

PRICE PROPOSAL

**DESIGN-BUILD
PRICE PROPOSAL SUBMISSION**

**to
NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY**

For the following Package:

Contract Number: ET-0061-B01
Contract Name/Description: New Joseph C. Caruso Elementary School
District: Keansburg
County: Monmouth

THIS PACKAGE IS COMPRISED OF THE FOLLOWING SCHOOL PROJECTS:

SCHOOL	CONSTRUCTION COST ESTIMATE
<u>New Joseph C. Caruso Elementary School</u>	<u>\$32,134,000</u>

Bid of _____
(Bidder's Name) (Bidder's Federal I.D. #)

a Corporation organized and existing under the laws of the State of _____

or a partnership or joint venture consisting of _____

_____ or an individual, trading as _____

There is a two-step bidding process for participation in this procurement:

First Step: A Bidder must first submit the "Project Rating Proposal." The NJSDA will determine a Bidder's Project Rating Limit based on this proposal.

Second Step: Along with a Technical Proposal prepared in accordance with the Request for Proposals, a Bidder must submit the "Price Proposal" which contains the price the Bidder intends to bid for the work as well as other required information.

Important Notes:

- 1) A Bidder may not submit a Price Proposal that, excluding amounts for design services and excluding the GMP Reserve, exceeds its Project Rating Limit for a project.
- 2) A Bidder's Project Rating Limit cannot exceed the firm's Aggregate Limit.

A. Price Proposal Submission:

1. The Bidder shall complete and execute this Price Proposal and enclose it in an envelope that is **sealed** and **clearly marked** with the Bidder's Name, Contract Number, Contract Name, School District, County and the date of Price Proposal submission. The Bidder must submit its sealed Price Proposal to the NJSDA in accordance with Section 7 of the Request for Proposal (RFP).
2. The Price Proposals shall be subject to a public bid opening by the NJSDA on the date and time provided in the RFP.

B. Bidder:

1. All Bidders must be classified by the Department of the Treasury, Division of Property Management and Construction in all applicable trades; pre-qualified by the NJSDA in all applicable trades; registered with the Department of Labor; and registered with the Department of Treasury, Division of Revenue; and must provide valid contractor or trade licenses where applicable at the time of submission of this bid. **Time is of the essence for completion of the Project in this package.**
2. The Bidder **MUST** submit a copy of its Uncompleted Contracts Form. Uncompleted Contracts forms submitted by the Bidder and any named Subcontractors must reflect accurate and timely information. The amount set forth in the Uncompleted Contracts Form must reflect the amount of uncompleted work as of the date of the bid submission, or the date of the response to the RFP. In no instances will Uncompleted Contracts forms be acceptable where the date of the Form is greater than 120 days prior to the due date for bid or proposal submissions.
3. If the Bidder will be performing work with its "own forces" in any of the trades listed in the Bid Advertisement, the Bidder must be properly classified and pre-qualified to perform such work in the named trades, and must state its intention to perform such work with its "own forces." Failure to so state, and/or failure to indicate what firms will be performing the work in the trades identified in the Bid Advertisement, may cause the bid to be rejected.

C. Subcontractors:

1. The Bidder **MUST** name the Design Consultant to be engaged as the Design-Builder's Design Consultant, and all subcontractors that will be performing work in any of the trades listed in the Bid Advertisement or required by statute.
2. In accordance with the requirements of N.J.S.A. 52:18A-243, each bidder (or "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 ("HVAC Branch"); (3) the electrical work ("Electrical Branch"); and (4) structural steel and miscellaneous iron work and materials ("Structural Steel Branch").
3. When naming subcontractors in accordance with Section C.2 above, 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.")

4. The Design Consultant to be engaged as the Design-Builder's Design Consultant must be prequalified by the Department of the Treasury, Division of Property Management and Construction in the discipline of Architecture (P001); pre-qualified by the NJSDA in the discipline of Architecture (P001) and registered with the Department of Treasury, Division of Revenue.
5. All listed subcontractors identified in accordance with Sections C.1. and C.2. above must be classified by the Department of the Treasury, Division of Property Management and Construction in all applicable trades; pre-qualified by the NJSDA in all applicable trades; registered with the Department of Labor; and registered with the Department of Treasury, Division of Revenue; and must provide valid contractor or trade licenses where applicable at the time of submission of this bid.
6. All Bidders **MUST** submit a copy of the Uncompleted Contracts Form for any subcontractor identified in the bid advertisement. Uncompleted Contracts forms submitted by the Bidder and any named Subcontractors must reflect accurate and timely information. The amount set forth in the Uncompleted Contracts Form must reflect the amount of uncompleted work as of the date of the bid submission, or the date of the response to the RFP. In no instances will Uncompleted Contracts forms be acceptable where the date of the Form is greater than 120 days prior to the due date for bid or proposal submissions.
7. The Bidder shall list the SBE status of each subcontractor, where applicable.

D. SBE Opportunities:

1. The Bidder agrees it shall make a good faith effort to meet the requirements of the SBE Utilization Attachment contained in the Contract Documents in order to ensure that small business enterprises, as defined in that attachment and in applicable regulation, have the maximum opportunity to compete for and perform subcontracts.
2. The NJSDA requires the contractor to provide opportunities to SBE firms to participate in the performance of this engagement, consistent with NJSDA SBE set aside goals of 25%, awarding 5% of the contract value to registered Category 4 SBE firms; 5% of the contract value to registered Category 5 SBE firms; and 5% of the contract value to registered Category 6 SBE firms; and 10% of the contract value to SBE firms registered in any of the three Categories.

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GENERAL CONSTRUCTION WORK:

Firm	Address	
SBE Status	DOL Contractor Registration #	Federal I.D. #

DESIGN-BUILDER's DESIGN CONSULTANT:

Firm	Address	
SBE Status	NJ Professional License #	Federal I.D. #

PLUMBING AND GAS FITTING BRANCH WORK: The bidder must identify a subcontractor that is DPMC classified in the trade of Plumbing (C030), unless the bidder intends to self-perform for this trade. If the bidder intends to self-perform, the bidder must identify itself as self-performing in the trade of Plumbing (C030). If the bidder 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.

Firm _____ Address _____

SBE Status _____ DOL Contractor Registration # _____ Federal I.D. # _____

Additional Plumbing Branch Subcontractor(s): Note DPMC Classification: _____

Firm _____ Address _____

SBE Status _____ DOL Contractor Registration # _____ Federal I.D. # _____

Additional Plumbing Branch Subcontractor(s): Note DPMC Classification: _____

Firm _____ Address _____

SBE Status _____ DOL Contractor Registration # _____ Federal I.D. # _____

HVAC BRANCH WORK: The bidder must identify a subcontractor that is DPMC classified in the trade of HVAC (C039), unless the bidder intends to self-perform for this trade. If the bidder intends to self-perform, the bidder must identify itself as self-performing in the trade of HVAC (C039). If the bidder will contract with any additional subcontractors with DPMC Trade Classifications in the HVAC trade or other trades applicable to this branch, each such additional subcontractor must be identified.

Firm _____ Address _____

SBE Status _____ DOL Contractor Registration # _____ Federal I.D. # _____

Additional HVAC Branch Subcontractor(s): Note DPMC Classification: _____

Firm _____ Address _____

SBE Status _____ DOL Contractor Registration # _____ Federal I.D. # _____

Additional HVAC Branch Subcontractor(s): Note DPMC Classification: _____

_____	_____	_____
Firm	Address	
_____	_____	_____
SBE Status	DOL Contractor Registration #	Federal I.D. #

ELECTRICAL BRANCH WORK: The bidder must identify a subcontractor that is DPMC classified in the trade of Electrical (C047), unless the bidder intends to self-perform for this trade. If the bidder intends to self-perform, the bidder must identify itself as self-performing in the trade of Electrical (C047). If the bidder 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.

_____	_____	_____
Firm	Address	
_____	_____	_____
SBE Status	DOL Contractor Registration #	Federal I.D. #

Additional Electrical Branch Subcontractor(s): Note DPMC Classification: _____

_____	_____	_____
Firm	Address	
_____	_____	_____
SBE Status	DOL Contractor Registration #	Federal I.D. #

Additional Electrical Branch Subcontractor(s): Note DPMC Classification: _____

_____	_____	_____
Firm	Address	
_____	_____	_____
SBE Status	DOL Contractor Registration #	Federal I.D. #

STRUCTURAL STEEL AND MISCELLANEOUS IRON WORK BRANCH: The bidder must identify a subcontractor that is DPMC classified in the trade of Structural Steel (C029), unless the bidder intends to self-perform for this trade. If the bidder intends to self-perform, the bidder must identify itself as self-performing in the trade of Structural Steel (C029). If the bidder 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.

_____	_____	_____
Firm	Address	
_____	_____	_____
SBE Status	DOL Contractor Registration #	Federal I.D. #

Additional Structural Steel Branch Subcontractor(s): Note DPMC Classification: _____

Firm Address

SBE Status DOL Contractor Registration # Federal I.D. #

Additional Structural Steel Branch Subcontractor(s): Note DPMC Classification: _____

Firm Address

SBE Status DOL Contractor Registration # Federal I.D. #

OTHER TRADE CLASSIFICATIONS NAMED IN BID ADVERTISEMENT

(Name Trade Classification): _____

Firm Address

SBE Status DOL Contractor Registration # Federal I.D. #

OTHER TRADE CLASSIFICATIONS NAMED IN BID ADVERTISEMENT

(Name Trade Classification): _____

Firm Address

SBE Status DOL Contractor Registration # Federal I.D. #

E. Price:

1. The undersigned, as Bidder, declares:
 - That this Price Proposal is made, without collusion with any other person, firm or corporation;
 - That the Bidder has carefully examined the RFP and the forms of the Project Manual, Design Build Contract, Design Build Information Package, Addenda, Specifications, Drawings and all other Contract Documents;
 - That the Bidder has carefully examined the locations, conditions and classes of material for the proposed work;
 - That the Bidder agrees that it will provide all necessary design services, machinery, tools, apparatus and other means of construction and will do all Services and Work and furnish all the materials called for in the Design Build Contract Documents in the manner therein prescribed; and
 - That this Price Proposal is submitted Net of Insurance, excluding all applicable insurance expenses and policy costs allocated to the on-site activities of the project as respects

Workers' Compensation, Employer's Liability, Commercial General Liability, Owners Contractors Protective Liability, Excess/Umbrella Liability and Builder's Risk insurance.

3. In submitting this Price Proposal, the Bidder agrees:

- That the NJSDA has the right to reject this Price Proposal in accordance with the terms of the RFP.
- To hold this Price Proposal open for a period of ninety (90) calendar days from the date of the public opening and reading of the Price Proposals, unless this time period is extended by mutual agreement of the Bidder and the NJSDA.
- To accomplish the work at the price bid, in accordance with the Contract Documents.

4. Base Bid Price:

- Total amount for the furnishing of all design and construction administration services, labor, materials, services, equipment and appliances required in conjunction with and properly incidental to all Services and Work, in conformance with all Design Build Contract Documents. **The price of allowances listed in the Specifications and/or by Addenda (um) must be included in the Base Bid Price.**
- In case of a discrepancy between the amount shown in words and the amount shown in figures, **the amount shown in words shall govern.**
- **The Public Opening and Reading of the Price is for informational purposes only and is not to be construed as an acceptance or rejection of any bid submitted.**

Design Services: \$ _____

Construction Services: \$ _____

GMP Reserve \$ 500,000.00

Allowance: \$ 300,000.00

TOTAL BID PRICE: _____
(Sum of all three items) (In Words)
\$ _____
(In Figures)

4. Alternates: (Not Applicable)

5. Bid Bond:

The Bidder shall attach to this Price Proposal a Bid Bond, having a value of ten percent (10%) of the total base bid amount. Bid Bonds shall be returned to all unsuccessful Bidders in accordance with the RFP.

6. Addenda:

The Bidder acknowledges receipt and incorporated into this bid of the following Addenda:

Number: _____

Dated: _____

F. CERTIFICATION

The Bidder hereby certifies to the best of its knowledge and belief and under penalty of perjury under the laws of the United States and the State of New Jersey:

1. That all information provided herein is accurate and truthful.
2. That an affirmative action program of equal employment opportunity, pursuant to P.L. 1945, c. 169, the “New Jersey Law Against Discrimination,” as supplemented and amended has been adopted by this organization to ensure that applicants are employed and employees are treated without regard to their race, creed, color, national origin, ancestry, marital status, sex, or affectional or sexual orientation, and that the selection and utilization of contractors, subcontractors, consultants, materials suppliers and equipment lessors shall be done without regard to their race, creed, color, national origin, ancestry, marital status, sex, or affectional or sexual orientation. Such action shall include but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeships. The Bidder agrees to post in conspicuous places, available to employees and applicants for employment, Notices to be provided by the NJSDA’s Compliance Officer setting forth provisions of this nondiscrimination clause. Said affirmative action program addresses both the internal recruitment, employment and utilization of minorities and the external recruitment policy regarding minority contractors, subcontractors, consultants, materials suppliers and equipment lessors.
3. That the bid has been executed with full authority to do so; that the Bidder has not directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with these projects; and that all statements contained in this bid and in this certification are true and correct and made with full knowledge that the NJSDA relies upon the truth of the statements contained in this bid and in the statements contained in this certification in awarding the contract for the projects.
4. That neither the Bidder nor its principals:
 - A. are currently debarred, suspended, proposed for debarment, declared ineligible, or excluded from bidding or contracting by, any agency of government including but not limited to federal, state, regional, county or local government agency, in this or any other state including any department, division, commission, authority, office, branch, section and political subdivision or other governmental or quasi-governmental entity;

- B. are voluntarily excluded from bidding or contracting, or have agreed to voluntarily refrain from bidding or contracting, through an agreement with any agency of government including but not limited to federal, state, regional, county or local government agency, in this or any other state including any department, division, commission, authority, office, branch, section and political subdivision or other governmental or quasi-governmental entity;
 - C. have, within a three-year period preceding this bid, been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public federal, state or local contract; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - D. are currently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in paragraph (B) of this certification; and
 - E. have, within a three-year period preceding this bid, had one or more public contracts (federal, state or local) terminated for cause or default.
5. The Bidder has a current, valid registration issued pursuant to the “Public Works Contractor Registration Act, “P.L. 1999, c. 238 (c. 34:11-56.48 et. seq)”.
 6. The Bidder has a current, valid Business Registration Certificate for State Agency and Casino Service Contractors issued by the NJ Department of Treasury to perform work in New Jersey.
 7. The Bidder has current, valid contractor or trade licenses and permits required under applicable New Jersey law for any trade or specialty area in which the firm seeks to perform work.
 8. That the Bidder will comply with Public Law 2005, Chapter 51 (N.J.S.A. 19:44A-20.13- through N.J.S.A. 19:44A- 20.25, superseding Executive Order 134 (2004)) and as amended by Executive Order 117 (2008), and submit a N.J. Division of Purchase and Property “Two-Year Chapter 51/Executive Order 117 Vendor Certification & Disclosure of Political Contributions” and “Ownership Disclosure Form” if awarded the bid.
 9. That the Bidder is aware of its continuing responsibility to file an annual disclosure statement on “contributions” as that term is defined in P.L. 2005, c. 51 (formerly Executive Order 134 (2004)) or any “Business Entity,” as that term is defined in P.L. 2005, c. 51, associated with the Bidder, on the “Disclosure of Political Contribution” form provided by the NJSDA, at the time such contribution is made.” This applies to the contractor if the contractor receives contracts in excess of \$50,000 from a public entity in a calendar year. It is the contractor's responsibility to determine if filing is necessary. Failure to so file can result in the imposition of financial penalties by ELEC. Additional information about this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us .
 10. During the term of construction of the project(s) that comprise this package, the Bidder will have in place a suitable quality control and quality assurance program and an appropriate safety and health plan.
 11. The amount of the Price Proposal and the value of the Bidder’s outstanding incomplete contracts does not exceed the Bidder’s Aggregate Rating.
- 12. Where the Bidder is unable to certify to any of the statements in this certification, the Bidder shall explain below.**

IN WITNESS WHEREOF, the Bidder has caused this instrument to be signed, attested to and sealed.

Bidder: _____
(Legal Firm Name)

By: _____
(Signature) _____
(Printed or Typed Name)

Title: _____

Address: _____

Telephone No.: _____

Fax No.: _____

Date: _____



Witness: _____

Printed or Typed Name: _____

Date: _____

END OF PRICE PROPOSAL