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

Baseline Document Change Announcement

ANNOUNCEMENT: BDC24S-04

DATE: June 6, 2024

SUBJECT: Updated Bidding and Total Adjusted Contract Price Requirements
- **Revisions to the 2019 Standard Specifications for Road and Bridge Construction, Subparts 102.13.01.C, 105.02.05.1.a, and 105.02.05.2.a.**

The 2019 Standard Specifications for Road and Bridge Construction, Subpart 102.13.01.C has been revised to include the "Public Work Contractor Registration Act", N.J.S.A. 34:11-56.48, *et seq* at Pre-Award Requirements, and Subparts 105.02.05.1.a and 105.02.05.2.a have been revised to update the Total Adjusted Contract Price Requirements description for Federal Aid Projects and Wholly State Funded Projects.

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

102.13.01 Bidder Pre-Award Requirements

C. All Projects.
THE FOLLOWING IS ADDED TO THE LIST:

5. Submit proof of valid Public Works Contractor Registration issued by the New Jersey Department of Labor, Division of Wage and Hour Compliance according to N.J.S.A. 34:11-56.48, *et seq*.

105.02.05 Civil Rights Requirements

1. Federal Aid Projects.
a. Disadvantaged Business Enterprise/Emerging Small Business Enterprise Goals for this Contract
THE LAST PARAGRAPH IN PART A CHANGED TO:

If the Contractor fails to meet the Contract DBE goal, without demonstrating an adequate GFE as determined by DCRAA, the Department will make a payment reduction from the total amount of payments made to the Contractor equal to the value of the DBE goal not attained as follows:

$$\text{Value of DBE Goal Payment Reduction} = (CG - AG) \times CP$$

Where:

CG = Contract DBE Goal percentage, or approved DBE commitment, or if modified by the Department, the Modified DBE Contract Goal percentage.

AG = Attained DBE Goal percentage = (total dollar amount paid to DBE suppliers and DBE subcontractors divided by CP) plus the percent value attributed to the Contractor's GFE approved by the Department.

CP = Total Adjusted Contract Price less the payment adjustments for PERFORMANCE BOND AND PAYMENT BOND, and changes not associated with actual work including but not limited to incentives/disincentives, bonuses/penalties, acceleration, and portions of settlements not associated with work.

2. Wholly State Funded Contracts.
    a. Small Business Goals for This Project

THE LAST PARAGRAPH IN PART A IS CHANGED TO:

If the Contractor fails to meet the Contract SBE goal, without demonstrating an adequate GFE as determined by DCRAA, the Department will make a payment reduction from the total amount of payments made to the Contractor equal to the value of the SBE goal not attained as follows:

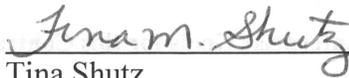$$\text{Value of SBE Goal Payment Reduction} = (CG - AG) \times CP$$

Where:

CG = Contract SBE Goal percentage, or approved SBE commitment, or if modified by the Department, the Modified SBE Contract Goal percentage.

AG = Attained SBE Goal percentage = (total dollar amount paid to SBE suppliers and SBE subcontractors divided by CP) plus the percent value attributed to the Contractor's GFE approved by the Department.

CP = Total Adjusted Contract Price less the payment adjustments for PERFORMANCE BOND AND PAYMENT BOND, and changes not associated with actual work including but not limited to incentives/disincentives, bonuses/penalties, acceleration, and portions of settlements not associated with work.

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:

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