


State of New Jersey  
Schools Development Authority

**SDA ONLINE SEMINAR**

**RESPONSIVE BIDDING**  
THE DO'S & DON'TS OF  
BIDDING SDA  
DESIGN-BUILD  
PROJECTS



Responsive Bidding - The Do's and Don'ts of Bidding SDA Design-Build Projects 1

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**Objective**

The purpose of this presentation is to help bidders submit a responsive bid when answering a Request for Proposals for SDA Design-Build projects.

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**Be A Responsive Bidder**

The SDA wants all bids to be responsive.

Use the checklists made available to you to help you in your efforts to be responsive.

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## Disclaimer

- This presentation outlines many of the basics for preparing a responsive bid.
- The requirements of each Design-Build Procurement will vary.
- Each bidder is responsible for understanding and complying with the specific requirements established for the particular Design-Build project on which it is bidding.
- This presentation does not provide legal advice and may not be relied upon in connection with any bid protest.



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## What Will We Discuss?

- Who Can Bid?
- Bid Advertisement
- The Components of the Design-Build Procurement Process
- Top Responsiveness Pitfalls
- Resources



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## What Will We Discuss?

- Who Can Bid?
- Bid Advertisement
- The Components of the Design-Build Procurement Process
- Top Responsiveness Pitfalls
- Resources



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## READ AND REVIEW THE ENTIRE RFP

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### Who Can Bid?

- In order to be eligible to bid the firm **MUST** be:
  - ✓ Registered by the Department of Labor
  - ✓ Registered to do business through the Department of the Treasury - Division of Revenue;
  - ✓ Classified by the Department of the Treasury - Division of Property Management and Construction (DPMC); and
  - ✓ Prequalified by the SDA.

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### Who can bid? (cont.)

- The bid advertisement will specify the DPMC trade classification required for a specific procurement.
- **TYPICALLY** the firm must be prequalified by the SDA in one of the following DPMC trade classifications:
  - ✓ C006 Construction Manager as a Constructor;
  - ✓ C007 Design-Build; or
  - ✓ C008 General Construction

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## Bid Advertisement

Contract No.	Contract Name & Location	School District
ET-0031-001	Seaman Avenue Elementary School	Perth Amboy

**ADVERTISEMENT**

The New Jersey Schools Development Authority ("NJSDA") is seeking to engage a Design-Build Team ("DB Team") that will provide design consultant, construction administration and general contracting services for the following project:

**Contract No.:** ET-0031-001  
**District:** Perth Amboy  
**County:** Middlesex  
**No. of Schools:** 1 (Seaman Avenue Elementary School)  
**Construction Cost Estimate:** \$40,000,000 - \$47,000,000

Brief description of work:

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## Bid Advertisement

- Provides project and contract information, including location and construction cost estimate;

Contract No.	Contract Name & Location	School District
ET-0031-001	Seaman Avenue Elementary School	Perth Amboy

**ADVERTISEMENT**

The New Jersey Schools Development Authority ("NJSDA") is seeking to engage a Design-Build Team ("DB Team") that will provide design consultant, construction administration and general contracting services for the following project:

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Brief description of work:

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## Bid Advertisement (continued)

- Provides a brief description of work and eligibility requirements for bidders;

**Brief description of work:**

Design-build services for the new Seaman Avenue Elementary School, an approximately 128,000 square foot facility designed to educate 700 students in grades K through 5, in the Perth Amboy School District.

This is a solicitation for design-build services in connection with the design and construction of the new Seaman Avenue Elementary School, Perth Amboy, New Jersey. This solicitation is issued in accordance with the authority's regulations at N.J.A.C. 17:27-26.4(a).

The Request for Proposals ("RFP") package is available at the following link: [click here](#) for electronic copies.

**Eligibility Requirements for Bidders:**

This solicitation seeks responses from interested bidders, who shall submit proposals representing a proposed multi-member Design-Build Team. The Design-Build Team shall consist primarily of:

- The responding bidder ("Bidder" or "Design-Builder") who shall act as prime contractor for the construction work for the project; and
- A design consultant to be identified by the Design-Builder in the technical proposal (the "Design-Builder's Design Consultant" or "Design Consultant"), who shall be engaged as a subcontractor to the Design-Builder and shall act as Architect of Record for the Project, in the event of award.

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### Bid Advertisement (continued)

- Contains a hyperlink to the RFP

**Brief description of work:**

Design-build services for the New Seaman Avenue Elementary School, an approximately 126,000 square foot facility designed to educate 700 students in grades K through 5, in the Perth Amboy School District.

This is a solicitation for design-build services in connection with the design and construction of the New Seaman Avenue Elementary School, Perth Amboy, New Jersey. This solicitation is issued in accordance with the authority's regulations at N.J.A.C. 17:26-44.4(a).

The Request for Proposals (RFP) documents are available at the following link: [click here](#) for electronic copies.

Eligibility Requirements for Bidders:

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### Bid Advertisement (continued)

- Specifies required subcontractors and subconsultants, including those that MUST be named in the Technical Proposal;

**Identification of Required Subcontractors and Subconsultants:**

In addition to the necessary prequalification in the discipline of Architecture, the proposed Design Consultant must itself have in-house capability and both DPMC and NISDA prequalification in each of the following REQUIRED disciplines OR must identify subconsultants that are properly prequalified by both DPMC and NISDA in each of the following required disciplines:

- Electrical Engineering (P002)
- HVAC Engineering (P003)
- Plumbing Engineering (P004)
- Civil Engineering (P005)
- Structural Engineering (P007)
- Environmental Engineering (P011)

Subconsultants in the above disciplines must be identified in the Technical Proposal, and all requested information regarding such subconsultants must be supplied as requested. If the Design Builder's Design consultant intends to self-perform any of the services of the above identified subconsultant disciplines, and is both DPMC and NISDA prequalified to do so, the design-builder shall so indicate and include the required information where called for.

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### Bid Advertisement (continued)

- Provides a Procurement Overview;

**Procurement Overview:**

The first step in the procurement process requires the Bidder to submit a Project Rating Proposal, which results in the establishment of a Project Rating Limit for the bidder. A Bidder may not submit a Price Proposal for the Project that, excluding the GMP Reserve and amounts designated as design fees for the Project, exceeds its Project Rating Limit.

The second step of the procurement process requires the Bidder to simultaneously submit:

- "Experience Criteria" portion of Technical Proposal (five (5) bound copies of each of the following three items, submitted in one or more envelopes submitted separately) from the technical Proposal:
  - Design Builder's Experience on Similarly Sized Projects;
  - Design Builder's Design Consultant's Experience on Similarly Sophisticated Projects; and
  - Design Builder's Design Consultant's Past Project Action Experience.
- "Project Approach Criteria" portion of Technical Proposal (submitted as one (1) unbound original of all other materials comprising the Technical Proposal and seven (7) bound copies) which provides information required by the RFP including Identification and Qualifications of the Design Builder's Key Team Members; the Design Builder's Approach to Schedule; the Design Builder's Approach to Project; and the Design Builder's Approach to LEED Requirements; as well as other information;
- One (1) full copy in PDF format of all materials comprising the Technical Proposal, including the "Experience Criteria" portion and the "Project Approach Criteria" portion, on electronic media (CD or comparable); and
- A sealed Price Proposal, which states the bidder's fixed, lump-sum Contract Price for the Project, which will form the basis for the Guaranteed Maximum Price for the Project.

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## Bid Advertisement (continued)

- Specifies procurement submission dates and deadlines:

**Procurement Submission Dates and Deadlines:**

A. A Mandatory pre-bid conference will be held as follows:

<b>Pre-Bid Date:</b>	February 23, 2016
<b>Pre-Bid Time:</b>	11:00 AM (local time)
<b>Pre-Bid Place:</b>	Perth Amboy Board of Education Office 178 Barracks Dr., Perth Amboy, NJ 08861

Immediately following the Mandatory pre-bid conference will be a Mandatory site visit.

B. A Design-Build Information Package, containing the Authority's requirements for the Project as expressed in drawings, plans, Procedural and Performance Specifications and other documents, will be made available through a controlled access website to NJSDA prequalified firms that have attended the mandatory February 23, 2016 pre-bid conference and, if applicable, any mandatory site visit. In addition, the Design-Build Information Package will be made available thereafter for in-person review at NJSDA offices by appointment during normal business hours. To set up an appointment, please e-mail Marty Taylor, Procurement Analyst at [mtaylor@njeda.org](mailto:mtaylor@njeda.org).

C. In addition to participation in the mandatory pre-bid conference and mandatory site visit, all Bidders on this project will be required to complete a Project Rating Proposal (PRP) form and submit the completed PRP by 2:00 PM (local time) on March 8, 2016 to Marty Taylor at the following NJSDA address:  
*(If submitting by U.S. Mail)*

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## Components of the Design-Build Procurement Process

**FOUR COMPONENTS:**

1. Project Rating Proposal Submission
2. Technical Proposal Submission
  - Experience Criteria Submission
  - Approach Criteria Submission
3. Interviews (if required)
4. Price Proposal

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## 1. Project Rating Proposal Submission

**NJSDA PROJECT RATING PROPOSAL SUBMISSION**

Contract No.: \_\_\_\_\_

Contract Name: \_\_\_\_\_

Contract Description: \_\_\_\_\_

District: \_\_\_\_\_ County: \_\_\_\_\_

Bid of \_\_\_\_\_ a Corporation organized  
(Bidder's Name) (Bidder's Federal ID #)

and existing under the laws of the State of \_\_\_\_\_ or a partnership or joint venture consisting of \_\_\_\_\_

or an individual, trading as \_\_\_\_\_

PLEASE PRINT AWAY FROM PROJECT RATING FORM ON FILE WITH NJSDA.  YES  NO

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## SDA Project Rating Proposal Submission

- Information supplied by bidders is used to determine a **Project Rating Limit**.
- Bidders may not submit a Price Proposal in excess of the Project Rating Limit.
- Project References.
- Bidders may request to “aggregate” the value of contracts that constitute a single “project,” in some cases.



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## SDA Project Rating Proposal Submission (cont.)

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| <p><b><u>DO:</u></b></p> <ul style="list-style-type: none"><li>• Use the form provided</li><li>• Confirm reference contact information</li><li>• Make sure the form is submitted before the due date &amp; time</li><li>• Include projects that were completed within the last 7 years</li></ul> | <p><b><u>DON'T:</u></b></p> <ul style="list-style-type: none"><li>• Provide more than 4 projects for experience</li><li>• Fax or email the form – must be original</li><li>• Forget to sign in ink (no stamps)</li></ul> |
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## SDA Project Rating Proposal Submission (cont.)

### SUBMISSION MISTAKES TO AVOID

1. If your PRP is submitted late, your bid will be deemed non-responsive.
2. If you fail to submit an ink signed original PRP, your bid will be deemed non-responsive.
3. If you fail to utilize the PRP form provided or if you alter the form, your bid may be subject to rejection as non-responsive.
4. If you only fax or email the PRP form, your bid will be rejected as non-responsive.



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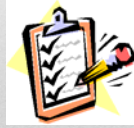
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**Remember to use the Project Rating  
Proposal Checklist to help ensure  
your responsiveness.**



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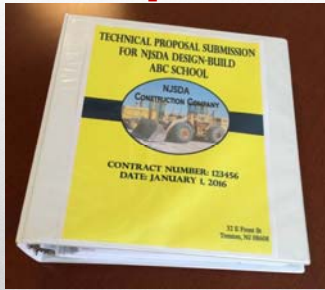
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## 2. Technical Proposal Submission



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## Technical Proposal Submission

- The Technical Proposal Submission consists of TWO parts, and each part must be submitted in a **separate envelope**:
  - Experience Criteria Submission (firm specific)
  - Approach Criteria Submission (project specific)

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### Technical Proposal - Important Forms

- Please note that certain forms and information **MUST** be submitted with your Technical Proposal.

Design Builder:

- ✓ Required Key Team Members Resumes
- ✓ Identification of Required Subcontractors
- ✓ Design-Builder's Technical Proposal Certification (signed & dated)
- ✓ Disclosure of Investment Activities in Iran (signed & dated)
- ✓ Ownership Disclosure Form (signed & dated)
- ✓ Organizational Chart
- ✓ Affirmative Action form
- ✓ Experience on similarly sophisticated projects forms



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### Technical Proposal - Important Forms (cont.)

- Additional forms and information **MUST** be submitted with your Technical Proposal.

Design Builder's Design Consultant:

- ✓ Required Key Team Members Resumes
- ✓ Identification of Required Subconsultants
- ✓ Experience on Similarly Sophisticated Project Forms



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### Technical Proposal Submission (cont.)

**DO:**

- Utilize the forms provided
- Confirm that your subcontractors and subconsultants meet SDA requirements
- Ensure that the Organizational Chart identifies all Required Key Team Members

**DON'T:**

- Be late
- Modify the forms
- Submit more than 6 case studies
- Forget to provide the number of required copies



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### Technical Proposal Submission (cont.)

#### SUBMISSION MISTAKES TO AVOID

1. If your Technical Proposal is submitted late, your bid will be rejected as non-responsive.
2. Your bid will be subject to rejection as non-responsive if your Technical Proposal :
  - Fails to identify a required subcontractor or subconsultant
  - Fails to contain Required Key Team Member Resumes
  - Fails to contain an original signed Design-Builder Certification
  - Fails to contain the Disclosure of Investment Activities in Iran or Ownership Disclosure forms
3. If you fail to use or if you alter the forms provided for Technical Proposal Submissions, your bid may be subject to rejection.



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**Remember to use the Technical Proposal Checklist to help ensure your responsiveness.**



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### 3. Interviews



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## 4. Price Proposal

**PRICE PROPOSAL**

**DESIGN-BUILD  
PRICE PROPOSAL SUBMISSION**  
to  
**NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY**

For the following Package:

Contract Number: \_\_\_\_\_  
 Contract Name/Description: \_\_\_\_\_  
 District: \_\_\_\_\_  
 County: \_\_\_\_\_

THIS PACKAGE IS COMPRISED OF THE FOLLOWING SCHOOL PROJECTS:

SCHOOL NAME

Bid of \_\_\_\_\_  
(Bidder's Name) (Bidder's Federal ID #)

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## Price Proposal Submission

- MUST be signed in ink by an officer, principal or partner of the firm.
- All required subcontractors MUST be identified.
- MUST include Uncompleted Contracts Forms for Design Builder and ALL required subcontractors completed within 120 days before the submission deadline.
- MUST include an acknowledgement of ALL bid addenda.
- MUST be accompanied by a Bid Bond in the proper amount and on the form supplied.

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## Price Proposal Submission (cont.)

<p style="text-align: center;"><b><u>DO:</u></b></p> <ul style="list-style-type: none"> <li>• Utilize the forms provided.</li> <li>• Insure that ALL required subcontractors are identified on the Price Proposal form</li> <li>• Insure that Uncompleted Contracts Forms for the Design Builder and <u>ALL</u> required subcontractors are provided.</li> </ul>	<p style="text-align: center;"><b><u>DON'T:</u></b></p> <ul style="list-style-type: none"> <li>• Alter the Price Proposal Form in any way.</li> <li>• Forget to Submit Signed Original</li> <li>• Forget to Include the Required Bid Bond</li> <li>• Forget to Include Acknowledgement of All Bid Addenda</li> </ul>
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## Price Proposal Submission (cont.)

### Submission Mistakes to Avoid

1. If you fail to submit an original ink signed Price Proposal, your bid is subject to rejection as non-responsive.
2. If you fail to identify all required subcontractors in the Price Proposal, your bid will be rejected as non-responsive.
3. If you fail to include an Uncompleted Contracts Form for the Design Builder and for ALL required subcontractors, your bid will be rejected as non-responsive.
4. If all bid addenda are not acknowledged, your bid is non-responsive.
5. If a proper bid bond is not included, your bid will be rejected.



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**Remember to use the Price Proposal Checklist to help ensure your responsiveness.**



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## Top Responsiveness Pitfalls

1. Failure to Provide Uncompleted Contracts Form
2. Failure to Identify All Required Subcontractors and Subconsultants
3. Failure to Make a Timely Bid Submission
4. Alteration of Required Forms (Price Proposal)
5. Failure to Identify and Provide Resumes for All Key Team Members



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## Top Responsiveness Pitfalls (continued)

6. Failure to Submit a Properly Completed Disclosure of Investment Activities in Iran form
7. Naming a Professional Involved in the Preparation of the RFP as a Key Team Member, Typically an Architect or Engineer Involved in the Planning or Design of the Project
8. Naming as a Full-Time Key Team Member a Person Concurrently Assigned Full-Time to Another Project



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## Conclusion

- Who Can Bid?
- Bid Advertisement
- Components of the Design-Build Procurement Process
- Top Responsiveness Pitfalls



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## Resources

- Visit our website – [www.njsda.gov](http://www.njsda.gov)
- Bid Package Checklists – [www.njsda.gov/webinar](http://www.njsda.gov/webinar)
- 2016 Project Forecast - [https://www.njsda.gov/njsda/Business/CV/2016\\_Project\\_Forecast.pdf](https://www.njsda.gov/njsda/Business/CV/2016_Project_Forecast.pdf)
- SDA Procurement Forms Available at: <https://www.njsda.gov/njsda/Business/CV/Procurement.html>
- If you have any questions, please contact SDA's Customer Service Hotline at 609-341-5900 or the Procurement Department at 609-858-2985



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