

REQUEST FOR SEALED QUALIFICATIONS
FOR
PROFESSIONAL SERVICES UNDER
A FAIR AND OPEN PROCESS

CONSTRUCTION MANAGEMENT
PROPOSAL #SJPC-CM-20921

SOUTH JERSEY PORT CORPORATION
BALZANO MARINE TERMINAL
101 JOSEPH A. BALZANO BOULEVARD
(formerly Beckett Street)
CAMDEN, NJ 08103

PROPOSAL ACCEPTANCE DATE:
TUESDAY, FEBRUARY 9th, 2011 BY 3:00 PM

INFORMATION TO RESPONDENTS

Advertisement

Sealed qualifications shall be received in accordance with Public Advertisement as required by law. A copy of said notice is attached hereto and made part of these specifications.

Professional contracts for Construction Management shall be advertised in the South Jersey Times, Burlington County Times, Courier Post and on the SJPC web site.

Submission of Qualifications

All qualification proposals must be submitted in a sealed envelope(s) bearing on the outside the name of the proposer, address and the name of the professional service for which the proposal is submitted. Proposals must be addressed to the attention of:

SOUTH JERSEY PORT CORPORATION
c/o PATRICK BOYLE, Sr. PURCHASING AGENT
Building "B" BALZANO MARINE TERMINAL
101 JOSEPH A. BALZANO BOULEVARD (formerly Beckett Street)
CAMDEN, NJ 08103

Receipt of Qualifications

The SJPC assumes no responsibility for delays in any form of courier, mail, or deliveries services etc. that may cause the proposal not to be received at the time and place indicated in the advertisement. All late bids will be rejected according to the law. Any proposal may be withdrawn prior to the time for openings of the proposal. Proposal Number **SJPC-CM-20921**.

Proposals Forwarded through the Mail

Must contain the following statement on the envelope:

**“THIS IS A SEALED QUALIFICATION PROPOSAL AND SHALL NOT BE OPENED UNTIL TUESDAY< FEBRUARY 9th, 2021 AFTER 3:00 PM BY PATRICK BOYLE OR HIS DESIGNEE.”
PROPOSAL NUMBER “SJPC-CM-20921.”**

Reservation

The SJPC reserves the right to reject all proposals, to waive irregularities and technicalities, to request re-submissions, and to award proposals as the SJPC deems will best serve the interest of the SJPC.

Questions

Questions regarding this Request for Qualifications may be directed to Patrick Boyle, Sr. Purchasing Agent at pboyle@southjerseyport.com c/o the South Jersey Port Corporation, Balzano Marine Terminal, 101 Joseph A. Balzano Boulevard, Camden, NJ 08103.

REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL SERVICES

Purpose:

The following procedures are designed to provide a fair and open process in awarding professional services based on qualifications, merit and cost effectiveness through accessible advertising. Services include annual appointments and day-to-day programs, projects and contracts.

CONSTRUCTION MANAGEMENT

Scope of Services:

To be considered for Construction Management Services for the South Jersey Port Corporation, the candidate must be a full service-engineering firm with a strong background in the design or marine and related structures and provide a full range of consulting services including:

1. Prequalification of Construction Management

Construction Management firms shall be prequalified by the Board of Directors of SJPC by a majority vote of a quorum of its members for a term of Two (2) years.

2. Duties

- A) Review bid documents and attend mandatory pre-bid meetings if required.
- B) Assist Port in replying to potential bidders questions.
- C) Assist Port in evaluating bids received.
- D) Attend preconstruction meeting addressing schedules and procedures.
- E) Review and approve all submittals from the contractor
- F) Attend required periodic construction progress meetings
- G) Review and approve payment requests and change orders

3. Additional Duties

Construction Management upon the termination of their services with the SJPC, forthwith surrender to their successor all the SJPC property, papers and records, together with written consent to substitution of their successor in any pending actions or proceedings.

Applicant's/Proposer's Responsibility in Responding to SJPC's Request for Proposals for Professional Services

The Applicant/Proposer shall, in response to the SJPC's Request for Proposal, at a minimum, include the following information:

1. Qualification requirements to compete for the needed service or activity as set forth in the "duties and responsibilities" of the position defined in the SJPC's Request for Proposal. Qualifications at a minimum, shall include requirements defined as follows:
 - A. The full name and business address.
 - B. Listing of all post high school education of the applicant and/or members of a professional firm seeking to provide professional services as described within the body of the Request for Proposal.
 - C. Dates and licensure in the State of New Jersey and any other State as to the professional discipline requested to serve the needs of the SJPC.
 - D. A listing of any professional affiliation or membership in any professional societies or organizations, with an indication as to any offices held.
 - E. The number of licensed professionals employed (if a professional firm) and/or affiliated with a professional entity seeking to provide services to the SJPC. A description of each individual's qualifications, including education licensure and years of professional experience.
 - F. A listing of all previous Public Sector entities served by the Applicant/Proposer licensed professional including dates of service and position(s) held.
 - G. The Applicant/Proposer shall submit fifteen (15) copies of their proposal for review and consideration by the SJPC Board of Directors.
 - H. The primary representative(s) of the selected proposer must possess a Transportation Worker Identification Credential (TWIC). TWIC was established by Congress through the Maritime Transportation Security Act (MTSA) and is administered by the Transportation Security Administration (TSA) and U.S. Coast Guard. TWICs are tamper-resistant biometric credentials issued to workers who require unescorted access to secure areas of ports, vessels, outer continental shelf facilities and all

credentialed merchant mariners. TWIC is required for any unescorted access to SJPC's Balzano and Broadway Terminals. To obtain a TWIC, an individual must provide biographic and biometric information such as fingerprints, sit for a digital photograph and successfully pass a security threat assessment conducted by the Transportation Security Administration.

Required Bid Forms.

Each proposal shall require the bidder or proposer to complete the forms and submit the documents attached or identified hereto as exhibits Q1 through Q20. Those attachments are as follows:

- Q1. Small Business Enterprise Questionnaire
- Q2. Mandatory Equal Employment Opportunity "Exhibit A" Language (Professional Services)
- Q3. Mandatory Equal Opportunity "Exhibit B" Language (if Applicable)
- Q4. Stockholder Disclosure Certification
- Q5. Non-Collusion Affidavit
- Q6. Debarred List Affidavit
- Q7. Affirmative Action Evidence for Procurement/Service
- Q8. Business Registration Certificate
- Q9. Set-Off for State Tax
- Q10. Acknowledgment of Receipt of Addenda Form (if applicable)
- Q11. Executive Order #129 Vendor Disclosure Form
- Q12. Executive Order #189 Vendor Code of Ethics Affidavit
- Q13. Executive Order #117 Two Year Chapter 51 / Vendor Certification & Disclosure of Political Contributions
- Q14. Executive Order #151 Contract Compliance
- Q15. Employee Information Report – Form AA302
- Q16. Ownership Disclosure Form (formerly E.O. #134)

- Q17. Prevailing Wage Notification
- Q18. Public Works Contract Registration
- Q19. Buy America Notice
- Q20. Pay to Play

Insurance Requirements

PROFESSIONAL SERVICE CONTRACTS

A. General Insurance Requirements

1. The Professional Services shall not commence until the Professional Service Contractor has obtained, at their own expense, all of the insurance as required hereunder and such insurance has been approved by the South Jersey Port Corporation; nor shall the Professional Service Contractor allow any Subcontractor to commence work on any South Jersey Port Corporation projects until all insurance required of the Subcontractor has been so obtained and approved by the Contractor. Approval of insurance required of the Professional Service Contractor will be granted only after submission to the South Jersey Port Corporation, original certificates of insurance signed by authorized representatives of the insurers or, at the South Jersey Port Corporation request, certified copies of the required insurance policies.
2. The Professional Service Contractor shall require all Subcontractors to maintain during the term of the Contract commercial general liability insurance, business auto liability insurance, and workers compensation and employer's liability insurance at the same limits required of Professional Service Contractor.
3. All insurance policies required hereunder shall be endorsed to provide that the policy is not subject to cancellation and non-renewal until thirty (30) days prior written notice has been given to the Owner by the Professional Service Contractor.
4. No acceptance and/or approval of any insurance by the South Jersey Port Corporation shall be construed as relieving or excusing the Professional Service Contractor (or the Professional Service Contractor's Surety, if applicable) from any liability or obligation imposed upon either or both of them by provisions of this Contract.
5. Any deductibles or retention's of (\$5,000) or greater shall be disclosed by the Professional Service Contractor, and are subject to South Jersey Port Corporation's written approval. Any deductible or retention amounts elected by the Professional Service Contractor or imposed by the Professional Service Contractor's insurer(s) shall be the sole responsibility of the Professional Service Contractor.

6. All insurance coverage shall be with AM Best's A- or better insurance companies licensed to do business in the State of New Jersey.
7. Insurance provided to the South Jersey Port Corporation as specified herein shall be primary, and any other insurance, self-insurance, coverage or indemnity available to the Owner and Owner's shall be excess of and non-contributory with insurance provided.

B. Professional Service Contractor Liability Insurance Requirements

The Professional Service Contractor shall purchase the following:

1. Commercial General Liability insurance for bodily injury, personal injury, and property damage including loss of use, with minimum limits of:

\$1,000,000 each occurrence;
\$1,000,000 personal and advertising injury;
\$2,000,000 general aggregate; and
\$1,000,000 products/completed operation aggregate.

This insurance shall include coverage for all of the following:

- General aggregate limit;
- Liability arising from premises and operations;
- Liability arising from the actions of independent contractors;
- Contractual liability including protection for the Professional Service Contractor from bodily injury and property damage claims arising out of liability assumed under this Contract.

2. Business auto liability insurance with a minimum limit of \$1,000,000 per accident and including coverage for all of the following:

- Liability arising out of the ownership, maintenance or use of any auto;
- Auto non-ownership and hired car coverage.

3. Workers' Compensation insurance with statutory benefits as required by any state or Federal law, including standard "other states" coverage; Employers Liability insurance with minimum limits of:

\$1,000,000 each accident for bodily injury by accident;
\$1,000,000 each employee for bodily injury by disease; and
\$1,000,000 policy limit for bodily injury by disease.

4. Professional Liability: Professional Service Contractors (such as, but not limited to Architects, Engineers, Attorneys, Physicians, and Risk Management Consultants) shall provide the South Jersey Port Corporation with a certificate of insurance

evidencing Professional Liability and/or Malpractice Insurance with minimum limits of \$1,000,000 combined single limit.

5. Umbrella / Excess liability insurance with minimum limits of:

- \$5,000,000 per occurrence;
- \$5,000,000 aggregate for other than products/completed operations and auto liability; and
- \$5,000,000 products/completed operations aggregate.

C. Indemnification

1. The Contractor will protect, defend, indemnify and hold harmless the South Jersey Port Corporation from and against any and all losses, penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities arising out of or resulting from the performance of the work or the completed operations provided that any such claims, damage, loss or expense is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of the tangible property including the loss of the use resulting there from; and is caused in whole or in part by any negligent or willful act or omission of the Contractor, Subcontractor(s), Sub-subcontractor(s), and anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable.

In any and all claims against the South Jersey Port Corporation or any of their agents or employees, by an employee of the Contractor, Subcontractor, or any Sub-subcontractor, or anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable, the indemnification obligation shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for any Contractor, Subcontractor or any Sub-subcontractor under Workmen's Compensation Acts, Disability Benefits Acts, or other Employee.

Financial Disclosure

The Applicant/Proposer shall file all Financial Disclosure Statements as required by Law.

Basis for Selection of Prequalification for Professional Engineering Services

The SJPC shall award all professional service pre-qualifications, contracts or agreements based on qualification, merit, criteria set forth in the within Request for Qualifications and cost competitiveness. The SJPC reserves the right in its sole discretion to reject all bids or to award to the Applicant/Proposer, which the SJPC Board of Directors' determines to be most advantageous to the SJPC regardless of price. SJPC intends to rank proposals based on qualifications and other factors and negotiate pricing beginning with the highest ranked applicant and proceeding down the list until an acceptable applicant and pricing are reached. Selection criteria will include:

1. Qualifications of the individual or firms who will perform the service or activity and demonstrated ability to perform the services as set forth under Duties.
2. Experience and references
3. Ability to perform the service or activity in a timely fashion, including staffing and the staff's familiarity of the service or activity.
4. Demonstrated familiarity and understanding of the South Jersey Port Corporation governance, facilities, operations and labor organizations affecting the SJPC.
5. Location of Proposer or Proposer's firm that will be supplying the required service.
6. Experience in Providing Construction Management services to governmental entities.
7. Cost Competitiveness. (Cost proposals to be submitted after ranking upon request by SJPC)
8. The SJPC reserves the right to conduct an interview or interviews with the prospective professionals to discuss the scope of the professional services as outlined in the Applicant's/Proposer's proposal.
9. All awards will be by formal action of the SJPC Board of Directors.
10. All awards are subject to availability of funds.
11. This policy will include, but not limited to, all of the above listed requirements.