarded to the successful Bidder.

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SECTION 102 – BIDDING REQUIREMENTS AND CONDITIONS

102.09 Submitting Proposal

Delete this Subsection in its entirety and replace it with the following:

The Bidder shall submit a Proposal via Electronic Bidding. An authorized representative of the Bidder is required to digitally sign the Proposal. The Authority may reject Proposals that are not digitally signed by the authorized representative of the Bidder with an approved digital signature. More information on digital signatures are found on the Authority's Electronic Bidding website.

The Bidder is solely responsible for any and all errors and for timely submission of the bid, all components thereof, and all attachments thereto, through the Electronic Bidding system; the Authority assumes no responsibility for any claim arising from the failure of any Bidder or of the electronic delivery system to cause any bid, bid component, or attachment to not be delivered to the Authority on or before the time set for the opening of bids.

The following documents shall be submitted with the Proposal:

- (A) Scheduled Items of Work and associated bid prices.
- (B) Bidder's Certification indicating the authorized representative of the firm who is submitting the Proposal.
- (C) Acknowledgment of compliance of the Contractor's Business Registration as required pursuant to N.J.S.A. 52:32-44.
- (D) Disclosure Statement indicating firm ownership in compliance with N.J.S.A. 52:25-24.2.
- (E) Non-Collusion Certification.
- (F) Prequalification Certification.
- (G) The Proposal Guaranty, Consent of Surety, and Power of Attorney.
- (H) Acknowledgment of Addenda, if issued.

Additionally, the Authority requests the following documents be submitted with the Proposal:

- (I) Valid Public Works Contractor Registration certificate(s) for the Bidder, and all joint venture entities if applicable, pursuant to the requirements of Subsection 102.15.

(I) Disclosure of Investment Activities in Iran form provided by the Authority, pursuant to N.J.S.A. 52:32-58.

Replace item (D) with the following:

(D) Valid Public Works Contractor Registration certificate(s) for the Bidder, and all joint venture entities if applicable, pursuant to the requirements of Subsection 102.15.

102.11 Causes for Rejection

In the 2nd paragraph, replace item (o) with: Item (o) "failure to submit the complete form entitled 'Disclosure of Investment Activities in Iran' pursuant to N.J.S.A. 52:32-55" is deleted in its entirety.

(o) failure to be registered pursuant to the Public Works Contractor Registration Act ("PWCRA") at the time of Proposal submission

Replace the 3rd paragraph with the following:

The Authority reserves the right to waive any or all minor irregularities and technicalities in the submission of bidding documents, in accordance with law.

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102.15 Public Works Contractor Registration Act.

This Subsection is deleted in its entirety and replaced with the following:

Contractors shall comply with P.L. 1999, c.238, the Public Works Contractor Registration Act, as amended by P.L. 2003, c.91 (N.J.S.A. 34:11-56.48 et seq.), and shall have been issued a certificate of registration, by the New Jersey Department of Labor and Workforce Development, Division of Wage and Hour Compliance indicating compliance with the Act's requirements prior to submission of their bid to the Authority. No Contractor or Subcontractor, including lower tier Subcontractors, shall engage in the performance of any public work subject to the Contract, unless they are registered pursuant to this Act.

The Authority requests that all Bidders submit a copy of their certificate of registration with the New Jersey Department of Labor and Workforce Development with their Proposal. Bidders shall submit a copy of their certificate of registration with the New Jersey Department of Labor and Workforce Development with their Proposal. Instructions on submitting the certificate may be found on the Authority's Electronic Bidding website. Copies of the certificates of registration for Subcontractors not listed in the Proposal shall be submitted in accordance with 103.04. The certificate(s), or certified facsimile(s) of the certificate, shall be maintained at the worksite and shall be made readily available for inspection.

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102.18 Disclosure of Investment Activities in Iran.

This Subsection is deleted in its entirety and replaced with the following:

Prior to the time a contract is awarded, pursuant to N.J.S.A. 52:32-58, the successful Bidder must certify that neither the successful Bidder, nor one of its parents, subsidiaries, and/or affiliates (as defined in N.J.S.A. 52:32-56(e)(3)), is listed on the Department of Treasury's List of Persons or Entities Engaging in Prohibited Investment Activities in Iran and that neither is involved in any of the investment activities set forth in N.J.S.A. 52:32-56(f). If the successful Bidder is unable to so certify, the bidder shall provide a detailed and precise description of such activities to the Authority. The successful Bidder shall certify under penalty of perjury, date and return to the Authority the completed form entitled "Disclosure of Investment Activities in Iran" as set forth in the Proposal.

The Authority requests that all Bidders submit a copy of the form entitled "Disclosure of Investment Activities in Iran" prior to bid. Instructions on submitting the form may be found on the Authority's Electronic Bidding website.

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106.24 Small Business Enterprise Program

In the first sentence of the seventh paragraph, delete "N.J.A.C. 17:14-5.2" and replace it with "N.J.A.C 17:13-4.2".

107.11 Lane And Roadway Occupancy Charges

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Notes:

Every 15 minutes late after 2 hours is an additional charge of \$5,000 to a maximum total daily charge of \$20,000.

Note that the charges above ~~will~~**shall** not be added together. The Lane Occupancy Charge to be assessed is the single value in the right-hand column corresponding to the lateness of work zone pick up found in the left-hand column.

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APPENDIX A - AFFIRMATIVE ACTION MANDATORY LANGUAGE

Additional Mandatory Construction Contract Language For State Agencies, Independent Authorities, Colleges and Universities Only

Executive Order 151 (Corzine, August 28, 2009) and P.L.2009, c.335 include a provision which require all state agencies, independent authorities and colleges and universities to include additional mandatory equal employment and affirmative action language in its construction Contracts. It is important to note that this language is in addition to and does not replace the mandatory Contract language and good faith efforts requirements for construction Contracts required by N.J.A.C. 17:27-3.6, 3.7 and 3.8, also known as Exhibit B. The additional mandatory equal employment and affirmative action language is as follows:

Evidence of a "good faith effort" includes, but is not limited to:

1. The Contractor shall recruit prospective employees through the State Job bank website, managed by the Department of Labor and Workforce Development, available online at <https://careerconnections.nj.gov/>
2. The Contractor shall keep specific records of its efforts, including records of all individuals interviewed and hired, including the specific numbers of minorities and women;
3. The Contractor shall actively solicit and shall provide the New Jersey Turnpike Authority with proof of solicitations for employment, including but not limited to advertisements in general circulation media, professional service publications and electronic media; ~~and~~
4. The Contractor shall provide evidence of efforts described at 2 above to the New Jersey Turnpike Authority no less frequently than once every 12 months; ~~and~~
5. The Contractor shall comply with the requirements set forth at N.J.A.C. 17:27- 1.1 et seq.