

NJ TRANSIT CORPORATION
INVITATION FOR BID NO. 16-035X

SPECIAL PROVISIONS FOR
RAIL OPERATIONS CENTER (ROC) UNIT SUBSTATION
MEADOWS MAINTENANCE COMPLEX
KEARNY, NEW JERSEY

JULY 2017

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**NEW JERSEY TRANSIT CORPORATION
SPECIAL PROVISIONS
FOR
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MEADOWS MAINTENANCE COMPLEX
KEARNY, NJ
INVITATION FOR BID NO. 16-035X**

NOTE: References shown thus () for SP-1, SP-2, SP-3 & SP-4 refer to Article numbers in the NJ TRANSIT Instructions to Bidders.

SP-1 INQUIRIES AND CLARIFICATIONS (B.2)

Supplement Article B.2 by adding the following:

All inquiries and requests for clarifications, shall be submitted to the NJ TRANSIT Procurement Department to the attention of:

Ms. Maggie Sotolongo
Senior Contract Specialist
NJ TRANSIT
Procurement Department
One Penn Plaza East
Newark, NJ 07105
Office: (973) 491-7588
Fax: (973) 232-1892
msotolongo@njtransit.com

SP-2 PREQUALIFICATION OF BIDDERS (C.2)

The following is hereby added to the end of the Instruction to Bidders, Article C.2

All General Contractors (GCs) must be prequalified by NJ TRANSIT prior to submitting a bid. All General Contractors (GCs) must be prequalified for BR (Building Construction – Rail (Operating Railroad Environment) with a minimum rating of “N” \$8,000,001 to \$10,000,000.

Prequalification questionnaires are available for download from the Bid Express website www.bidx.com. Completed prequalification questionnaires must be received by NJ TRANSIT no later than seven (7) calendar days after the pre-bid conference.

The completed prequalification questionnaire shall be submitted to:

Ms. Maggie Sotolongo
Senior Contract Specialist
NJ TRANSIT
Procurement Department
One Penn Plaza East
Newark, NJ 07105
Office: (973) 491-7588
Fax: (973) 232-1892
msotolongo@njtransit.com

SP-3 DBE GOAL ASSIGNMENT (C.3)

Add the following Paragraphs to Disadvantaged Business Enterprises (“DBE”) Goal Assignment (C.3) to the Instructions to Bidders:

As an aid in meeting its commitment to the Disadvantaged Business Enterprise (DBE) Program, NJ TRANSIT has assigned a race conscious nineteen percent (19%) DBE goal on the gross sum amount of the bid or contract for DBE subcontracting participation. All NJ Unified Certification Program (NJUCP) certified DBE firms, including suppliers, are eligible to participate in this contract.

NJ TRANSIT’s DBE Program is accorded the same priority as all compliance with all other legal obligations required by the USDOT.

Contractors shall comply with the DBE Program requirements in the award and administration of NJ TRANSIT contracts. Failure by the Contractor to carry out these requirements shall constitute breach of contract, which may result in the termination of the contract or other such remedy, as NJ TRANSIT deems appropriate.

The Contractor shall refer to NJ TRANSIT’s DBE Requirements for Federally Funded Construction Contracts and Subcontracts, which is included as an attachment, for instructions, guidance, and explanations for DBE program obligations under this Contract.

For this Contract, the apparent low Bidder and the second low Bidder shall identify all DBE and non-DBE subcontractors, subconsultants, and suppliers proposed to participate in and those solicited for this Contract, and shall complete and submit the mandatory DBE Forms A, A1, A2, and B. The apparent low Bidder and the second low Bidder must also submit NJ Unified Certification Program (NJUCP) certificate or letter for all potential DBE subcontractors. Additionally, the apparent low Bidder and the second low Bidder shall submit any applicable supplemental forms (AA, AA1, AA2, BB, and D). All DBE forms and NJUCP certificates or letters shall be submitted with the Bid or within five (5) calendar days of the bid opening date.

However, Bidders are strongly encouraged to submit all mandatory documents with the Bid to prevent delay of the Contract award. Bidders are requested to review carefully and complete the forms entirely, with no blank fields.

Any questions regarding the DBE requirements or the mandatory required forms for this contract should be directed to Melisa Campusano, Business Development Specialist, Contract Compliance of the Office of Business Development (OBD) at (973) 491-8614.

Should the actual contract amount increase or decrease, through approved change order(s), OBD must be informed. OBD will determine if this will result in an adjustment to DBE participation to reflect the assigned DBE goal.

S.P.4 DBE FORMS AND CERTIFICATION (E.4.1)

Add the following to Paragraph E.4.1 to the Instructions to Bidders:

The Contractor shall refer to NJ TRANSIT's DBE Requirements for Federally Funded Construction Contracts and Subcontracts, which is included as an attachment, for instructions, guidance, and explanations for DBE program obligations under this Contract.

For this Contract, the apparent low Bidder and the second low Bidder shall identify all DBE and non-DBE subcontractors, subconsultants, and suppliers proposed to participate in and those solicited for this Contract, and shall complete and submit the mandatory DBE Forms A, A1, A2, and B. The apparent low Bidder and the second low Bidder must also submit NJ Unified Certification Program (NJUCP) certificate or letter for all potential DBE subcontractors. Additionally, the apparent low Bidder and the second low Bidder shall submit any applicable supplemental forms (AA, AA1, AA2, BB, and D). All DBE forms and NJUCP certificates or letters shall be submitted with the Bid or within five (5) calendar days of the bid opening date.

However, Bidders are strongly encouraged to submit all mandatory documents with the Bid to prevent delay of the Contract award. Bidders are requested to review carefully and complete the forms entirely, with no blank fields.

Notwithstanding the date of submission of the mandatory DBE forms, all negotiations between a Bidder and any potential DBE subcontractor, subconsultant, or supplier shall be completed prior to the bid opening date.

Failure to submit any and all mandatory DBE documentation within five (5) calendar days of the bid opening date shall result in a rejection of a Bid as non-responsible.

MODIFICATIONS TO GENERAL PROVISIONS FOR CONSTRUCTION

NOTE: References shown thus () for SP-5 through SP-25 refer to Article numbers in the NJ TRANSIT General Provisions for Construction.

SP-5 PERMITS, LAWS, AND REGULATIONS (1.6)

Supplement Article 1.6 by adding the following:

- 1.6.10 The Contractor shall be aware that governmental agencies and bodies such as, for example, the New Jersey Department of Consumer Affairs (NJDCA), may require a significant amount of time to review, process and approve submittals, applications and permits. Consequently, the Contractor shall include allowances in the Project Schedule as may be required because of same and shall be aware that further adjustments to the Contractor's work plans may be necessary due to the review, process and approval of submittals, applications and permits by such governmental agencies and bodies.
- 1.6.11 NJ TRANSIT has obtained or will obtain the NJDCA/NJUCC Construction Permits, New Jersey Department of Environmental Protection (NJDEP) Coastal Area Facility Review Act (CAFRA) Permit, and Soil Erosion and Sediment Control (SESC) Permit for the ROC Unit Substation project. Upon award of the Contract, the Construction Manager will provide the required NJDCA Subcode forms to the Contractor, which shall be completed by the Contractor and the Contractor's Subcontractors in the appropriate disciplines, and returned to the Construction Manager. Once all required Subcode forms have been returned to NJ TRANSIT, they will be submitted to the NJDCA for processing. Any subsequent NJDCA fees for reviewing Contractor initiated modifications to the design and/or issuing amended permits shall be paid by the Contractor. Any and all permit fees paid by the Contractor will be reimbursed under the Supplemental Construction allowance.

SP-6 INDEPENDENT CONTRACTOR (1.8)

Supplement Article 1.8 by adding the following:

- 1.8.1 The scheduling of work shall be coordinated by the Contractor with the Construction Manager. Time scheduling shall be arranged to enable all Subcontractors to work at the same time, in so far as may be practical. The Contractor shall be responsible for overall construction operations at the site, and Subcontractors shall work through the Contractor in all matters involving the coordination of the various items of work.

- 1.8.2 All coordination between the various trades and in particular between electrical work, instrumentation work, and process equipment, shall be the Contractor's responsibility, and the Contractor shall provide services of competent professionals to provide this coordination function to the extent of preparing necessary coordination drawings which interrelate with the approved shop drawings.

SP-7 DESCRIPTION OF WORK (1.18)

Add the following new Article 1.18 to the General Provisions for Construction:

1.18 Description of Work

1.18.1 The proposed ROC Unit Substation will be constructed adjacent to the ROC at the Meadows Maintenance Complex (MMC), located in the Town of Kearny, County of Hudson, in the State of New Jersey. The ROC is the central control point for NJ TRANSIT rail operations and it requires a highly reliable electrical power system. The electrical system serving the ROC was damaged by submergence in contaminated salt water during Superstorm Sandy in October 2012. This Project will replace the storm damaged equipment and elevate the new equipment to prevent damage from future inundation.

1.18.2 The work of this Project consists of the construction by the Contractor of a new double-ended indoor secondary unit substation with primary switchgear, transformers and low voltage switchgear, arranged in a main-tie-main configuration arranged in a primary selective scheme. The Contractor shall construct a generator docking station, which will provide for connection of a mobile generator. The existing substation must remain in continuous operation throughout the Project, and the new unit substation must be installed, tested and energized prior to disconnecting any loads from the existing equipment. The Contractor is responsible for purchasing and installing all materials and equipment unless otherwise noted.

The existing ROC Unit Substation is fed from the NJ TRANSIT Building 9 Substation, located on the opposite (north) side of the Morris & Essex Lines mainline tracks. As part of this Project, the Contractor shall run new 4.16 kV feeders aerially along the north side of the Morris & Essex Lines right-of-way and cross over near the new ROC Unit Substation, with a riser pole at each end to transition the circuits underground to the existing Building 9 Substation and the new ROC Unit Substation. The Contractor shall ensure that the new feeders which will have a 15 kV rating to allow for future upgrading of the Building 9 Substation to 13.2 kV service by others. The Contractor shall install the new feeders which will involve an electrified track crossing, and resulting track or catenary outage that will likely have to be done during an overnight or weekend period, as set forth in the GPs.

The new ROC Unit Substation will be located indoors in a new concrete building dedicated for the sole use of the unit substation and related electrical equipment. The Project's contract Work to be completed by the Contractor includes: all demolition, architectural, structural, geotechnical, electrical, HVAC, fire protection, and plumbing work, as specified on the contract drawings and specifications.

This Project will require NJ TRANSIT flag protection for certain work. This protection will be arranged and coordinated between NJ TRANSIT's Construction Manager and/or the Project Manager and the Contractor.

1.18.3 Work by the Contractor shall include the following:

1. Mobilization;
2. Complete removal of all demolished/cleared material;
3. Completion of all contractual work; and,
4. Site clearing and demobilization, including removal of all materials, tools and equipment used in the completion of this project.

SP-8 TIME OF COMPLETION – DELAY – LIQUIDATED DAMAGES (2.1)

Supplement 2.1.1 by adding the following:

- 2.1.1a The Contractor shall pay to NJ TRANSIT the amount of \$4,250.00 as liquidated damages for each calendar day of delay in completing the work specified by this contract.

Supplement 2.1.2 by adding the following:

- 2.1.2a Time for completion of the project shall be 650 calendar days from the effective date of the Notice to Proceed.

Add the following new Sub-Article 2.1.14:

- 2.1.14 All construction activities requiring NJDCA review and approval must be completed and approved with a Temporary Certificate of Occupancy (TCO) granted prior to NJ TRANSIT occupancy.

SP-9 NO DAMAGES FOR DELAY (2.2)

Add the following new Sub-Article 2.2.5:

- 2.2.5 The Contractor shall receive no additional compensation for canceled work caused by unavailable flag men or the need for NJ TRANSIT to perform railroad maintenance and repair work, other than time added to the approved project schedule. The amount of time added shall be at NJ TRANSIT's sole discretion.

SP-10 USE OF PREMISES (4.2)

Add the following to Sub-Article 4.2.1:

The Contractor fully acknowledges that portions of the work described in this Contract and any attachments hereto will occur on each railroad right-of-way adjacent to three (3) active mainline tracks with overhead electrical catenary that carry train traffic around the clock, seven (7) days per week. The remainder of the Work to be performed by the Contractor will occur at a secure, active railroad maintenance facility. The site contains limited laydown areas for construction staging and storage.

The Contractor acknowledges that its access to and use of the premises may be restricted by NJ TRANSIT equipment, material and/or personnel to ensure continued operation, safety and security. In particular, the Contractor's installation of the new aerial feeder from the Building 9 Substation requires an electrified track crossing and any resulting track or catenary outage likely will have to be done during an overnight or weekend period within limited work windows potentially as short as two (2) hours.

If the Contractor's access to or use of the project site is restricted, the Contractor shall be given additional time only, in accordance with Article 2.2 of the General Provisions for Construction. The amount of time shall be at the sole discretion of NJ TRANSIT.

The Contractor shall maintain site access for all essential services including, but not limited to, NJ TRANSIT operations, police and security activities, and emergency services during all construction activities. The failure or inability of NJ TRANSIT to provide previously approved storage and staging areas shall not entitle the Contractor to additional compensation, damages or additional time.

The Contractor shall not interfere with or hinder daily operations at the subject project site for any NJ TRANSIT maintenance equipment and/or personnel and shall coordinate and schedule construction activities with the NJ TRANSIT Construction Manager and/or Project Manager.

Add the following new Sub-Article 4.2.10:

- 4.2.10 Adjacent to the work site are ACTIVE mainline railroad tracks with trains passing by all hours of the day and night. The Contractor shall allow sufficient time for the Contractor's forces to move personnel, equipment and/or materials back to any approved construction staging areas.

Add the following new Sub-Article 4.2.11:

- 4.2.11 No fouling of any tracks will be permitted by the Contractor unless the Contractor, and any agents, designees or subcontractors, is under the direct supervision of the required NJ TRANSIT flagman, and only after all Contractor and/or Subcontractor personnel have been NJ TRANSIT safety trained. Rail Safety Training shall be arranged and scheduled in advance of the commencement of work through either the NJ TRANSIT Construction Manager or Project Manager. Refer to Sub-Article 4.2.13 below.

Add the following new Sub-Article 4.2.12:

- 4.2.12 The Contractor shall submit a detailed Site Specific Work Plan (SSWP) to NJ TRANSIT for review and approval prior to commencement of ANY work. The SSWP must include all material and equipment staging plans, storage/trailer locations, and security procedures and must ensure conformance with railroad loading for installed materials, either permanent or temporary. The Contractor shall allow a minimum of forty-five (45) calendar days for **SSWP review**.

Add the following new Sub-Article 4.2.13:

- 4.2.13 Within ten (10) calendar days after Notice to Proceed, the Contractor shall make arrangements through the Construction Manager for Rail Safety Training. All of the Contractor's on-site personnel must attend Rail Safety Training and have current stickers on their hard hats and identification cards on their persons and in their possession at all times and they must be prepared to present such identification upon request before the Contractor will be allowed to work at the project site.

NOTE: The Contractor shall not be compensated for safety violation-related site shutdowns.

SP-11 PROTECTION AGAINST DAMAGE (4.5)

Add the following to Sub-Article 4.5.2:

The Contractor shall ensure that no damage will occur to any station, track or parking elements, other than those upon which construction activities specified in the Contract Documents are to occur. Additionally, any

damages to any elements beyond the scope of the Contract Documents will be the sole responsibility of the Contractor to repair or replace, at the Contractor's sole expense, and will not be compensated by NJ TRANSIT.

Supplement Article 4.5 by adding the following:

- 4.5.8 The Contractor shall protect the Work, including all construction in progress, completed construction, materials and equipment. Protection to be provided by the Contractor shall include, but not be limited to, installation of substantial temporary enclosures or buildings providing strong locking entrances to prevent unauthorized entrance, vandalism, theft or other such violations.
- 4.5.9 The Contractor shall prohibit entry to the project area by unauthorized personnel during both working and non-working hours. The Contractor shall not rely upon existing security measures in place by NJ TRANSIT for the protection of its equipment, materials and personnel since they are for the sole protection of NJ TRANSIT passengers, employees, equipment and existing facilities. The Contractor shall coordinate all of its security measures through the Construction Manager.

SP-12 PROTECTION OF PUBLIC UTILITIES (4.7)

Supplement the second paragraph of Sub-Article 4.7.1 by inserting the following sentence:

The Contractor shall use the New Jersey One-Call System at (800) 272-1000 to check for underground utilities and arrange for markouts.

SP-13 MAINTENANCE OF MARINE TRAFFIC (4.10)

Delete Article 4.10 in its entirety.

SP-14 MAINTENANCE OF RAILROAD TRAFFIC (4.11)

Supplement Sub-Article 4.11.1 by adding the following:

- 4.11.1.1 The Contractor shall notify the Construction Manager in writing twenty-one (21) calendar days prior to any requested track fouling and obtain the NJ TRANSIT Construction Manager's expressed approval before proceeding with the work. In addition, the request for a flagman shall be submitted 48 hours in advance and must be accompanied by a detailed work plan. The plan shall indicate specific work locations and work to be performed.

SP-15 ARTS IN TRANSIT (4.13)

Delete article 4.13 in its entirety.

SP-16 FIELD OFFICE AND SANITARY FACILITIES (5.2)

Delete the last paragraph from Article 5.2.9.

Add the following to the end of Sub-Article 5.2.7:

The Contractor shall provide necessary desktop computers, fax machines, printers, internet connections, software, phone lines and fax lines (as determined by NJ TRANSIT) paid for in the Field Office allowance item.

SP-17 CONSTRUCTION SIGN (5.3)

Strike the first sentence of Article 5.3 and in its place add the following:

The Contractor shall fabricate and install construction sign(s) as indicated in the NJ TRANSIT Sign Standards Manual – Section 7.0 Temporary Signs (see attached manual excerpt entitled Exhibit A). Sign selection and location shall be determined by the NJ TRANSIT Construction Manager. Cost of the construction sign shall be included in the line item for “Project Mobilization.”

SP-18 CONSTRUCTION PROJECT SCHEDULE (6.2)

Add the following to Article 6.2.1:

The Contractor shall employ a scheduler specializing in Construction Project Management (CPM) scheduling with a minimum of five (5) years documented experience indicated in Article 6.2.3. The Contractor shall provide a coordinated project schedule, for review and approval by NJ TRANSIT, generated using Primavera, latest release, or scheduling software that is fully compatible with it, as approved by the NJ TRANSIT Construction Manager.

The coordinated schedule shall list all activities in sorts or groups:

- A. By preceding work item or event number from lowest to highest.
- B. By amount of float, then in order of early start date.
- C. By responsibility in order of earliest possible start date.
- D. In order of latest allowable start dates.
- E. In order of latest allowable finish dates.
- F. Listing of basic input data which generates the report.
- G. Listing of activities on the critical path.

All milestone dates shall be provided with the schedule for all major activities.

Add the following to Article 6.2.6:

The Contractor will plan for and schedule to accommodate a bi-weekly construction meeting. At this meeting, the Contractor shall meet with the Resident Engineer, Construction Manager and/or Project Manager to update the DPS and review any logic revisions.

The updated DPS shall include the actual start date, percentage complete, and remaining duration or actual finish date for each activity in progress as well as any proposed schedule revisions such as the addition on new activities, change to the logic and/or duration of the existing activities.

The Contractor shall attach the updated DPS to a progress narrative that discusses the progress made during the current period, the impact of the progress on the milestone dates, the status of the critical path activities, the work planned for the following period, any anticipated problems, the resolution to previously noted problems and the means of recovering the DPS should the project fall behind.

Resultant of the update meeting, the Contractor shall submit an updated DPS to the NJ TRANSIT Construction Manager each month with the Contractor's application for payment, which must be submitted by the 25th day of each month. Delayed payment applications will result in delayed payment.

Add the following Article 6.2.16:

6.2.16 The Contractor's failure to submit the DPS in accordance with this Article or failure of the Contractor to attend and participate in scheduled update meetings, shall be sufficient cause for NJ TRANSIT to take the appropriate action to remedy the failures, to be determined at NJ TRANSIT's sole discretion.

Add the following Article 6.2.17:

6.2.17 The Contractor's DPS shall include a period of one (1) week duration, immediately prior to Substantial Completion, for the NJ TRANSIT Construction Manager to perform a final inspection of the work and to prepare the list of Remaining Work which is incorporated into the Certificate of Substantial Completion (13.2). The Work must be sufficiently complete, prior to this activity, for the NJ TRANSIT Construction Manager to perform this inspection.

SP-19 MATERIAL-WORKMANSHIP-LABOR (7.2)

Supplement Article 7.2 by adding the following:

- 7.2.10 The Contractor assumes all the responsibility and liability associated with ensuring that all workers in its employment or that of its subcontractors have the capacity to fully understand all verbal and written training, instructions and commands given to them by NJ TRANSIT safety, security and supervisory personnel. The Contractor shall immediately remove and replace all workers who fail to strictly and completely comply with all NJ TRANSIT training, instructions and commands, with no exceptions.
- 7.2.11 The Contractor shall submit to NJ TRANSIT, within ten (10) days of the bid opening, a detailed resume citing the name, training and experience of the Project Superintendent, as defined below, designated for assignment on this Contract.

The Project Superintendent shall be a competent, English-speaking individual employed full time and be present on the work site to direct and supervise the Work each day and every workday that Work is being performed, from the start of the Work to the acceptance of same.

The Project Superintendent shall be empowered by the Contractor to make binding decisions in a timely manner and shall be an individual with a minimum ten (10) years of supervisory experience on construction projects of a similar type and complexity. A list of three (3) references from past (recent) projects shall be furnished. The Project Superintendent shall have a demonstrated record of successfully supervising and have a reputation as cooperative and responsive to clients in the opinion of the client reference.

- 7.2.12 The Contractor shall submit the required personnel information to propose a Project Superintendent that meets the aforementioned minimum qualifications.

SP-20 INSPECTION OF WORK (7.3)

Supplement Article 7.3 by adding the following:

- 7.3.8 The Contractor shall recognize the necessity to schedule regulatory and code enforcement inspections well in advance and make all reasonable accommodations necessary to facilitate said inspections so as to avoid delay in progressing or completing the Work. Furthermore, the Contractor shall realize that even scheduled inspections may be cancelled by the regulatory and code enforcement agencies without warning.

- 7.3.9 The Contractor shall not receive additional time or compensation for untimely lack of responsiveness and associated delay caused by a regulatory or code enforcement agency unless said delay exceeds that which is normally and customarily experienced by others when interfacing with said agency, to be determined at the sole discretion of NJ TRANSIT at which point the Contractor may be granted additional time only for that portion of the delay that exceeds the response time ordinarily and typically experiences with the specific agency under similar circumstances. In no case will compensation be paid by NJ TRANSIT.

SP-21 NEW JERSEY PREVAILING WAGE ACT (11.1)

In the General Provisions for Construction, Article 11, Social and Economic Requirements, Sub-Article 11.1, add the following:

Attached is the New Jersey Department of Labor Prevailing Wage Rate Determination.

SP-22 SCOPE OF PAYMENT (12.1)

Supplement Article 12.1 by adding the following:

- 12.1.6 The Contract Documents also include an appendix containing plans prepared by the Jacobs Engineering Group for the construction of flood walls, adjacent to and integrated with the new ROC Unit Substation building. The flood walls may either be erected under a separate contract, or under this contract, at the option of NJ TRANSIT. These plan sheets – designated as GEN-01, ARC-16, ARC-17, ARC-30, DS-STR-01, DS-STR-02 and DS-STR-05 – are included as add-on optional work for which the Contractor is required to furnish a cost on the Bid Price Form. NJ TRANSIT reserves the right to add this work to the Contract. The work of this add-on alternate shall not be measured, and the cost of this work shall be included in the lump sum bid item ADD-ON ALTERNATE – FLOOD WALLS on the bid price form.

SP-23 EMPLOYEE PROTECTIONS-CONSTRUCTION ACTIVITIES (14.1)

In Section IV, General Provisions For Construction, Article 14. Federal Provisions, Sub-Article 14.1, add the following:

Attached is the General Wage Determination (Attachment C).

SP-24 RCRA REQUIREMENTS: BUILDING INSULATION PRODUCTS AND FLY ASH IN CONCRETE (14.10)

Modify Sub-Article 14.10 to read as follows:

No cement used on this project shall contain any fly ash.

SP-25 NOTICE OF EXECUTIVE ORDER 125 REQUIREMENT FOR POSTING OF WINNING PROPOSAL AND CONTRACT DOCUMENTS

Pursuant to Executive Order No. 125, signed by Governor Christie on February 8, 2013, the Office of the State Comptroller (“OSC”) is required to make all approved State contracts for the allocation and expenditure of federal reconstruction resources available to the public by posting such contracts on an appropriate State website. Such contracts are posted on the New Jersey Sandy Transparency website located at: <http://nj.gov/comptroller/sandytransparency/contracts/sandy/>

The Contract resulting from this IFB is subject to the requirements of Executive Order No. 125. Accordingly, the OSC will post a copy of the Contract, including the IFB, the winning bidder’s proposal and other related contract documents for the above contract on the Sandy Transparency website.

In submitting its proposal, a bidder may designate specific information as not subject to disclosure. However, such bidder must have a good faith legal and/ or factual basis to assert that such designated portions of its proposal (i) are proprietary and confidential financial or commercial information or trade secrets; or (ii) must not be disclosed to protect the personal privacy of an identified individual. The location in the proposal of any such designation should be clearly stated in a cover letter, and a redacted copy of the proposal should be provided.

The State reserves the right to make the determination as to what is proprietary or confidential, and will advise the winning bidder accordingly. The State will not honor any attempt by a winning bidder to designate its entire proposal as proprietary, confidential and/or to claim copyright protection for its entire proposal. In the event of any challenge to the winning bidder’s assertion of confidentiality with which the State does not concur, the bidder shall be solely responsible for defending its designation.

End of Special Provisions

Sign Type 7.1

Project Site Signs - NJT/STATE Sign Detail

General Specifications

Materials:
 1- Panel: 3/4" thick marine grade plywood
 2- Posts: 4"x4" pressure treated wood

Colors

& Finishes:
 1- Panel:
 e- Header: White, painted
 f- Message Panel: Black, painted
 g- Type: White, painted, or vinyl
 5- NJ TRANSIT signature: Chevron
 a- Orange, silkscreened or vinyl
 b- Magenta, silkscreened or vinyl
 c- Blue, silkscreened or vinyl
 Symbol & logo
 d- Black, silkscreened, painted or vinyl.

Fabrication: •See Detail 1.7

Installation: •See Detail 3.2 (direct burial)

Copy:
 •Header: Use NJ TRANSIT signature-obtain camera-ready artwork from NJ TRANSIT Passenger Facilities Department
 •Message Panel: Helvetica Medium upper and lower case

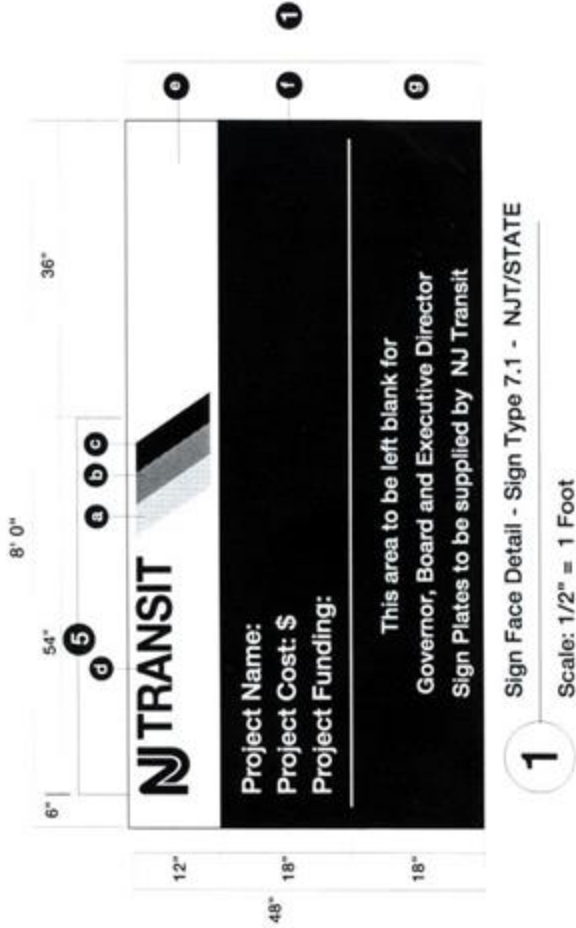


EXHIBIT A