

**New Jersey Department of
Transportation**

**REQUEST FOR QUALIFICATIONS
FOR
DISPUTE RESOLUTION BOARD
(DRB) CANDIDATES**

LOCATION:

Project locations are across the state of New Jersey.

SERVICE DESCRIPTION:

To develop and expand a prequalified applicant pool of candidates for the Department's Dispute Resolution Board (DRB) process.

DETAILED DESCRIPTION:

As a supplement to the Contractual Claims Resolution Process established in section 107.12 of the 2019 NJDOT Standard Specifications for Road and Bridge Construction, a three-member DRB may optionally replace current 107.12.02 Steps II and III and may be established for certain Department construction contracts, through execution of a separate DRB Three-Party Agreement between the Contractor, the Department, and the DRB members.

Utilization of the DRB is intended to provide independent, special expertise to facilitate resolution of claims. The goal is to avoid delays to the work, minimize the expense of settlement, avoid litigation, and promote project partnering. The DRB will render non-binding Recommendations or DRB Reports on issues and claims brought before it. Utilization of the DRB is a contractual process and is not an administrative process.

The DRB will consist of the following three members:

1. One DRB member selected by the Department and approved by the Contractor;
2. One DRB member selected by the Contractor and approved by the Department; and
3. One DRB member selected and mutually agreed upon by the first two DRB members.
who will act as the Chairperson for all DRB activities.

The cost for DRB Conferences and DRB Progress Meetings is shared equally between the Department and the Contractor. In all cases the DRB is paid by the Contractor and the Department reimburses the Contractor 50% of costs after payment to the DRB. The lump sum compensation rates are considered full and complete compensation to the DRB members for all expenses (preparatory time, meeting time, travel, lodging, documentation production, etc.) related to Conferences or Progress Meetings.

Key Dates:

Applicants may submit qualifications to become DRB candidates at any time. This request for qualifications does not have a closure date; therefore, applications may be continuously submitted.

PRIMARY PREQUALIFICATION CLASSIFICATION:

Not Applicable

DEPARTMENT DESIGNEE:

Thomas J. Kondash, Jr.
Bureau of Construction Management
Thomas.kondash@dot.nj.gov

Potential and approved candidates may be contacted by the Department's Designee while being evaluated for inclusion in the applicant pool to clarify submitted information.

CANDIDATE APPLICATION INFORMATION:

The Department is looking for DRB candidates with substantial experience in or directly related to highway and bridge construction projects with or on behalf of federal, state, or local government agencies, particularly the Department or other state Departments of Transportation.

Experience must be a minimum of 10 years in active involvement, supervision, or management of public agency highway and bridge construction contracts with a preferable emphasis in resolution of disputes arising out of said contracts. To be approved as a potential DRB candidate, a person must have participated in a Department hosted DRB training session. Applicants that do not have nor obtain the required training will not be approved to serve as a DRB member. However, these applicants will be listed on the pool candidate sheet with a "No" in the training column as a placeholder until they successfully complete the required training.

The DRB Three-Party Agreement (an agreement between the Department, the Contractor, and the other two DRB members that is required if selected to serve as a DRB member) contains Conflict of Interest language and requirements. DRB applicants will be required to provide a Conflict of Interest and Disclosure Statement describing past, present, anticipated, and planned relationships, including indirect relationships through their present employer, to other parties involved in a construction project if selected to serve as a DRB member. Disclosure of any close professional or personal relationships with all key members of the project is also required. This Disclosure and Conflict of Interest information will be required prior to being approved to serve on a DRB for any construction project.

All applicants must state their specific training and experience that qualifies them to serve as a DRB candidate in a current resume, **as your application**, submitted **electronically to the Department**. Electronic submission of resume, and confirmation of receipt, will be provided by contacting the Department's Designee.

If you are approved to be a DRB candidate, your DRB resume, including name, address, phone number, and email address will be provided for all interested parties to view, unless you specifically request that it be provided by request only.

If a DRB candidate's application is denied, the candidate may contact the Department's Designee to discuss why the candidate's application was denied. Appeals of denied applications will be reviewed and processed by the **Department**. The Department's Designee will facilitate the appeal request and process. All questions are to be directed to the Department's Designee.

GENERAL INFORMATION:

The services described herein are partially financed with public funds. The candidate must comply with all applicable Federal and State laws, rules, and regulations.

The candidate agrees to demonstrate knowledge of, and performance in compliance with the Department's standard construction practices; the project construction contract, proposal, and plans; the Department's 2019 Standard Specifications for Road and Bridge Construction and all applicable publications referenced within; and any and all other references, guidelines, and procedures manuals needed to carry out the work described herein in an appropriate manner.

If applicable, the candidate must perform field operations in accordance with NJDOT's Personal Protective Equipment (PPE) Policy as stated in the NJDOT Safety Manual 2000 and Employee Safety/Work Zone Safety guidance documents. The candidate must perform field operations in accordance with regulations and accepted safety practices.

The current NJDOT Safety Manual 2000, the Employee Safety/Work Zone Safety guidance documents, and the DRB special provision can be requested from the Department's Designee.

PAYMENT TYPE:

There will be no compensation provided for attendance at any training sessions.

Compensation for service as a DRB member has been established at a lump sum amount and will be provided by the prime contractor of the respective construction contract. Details can be found in the DRB Special Provisions and the 3-Party DRB Agreement.