



New Jersey Turnpike Authority

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

PHILIP D. MURPHY
GOVERNOR

TAHESHA L. WAY
LIEUTENANT GOVERNOR

FRANCIS K. O'CONNOR, *Chair*
ULISES E. DIAZ, *Vice Chair*
MICHAEL R. DuPONT, *Treasurer*
RONALD GRAVINO, *Commissioner*
RAPHAEL SALERMO, *Commissioner*
FRANCISCO MALDONADO, *Commissioner*
JOHN S. WISNIEWSKI, *Commissioner*
JAMES D. CARONE, *Executive Director*

VIA EMAIL

July 26, 2024

RESPONSE TO INQUIRIES

REQUEST FOR BIDS

RM-185544

ROUTINE TOWING SERVICES ON THE NEW JERSEY TURNPIKE AND/OR ROUTINE TOWING SERVICES AND EMERGENCY SERVICES ON THE GARDEN STATE PARKWAY

Below are the New Jersey Turnpike Authority's responses to inquiries received with respect to the above-referenced Request for Bid ("RFB").

Responses to Inquiries:

1. Can you supply prequalified bidder's list?

ANSWER: Bidder's lists are not subject to disclosure under OPRA or the common law. See O'Neill Elec. Co., Inc. v. Bd. of Chosen Freeholders of Cty. of Warren, 297 N.J. Super. 473 (App. Div.) certif. denied, 149 N.J. 407 (1997) (holding that a list of bidders on public contracts is not subject to disclosure under the predecessor to OPRA, the Right to Know Law, as well as holding that the list was not subject to disclosure under the common law because a contractor's interest in obtaining access to bidder's lists is outweighed by the potential for bid rigging that could result from disclosure of the list); see also Bond v. Borough of Washington (Warren), GRC No. 2009-324 (June 28, 2011) (relying in part on O'Neill, and holding that a proposal submitted to a public agency after being opened for inspection during a public session meeting, but prior to award, is not a public record under OPRA; the basis for withholding was the "advantage to bidders" exemption under N.J.S.A. 47:1A-1.1 and the fact that the requested bids, although presented to the public during a public session, were still being used in the process of negotiating the contract that had yet to be awarded).

2. If our employee list has changed, you want the updated employee list and we are NOT to return the Affidavit of No Change, is that correct?

ANSWER: Submit list of new employees but if none of the following has changed you must return the Affidavit of No Change:

**Affidavit of Moral Integrity;
Affirmative Action Information Form;
Ownership Disclosure Form or;
Affidavit of Compliance and Non-Collusion**

3. If the equipment registrations obviously have expired and some driver's licenses have expired is that a change from the prequalification packet?

ANSWER: See answer to question #2.

4. Do we need to have the new insurance requirements now or at the time contracts are signed?

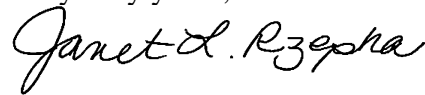
ANSWER: See Section I, paragraph 24 of the RFB at page 8.

5. What does the umbrella policy have to be?

ANSWER: See Section III, paragraph 5 of the RFB at page 14

No Other Changes. All Other Data Remains in Effect.

Very truly yours,



Janet L. Rzepka, Director
PMM Department