

New Jersey Turnpike Authority

P.O. Box 5042, Woodbridge, NJ 07095



September 08, 2023

Document Change Announcement

2016 Standard Supplementary Specifications

Miscellaneous Updates III

DCA2023SS-11

Subject: Revisions to

Section 102 Bidding Requirements And Conditions, Subsection 102.09 Submitting Proposals

Section 102 Bidding Requirements And Conditions, Subsection 102.21 Prohibited Activities in Russia or Belarus

Section 104 Control Of Work, Subsection 104.13 Sanitary, Health and Safety Provisions

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>

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

102.09 Submitting Proposals

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) Disclosure Statement indicating firm ownership in compliance with N.J.S.A. 52:25-24.2.
- (D) Non-Collusion Certification.
- (E) Prequalification Certification.
- (F) The Proposal Guaranty, Consent of Surety, and Power of Attorney.
- (G) Acknowledgment of Addenda, if issued.
- (H) Disclosure of Investment Activities in Iran form provided by the Authority, pursuant to N.J.S.A. 52:32-58.
- (I) Source Disclosure Form, pursuant to the requirements of Subsection 102.23..
- (J) Set-Off for State Tax Form, pursuant to N.J.S.A. 54:49-20.

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

- (K) 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.

~~(L) — Certification of Non-involvement in Prohibited Activities in Russia or Belarus Pursuant to P.L.2022, c.3 form provided by the Authority.~~

~~(LM)~~ Certification of Non-Debarment form provided by the Authority, pursuant to N.J.S.A. 52:32-44.1.

~~(MN)~~ Certification of Business Registration as required pursuant to N.J.S.A. 52:32-44.

102.21 Prohibited Activities in Russia or Belarus

N.J.S.A. 52:32-60.1 et seq. (P.L. 2022, c.3) states that prior to contract award, the awardee must certify that neither the awardee, nor any of its parents, subsidiaries, or affiliates, have engaged in prohibited activities in Russia or Belarus. However, the enforceability of N.J.S.A. 52:32-60.1 et seq. has recently been challenged in the United States District Court for the District of New Jersey. While the State of New Jersey continues to defend the law in court, the certification requirement has been voluntarily suspended pending the outcome of the legal challenge. If the legal challenge is resolved in the State's favor prior to the deadline for submission of Proposals under this procurement, the Authority may issue an addendum requiring

submission of a form entitled "Certification of Non-Involvement in Prohibited Activities in Russia or Belarus."

~~Prior to the time a contract is awarded, pursuant to N.J.S.A. 52:32-60.1, the successful Bidder must certify that neither the successful Bidder, nor one of its parents, subsidiaries, or affiliates may have engaged in prohibited activities in Russia or Belarus.~~

~~If the successful Bidder is unable to so certify, the Bidder shall provide a detailed and precise description of such activities to the Authority. Failure to provide such description will result in the Proposal being rendered as non responsive, and the Authority will not be permitted to contract with such person or entity, and if a Proposal is accepted or contract is entered into without delivery of the certification, appropriate penalties, fines and/or sanctions will be assessed as provided by law.~~

~~The Authority requests that all Bidders submit a copy of the form entitled "Certification of Non-involvement in Prohibited Activities in Russia or Belarus" with their Proposal. Instructions on submitting the form may be found on the Authority's Electronic Bidding website.~~

104.13 Sanitary, Health And Safety Provisions

Add the following language to the beginning of the Subsection:

~~Contractor shall abide by Executive Orders 122, 142, 192 and 196 (Murphy 2020), and any and all subsequent Executive Order(s) pertaining to safety precautions required as a result of Coronavirus disease 2019 ("COVID-19"). Contractor shall locate such Executive Orders at <https://nj.gov/infobank/eo/056murphy/approved/eo-archive.html>.~~

The Contractor shall have **[select one (shall have a Part-Time) or (shall have a Full-Time)]** Safety Representative (SR) per the NJTA-HASP, Item 3.03(A). [For Part-Time SR, add the following: The Part-Time SR working hours shall be defined as () hours per week.]

[Note to Designer: The Authority Project Manager will provide guidance as to whether the Contract will require a Safety Representative and if it shall serve as on a Part-Time or Full-Time basis. The Project Manager will also indicate the number of hours required from the Part-Time Safety Representative.]

[Include the following for all Contracts requiring work over waterways as necessary:]

The following is added after the 2nd paragraph:

No ground intrusive activities shall be performed by the Contractor in the **[fill in Areas]** without prior approval from the Engineer.