

New Jersey Turnpike Authority

1 TURNPIKE PLAZA - P.O. BOX 5042 - WOODBRIDGE, NEW JERSEY 07095
TELEPHONE (732) 750-5300

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SHEILA Y. OLIVER
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March 31, 2023

To All Concerned:

Please be advised the "Contractor's Qualifying Statement" form has been revised to clarify direction to prospective prequalified contractors, and to streamline the prequalification review process by updating the form for past performance. The requirements for contractor prequalification are set forth in the New Jersey Turnpike Authority Regulations (adopted September 18, 2017) under Subchapter 19:9-2.7, titled "Procedures for prequalification and award of construction contracts."

In order to be eligible to bid on projects to be undertaken by this Authority that exceed \$50,000.00, you must prequalify in a classification annually, by submitting under oath, statements relating to your organization, prior experience, adequacy of plant and equipment, financial ability and moral integrity. For certain projects, prequalification with the New Jersey Department of the Treasury, Division of Property Management and Construction (NJDPMC - Notice of Classification) will be accepted in lieu of Authority prequalification. This prequalification requirement will be stated in the Advertisement for Proposal for the specific project.

The "Contractor's Qualifying Statement" form should be filed annually and must be received at least twenty-one calendar days prior to the date set for receipt of bids for a specific contract on which you desire to bid. **The Contractor's Qualifying Statement must be accompanied by certified audited financial statements or a CPA review of financial statements.** The Authority will review the statements and notify you by certified mail of your classification with respect to both class and dollar amount. This classification will be effective for one year. The classification will entitle you to submit a proposal on any contract classified and rated within your classification, except when the classification has been changed or revoked or you have been disqualified from bidding in accordance with said procedures.

Those firms requesting prequalification in the following classification are required to submit a copy of their State of New Jersey license:


10. Electrical Work, Highway

Please return the completed forms to:

NEW JERSEY TURNPIKE AUTHORITY
DAVID SIEGLER, CONTRACTS MANAGER
1 TURNPIKE PLAZA
P.O. BOX 5042
WOODBIDGE, NEW JERSEY 07095

If there are any questions relating to these prequalification procedures, please email David Siegler at contracts@njta.com.

Very truly yours,


Michael Garofalo, P.E.
Chief Engineer

NEW JERSEY TURNPIKE AUTHORITY

PROCEDURE FOR PREQUALIFICATION AND AWARD OF CONSTRUCTION CONTRACTS

- (a) All prospective bidders for construction in excess of \$50,000.00 shall be prequalified annually into classifications by the Chief Engineer. Prospective bidders will be classified according to the type of work and the amount of work on which they are entitled to bid as set out in the schedule of classifications set forth at Appendix A to this chapter, incorporated herein by reference. Proposals submitted by prequalified bidders who have received classification ratings as set forth in Appendix A within 10 percent of the total price of the proposal will be considered for award by the Authority. The Chief Engineer may, from time to time, add additional specialized work categories to the schedule of classifications.
- (b) In order to prequalify in classification, prospective bidders shall submit annually, or at least 21 calendar days prior to bid opening of a specific contract, proof of the following:
1. As to type of work, recent satisfactory experience as a contractor on a contract involving substantially the same or similar work to the classification being sought;
 2. As to amount of work, satisfactory experience within the past three years as a contractor either on a single contract performed in a single year, or several contracts performed in a single year, having the following minimum amounts of contract work for such single year, for the specified classification ratings listed below:
 - i. \$ 90,000 worth of contract work in a year for a classification rating up to \$ 150,000 maximum;
 - ii. \$ 300,000 worth of contract work in a year for a classification rating up to \$ 500,000 maximum;
 - iii. \$ 600,000 worth of contract work in a year for a classification rating up to \$ 1,000,000 maximum;
 - iv. \$ 1,200,000 worth of contract work in a year for a classification rating up to \$ 2,000,000 maximum;
 - v. \$ 2,100,000 worth of contract work in a year for a classification rating up to \$ 3,500,000 maximum;
 - vi. \$ 3,000,000 worth of contract work in a year for a classification rating up to \$ 5,000,000 maximum;
 - vii. \$ 6,000,000 worth of contract work in a year for a classification rating up to \$ 10,000,000 maximum; and
 - viii. \$ 10,000,000 worth of contract work in a year for a classification rating of unlimited;
 3. Satisfactory financial condition of the prospective bidder. The Contractor's Qualifying Statement must be accompanied by certified audited financial statements or a CPA review of financial statements. The financial statements shall be complete, with a balance sheet, related statements of income and retained earnings and cash flows. The financial statements shall be completed by a certified public accountant or public accountant, as established by N.J.S.A. 45:2B-29 et seq., who is independent of, and not an

employee of, the contractor for which the financial statements are being provided:

- i. The certified audited financial statements shall have an unqualified opinion. The CPA review of financial statements shall be in conformity with generally accepted accounting principles. Both the audited and CPA-reviewed financial statements shall be for a full one year accounting cycle;
 - ii. Submission of a consolidated financial statement is acceptable. It may be submitted with the Contractor's Qualifying Statement completed in the name of the parent corporation. A consolidated financial statement submitted with a Contractor's Qualifying Statement and completed in the name of the subsidiary corporation shall include a separate breakdown of the financial statements, and a separate unqualified opinion that includes balance sheet, income statement, statement of changes in financial position and cash flows, all in the name of the subsidiary corporation;
 - iii. Submission of a combined financial statement is not acceptable;
 - iv. A contractor can be pre-qualified for contract work with a classification rating up to \$1,000,000 with submission of a CPA review of financial statements and qualifying statement; however, reliance upon such a submission will result in a reduction of the contractor's classification rating by one rating
4. Adequate facilities, including plant, equipment and experience of key personnel and officers of the prospective bidder;
 5. That the bidder is not now, nor has been involved, directly or indirectly, in any proceeding, conduct or activity relating to, or reflecting upon, the moral integrity of the bidder by means of sworn affidavit; and
 6. A satisfactory workplace safety record including, but not limited to, records of the prospective bidder's experience modification rating for the previous three years and any other workplace safety records or information requested by the Chief Engineer.
 7. When submitting a proposal, prequalified bidders may not submit another Qualifying Statement, but shall instead submit a prequalification recapitulation in such form as may be prescribed by the Chief Engineer.
- (c) The Chief Engineer or his or her designee(s) shall review the statement and other information submitted by the prospective bidder, and shall notify the prospective bidder of the decision as to their classification by certified mail. The classification will be valid for a period of one year from the date of the Chief Engineer's decision, and the prospective bidder will be allowed to bid on all Authority contracts within its classification limits for this one year period without the need of additional prequalification, subject to subsections (d) and (g) below. At the end of this one year period, the prequalification of the bidder will expire, and to be renewed, the prospective bidder must meet the requirement of (b) above.

- (d) The Chief Engineer shall reserve the right to require a prospective bidder to submit such additional evidence of qualifications as deemed necessary, and shall consider any evidence available of the financial, technical, and other qualifications and ability of the bidder. The Chief Engineer may change or revoke at any time the classifications of any bidder upon any evidence that said bidder does not meet the financial, technical, moral or other qualifications of the classification. The Chief Engineer may direct a Request for Qualifications Information (RFQI) process to be used in prequalifying contractors under classifications, not listed in Appendix A, but appropriate for specialized projects involving homeland security or other exigent circumstances.
- (e) The Chief Engineer may deny prequalification of any bidder who fails to comply with the provisions of subsection (b) above, and, further, may recommend to the Authority rejection of any bid where the bidder, at such time, has failed to comply with the provisions of this section.
- (f) The Authority reserves the right to waive the prequalification procedures and requirements in contracting in an emergency situation.
- (g) Bidders on all other contracts not requiring prequalification shall, however, comply with the provisions of subsections (b)3, 4, 5 and 6 above.

PROCEDURE TO RESOLVE PROTESTED SOLICITATIONS AND AWARDS

- (a) Any actual or prospective bidder, offeror or contractor who is aggrieved in connection with the solicitation or award of a contract or its prequalification status or classification may protest to the Authority. The protest shall be submitted in writing within five business days after such aggrieved person knows or should have known of the facts giving rise thereto. Failure to file a timely protest shall bar any further action. The written protest shall set forth in detail the facts upon which the protestant bases its protest.
- (b) Upon the filing of a timely protest, the Authority's Executive Director or his or her designee shall have the authority to conduct a hearing, to settle and resolve a protest of an aggrieved bidder, offeror or contractor concerning the solicitation or award of a contract or its prequalification status or classification, with the Executive Director retaining authority for the final decision of the Authority. This authority shall be exercised in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.
- (c) If the protest is not resolved by mutual agreement, the Executive Director shall promptly issue a decision in writing. Any such hearing may be conducted on written submissions, or through an in-person informal conferences, as determined in the discretion of the Executive Director or his or her designee, as deemed necessary based upon the nature of the protest. The decision shall state the determination made and reasons for the action taken. The decision shall be mailed or furnished promptly to the protestant and any other interested party.
- (d) A decision under subsection (c) above shall be final and conclusive, unless any person adversely affected by the decision commences an action

in court.

- (e) In the event of a timely protest under (a) above, the Authority shall not proceed further with the solicitation, or with the award of the contract until the decision is rendered under subsection (c) above, or until the Executive Director or his or her designee after consultation with the Director of Procurement and Materials Management or Chief Engineer makes a written determination that the continued solicitation or award of the contract without delay is necessary to protect the interests of the Authority or the public.

APPENDIX A

CONTRACTOR'S CLASSIFICATION & RATINGS

CLASSIFICATION	BRIEF DESCRIPTION
1. Grading and Drainage	All clearing, excavation, embankment, grading and drainage, including, but not limited to, the construction of storm drainage structures and storm drainage pipe installation.
2. Paving	New construction of various courses of bituminous concrete to line and grade using automatic controls. Final preparation of the underlying material is also included.
3. Resurfacing <i>Paving (2)</i>	High volume roadway/multilane roadway pavement removal and bituminous concrete resurfacing using various courses, under traffic, to line and grade using automatic controls.
4. General Construction, Highway <i>Grading and Drainage (1) Paving (2)</i>	Work involving excavation, embankment, grading, drainage, paving (no bridge construction).
5. Bridge Structures <i>Concrete Maintenance (7)</i>	Bridge, viaducts, retaining walls, foundations, fabrication and erection of structural steel, intermediate members, deck repair and/or replacement.
6. Bridge Deck Repairs <i>Concrete Maintenance (7)</i>	Bridge deck replacement work or full depth bridge deck repairs completed under live traffic conditions and traffic shifts of a limited duration per lane mile.
7. Concrete Maintenance	Concrete repair to reinforced concrete structures, and all bridge related repairs, including, but not limited to, concrete, reinforcement steel and structural steel.

APPENDIX A
CONTRACTOR'S CLASSIFICATION & RATINGS

- | | |
|---|---|
| 8. Heavy Highway
<i>Bridge Structures (5)</i>
<i>Concrete Maintenance (7)</i>
<i>General Construction, Highway (4)</i>
<i>Grading and Drainage (1)</i>
<i>Paving (2), Signing (14), Fencing (15),</i>
<i>Timber Construction (17)</i> | Work involving the combination of excavation, embankment, grading, drainage, paving and bridges. |
| 9. Landscaping | Planting, seeding, topsoiling, grading, jute mesh, erosion control and all other landscaping procedures. |
| 10. Electrical Work, Highway | Roadway, area, parking and ramp lighting, lighting standards, electrical distribution panels and other underground and overhead electrical work. |
| 11. Painting, Routine | Blast cleaning, priming and painting bridge structures, comprised of simply supported or continuous rolled steel beams or welded plate girders over active facilities which include, but are not limited to, roadways, railroads and navigable waterways. |
| 12. Painting, Complex
<i>Painting, Routine (11)</i> | Blast cleaning, priming and painting bridge structures, comprised of complex steel arrangements, including, but not limited to, steel trusses with suspended deck systems and stringer -floor beam - girder configurations not included under classification 11, Painting Routine, over active facilities which include, but are not limited to, roadways, railroads and navigable waterways. |
| 13. Guide Rail | All types of guide rail. |
| 14. Signing | All types of signing, delineation, overhead sign structures. |
| 15. Fencing | All types of fencing |

APPENDIX A
CONTRACTOR'S CLASSIFICATION & RATINGS

16. Pavement Markings	This work shall consist of the placement and/or removal of pavement markings and stripes made of paint epoxy, thermoplastic, preformed tape, etc. This work shall also include the placement and removal of recessed or raised reflective markers.
17. Timber Construction	Bridge fender systems and all types of timber construction.
18. Environmental Remediation Systems	Construction of soil and/or groundwater remediation systems in accordance with applicable State and Federal regulations. The constructed system shall utilize air sparging well installation in conjunction with soil vapor extraction technology, including, but not limited to, all associated separators, strippers, pumps, oxidizers, electrical work, piping and contaminated material removal. The contractor shall provide evidence of the appropriate State and/or Federal certification for soil and/or groundwater remediation systems if applicable.
19. Cleaning Manufactured Treatment Devices, Storm Drainage Pipe and Drainage Structures	This work shall consist of the inspection, cleaning and disposal of debris from Manufactured Treatment Devices, Storm Drainage Pipe and Drainage Structures.

Note: Classifications shown in italics font are automatically awarded with the indicated Classification.

CLASSIFICATION RATINGS:

Up to \$ 150,000 maximum
Up to \$ 500,000 maximum
Up to \$ 1,000,000 maximum
Up to \$ 2,000,000 maximum
Up to \$ 3,500,000 maximum
Up to \$ 5,000,000 maximum
Up to \$ 10,000,000 maximum
Unlimited

Special Rating - (Limits to be established in specific situations where other Classification Rating is not adequate)



New Jersey Turnpike Authority

ENGINEERING DEPARTMENT

1 TURNPIKE PLAZA - P.O. BOX 5042 - WOODBRIDGE, NEW JERSEY 07095

Contractor's Qualifying Statement

This statement is submitted for: ☐ Original Application ☐ Renewal of Classification(s)

Check one: ☐ Sole Proprietorship ☐ Partnership ☐ Corporation ☐ Limited Liability Company

Applicant (Company Name) _____

Street Address _____

City _____ State _____ Zip Code _____

Application Prepared by _____

E-mail Address _____

Telephone Number _____

Applicant must be registered in CapEx and must have all primary contact information up-to-date. Authority bid and award correspondence will be addressed to the primary contact (i.e. an officer of the company). Refer to the Authority website for accessing CapEx. Contact contracts@njta.com with any questions.

Classification(s) Requested (checkmark for renewals, or write "NEW" if not previously granted the Classification):

- | | | |
|--|-------------------------------|------------------------------|
| _____ 1. Grading and Drainage | _____ 2. Paving | _____ 3. Resurfacing |
| _____ 4. General Construction, Highway | _____ 5. Bridge Structures | _____ 6. Bridge Deck Repairs |
| _____ 7. Concrete Maintenance | _____ 8. Heavy Highway | _____ 9. Landscaping |
| _____ 10. Electrical Work, Highway | _____ 11. Painting, Routine | _____ 12. Painting, Complex |
| _____ 13. Guide Rail | _____ 14. Signing | _____ 15. Fencing |
| _____ 16. Pavement Markings | _____ 17. Timber Construction | |
| _____ 18. Environmental Remediation Systems | | |
| _____ 19. Cleaning Manufactured Treatment Devices, Storm Drainage Pipe and Drainage Structures | | |

The Financial information, as verified by the accompanying audited or reviewed Financial Statements, is accurate as of _____. A combined financial statement is not acceptable.

(Use end of month date)

(A) ORGANIZATION

If a Corporation, answer this: Capital paid in cash: \$ _____ When incorporated: _____ In what State: _____ President's name: _____ Vice President's name: _____ Secretary's name: _____ Treasurer's name: _____	If a Partnership, answer this: Date of organization: _____ State whether partnership is general, limited or association: _____ <hr/> <u>Name and Address of Partners:</u> <u>Age</u> _____ _____ _____
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(B) PERSONNEL

List the construction experience of principal individuals of your organization

INDIVIDUAL'S NAME	PRESENT POSITION OR OFFICE	LENGTH OF TIME EMPLOYED BY YOUR ORGANIZATION	NAME & ADDRESS OF FORMER EMPLOYER & DATE EMPLOYED	YEARS OF CONSTRUCTION EXPERIENCE	MAGNITUDE & TYPE OF WORK	IN WHAT CAPACITY

(C) STATUS OF CONTRACTS ON HAND

Applicant shall complete all fields in "Contractor's Qualifying Statement Attachment 1 – Project Reference List", found on the Authority's website at <https://www.njta.com/doing-business/construction-and-maintenance-contracts> under "Information and Forms for Construction Contracts." **Print on 11x17 paper and append Attachment 1 following this page of the application.**

Instructions for Attachment 1:

1. List current projects and projects completed by your organization in recent years which indicate experience specific to the Classification(s) being requested. Note that Classification Rating(s) are determined based on work performed within the past three (3) years.
2. **DO NOT USE** NJDOT Form DC-74A.
3. Validate all contact reference information, which must include a name, job title (must be the owner or owner's representative, e.g. resident engineer), direct phone number and e-mail address.

If information is incorrect or missing, the Authority will contact the Applicant for corrected information. The application will be deemed incomplete until then. Unresponsiveness may result in denial of the application.

**(D) RECAPITULATION OF NET WORKING CAPITAL, NET BOOK VALUE OF
CONSTRUCTION EQUIPMENT AND AVAILABLE LINE OF CREDIT**

**(As presented in the accompanying CPA Audited
or Reviewed Financial Statements and Letter (s)
of Line of Credit from the Bank (s))**

- | | | |
|----|---|-------------------|
| 1. | Total Current Assets | \$ _____ |
| 2. | Less: Total Current Liabilities | \$ _____ |
| 3. | Net Working Capital | \$ _____ |
| 4. | Net Book Value of
Construction Equipment
Owned (Each Piece of
Construction Equipment must
be Listed in the Foregoing
Equipment Schedule Excluding
Automobiles,
Office Equipment, Etc.) | \$ _____ |
| 5. | Approved, Unsecured Line of
Credit (Must not be dated
prior to Financial Statement
Date) | \$ _____ |
| 6. | Less: Portion of Line of Credit
in use | \$ _____ |
| 7. | Available Line of Credit | \$ _____ |
| 8. | Potential Working Capital
Determined by Addition of
Item Nos. 3, 4 and 7 above) | \$ _____
_____ |

(E) BANK CREDIT**NOTE:**

Credit letters may be submitted from your banks for the purpose of establishing your financial qualifications in determining your classification and rating. Such letters must, however, be specific as to amount. Letters previously submitted or already on file will not be considered in determining a new classification.

This page, properly executed, may be used as a bank credit letter.

If more than one bank credit letter is being submitted the second or subsequent letters must be in this form on regular bank letterheads. They should be attached to this page.

Name of Bank _____

Address _____

Date _____
(Not prior to that of the Qualifying Statement)

New Jersey Turnpike Authority
Woodbridge, New Jersey

A line of credit in the maximum amount of \$ _____ has been placed at the disposal of _____ for use when, as, and if needed throughout the twelve month period beginning _____, subject to the usual conditions, including the requirement that their financial and other conditions remain satisfactory.

None of the items listed as current assets in this statement now being submitted by _____ have been pledged to secure the line of credit mentioned above except as follows:

The line of credit mentioned above has been given with full knowledge of accommodations extended by other banks in amounts as follows:

During the past two years the maximum use made of lines of credit extended by this bank has been:

Should any termination, reduction or increase in this line of credit occur, we shall notify you within 10 business days thereafter.

As of this date of this Affidavit, \$_____ of the maximum line of credit amount mentioned above is available for use by this organization.

AFFIDAVIT

STATE OF _____ }
COUNTY OF _____ } ss:

Being duly sworn, deposes
and says that he is _____ of the _____
_____, the bank named in and which executed the foregoing statement.

(Bank officer sign here)

Sworn to before me this

_____ day of _____, 20_____

(Notary Public)

(F) STATEMENT OF PLANT AND EQUIPMENT OWNED

Like Items of Like Capacity should be Lumped. In this instance, give the sum total of the age of the items.

(G) QUALIFYING AFFIDAVIT

STATE OF

SS:

COUNTY OF

I, _____, the _____
(Pres., Vice Pres., Owner or Partner)

of _____, being first duly sworn, deposes and says:
(Contractor)

1. That Contractor wishes to be prequalified to bid on New Jersey Turnpike Authority Construction Contracts classified under Classification(s) as indicated on page 1 of the Contractor's Qualifying Statement.
2. That Contractor wishes to demonstrate moral integrity in accordance with the Procedure for Prequalification and Award on New Jersey Turnpike Authority Construction Contracts cited in N.J.A.C. 19:9-2.7, and any amendments and supplements thereto.
3. That in accordance with said procedures as of the date of signing this Affidavit, neither the Contractor, nor any of its Owners, Officers, or Directors are involved in any Federal, State or other Governmental investigation concerning criminal or quasi criminal violations, except as follows: **(IF NONE, CHECK THIS BOX ☐)**
4. Deponent further states neither the Contractor, nor any of its Owners, Officers or Directors, has ever engaged in any violation of a Federal or State Criminal Statute; or ever been indicted, convicted, or entered a plea of guilty, non vult or nolo contendere to any violation of a Federal or State Criminal Statute; or ever engaged in violation of any nature regarding work on contracts performed by it, including but not limited to OSHA and NJDEP violations within the past seven (7) years, except as follows: **(IF NONE, CHECK THIS BOX ☐)**
5. That any depository, vendor or other agency herein or later named is hereby authorized to supply the New Jersey Turnpike Authority with any information necessary to verify any statement made in this Contractor's Qualifying Statement.

Carefully read and complete all questions

6. That as of the date of signing this Affidavit, outstanding liens filed against this Contractor are as follows: **(IF NONE, CHECK THIS BOX ☐)**
7. That the undersigned, being authorized to act on behalf of the Contractor, certifies that I am personally acquainted with the operations of said Contractor, have full knowledge of the factual basis comprising the contents of this Contractor's Qualifying Statement and that the same are true to my knowledge.
8. That if a corporation, the Contractor _____ **(is, is not)** incorporated in the State of New Jersey. If not a New Jersey Corporation, the Contractor _____ **(is, is not)** authorized to do business in the State of New Jersey. If not a corporation, please indicate if a partnership or sole proprietorship or limited liability company: _____ and the State of formation: _____ **(indicate State)**. **(Attach copy of New Jersey Business Registration Certificate)**.
9. That in accordance with said procedures as of the date of signing this Affidavit, the Contractor has not been disqualified from future bidding on any State of New Jersey project, including but not limited to, projects of any State Agency, the Turnpike Authority or any other independent authority, by reason of claiming its rights to withdraw a bid because of unilateral mistake, and has not been disqualified from future bidding on any State of New Jersey project, including but not limited to, projects of any State Agency, the Turnpike Authority or any other independent authority, for any other reason, except as follows: **(IF NONE, CHECK THIS BOX ☐)**
10. That this Contractor's Qualifying Statement is made to induce the New Jersey Turnpike Authority to accept a prequalification and be permitted to bid on Contracts classified and rated under 1. above, knowing that the said New Jersey Turnpike Authority relies upon the truth of the statements herein contained.

Name of Contractor

By: _____
Signature Title

(Corporate Seal, if applicable)

Sworn and subscribed to before me this

_____ day of _____ 20____

Notary Public

Carefully read and complete all questions