



STATE OF NEW JERSEY

# SCHOOLS DEVELOPMENT AUTHORITY

Contract No.	Contract Name	School District
ET-0099-B01	New Perth Amboy High School	Middlesex

## 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:

<b>Contract No.:</b>	<b>ET-0099-B01</b>
<b>District:</b>	<b>Perth Amboy</b>
<b>County:</b>	<b>Middlesex</b>
<b>No. of Schools:</b>	<b>1 (New Perth Amboy High School)</b>
<b>Construction Cost Estimate:</b>	<b>\$210,000,000 to \$230,000,000</b>

### Brief Description of Work:

The New Perth Amboy High School will be designed to educate 2,800 students in grades 9 through 12 and constructed on the approximately 11.63 acre property on Convery Boulevard. The project scope calls for construction of a new, three story, approximately 576,000 square foot facility.

This is a solicitation for Design-Build services in connection with the design and construction of the New Perth Amboy High School, Perth Amboy, New Jersey. This solicitation is issued in accordance with the NJSDA’s regulations at N.J.A.C. 19:36-1 et seq.

The Request for Proposals (“RFP”) package is available at the following link: [click here to view RFP](#).

### 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:

1. The responding Bidder (“Bidder” or “Design-Builder”) who shall act as prime contractor for the construction work for the Project.
2. 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 sub-consultant to the Design-Builder and shall act as Architect of Record for the Project, in the event of award.

In order to be deemed eligible to bid and responsive to the RFP, the Bidder must be, as of the date and time for submission of Project Rating Proposals: registered by the Department of Labor and Workforce Development pursuant to the Public Works Contractor Registration Act N.J.S.A. 34:11-56.48 et seq., classified by the Department of the Treasury - Division of Property Management and Construction (“DPMC”), and prequalified by the NJSDA in one of the following DPMC Trade Classifications: C006 (Construction Manager as a Constructor) or C007 (Design-Build) or C008 (General Construction).

Pursuant to N.J.S.A. 52:32-44, NJSDA is prohibited from entering into a contract with an entity unless the bidder and each subcontractor that is required by law to be named in a bid has a valid Business Registration Certificate on file with the Division of Revenue and Enterprise Services within the Department of the Treasury. Prior to contract award or authorization, the selected Bidder shall provide NJSDA with its proof of business registration and that of any named subcontractor(s).

In addition, the responding firm shall engage and identify in the Technical Proposal as a member of the Design-Build Team a firm that shall be known as the "Design-Builder's Design Consultant" or "Design Consultant" and must be prequalified by both DPMC and NJSDA in the Architecture (P001) discipline with a prequalification rating of "Unlimited" as of the submittal due date for Technical and Price Proposals.

The Design-Builder selected for award shall hold the Design-Build Agreement with the NJSDA and shall act in the capacity of the prime contractor. The Design-Builder's Design Consultant shall perform in the contractual capacity of a subconsultant to the Design-Builder and as the Architect of Record for the project.

#### **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 NJSDA prequalification in each of the following REQUIRED disciplines OR must identify subconsultants that are properly prequalified by both DPMC and NJSDA in each of the following required disciplines:

1. Architecture (P001)
2. Electrical Engineering (P002)
3. HVAC Engineering (P003)
4. Plumbing Engineering (P004)
5. Civil Engineering (P005)
6. Structural Engineering (P007)
7. 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 NJSDA prequalified to do so, the Design-Builder shall so indicate and include the required information where called for.

In accordance with the requirements of N.J.S.A. 52:18A-243, each Design-Builder is required to set forth in its bid the name or names of all subcontractors to whom the Design-Builder will directly subcontract for the furnishing of any of the work and materials specified in the plans and specifications for the following branches:

1. The plumbing and gas fitting and all work and materials kindred thereto ("Plumbing Branch")
2. The steam and hot water heating and ventilating apparatus, steam power plants and all work and materials kindred thereto ("HVACR Branch")
3. The electrical work ("Electrical Branch")
4. The structural steel and miscellaneous iron work and materials ("Structural Steel Branch")

When naming subcontractors in accordance with this section, a Design-Builder is required to name only those subcontractors that are engaged directly by the Design-Builder ("first-tier subcontractors"). Design-Builders are NOT REQUIRED to name any subcontractors engaged by the first-tier subcontractors or by others (e.g., "second-tier subcontractors" or "third-tier subcontractors.")

All subcontractors required to be named under this section must be DPMC classified and NJSDA prequalified as of the submittal due date for Technical Proposals and Price Proposals. Each Design-Builder shall adhere to the

following instructions in its identification of all subcontractors with whom the Design-Builder will contract in the four branches:

1. Plumbing Branch: The Design-Builder must identify a subcontractor that is DPMC classified and NJSDA prequalified in the trade of Plumbing (C030), unless the Design-Builder intends to self-perform for this trade. If the Design-Builder intends to self-perform, the Design-Builder must identify itself as self-performing in the trade of Plumbing (C030). If the Design-Builder will contract with any additional subcontractors with DPMC Trade Classifications in the Plumbing trade or other trades applicable to this branch, each such additional subcontractor must be identified.
2. HVACR Branch: The Design-Builder must identify a subcontractor that is DPMC classified and NJSDA prequalified in the trade of HVACR (C032), unless the Design-Builder intends to self-perform for this trade. If the Design-Builder intends to self-perform, the Design-Builder must identify itself as self-performing in the trade of HVACR (C032). If the Design-Builder will contract with any additional subcontractors with DPMC Trade Classifications in the HVACR trade or other trades applicable to this branch, each such additional subcontractor must be identified.
3. Electrical Branch: The Design-Builder must identify a subcontractor that is DPMC classified and NJSDA prequalified in the trade of Electrical (C047), unless the Design-Builder intends to self-perform for this trade. If the Design-Builder intends to self-perform, the Design-Builder must identify itself as self-performing in the trade of Electrical (C047). If the Design-Builder will contract with any additional subcontractors with DPMC Trade Classifications in the Electrical trade or other trades applicable to this branch, each such additional subcontractor must be identified.
4. Structural Steel Branch: The Design-Builder must identify a subcontractor that is DPMC classified and NJSDA prequalified in the trade of Structural Steel (C029), unless the Design-Builder intends to self-perform for this trade. If the Design-Builder intends to self-perform, the Design-Builder must identify itself as self-performing in the trade of Structural Steel (C029). If the Design-Builder will contract with any additional subcontractors with DPMC Trade Classifications in the Structural Steel trade or other trades applicable to this branch, each such additional subcontractor must be identified.

**Subcontractors in the above disciplines must be identified in the Technical Proposal and all requested information regarding such subcontractors must be supplied as requested.** If a Design-Builder intends to self-perform any of the work of four above-described branches of Work, and is DPMC classified and NJSDA prequalified to do so, the Design-Builder shall so indicate and include the required information where called for in the Technical Proposal and Price Proposal.

In addition to all other requirements listed above, the NJSDA further requires all subcontractors of any tier in the DPMC Trade Classifications listed below whose contract is in an amount which is equal to or greater than \$500,000 be DPMC classified and NJSDA prequalified.

- C006- CM as Constructor
- C007 - Design Build
- C008 - General Contractor
- C009 - GC/Alterations & Additions
- C019 - Concrete/Foundation/Footings/Masonry work
- C021 - Demolition
- C029 - Structural Steel
- C030 - Plumbing
- C032 - HVACR
- C045 - Sprinkler Systems
- C047 - Electrical

C066 - Roofing-Membrane EPDM  
C067 - Roofing-Membrane PVC/CPE/CSPE  
C068 - Roofing-Membrane Modified Bitumen  
C069 - Roofing-Urethane  
C070 - Roofing-Built Up  
C071 - Roofing-Metal  
C072 - Roofing-Tile/Slate/Shingles  
C092 - Asbestos Removal/Treatment  
C093 - Asbestos Removal/Mechanical  
C096 - Lead Paint Abatement

This contract requires compliance with the New Jersey Prevailing Wage Act. This contract will be subject to the terms of a PROJECT LABOR AGREEMENT. The PROJECT LABOR AGREEMENT will be included in the contract and is available at the [NJSDA website](#).

Note that the selected Bidder and its Design-Build Team shall be required to ensure that Small Business Enterprises (“SBEs”) and Disabled Veteran Owned Businesses (“DVOBs”) have the maximum practicable opportunity to participate in the performance of this engagement. A 25% Set-Aside Goal for SBEs and a 3% Set-Aside Goal for DVOB’s have been established for this Project.

The Bidder will be required to identify on an SBE/DVOB Participation Form submitted with the Technical Proposal, the SBE and DVOB firms that are or will be engaged to satisfy the NJSDA’s SBE and DVOB Set-Aside Goals with respect to the Design Services portion of the Project. The Bidder will later be required to identify on an SBE/DVOB Participation Form, submitted prior to the issuance of a Notice-to-Proceed with the Construction Work, the SBE and DVOB firms that are or will be engaged to satisfy the NJSDA’s SBE and DVOB Set-Aside Goals with respect to the Construction Work of the Project. Failure to make a good faith effort to satisfy the NJSDA’s SBE and DVOB Set-Aside Goals shall be grounds for rejection of a Bidder’s proposal, or, if such failure occurs after award, termination of the Design-Build Agreement.

The selected Bidder shall be required to submit payroll information to the Division of Labor and Workforce Development, with copies to the NJSDA, in accordance with the Diane B. Allen Equal Pay Act, P.L. 2018, c. 9). Guidance and forms for compliance with this requirement are available at:

[www.nj.gov/labor/equalpay/equalpay.html](http://www.nj.gov/labor/equalpay/equalpay.html)

A firm or person or an affiliate thereof may not serve as a Design-Builder or as a subcontractor or as a subconsultant on an NJSDA project for which the firm or person serves as the construction manager or as a subcontractor or as a subconsultant to the construction manager.

**NOTE: Interested parties are advised that pursuant to N.J.A.C. 19:36-3.5 (“Conflicts of Interest”) a professional consultant, firm or individual, that has assisted the NJSDA by materially participating in preparation of an RFQ or RFP for a design-build procurement shall not be permitted to participate in that procurement as a member of a Design-Build Team. “Materially participating in the preparation of an RFQ or RFP” shall mean the preparation of the RFQ or RFP themselves, as well as the preparation of plans, specifications, reports or other documents that are produced with the intent to be incorporated into a Project Manual or Design-Build Information Package that is part of that RFQ or RFP.**

#### **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:

1. "Experience Criteria" portion of Technical Proposal submitted as one (1) unbound original, and four (4) bound copies of each of the following three forms, submitted separately from the rest of the Technical Proposal (may be submitted together in one envelope or in individual envelopes, separate from the rest of Technical Proposal):
  - a. Design-Builder's Experience on Similarly Sophisticated Projects;
  - b. Design-Builder's Design Consultant's Experience on Similarly Sophisticated Projects; and
  - c. Design-Builder's Demonstrated Prior Affirmative Action Experience.
2. "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 Required Key Team Members; the Design-Builder's Approach to Schedule; the Design-Builder's Approach to the Project; and the Design-Builder's Approach to Leadership in Energy and Environmental Design ("LEED") Requirements; as well as other information.
3. 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.

In the evaluation step, the Bidder's "Experience Criteria" submission will be reviewed on a non-numeric, yes/no basis by an Evaluation Committee dedicated to the review of the Experience Criteria.

The "Project Approach Criteria" portion of the Technical Proposals will be reviewed and analyzed by a Selection Committee comprised of no fewer than four (4) individuals representing the NJSDA and the School District, charged with evaluating the Technical Proposals and conducting interviews with the Bidders and their Design Consultants for the clarification and amplification of the information contained in the Technical Proposals, before scoring the Technical Proposals with reference to the following non-price evaluation factors:

1. Design-Builder's Approach to Project (30 points)
2. Identification and Qualifications of Required Key Team Members (35 points)
3. Design-Builder's Approach to Schedule (20 points)
4. Design-Builder's Approach to LEED Requirements (15 points)

The Price Proposals will remain sealed until the interviews are completed and the Project Approach Criteria of the Technical Proposals have been fully evaluated and scored. The scores for the Project Approach portion of the Technical Proposals will be revealed at the public bid opening at which the Price Proposals are opened. The Price Proposals will then be scored by the NJSDA's Procurement Division at the public meeting in accordance with the terms of the RFP. The scores for the Project Approach evaluation factors will be combined with the scores for the Price Proposals, and the Bidder with the highest combined score will be deemed the winning Bidder with the proposal most advantageous to the NJSDA, price and other factors considered, pursuant to N.J.S.A. 52:18A-243 and N.J.A.C. 19:36-1 et seq.

Price shall be considered more important than all other factors combined, with price representing 60% of the weighted scoring and all other factors representing 40% of weighted scoring. The NJSDA is under no obligation to accept the lowest price proposal, as evaluation and scoring of proposals shall be in accordance with the terms of the RFP and regulations at N.J.A.C. 19:36-1 et seq.

The NJSDA has no obligation to make an award and reserves the right to waive any non-material defects, reject any or all proposals for any reason in accordance with law, and/or terminate the selection process at any time.

## Procurement Submission Dates and Deadlines:

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

**Pre-Bid Date:** April 9, 2019  
**Pre-Bid Time:** 11:00 AM (local time)  
**Pre-Bid Location:** Perth Amboy Board of Education Office  
178 Barracks Street  
Perth Amboy, NJ 08861

Immediately following the **mandatory pre-bid conference** there will be a **mandatory site visit**.

- B. 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 form no later than **2:00 PM (local time) on April 23, 2019** to **Martin Taylor** at the following NJSDA address:

If submitting by Fed Ex, UPS, Courier, Hand Delivery:

NJSDA  
32 E. Front Street  
Trenton, NJ 08625-0991

If submitting by U.S. Mail:

NJSDA  
P.O. Box 991  
Trenton, NJ 08625-0991

**BE ADVISED THAT NJSDA HAS CHANGED THE PROJECT RATING LIMIT PROCESS TO PERMIT CONSIDERATION OF PROJECTS COMPLETED UP TO TEN (10) YEARS PRIOR TO SUBMISSION OF THE PRP FORM. BIDDERS MAY CHOOSE TO RELY ON AN EXISTING VALID PRL, OR MAY CHOOSE TO APPLY FOR A NEW PRL USING THE NEW PRP FORM, DATED 11/14/18, AVAILABLE AT:**

<https://www.njsda.gov/NJSDA/Business/FormsResources> under **Forms and Resources → Forms → Procurement → Construction Forms → Project Rating Proposal**

- C. A Design Build Information Package, containing the NJSDA’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 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 Martin Taylor, Senior Procurement Analyst, at [mataylor@njsda.gov](mailto:mataylor@njsda.gov).

If the Bidder has any questions or finds any perceived error or omission in the Design-Build Contract Documents or any conflict or discrepancy within the Design-Build Contract Documents or between the Design-Build Contract Documents and any applicable provision of law, the Design-Builder shall submit written questions (referred to hereinafter as “Bidders’ Questions”) to the NJSDA for interpretation or clarification. Failure to submit said Bidders’ Questions shall be deemed a waiver for any claims for future compensation regarding discrepancies within the Design-Build Contract Documents.

The Bidder shall be responsible for delivery of such Bidders' Questions no later than **2:00 PM (local time) on May 21, 2019** to Martin Taylor at [mataylor@njsda.gov](mailto:mataylor@njsda.gov).

All responses to such Bidders' Questions shall be in the form of written Addenda.

- D. The Bidder must submit a Technical Proposal, consisting of two separate parts, which provides responses to the "Experience Criteria" and the separate "Project Approach Criteria", which corresponds to the non-price "Other Factors" evaluative criteria requirements of the RFP. The Technical Proposals must be received by the NJSDA no later than **2:00 PM (local time) on July 2, 2019**. Faxed or e-mailed submittals will not be accepted.

The Bidder must simultaneously submit a sealed Price Proposal along with the Technical Proposal, and the Bidder's Technical Proposal and Price Proposal must be received by the NJSDA no later than **2:00 PM (local time) on July 2, 2019**. Faxed or e-mailed submittals will not be accepted. Any Technical or Price Proposal received after this date and time will be returned unopened. Technical Proposals and sealed Price Proposals shall be delivered to Martin Taylor at the following NJSDA address:

If submitting by Fed Ex, UPS, Courier, Hand Delivery:

NJSDA  
32 East Front Street  
Trenton, NJ 08625-0991

If submitting by U.S. Mail:

NJSDA  
P.O. Box 991  
Trenton, New Jersey 08625-0991

- E. The sealed Price Proposals shall be publicly opened and read at a bid opening at the NJSDA office on **August 6, 2019 at 2:00 PM**.

Bidders are required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.

For further information on NJSDA, please visit us at [www.njsda.gov](http://www.njsda.gov).

DATE ADVERTISED: March 26, 2019