



New Jersey Turnpike Authority

ADMINISTRATION BUILDING - 581 MAIN STREET
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GOVERNOR

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DIANE GUTIERREZ-SCACCETTI, *Executive Director*

December 2008

To All Concerned:

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 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.

To be prequalified by the Authority, you should file a "Contractor's Qualifying Statement" form 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. The Qualifying Statement should be filed annually, but 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.

In order that notification of your classifications and ratings will not be delayed, all data requested must be filled in on the "Contractor's Qualifying Statement" form distributed by the New Jersey Turnpike Authority. This form must be complete in all respects. New Jersey Department of Transportation (NJDOT) forms may be substituted for certain noted pages in the Contractor's Qualifying Statement. If additional space is required, attach a schedule complete with all information requested. Forms submitted with spaces left blank will be returned.

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

7. Electrical Work, Highway

Please return the completed forms to the attention of Mrs. Jane Pietraszka, Bid Supervisor. If there are any questions relating to these prequalification procedures, please contact her.

Very truly yours,

/S/ ORIGINAL SIGNED

Richard J. Raczynski, P.E.
Chief Engineer

N E W J E R S E Y T U R N P I K E A U T H O R I T Y

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, recent satisfactory experience as a contractor on a single contract having a value of at least 60 percent of the maximum limit of the classification rating being sought; several contracts performed at or about the same time having a cumulative value of at least 60 percent of the said maximum limit;
 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 should have an unqualified opinion. The CPA review of financial statements shall be in conformity with generally accepted accounting principles. Both the audited and CPA review 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. Submission of a CPA review of financial statements and qualifying statement will reduce the contractor's classification rating by one rating of contractors that have been determined to be prequalified above classification rating C up to \$1,000,000 Maximum.

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. When submitting a proposal, prequalified bidders may not submit another Qualifying Statement, but will instead submit a prequalification recapitulation in such form as may be prescribed by the Authority.

- (c) The Chief Engineer 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.
- (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) A bidder may be disqualified from future bidding on any Authority project if such bidder claims, whether successfully or not, its right to withdraw its bid because of a unilateral mistake. Such disqualification may be effective for a period of up to six months from the date of opening the bid sought to be withdrawn. Only in cases where the withdrawing bidder did not act in a commercially reasonable manner would the Authority choose to disqualify the bidder, unless the bidder previously sought to withdraw a bid within the 12 months preceding the date of opening the bid sought to be withdrawn, in which

event the bidder may be disqualified regardless of whether the second mistake was commercially reasonable.

- (h) Bidders on all other contracts not requiring prequalification shall, however, comply with the provisions of subsections (b)3, 4 and 5 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. 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 after consultation with the Director of Administrative Services and Technology 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.

EXHIBIT A

CONTRACTOR'S CLASSIFICATION

<u>CLASSIFICATION</u>	<u>BRIEF DESCRIPTION</u>
1. Grading and Drainage	All clearing, excavation, embankment, grading and drainage, including 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. General Construction, Highway Grading and Drainage (1) Paving (2)	Work involving excavation, embankment, grading, drainage, paving (no bridge construction).
4. Bridge Structures Concrete Maintenance (8)	Bridge, viaducts, retaining walls, foundations, fabrication and erection of structural steel, intermediate members, deck repair and/or replacement.
5. Heavy Highway Bridge Structures (4) Concrete Maintenance (8) General Construction, Highway (3) Grading and Drainage (1) Paving (2), Signing (11) Timber Construction (SP) Fencing (SP), Erection of Sound Barriers (SP) Rock Slope Stabilization (SP)	Work involving the combination of excavation, embankment, grading, drainage, paving, and bridges.
6. Landscaping	Planting, seeding, topsoiling, grading, jute mesh, erosion control and all other landscaping procedures.
7. Electrical Work, Highway	Roadway, area, parking and ramp lighting, lighting standards, electrical distribution panels and other underground and overhead electrical work.
8. Concrete Maintenance	Concrete repair to reinforced concrete structures, and all bridge related repairs including concrete, reinforcement steel and structural steel.
9. Painting	Cleaning, priming, painting of structural

	steel and members (bridges, towers, tanks).
10. Guardrail	All types of guardrail.
11. Signage	All types of signing, delineation, overhead sign structures.
12. Toll Booths	Fabrication of toll booths.
 SPECIAL CLASSIFICATIONS:	 Specialized work not sufficiently included in other defined classifications such as, but not limited to the following:
Timber Construction	Bridge fender systems and all types of timber construction.
Fencing	All types of fencing.
Resurfacing Paving (2)	High Volume Roadway/Multilane roadway pavement removal and bituminous concrete resurfacing using various courses, under traffic, to line and grade using automatic controls.
Bridge Deck Repairs Concrete Maintenance (8)	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.
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 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.
Erection of Sound Barriers	Work involving the erection of prefabricated panels and posts for ground mounted and bridge mounted sound barriers. Firms not having Sound Barrier erection experience need to show experience in the installation of large diameter concrete caisson foundations,

along with experience in the foundation construction and erection of fixed end multi-piece overhead structures or continuous walls.

Rock Slope Stabilization

Construction activities will include scaling of loose rock, drilling and installing grouted rock dowels, installing netting, drilling drainage holes and removing vegetation. Protection of traffic through the work area will be an important component of the work. Protection may include the installation of temporary shields or netting or other means and methods to keep falling rocks from leaving the work zone and entering the travel lanes.

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.

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

CLASSIFICATION RATINGS:

- A. up to \$150,000 maximum
- B. up to \$500,000 maximum
- C. up to \$1,000,000 maximum
- D. up to \$2,000,000 maximum
- E. up to \$3,500,000 maximum
- F. up to \$5,000,000 maximum
- G. up to \$10,000,000 maximum
- H. Unlimited

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

(A) ORGANIZATION

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

List all current contracts and contracts completed by your organization within the past three years which indicate specific experience for the classification(s) being requested. The Status of Contracts Schedule and the Performance Record of NJ DOT Form DC-74A may be substituted for this form.

NAME OF OWNER & COMPLETE ADDRESS AND TELEPHONE NO.	NAME & LOCATION OF PROJECT	GENERAL DESCRIPTION OF PROJECT & EQUIVALENT NEW JERSEY TURNPIKE AUTHORITY CLASSIFICATION	T.P. CLASS	CONTRACT AMOUNT	AMOUNT COMPLETED	AWARD DATE	COMPLETION DATE
If more space is required, attach schedule.				TOTALS:			

**(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)	\$	 <hr/>

(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
New Brunswick, 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)

(G) QUALIFYING AFFIDAVIT

STATE OF

ss:

COUNTY OF

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

of _____, being first duly sworn, deposes and
says:

Company

1. That the _____(Company) (Owner) wishes to be prequalified to bid on New Jersey Turnpike Authority Construction Contracts classified under Classification(s) and Rating(s) as follows:

2. That _____(Company) (Owner) 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 _____ Company, or 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, so state).

4. Deponent further states neither the _____ Company, 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, except as follows: (If none, so state)

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.

6. That as of the date of signing this Affidavit, outstanding liens filed against this Company are as follows: (If none, so state).

7. That the undersigned, being authorized to act on behalf of _____ Company, certifies that I am personally acquainted with the operations of said Company, 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 corporation _____ incorporated (is, is not) in the State of New Jersey. If not a New Jersey Corporation, the Corporation _____ authorized to do business in the State of New Jersey (attach (is, is not) Certificate of Authorization from New Jersey Secretary of State). If not a corporation, please indicate if a partnership or sole proprietorship: _____ and the State of _____ (partnership or sole proprietorship) formation: _____ (indicate State). (Attach a Certificate of Authority from New Jersey Secretary of State if not formed in the State of New Jersey).

9. That in accordance with said procedures as of the date of signing this Affidavit, _____ Company 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, so state).

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.

Sworn and subscribed to before me this _____ day of _____ 20____

Notary Public

Company

Signature

Title

(Corporate Seal)