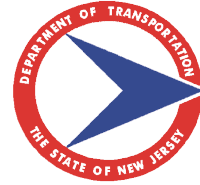


New Jersey Department of Transportation
1035 Parkway Avenue, PO Box 600, Trenton, New Jersey 08625-0600



Baseline Document Change Announcement

ANNOUNCEMENT: BDC22S-18

DATE: November 18, 2022

SUBJECT: Debarment

- **Revision to the 2019 Standard Specifications for Road and Bridge Construction, Subsections 102.01, 102.10, 102.15, and 103.04, & Subpart 102.13.01.**

Subsections 102.01, 102.10, 102.15, and 103.04, & Subpart 102.13.01 of the 2019 Standard Specifications for Road and Bridge Construction have been revised in order to incorporate N.J.S.A. 52:32-44.1 “Debarment of Certain Person from Contracting for Public Work”. In addition, the requirement for N.J.S.A. 19:44A-20.13 has been relocated to “Bidder Pre-Award Requirements”.

The following revisions have been incorporated into the 2019 Standard Specifications via 2019 Standard Inputs, SI2019:

102.01 QUALIFICATION TO BID

THE FIRST PARAGRAPH IS CHANGED TO:

The Bidder is an individual, firm, or corporation submitting a bid for the advertised Work. The Department will not accept bids from Bidders who fail to meet all of the following criteria:

1. The Bidder has been prequalified according to regulations covering the Classification of Prospective Bidders as required by N.J.S.A. 27:7-35.1, *et seq.*
2. Before the receipt of the bid or accompanying the bid, the Bidder has disclosed ownership as required by N.J.S.A. 52:25-24.2.
3. At the time the bid is delivered, the Bidder has an effective maximum and project ratings of not less than the amount of its bid.
4. If the Bidder is a corporation not incorporated in the State, the Bidder has been authorized to do business in the State as required by N.J.S.A. 14A:15-2, *et seq.*
5. For wholly State Funded Projects, the Bidder has a valid, current registration with the New Jersey Department of Labor, Division of Wage and Hour Compliance as required by “Public Works Contractor Registration Act,” N.J.S.A. 34:11-56.48, *et seq.*

102.10 SUBMISSION OF BIDS

THE SECOND PARAGRAPH IS CHANGED TO:

The Bidder shall ensure delivery of its bid with all required components and attachments, including, but not limited to the following:

1. Schedule of Items.
2. Proposal Electronic Bidding File with Bidder's Certification.
3. For wholly State Funded contracts, acknowledgement of compliance with the registrations specified in 102.01.
4. Proposal Bond form.
5. Other related documents as specified in the Contract.
6. For Federal Aid Projects exceeding a bid amount of \$100,000 or more, Bidder shall certify to the Byrd Anti-Lobbying Act requirements under 31 USC 1352.

102.13.01 Bidder Pre-Award Requirements

THE FOLLOWING IS ADDED IN PART B:

B. State Funded Projects

2. **Compliance with N.J.S.A. 19:44A-20.13, et seq.** The Department will verify the certification status of the bidder with the State Chapter 51 Review Unit. If the bidder is NOT within an approved 2 year period, then a completed and signed Two-Year Vendor Certification and Disclosure forms must be submitted to the Department.

THE FOLLOWING IS ADDED IN PART C:

C. All Projects.

3. On the "Certification of Non-Debarment Form" provided by the Department, certify pursuant to N.J.S.A. 52:32-44.1, that neither the Bidder, nor its affiliates are debarred at the federal level from contracting with a federal government agency. The Department shall not make, negotiate, or award a contract to any bidder that does not provide the above certification. Instructions on submitting the form may be found on the Department's Electronic Bidding website and the Department's website. In addition, all Bidders must register with the federal System for Award Management (SAM) prior to contract award. In order to comply with this requirement, Bidders must register in SAM at <https://www.sam.gov> and the Department will verify the successful Bidder's registration in SAM prior to contract award.

102.15 DISQUALIFICATION OF BIDDERS

THE FOLLOWING IS ADDED TO THE SECOND PARAGRAPH:

16. If the bidder is Federally debarred pursuant to N.J.S.A. 52:32-44.1.

103.04 EXECUTION OF THE CONTRACT

THE FIRST PARAGRAPH IS CHANGED TO:


Within 14 days of the date of Award or Conditional Award, the Bidder shall properly and duly execute the Contract and deliver to the Department the following:

1. If escrowing bid documents, the custody agreement as specified in [103.05](#).
2. Performance bond and payment bond as specified in [151.03.01](#).
3. Request for Authorization Form for the New Jersey Pollutant Discharge Elimination System 5G3 – Construction Activity Stormwater General Permit (NJG0088323) when required as shown on the Plans.
4. Proof of the registrations specified in [102.01](#) for the Department of Treasury and the Department of Labor.
5. If the case of non-resident Bidders, the completed form regarding "Appointment of Agent" for compliance with N.J.S.A. 14A:15-2, et seq.

Implementation Code R (ROUTINE)

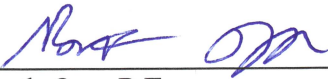
Changes must be implemented in all applicable Department projects scheduled for Final Design Submission at least one month after the date of the BDC announcement. This will allow designers to make necessary plan, specifications, and estimate/proposal changes without requiring the need for addenda or postponement of advertisement or receipt of bids.

Recommended By:



Paul F. Schneider
Director
Capital Program Support

Approved By:



Parth Oza, P.E.
Acting Assistant Commissioner
Capital Program Management
and Deputy State Transportation Engineer

PS: NE: HP