

New Jersey Turnpike Authority

P.O. Box 5042, Woodbridge, NJ 07095



November 22, 2023

Document Change Announcement

2016 Standard Supplementary Specifications

Clarification to Iran Proposal Form

DCA2023SS-15

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 102.18 Disclosure of Investment Activities in Iran

Description of Change:


This DCA clarifies that the Disclosure of Investment Activities in Iran form is required prior to contract award but still requested by the Authority at the time of bid.


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.

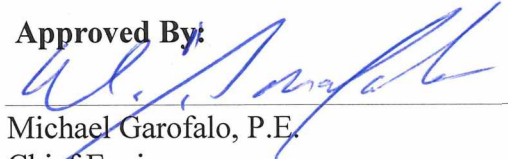
The revisions may be accessed on the Authority's webpage: <https://www.njta.com/doing-business/professional-services>

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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.

SECTION 102 - BIDDING REQUIREMENTS AND CONDITIONS

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

~~(H)(H) Source Disclosure Form, pursuant to the requirements of Subsection 102.23..~~

~~(H)(I) 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:

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

(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-Debarment form provided by the Authority, pursuant to N.J.S.A. 52:32-44.1.

~~(M) Certification of Business Registration as required pursuant to N.J.S.A. 52:32-44. Disclosure of Investment Activities in Iran form provided by the Authority, pursuant to N.J.S.A. 52:32-58.~~

102.11 Causes for Rejection

Delete the second paragraph and replace it with the following:

Proposals may be rejected in accordance with law, including, but not limited to, (a) if conditions, restrictions or limitations are attached to a Proposal, (b) if the Proposal fails to conform to the essential requirements of the Contract Documents, (c) if the bid amount is in excess of Bidder's prequalification classification, (d) if the Proposal Guaranty is not verified on the internet by one of the Surety Registry Agencies listed in the Authority's Electronic Bidding software, (e) if the unit prices are unbalanced, (f) if competition has been suppressed, (g) if received from Bidders who have previously performed work for the State of New Jersey or the Authority in an unsatisfactory manner, (h) for non-conformance with "The New Jersey Prevailing Wage Act," N.J.S.A. 34:11-56.25 et seq. as amended and

supplemented, (i) if more than one bid is submitted by the Bidder for the same contract, (j) if the bid is not submitted on the Authority's issued Proposal form, (k) for nonconformance with New Jersey Public Works affirmative action requirements, N.J.S.A. 10:5-31 et seq. as amended and supplemented, (l) for nonconformance with New Jersey ownership disclosure requirements, N.J.S.A. 52:25-24.2 as amended and supplemented, (m) if it is deemed advisable to do so in the best interests of the Authority, (n) if the Bidder is disqualified pursuant to Subsection 102.02, (o) failure to be registered pursuant to the Public Works Contractor Registration Act ("PWCRA") at the time of Proposal submission, (p) if the Proposal is unreasonable as to price, both as to Total Price and prices for individual line items as well, (q) if the Bidder is federally debarred pursuant to Subsection 102.22, (r) failure to submit a completed Disclosure of Investment Activities in Iran form pursuant to Subsection 102.18 ~~at the time of Proposal submission~~ prior to contract award, or (s) for any other reason allowed by law.

Replace the third 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.

102.18 Disclosure of Investment Activities in Iran

This Subsection is deleted and replaced with the following:

Prior to ~~the deadline for submission of Proposals~~ contract award, pursuant to N.J.S.A. 52:32-58, the Bidder must certify that neither the 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 the 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 Bidder is unable to so certify, the Bidder shall provide a detailed and precise description of such activities to the Authority. The 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 requires that all Bidders submit a copy of the form entitled "Disclosure of Investment Activities in Iran" prior to ~~contract award~~ bid. Instructions on submitting the form may be found on the Authority's Electronic Bidding website.