

---

**CITY OF ELIZABETH  
REQUEST FOR TECHNICAL PROPOSALS:  
KAPKOWSKI ROAD CORRIDOR PROJECT LOCAL  
CONCEPT DEVELOPMENT STUDY**

---

The City of Elizabeth is seeking a qualified consultant for the preparation of a Concept Development (CD) study being advanced in accordance with the North Jersey Transportation Planning Authority's (NJTPA) Local Capital Project Delivery (LCPD) Program. This program is consistent with the Project Delivery Process by the New Jersey Department of Transportation (NJDOT) and more fully described in the most recent "Concept Development Activity Descriptions" published on the NJDOT website: [https://www.state.nj.us/transportation/capital/pd/phase\\_cd.shtm](https://www.state.nj.us/transportation/capital/pd/phase_cd.shtm).

Through this RFP, the City of Elizabeth is seeking to engage one firm to provide professional consultant services for a City of Elizabeth study. The contract will be for the Kapkowski Road Corridor Project, in the City of Elizabeth, Union County. The CD Phase involves drafting a well-defined and well-justified Purpose and Need Statement focusing on the primary transportation need to be addressed. CD Phase elements include, but are not limited to, data collection, coordination with New Jersey Department of Transportation (NJDOT) Subject Matter Experts/local stakeholders, risk identification, development of a reasonable number of sensible and practical conceptual alternatives and investigation of all aspects of a project. These aspects may include traffic analysis, environmental, right of way, access, utilities, design, community involvement, and constructability.

The City of Elizabeth invites all firms pre-qualified by NJDOT with relevant experience in this area to submit proposals for this project. ***Responses to this RFP ("Proposals") are due by 2:00 PM (EST) on Wednesday, May 22, 2019.***

The selected consultant will be required to comply with all applicable Federal and State regulations and contracting provisions required by the Federal and State funding authorities and the City of Elizabeth.

---

**PROJECT BACKGROUND**

---

The City of Elizabeth will follow the NJTPA's [LCPD Program and NJDOT's CD activities](#), the City strives to ensure that the following goals are met:

- Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
- Increase the safety of the transportation system for motorized and non-motorized users;
- Increase the security of the transportation system for motorized and non-motorized users;
- Increase the accessibility and mobility of people and for freight;
- Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and state and local planned growth and economic development patterns;
- Enhance the integration and connectivity of the transportation system, across and between modes for people and freight;
- Promote efficient system management and operation; and
- Emphasize the preservation of the existing transportation system.

The Kapkowski Road Corridor is an area of the City of Elizabeth adjacent to the Elizabeth Marine Terminal, The Mills at Jersey Gardens and numerous commercial distribution centers that experiences heavy volumes of truck, car and pedestrian traffic within an antiquated network of signalized intersections and a low bridge that creates commercial vehicle restrictions and public safety issues; see ***Appendix A*** for the project description.

---

## SCOPE OF WORK CONCEPT DEVELOPMENT

---

The City of Elizabeth is soliciting for Federally-funded consultant services to conduct Concept Development (CD) activities, including but not limited to: Data Collection, performing an Alternatives Analysis, Selecting the Preliminary Preferred Alternative, Preparing Concept Development Report and Obtaining Concept Development Approvals. In addition, consultant services will be required for any, or all, sub-activities as enumerated in the most recent “Concept Development Guidelines” and more fully described in the most recent “Concept Development Activity Descriptions” published on the NJDOT website. In addition, certain tasks normally undertaken prior to the approval of the Environmental Document may be required during the CD phase, which will be permitted with proper justification.

The CD Phase involves drafting a well-defined and well-justified Purpose and Need Statement focusing on the primary transportation need to be addressed. CD Phase elements include, but are not limited to, data collection, coordination with New Jersey Department of Transportation (NJDOT) Subject Matter Experts/local stakeholders, risk identification, development of a reasonable number of sensible and practical conceptual alternatives and investigation of all aspects of a project. These aspects may include traffic analysis, environmental, right of way, access, utilities, design, community involvement, and constructability.

Data collection may include, but is not limited to NJDOT management systems data (e.g., Pavement Management System, Safety Management System, Bridge Management System, Congestion Management System, etc.), traffic/crash data, “as-built” plans, environmental screening, review of any concurrent/adjacent projects and other relevant data that would or would not substantiate the project need. Collected data is analyzed and compared to established criteria and standards. Deviations from or deficiencies with criteria are documented and serve as a base for alternatives development. Management System Data will be submitted through the Local Aid Project Manager.

The Consultant may be asked to perform any or all of the following tasks, at the conclusion of which a Concept Development Report will be produced. All deliverables are subject to City, NJTPA and NJDOT Local Aid review and approval.

The Kapkowski Road Corridor is an area of the City of Elizabeth adjacent to the Elizabeth Marine Terminal, The Mills at Jersey Gardens and numerous commercial distribution centers that experiences heavy volumes of truck, car and pedestrian traffic within an antiquated network of signalized intersections and a low bridge that creates commercial vehicle restrictions and public safety issues; see *Appendix A* for the project description.

---

## TIME FRAME FOR COMPLETION

---

It is anticipated that this project will be completed within 12 months of its commencement. *The respondent’s technical proposal must include a project schedule, including the anticipated timelines for each task, critical milestones and deadlines for each deliverable.*

---

## FUNDING AVAILABILITY

---

The source of funding for this project is provided through a federal grant from the FHWA. The award of this project is subject to the availability of funds and pending authorization from FHWA and NJDOT.

---

---

## STAFFING PLANS

---

---

In their Technical Proposals, respondents must list and describe in detail the resources, personnel, qualifications, ability and time availability to perform the proposed scope of work. Respondents shall submit an organization chart of the proposed staff, their roles and reporting relationships, including the staff of any subcontractors.

A staff plan table shall be provided, which includes a detailed description of the work team, including their titles, skill levels and estimated hours required on the project, by task and in total (a similar table shall also be included in the Cost Proposal, which shall include staff's hourly rates).

Respondents must demonstrate the qualifications of their firm and of their proposed project team. Within their proposals, consultants shall provide a list of the firm's and the project manager's experience on similar projects that were completed in the last five (5) years or are currently at least 50% completed (i.e. federal aid/NJDOT roadway and bridge design projects). References shall be furnished for each project included in a firm's proposal to demonstrate the project team's experience most relevant to this project. At least one reference contact (including name, title and phone number) should be provided for each project, along with the dates when the services were provided. Resumes shall also be provided for the project manager and key staff (each resume shall be limited to 2 pages in length). The resumes of the project manager and key staff should highlight their involvement on these projects and additional details as necessary. Respondents shall also demonstrate their firm's commitment to quality assurance and quality control management.

---

---

## CRITERIA FOR CONSULTANT SELECTION

---

---

Award of contract shall be made to the most responsible and responsive proposal from a consultant firm whose proposal offers the greatest value to the project with regard to the criteria detailed and meets the specifications set forth herein.

The selection process that will be utilized is a Qualifications Based Selection Process in accordance with the Federal Brooks Act. Each technical proposal received by the stipulated cut-off date, and which meets the prequalification requirements stipulated herein, will be evaluated by a consultant selection committee based on the criteria listed below.

### ***Consultant Proposal Evaluation Criteria***

To be considered, respondents must first meet the prequalification requirements stipulated on page 5 of the RFP. The desired qualifications and the evaluation factors along with their relative importance, the basis of which proposals will be scored, are as follows:

- Demonstration of understanding of the scope of work for the project (weight = 15%).
- Technical approach to the project, including the application and degree of innovation and creativity of proposed concepts to meet the project's goals and objectives (weight = 20%).
- Demonstration of the team's ability to outline public outreach strategies and successfully perform the public outreach and stakeholder task (weight = 10%).
- Firm's professional qualifications, experience and technical competence with similar federally funded projects (weight = 10%).
- Qualifications and relevant experience of the project manager (weight = 15%).

- Project specific qualifications, and demonstrated knowledge and experience of team leaders and key staff members on the proposed study (weight = 15%).
- Ability to successfully perform work, including availability of resources, project management expertise and experience in similar projects, and quality assurance/control management ability of both the consultant firm and the project manager (weight=10%).
- Quality, clarity, content and thoroughness of proposal in addressing the required tasks and compliance with submission guidelines, including professional presentation (weight = 5%).

The evaluations will be completed by a consultant selection committee composed of staff from the NJTPA, NJDOT and City of Elizabeth. Consultant selection will be based on the committee's evaluations and ranking of each firm's technical proposal, in accordance with the criteria outlined above. After the completion of the technical proposal evaluations, interviews with at least the top three most highly qualified firms will be requested, at which the project managers and key team members will be expected to attend to provide oral presentations of their technical proposals. The same evaluation criteria and weights used to review the written technical proposals will be applied to the oral presentations. Following the oral presentations, the preliminary scores may be adjusted by the committee to determine the final ranking of the firms. From the firms with which interviews have been conducted the consultant selection committee will determine, in order of preference, the top three ranked firms considered to be most highly qualified to provide the services required.

Contract negotiations will begin with the highest ranked firm. Failing agreement on price with the highest ranked firm, negotiations with the next most qualified consultant will be conducted until a contract has been negotiated with a qualified consultant whose prices are fair and reasonable, or terminated at the discretion of City of Elizabeth. The contract award will be made to the most qualified firm whose cost proposal is fair and reasonable and meets all of the mandatory eligibility requirements. All respondents will be notified at the completion of the review process, at the time of the contract awards, regarding their status.

The successful firm shall be required to execute the City's contract, which includes the indemnification, insurance, termination and licensing provisions.

---

## FOLLOW UP QUESTIONS

---

Questions about the Request for Proposals ***must be submitted in writing*** to the City of Elizabeth (Attention: Daniel J. Loomis, P.E.) by e-mail at [dloomis@elizabethnj.org](mailto:dloomis@elizabethnj.org) or by fax at (908) 820-4087. Inquiries should reference "Questions to RFP for Kapkowski Road Corridor Project Local Concept Development Study". Copies of these questions, and any replies, will be made available on the City of Elizabeth Website in the "RFP" area.

***The deadline for inquiries is close of business on Wednesday, May 8, 2019.*** Late inquiries may not be reviewed or considered.

From the date on which the RFP is released and during the period up to and including the date on which a notice of award is issued, prospective respondents shall contact only the individuals indicated above, in writing, with respect to this procurement. Direct or indirect attempts by a prospective firm, its employees, agents or representatives, to contact other representatives of the City of Elizabeth or its partnering agencies to obtain information, or for other purposes regarding the RFP or the procurement process, may result in disqualification of a respondent's proposal.

---

## CONSULTANT ELIGIBILITY & DOCUMENTATION REQUIREMENTS

---

### **CONSULTANT PREQUALIFICATION**

Consultant firms prequalified by the NJDOT in the following disciplines and level of service will be eligible to submit proposals for this project:

T-1: Traffic Engineering - Level A  
H-1: Highway Design – Level A

Only those firms who have been prequalified for the specified disciplines this project entails and submit evidence of their prequalification with the NJDOT with their proposal will be considered. Acceptable evidence of prequalification by the NJDOT consists of the consultant's profile sheet issued by the Division of Procurement, Bureau of Professional Services, which includes the effective dates and approved profile codes of the consultant's prequalification.

Only **one (1)** technical proposal submission is allowed per firm (no teams). Sub consultants that plan to participate in this solicitation must be cost basis approved by the NJDOT on the closing date of this solicitation. Failure to comply with this requirement may result in disqualification from the Project.

Firms wanting to Joint Venture may do so by returning a completed Statement of Joint Venture as part of their submission of a Technical Proposal. Each firm participating in the Joint Venture must be prequalified by the NJDOT. Each discipline and level of service requirement of a project must be satisfied by at least one member of the Joint Venture. Please refer to NJDOT website for the Statement of Joint Venture form.

For additional information on NJDOT's prequalification process and requirements see:

<http://www.state.nj.us/transportation/business/procurement/ProfServ/prequal.shtm>

Proposer shall also provide a statement that neither the firm nor any individuals assigned to this engagement are suspended, or otherwise prohibited from professional practice by any Federal, State, or local agency.

### **CERTIFIED FIRM UTILIZATION**

<b>FEDERAL GOAL</b>	<b>12.44%</b> <b>ESBES</b> <b>(ESBE SET- ASIDE)</b>	This technical proposal has been designed such that 12.44% of the selected firms will be registered ESBE firms.
---------------------	---------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------

### **SUBMITTAL DUE DATE / TIME**

Technical Proposals for solicitations must be submitted to the Director of Public Works, City of Elizabeth in the office of the Director of Public Works, City Hall, Room 308.

ADDRESS: 50 Winfield Scott Plaza, Elizabeth, NJ 07201  
DATE: Wednesday, May 22, 2019  
TIME: 2:00 PM Eastern Standard Time

**Note: The Submission must also include your Business Registration Certification. Failure to include all required documents with your submission shall render it non-responsive.**

***N.J.S.A. 10:5-31 and N.J.A.C. 17:27***

***MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE***

***Goods, Professional Services and General Service Contracts  
(Mandatory Affirmative Action Language)***

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not 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 apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to **N.J.S.A. 10:5-31 et seq.** as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with **N.J.A.C. 17:27-5.2.**

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personal testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

1. Letter of Federal Affirmative Action Plan Approval
2. Certificate of Employee Information Report
3. Employee Information Report Form AA302 (electronically provided by the Division and distributed to the public agency through the Division's website at [http://www.state.nj.us/treasury/contract\\_compliance](http://www.state.nj.us/treasury/contract_compliance))

The contractor and its subcontractor shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the Division from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C.17:27.**

#### ***DISADVANTAGED BUSINESS ENTERPRISE AND EMERGING SMALL BUSINESS ENTERPRISE PARTICIPATION***

A federal requirement that must be addressed on projects financed in whole or in part through the U.S. Department of Transportation (DOT) is the mandated Disadvantaged Business Enterprise participation program.

This consultant contract is subject to Title 49, Part 26, Code of Federal Regulations (49 CFR 26) entitled "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs." In order to ensure The State of New Jersey Department of Transportation (NJDOT) achieves its federally mandated statewide overall DBE goal, the City of Elizabeth encourages the participation of Disadvantaged Business Enterprises (DBE) or Emerging Small Business Enterprises (ESBE), as defined below, in the performance of consultant contracts financed in whole or in part with federal Funds. ***For this study drawing on federal funding, the DBE/ESBE participation goal shall be at minimum 12.44%.***

The City of Elizabeth has a long-standing commitment to maximize business opportunities available to DBEs and ESBEs. The consultant's contract is subject to all federal, state, and local laws, rules, and regulations, including but not limited to, non-discrimination in employment and affirmative action for equal employment opportunity. The consultant's contract obligates the consultant to aggressively pursue DBEs and ESBEs for participation in the performance of contracts and subcontracts financed in whole or in part with Federal funds. The consultant cannot discriminate on the basis of race, color, national origin, or sex in the award and performance of federally assisted contracts. Prior to the award of a consultant contract, the consultant must demonstrate sufficient reasonable efforts to utilize DBE/ESBE firms.

### ***Disadvantaged Business Enterprise***

A Disadvantaged Business Enterprise (DBE) is defined in 49 CFR Part 26 and FTA C 4716.1A, as "a small business concern (from Section 3 of the Small Business Act), which has met the following criteria and has obtained certification as a DBE by NJDOT, NJ Transit or Port Authority of New York New Jersey:

1. at least 51 percent owned by one or more 'socially and economically disadvantaged' individuals, or in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more 'socially and economically disadvantaged' individuals; and
2. whose management and daily business operations are controlled by one or more of the 'socially and economically disadvantaged' individuals who own it.

'Socially and economically disadvantaged' is defined as individuals who are citizens of the United States (or lawfully permanent residents) and who are: "Black Americans," "Hispanic Americans", "Native Americans," "Asian-Pacific Americans", "Asian-Indian Americans", "Women" (regardless of race, ethnicity, or origin); or "Other" (disadvantaged pursuant to Section 8 of the Small Business Act).

A database of DBEs certified under the State of New Jersey's Unified Certification Program (UCP) may be found using the following webpage link:

<http://www.njucp.net/>

### ***Emerging Small Business Enterprise***

The Emerging Small Business Enterprise (ESBE) referred to herein is defined as a firm that has met the following criteria and obtained small business certification as an ESBE by NJDOT:

1. A firm must meet the criteria for a small business as defined by the Small Business Administration in 13 CFR Part 121, which includes annual receipts from all revenues, including affiliate receipts which equates to the annual arithmetic average over the last 3 completed tax years, or by the number of employees.
2. The small business must be owned by individuals who do not exceed the personal net worth criteria established in 49 CFR Part 26 which is \$750,000.

All appropriately certified DBEs fall into this definition due to their size.

The NJDOT's directory of certified ESBEs may be found on the following webpage:

[http://50.62.131.238/Productions/NJDOT\\_ESBE/biz\\_esbe/](http://50.62.131.238/Productions/NJDOT_ESBE/biz_esbe/)

### ***DBE/ESBE Participation Documentation***

Disadvantaged Business Enterprise/Emerging Small Business Enterprise (DBE/ESBE) participation is an important goal of the City of Elizabeth. The Consultant must demonstrate sufficient reasonable efforts to meet the DBE/ESBE contract goals as identified herein. Consultants can meet this requirement in either of two ways. First the prime consultant can meet the goal, documenting commitments of participation by DBE/ESBE firms sufficient for this purpose. Second, if a consultant does not meet this goal, they must document and demonstrate to the City of Elizabeth's satisfaction that they made adequate good faith efforts to do so as further described below:



To demonstrate compliance with the goal in their proposals consultants should include:

1. the names and addresses of each DBE/ESBE that will participate in the contract;
2. the description and estimated fee or dollar amount of the work each DBE/ESBE will perform;
3. written documentation of the prime consultant's commitment to use each DBE/ESBE in the contract whose participation it submits to meet the goal; and
4. written confirmation from each DBE/ESBE that it is participating in the contract as provided in the prime consultant's commitment.

Evidence of DBE/ESBE certification issued by the NJDOT, NJ TRANSIT or PANYNJ may be requested prior to award of contract.

**Note:** Although we encourage the use of small businesses, minority-owned firms, and women's business enterprises on all of our contracts, State of New Jersey MBE/WBE or SBE Certifications issued by the Department of Treasury *do not* satisfy this requirement. ***Firms certified as a SBE, MBE or WBE by other agencies, are encouraged to apply for certification as an ESBE by the NJDOT, or as a DBE by the NJDOT, NJ TRANSIT, or PANYNJ.***

The prime consultant must document, in writing, all of the steps that led to any selection of the DBE/ESBE firm(s).

### ***Good Faith Efforts***

If the contract goal is not met by the apparent successful consultant, evidence of good faith efforts must be presented to the City of Elizabeth for consideration.

To demonstrate sufficient reasonable efforts to meet the DBE or ESBE contract goals, a consultant shall document the steps it has taken to obtain DBE or ESBE participation, including but not limited to the following efforts.

1. Attendance at an information meeting, if any, to inform the DBEs or ESBES of prime contracting and subcontracting opportunities under a given solicitation.
2. Advertisement in general circulation media, trade association publications, and small business publications for at least 20 days before proposals are due. If 20 days are not available, publication for a shorter reasonable time may be acceptable.
3. Written notification to DBEs or ESBES that their interest in the contract is solicited.
4. Efforts made to select portions of work proposed to be performed by DBEs or ESBES in order to increase the likelihood of achieving the stated goal.
5. Efforts made to negotiate with DBEs or ESBES for specific proposals including at a minimum:
  - A. The names, addresses and telephone numbers of DBEs or ESBES that were contacted;
  - B. A description of the information provided to DBEs or ESBES regarding the scope of work for the specified solicitation; and
  - C. A statement of why additional agreements with DBEs or ESBES were not reached.
6. Information regarding each DBE or ESBE the contractor contacted and rejected as unqualified and the reasons for the contractor's conclusion.

7. Efforts made to assist the DBE or ESBE in obtaining bonding or insurance required by the contractor.

**Note:** If the City of Elizabeth determines that the apparent successful consultant has failed to meet the requirements of this section, the consultant will be afforded the opportunity for an administrative reconsideration of that determination prior to the award or rejection of the contract. As part of the administrative reconsideration process, the consultant will have the opportunity to provide additional written documentation or argument concerning the issue of whether it met the goal or made adequate good faith efforts to do so. City of Elizabeth will send the consultant a written decision on reconsideration, explaining the basis for the finding that the consultant did or did not meet the goal or make adequate good faith efforts to do so.

### ***INSURANCE AND LIABILITY***

The Consultant and any sub-consultants will be independent contractors. The Consultant, any sub-consultant, and their employees and agents shall in no way be construed to be employees of the City of Elizabeth.

The Consultant and any sub-consultants shall assume any and all liability (including attorney's fees and court costs) for their and their employees' or agents' acts or omissions. Consultant and any sub consultants shall hold harmless and indemnify the City of Elizabeth for any claims to the extent arising as a result of Consultants or sub consultants' negligent performance or nonperformance under the proposed contract.

The Consultant and any sub-consultant shall carry the following insurance:

- Workers Compensation in statutory amounts and Employers Liability Insurance of not less than \$1 million.
- Commercial General Liability with combined single limits for bodily injury and property damage of not less than \$1 million per occurrence and \$2 million aggregate. City of Elizabeth must be named as additional insured on such policy.
- Automobile Liability with bodily injury limits of at least \$1 million any one loss and \$2 million aggregate. City of Elizabeth must be named as additional insured on such policy.
- Consultants' Errors and Omissions, endorsed to include the scope of work contemplated by this RFP, in amount of not less than \$1 million per claim. Such insurance may be required to be renewed for five years following the completion of the project.

Certificates of Insurance evidencing the above coverages must be submitted to the City of Elizabeth in advance of the commencement of any work, and coverages must be maintained in force throughout the term of the project.

### ***NEW JERSEY BUSINESS REGISTRATION REQUIREMENT***

Pursuant to P.L. 2004, c.57, all contractors (both in-state and out-of-state) must obtain a Business Registration Certificate (BRC) from the New Jersey Department of the Treasury, Division of Revenue prior to conducting business with the City of Elizabeth. ***A copy of the prime consultant's BRC shall be provided with the respondent's proposal. The successful consultant will be required to submit a copy of its BRC and that of any named sub-consultant prior to any contract execution.*** A consultant or sub-consultant who fails to submit a copy of a valid BRC in accordance with the statute will be held liable for monetary

penalties in accordance with N.J.S.A. 54-49-4.1. Questions regarding how to obtain a BRC can be directed to the New Jersey Division of Revenue at (609) 292-1730. The business registration form (Form NJ-REG) can be found online at:

<http://www.state.nj.us/treasury/revenue/busregcert.shtml>, or

<http://www.state.nj.us/treasury/revenue/gettingregistered.shtml>.

### ***DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN***

Pursuant to P.L. 2012, c. 25, any person or entity that submits a proposal to enter into a contract is required to certify, at the time the proposal is submitted, under penalty of perjury, that neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran. The Chapter 25 list is found on the Division's website at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Respondents (the prime consultant and any named subconsultant) must review this list and submit a completed "Disclosure of Investment Activities in Iran" form, which is attached herewith in **Appendix C**. Failure to complete the certification and submit it to the City of Elizabeth with their proposal will render a respondent's proposal as non-responsive.

---

### **BUDGET PORTION**

---

The contract, if awarded, will be a cost reimbursement agreement subject to all federal and state laws, rules and regulations; and shall be performed in conformance with the cost principles contained in the Federal Acquisition Regulations (FAR) Subpart 31.2 - Contracts with Commercial Organizations (48 C.F.R. 31.201 et. seq.). The basis for compensation for the contract will be cost plus fixed fee up to the maximum project amount. The proposed consultant must have a job cost accounting system that segregates and accumulates direct project costs and indirect costs, and supports the development of an overhead rate in accordance with the FAR.

NJDOT Cost Basis Approval is required for both prime and sub-consultants. All entities submitted as part of the prime consultant's technical proposal that will not render or offer "professional services" as defined in NJ statute [N.J.S.A. 45:8-28\(b\)](#) do not require Cost Basis Approval. NJDOT approved overhead rates will be used for the purpose of contract estimating, negotiation, administration, reporting and making payments. For additional information on the NJDOT's Cost Basis Approval process go to:

<http://www.state.nj.us/transportation/business/procurement/ProfServ/CostBasisApprov.shtm>

Cost proposals should be submitted in a format consistent with the Sample Budget Form provided in **Appendix B** and should include a consultant summary budget for the prime consultant and detailed budget sheets for each firm on the project team. The cost proposal or budget portion of the proposal should be developed by calculating the total hours required to complete each task in the RFP. Each task identified in the Scope of Work should be budgeted separately. The final summary budget for the project should be in the form of the following suggested format:

#### ***Budget Period***

Indicate the period covered by the budget.

### ***Salary/Wages***

Using the attached sample detail budget as a guide, indicate how figure is computed. This is usually shown through person-hours by task. Staff time must be calculated in **hours**, rather than days. Data to be included in the detailed budget schedule are:

- the firm's name and the project name for which you are applying;
- date of submission; names of all employees who will work on the project, including their job title and grade; and
- the requested hourly wage rates for each employee listed above.

The respondent(s) selected to enter into negotiations will be required to submit a Certified Payroll to the City of Elizabeth. The certified payroll roster will be required for the prime and all cost basis approved sub-consultants, and shall list all employees of the prime and any sub-consultants separately who will perform technical functions on the project, stating their names, titles, ASCE grades, and hourly wage rates. All titles listed on the Certified Payroll must be approved by the NJDOT's office of Professional Services as part of their Cost Basis Approval process. Consultant titles should be the same on the NJDOT's Title Concurrence Sheets, and the consultant's Certified Payroll, Cost Proposals, and Invoices. For additional information go to the NJDOT's website at:

<http://www.state.nj.us/transportation/business/procurement/ProfServ/certpayroll.shtm>.

### ***Overhead (a percentage of direct salary only)***

NJDOT approved overhead rates shall be used.

### ***Direct Non-Salary Expenses***

These expenses must be itemized in the budget.

### ***Fixed Fee (or profit)***

This is a negotiated percentage of the sum of direct salary plus overhead. Generally, the fee percentage ranges from 10-12%. The City of Elizabeth Staff will evaluate the basis of the fee derivation and will recommend whether the fee is considered reasonable and acceptable.

---

---

## **HOW TO RESPOND**

---

---

To be considered for these services, eligible firms must submit their proposals to:

**City of Elizabeth – Department of Public Works, Room 308  
50 Winfield Scott Plaza  
Elizabeth, NJ 07201  
Attn: John F. Papetti, Jr., Director of Public Works**

**The deadline for these proposals is: May 22, 2019 at 2:00 PM (EST).** Proposals received after this deadline ***will not*** be considered for review. Respondents assume the risk of the method of delivery chosen. The City of Elizabeth assumes no responsibility for delays caused by any delivery service, or for lost or misdirected documents. E-mailed and/or faxed proposals will not be accepted under any circumstances. The City of Elizabeth reserves the right to accept or reject any and all proposals as the agency deems in its own best interest.

Should interviews be required applicants will be expected to be available the week of June 3, 2019. Firms selected for interviews are typically notified one-week in advanced.

**An informational/pre-proposal meeting will take place at 10:00 AM on Wednesday, May 1, 2019 at City Hall, Room 307 in Elizabeth, NJ.** There will be a general overview of the Request for Proposals, followed by a question and answer session. All firms interested in submitting a proposal in response to this solicitation are encouraged to attend. Please RSVP if you plan to attend this meeting by contacting Daniel Loomis by email at [dloomis@elizabethnj.org](mailto:dloomis@elizabethnj.org).

### ***Proposal Submission Requirements***

Proposals shall be submitted in paper media in sealed envelopes or packages (i) addressed to the office specified above, and (ii) showing the time and date specified for receipt, the project's title, and the name and address of the respondent. Respondents using commercial carriers should ensure that this proposal information is marked on the outermost wrapper.

Each proposal submission shall include a cover letter identifying the document as a "Proposal to provide consulting services for the *Kapkowski Road Corridor Project Local Concept Development Study* in response to RFP dated April 18, 2019", which shall be signed by the owner or chief executive officer of the firm. The letter shall identify the prime consultant (including complete contact information, and the names and titles of the project manager and person(s) authorized to negotiate on the respondent's behalf with the City of Elizabeth in connection with this solicitation and the name of the project manager) and any proposed subcontract arrangements.

The letter shall also include a statement from the consultant certifying its eligibility and commitment to the project. Respondents shall certify that the staff proposed in their proposal will be used in the performance of the contract and will be available for assignment to the contract as of the anticipated contract start date through its anticipated completion. Respondents should further certify that their firm is not ineligible to receive award of a contract due to the firm's inclusion on any federal or New Jersey State lists of debarred contractors, or otherwise ineligible to be awarded a contract using federal or state funds.

The technical portions of the proposal shall be submitted in separately bound reports from the cost proposals, and the cost proposals shall be submitted in a separately sealed package.

Ten (10) separately bound copies, double-sided as appropriate, of the technical proposal section shall be submitted, with one marked "Original". Each copy, as well as the contract package, shall be labeled as follows:

*"Technical Proposal for Kapkowski Road Corridor Project Local Concept Development Study"*

Five (5) separately bound copies, double-sided as appropriate, of the cost proposal shall be submitted, with one marked "Original", in a separately sealed envelope. Each copy and the sealed envelope shall note the respondent's firm name and be labeled as follows:

*"Cost Proposal for Kapkowski Road Corridor Project Local Concept Development Study"*

An electronic copy of each proposal (Adobe pdf format for the technical and cost proposal, and a MS Excel format for the cost proposal) should also be submitted on CD and included with the sealed Cost Proposal envelope.

The technical portion of the proposal shall be prepared in accordance with the provisions of this request. Each technical proposal should outline the delivery team's approach to carrying out the tasks and executing on the deliverables outlined in the detailed scope of work provided on pages 2-14. As a minimum the technical proposal should include or demonstrate the following:

- firm's relevant experience and ability to complete work, including project references;
- detailed work plan by task with detailed descriptions of the deliverable(s) in each task, and task schedule with proposed time frames, critical milestones and deadlines for each deliverable;
- staff plan, including a detailed staff plan table with the level of effort for each task and in total (a similar table shall also be included in the Cost Proposal), staff organization chart identifying the roles and responsibilities of the key staff, and qualifications and resumes of the Project Manager and key staff to be assigned to the project (including the key staff of the prime and any subcontractors);
- DBE/ESBE Participation Documentation or documentation of good faith efforts;
- New Jersey Business Registration Certificate(s), for the prime and each named subcontractor;
- Disclosure Form(s) of Investment Activities in Iran, for the prime and each named subcontractor;
- firm's commitment to quality management (QA/QC); and
- firm's prequalification profile sheet(s) issued by the NJDOT Division of Procurement, Bureau of Professional Services.

When proposing the same staffing, project manager and/or key project team members, on multiple proposals, the respondent shall further certify one of the following:

- A. All projects utilizing same staff, or portions thereof, will be completed on time (and, if applicable, shall provide statement of how this will be done).
- B. The firm voluntarily withdraws one of the proposals from further consideration if the City of Elizabeth is giving serious consideration to more than one proposal.
- C. Alternate staff resumes are provided with their proposals and shall be used in evaluating the proposal if the City of Elizabeth is giving serious consideration to more than one proposal.

The cost proposal shall be prepared according to the budget guidelines provided on pages 11-12 and **Appendix B**.

After notification of award but prior to execution of a contract, the successful consultant will also be required to submit a signed W-9 form, proof of insurance and one of the three Affirmative Action documents specified on page 7 of the RFP.

---

#### **GENERAL TERMS AND CONDITIONS**

---

- A. The City reserves the right to reject any or all proposals, if necessary, or to waive any informalities in the proposals, and, unless otherwise specified by the proposer, to accept any item, items or services in the proposals should it be deemed in the best interest of the City to do so. If awarded a contract, the company/firm shall be required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et. seq.
- B. The proposer shall maintain sufficient insurance to protect against all claims under Workmen's Compensation, General, Professional and Automobile Liability.

- C. Each proposal must be signed by the person authorized to do so.
- D. Proposals may be hand delivered or mailed consistent with the provisions of the public notice to proposers. In the case of mailed proposals, the City assumes no responsibility for proposals received after the designated date and time and will return late proposals unopened. Proposals will not be accepted by facsimile or e-mail.
- E. The proposer shall submit: the number of hard copies as required above and one digital copy of their proposal. The accepted digital format for the proposal is Adobe Portable Document Format (PDF). The digital copy shall be submitted on a compact disc (CD).
- F. In accordance with Affirmative Action Law, P.L. 1975, c.127 (N.J.A.C. 17:27) with implementation of July 10, 1978, successful proposers must agree to submit individual employer certifications and number or complete Affirmative Action employee information report (form AA-302). Also, during the performance of this contract, the contractor agrees as follows: (a) the contractor or subcontractor where applicable, will not discriminate against any employee because of age, race, creed, color, national origin, ancestry, marital status or affectional or sexual orientation. The contractor will take affirmative action to ensure that such applicants are recruited and employed and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, sex or handicap. 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 section for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notice to be provided by the Public Agency Compliance Officer setting forth provisions of this non-discrimination clause: (b) the contractor or subcontractor, where applicable, will in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, sex or handicap; (c) the contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or worker's representative of the contractor's commitments under this act and shall post copies of the notice; (d) the contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the treasurer pursuant to the P.L. 1975, c.127, as amended and supplemented from time to time.
- G. **Professional Consultants shall comply with all applicable requirements of N.J.A.C. Title 13, Chapter 40, Subchapter 3, Section 13:40-3.1. through 13:40-3.6. Particular attention should be paid to 13:40-3.5 (a) 4 ii and 4 iii.**
- H. By submission of the proposal, the proposer certifies that the service to be furnished will not infringe upon any valid patent, trademark or copyright and the successful proposer shall, at its expense, defend any and all actions or suits charging such infringement, and will save the City harmless in any case of any such infringement.
- I. No proposer shall influence, or attempt to influence, or cause to be influenced, any City officer or employee to use his/her official capacity in any manner which might tend to impair the objectivity or independence of judgment of said officer or employee.
- J. No proposer shall cause or influence, or attempt to cause or influence, any City officer or employee to use his/her official capacity to secure unwarranted privileges or advantages for the proposer or any other person.

- K.** Should any difference arise between the contracting parties as to the meaning or intent of these instructions or specifications, the City Council's decision shall be final and conclusive.
- L.** The City of Elizabeth shall not be responsible for any expenditure of monies or other expenses incurred by the proposer in making its proposal.
- M.** It is also agreed and understood that the acceptance of the final payment by Contractor shall be considered a release in full of all claims against the City arising out of, or by reason of, the work done and materials furnished under this Contract.
- N.** Any specifications, drawings, sketches, models, samples, data, computer programs, documentation, technical or business information and the like ("Information") furnished or disclosed by the City to the proposer in connection with this RFP shall remain the property of the City. When in tangible form, all copies of such information shall be returned to the City upon request. Unless such information was previously known to the proposer, free of any obligation to keep it confidential, or has been or is subsequently made public by the City or a third party, it shall be held in confidence by the proposer, shall be used only for the purposes of this RFP, and may not be used for other purposes except upon such terms and conditions as may be mutually agreed upon in writing.
- O.** The checklist presented in Appendix E of this Request for Proposal are part of this Request for Proposals and shall be completed and submitted as part of this proposal.



---

---

## APPENDICES

---

---

**Appendix A:** Kapkowski Road Corridor Project, Project Description, with Location Map

**Appendix B:** Sample Budget Form

**Appendix C:** Disclosure Form of Investment Activities in Iran

**Appendix D:** RFP & Consultant Selection Process Schedule

**Appendix E:** City of Elizabeth Standard Forms

---

## APPENDIX A – KAPKOWSKI ROAD CORRIDOR PROJECT, PROJECT DESCRIPTION, WITH LOCATION MAP

---

### **LCD Project: Kapkowski Road Corridor Project (Liberty Corridor) DB# 17339**

**Sponsor: City of Elizabeth**

#### **Project Description:**

##### Kapkowski Road Corridor Project Description:

This project involves the traffic signal and roadway improvements to five existing antiquated signalized intersections to current MUTCD standards in the City of Elizabeth. These intersection experience large volumes of both vehicular and truck traffic. The intersections include the following locations:

North Avenue East / Dowd Avenue / Division Street Intersection

Veterans Memorial Drive / Trumbull Street / Third Street Intersection

Division Street / Trumbull Street Intersection, and Underpass Road Lowering

Trumbull Street / Dowd Avenue Intersection

North Avenue East / Kapkowski Road Intersection

This project is to improve visibility of motorists, reposition traffic and pedestrian signals to more appropriate locations by installing new traffic signal poles and mast arms, installing video detection and CCTV on the mast arms, upgrade pedestrian signals to count down type push button activation, upgrade the signals to Light Emitting Diodes (LED), replace the existing traffic signal controllers and cabinets, install public sidewalk curb ramps with detectable warning surfaces where possible, add mast-arm mounted LED street name signs, replace the existing regulatory signs with signs conforming to the MUTCD Manual, improve drainage, curbing, sidewalks, roadway subbase, repaving, and restripe the crosswalks, stop bars and roadway center lines. The project also includes the lowering of the roadway under the Central Railroad bridge at the Division Street / Trumbull Street intersection to allow for a 14'-6" clearance. The current clearance is 12'-6". The improved clearance will eliminate a bottleneck and allow trucks to safely navigate this important area and avoid detours into residential neighborhoods. The underpass has a history of being struck by trucks.

- All work will be in accordance with current MUTCD standards.
- The traffic signal controllers will be equipped with an Uninterruptible Power Source (UPS) battery backup system, transfer switch and emergency generator.
- The implementation of this project will result in improved traffic flow, reduction in congestion, increase in vehicular and pedestrian safety and a reduction in traffic signal maintenance and energy costs.

Exhibit A – Regional Map

Exhibit B – City Map

Exhibit C – Area Map











---



---

## APPENDIX B - SAMPLE BUDGET FORM

---

### *Consultant Summary Budget Form*

#### Labor Costs (*prime only*)

Direct Labor* .....	\$
Overhead at % .....	\$
Subtotal Labor .....	\$

#### Non-Salary Direct Expenses (*prime only*)

Supplies .....	\$
Travel.....	\$
Printing and Reproduction .....	\$
Telephone .....	\$
Postage.....	\$
Computer Services\Graphics .....	\$
Aerial Mapping.....	\$
Borings\Pavement Cores .....	\$
Traffic Control.....	\$
Traffic Counts.....	\$
Webpage Hosting\Twitter Account .....	\$
Subtotal Non-Salary Direct Expenses .....	\$

#### Subconsultant Fees

Sub consultant A ** .....	\$
Sub consultant B ** .....	\$
DBE/ESBE Participant ** .....	\$
Subtotal Subconsultant Fees .....	\$

Fixed Fee (*prime only*) ..... \$

TOTAL..... \$

\* The consultant and their subconsultants must keep on file, and submit with invoice, the data used to generate the direct labor cost item.

\*\* Total subconsultant fee, including their direct labor, overhead, direct expenses and fixed fee

.

**Sample Detailed Budget Form** - A separate table should be submitted for the prime consultant and each subconsultant firm on the project team.

< Company Name >									
NJTPA Local Capital Project Delivery Program									
Local Concept Development Studies - Manhour Staffing Schedule									
<Project Name>									
TASK DESCRIPTION	ASCE Grade	Project Director VIII / IX	Project Manager VII	Senior Task Leader VI	Senior Tech Staff V	Support Staff	Jr Support Staff	Other *	Total
<b>I - Project Management (Subtotal)</b>		0	0	0	0	0	0	0	0
A - Project Controls									0
B - Meetings and Coordination									0
C - PCR/IRC Meetings									0
D - Constructability Review									0
E - Design Communication Report									0
<b>II - Public Outreach (Subtotal)</b>		0	0	0	0	0	0	0	0
A - Public Outreach Plan									0
B - Local Officials Meetings									0
C - Stakeholder Coordination									0
D - Public Information Sessions									0
E - Resolution of Support									0
F - Public Outreach Summary									0
G - Project Website/Social Media									0
H - Social Media Application									0
<b>III - Data Collection (Subtotal)</b>		0	0	0	0	0	0	0	0
A - Collection and Review Existing Doc.									0
B - Project Mapping and Survey									0
C - Identify Resources									0
D - Section 106									0
E - Evaluate Deficiencies									0
G - Project Purpose and Need Statement									0
<b>IV - Alternative Analysis (Subtotal)</b>		0	0	0	0	0	0	0	0
A - Develop Engineering Alternatives									0
B - Alternative Impact Assessment									0
C - Select PPA									0
D - Alternative Analysis Doc.									0
E - Value Engineering/Constructability Review									0
F - Risk Management									0
<b>V - Documentation (Subtotal)</b>		0	0	0	0	0	0	0	0
A - Conceptual Plans									0
B - Prepare Cost Estimates									0
C - NEPA Classification & Doc									0
D - PE Next Steps/Tasks									0
E - Concept Development Report									0
<b>TOTAL HOURS:</b>		0	0	0	0	0	0	0	0
<b>Direct Labor Hourly Rate</b>		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
<b>Direct Labor Costs</b>		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Overhead %</b>		0%	0%	0%	0%	0%	0%	0%	
<b>Overhead cost</b>		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Labor Cost</b>		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Consultant shall list all assumptions and limitations used in developing their manhour estimate as a separate sheet on a task by task basis.

\* Include other consultant team members as needed.

**Direct Expenses:**

Supplies	
Travel	\$ -
Printing and Reproduction	\$ -
Telephone	\$ -
Postage	\$ -
Computer Services/Graphics	\$ -
Aerial Mapping	\$ -
Borings/Pavement Cores	\$ -
Traffic Control	\$ -
Traffic Counts	\$ -
Webpage Hosting/Twitter Account	\$ -
	\$ -
<b>Subtotal No-Salary Direct Expenses:</b>	<b>\$ -</b>

<b>Total Labor Cost</b>	<b>\$ -</b>
<b>Total Direct Expenses</b>	<b>\$ -</b>
<b>Subconsultant Fees</b>	<b>\$ -</b>
<b>Fixed Fee a 10%</b>	<b>\$ -</b>
<b>TOTAL PROJECT COST</b>	<b>\$ -</b>



---

---

## APPENDIX C –DISCLOSURE FORM OF INVESTMENT ACTIVITIES IN IRAN

---

---

### NJTPA DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

RFP Title: \_\_\_\_\_ Proposer: \_\_\_\_\_

---

#### PART 1: CERTIFICATION

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that the person or entity, or one of the person or entity's parents, subsidiaries, or affiliates, is not identified on a list created and maintained by the New Jersey Department of the Treasury as a person or entity engaging in investment activities in Iran. If the Department of Treasury finds a person or entity to be in violation of the principles which are the subject of this law, action shall be taken as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the person or entity. **Failure to complete the certification will rendered a respondent's proposal as non-responsive.**

**I certify, pursuant to Public Law 2012, c. 25, that the person or entity listed above for which I am authorized to submit a proposal, nor any of the proposer's parents, subsidiaries, or affiliates (check each box if appropriate):**

- ☐ is not providing goods or services of \$20,000,000 or more in the energy sector of Iran, including a person or entity that provides oil or liquefied natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas, for the energy sector of Iran, **AND**
- ☐ is not a financial institution that extends \$20,000,000 or more in credit to another person or entity, for 45 days or more, if that person or entity will use the credit to provide goods or services in the energy sector in Iran.

In the event that a person or entity is unable to make the above certification because it or one of its parents, subsidiaries, or affiliates has engaged in the above-referenced activities, a detailed, accurate and precise description of the activities must be provided in Part 2 below to the NJTPA under penalty of perjury. Failure to provide such will result in the proposal being rendered as non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.

---

#### PART 2: PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN

Where appropriate, provide a detailed, accurate and precise description of the activities of the proposer, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below. Please provide thorough answers to each question. Provide an attachment if you need to make additional entries.

Name: \_\_\_\_\_ Relationship to Proposer: \_\_\_\_\_

Description of Activities: \_\_\_\_\_  
\_\_\_\_\_

Duration of Engagement: \_\_\_\_\_ Anticipated Cessation Date: \_\_\_\_\_

Proposer Contact Name: \_\_\_\_\_ Contact Phone Number: \_\_\_\_\_

---

#### PART 3: CERTIFICATION

I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the above-referenced person or entity. I acknowledge that the State of New Jersey is relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the State to notify the State in writing of any changes to the answers of information contained herein. I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with the State of New Jersey and that the State at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): \_\_\_\_\_ Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_



---

---

**APPENDIX D - RFP & CONSULTANT SELECTION PROCESS SCHEDULE**

---

---

1. RFP Issued .....April 18, 2019
2. Pre-Proposal Informational Meeting..... May 1, 2019
3. Deadline for Consultant Inquiries.....May 8, 2019
4. Deadline for Submission of Proposals..... May 22, 2019
5. Consultant Interviews, tentatively week of ..... June 3, 2019
6. Tentative Contract Award Date ..... June 25, 2019

## REQUEST FOR QUALIFICATIONS CHECKLIST

A. An original, signed copy and one (1) digital copy of your complete proposal

**B. Non-Collusion Affidavit properly notarized**

C. Owners Disclosure Statement, properly notarized, listing the names of all persons owning ten (10) percent or more of the proposing entity. \_\_\_\_\_

D. Authorized signatures on all forms.

### E. Business Registration Certificate(s)

## F. Partnership Disclosure Statement

### G. Affirmative Action Statement

**THE UNDERSIGNED HEREBY ACKNOWLEDGES AND WILL SUBMIT  
THE ABOVE LISTED REQUIREMENTS PRIOR TO EXECUTION OF CONTRACT.**

Person, Firm or Corporation

Date \_\_\_\_\_

BY:

(PRINT NAME)

(TITLE)

BY:

(SIGNATURE)

(TITLE)

**AFFIRMATIVE ACTION COMPLIANCE NOTICE**  
**N.J.S.A. 10:5-31 and N.J.A.C. 17:27**

**GOODS AND SERVICES CONTRACTS**  
**(INCLUDING PROFESSIONAL SERVICES)**

This form is a summary of the successful bidder's requirement to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27-1 et seq.

The successful bidder shall submit to the public agency, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

(a) A photocopy of a valid letter that the contractor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);

OR

(b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-4;

OR

(c) A photocopy of an Employee Information Report (Form AA302) provided by the Division and distributed to the public agency to be completed by the contractor in accordance with N.J.A.C. 17:27-4.

The successful vendor may obtain the Affirmative Action Employee Information Report (AA302) from the contracting unit during normal business hours.

The successful vendor(s) must submit the copies of the AA302 Report to the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (Division). The Public Agency copy is submitted to the public agency, and the vendor copy is retained by the vendor.

The undersigned vendor certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27.1 et seq. and agrees to furnish the required forms of evidence.

The undersigned vendor further understands that his/her bid shall be rejected as non-responsive if said contractor fails to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27-1 et seq.

COMPANY: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

**NON-COLLUSION AFFIDAVIT**

STATE OF NEW JERSEY  
COUNTY OF UNION  
CITY OF ELIZABETH

ss:

I AM \_\_\_\_\_

OF THE FIRM OF \_\_\_\_\_

UPON MY OATH, I DEPOSE AND SAY:

1. THAT I EXECUTED THE SAID PROPOSAL WITH FULL AUTHORITY SO TO DO;
2. THAT THIS PROPOSER HAS NOT, DIRECTLY OR INDIRECTLY ENTERED INTO ANY AGREEMENT, PARTICIPATED IN ANY COLLUSION, OR OTHERWISE TAKEN ANY ACTION IN RESTRAINT OF FAIR AND OPEN COMPETITION IN CONNECTION WITH THIS ENGAGEMENT;
3. THAT ALL STATEMENTS CONTAINED IN SAID PROPOSAL AND IN THIS AFFIDAVIT ARE TRUE AND CORRECT, AND MADE WITH FULL KNOWLEDGE THAT THE CITY OF ELIZABETH RELIES UPON THE TRUTH OF THE STATEMENTS CONTAINED IN SAID PROPOSAL AND IN THE STATEMENTS CONTAINED IN THIS AFFIDAVIT IN AWARDED THE CONTRACT FOR THE SAID ENGAGEMENT; AND
4. THAT NO PERSON OR SELLING AGENCY HAS BEEN EMPLOYED TO SOLICIT OR SECURE THIS ENGAGEMENT AGREEMENT OR UNDERSTANDING FOR A COMMISSION, PERCENTAGE, BROKERAGE OR CONTINGENT FEE, EXCEPT BONA FIDE EMPLOYEES OR BONA FIDE ESTABLISHED COMMERCIAL SELLING AGENCIES OF THE PROPOSER. (N.J.S.A.52: 34-25)

SUBSCRIBED AND SWORN TO

BEFORE ME THIS \_\_\_\_\_ DAY

OF \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
(TYPE OR PRINT NAME OF  
AFFIANT UNDER SIGNATURE)

\_\_\_\_\_  
NOTARY PUBLIC OF

MY COMMISSION EXPIRES: \_\_\_\_ , 20\_\_\_\_.

**OWNER DISCLOSURE INFORMATION**

Set forth below are the names and addresses of all owners of 10% or more of the proposing business entity.

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
NAME OF BUSINESS ENTITY

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
TITLE

Notary Public of  
My Commission Expires: \_\_\_\_\_, 20\_\_\_\_.

## PARTNERSHIP DISCLOSURE STATEMENT

(To be submitted with proposal)

- (a) Is or was anyone in your firm or company a member of the City Council within the last calendar year or a member of his/her immediate family? If yes, then provide the name of the individual below and his/her relationship.

Yes \_\_\_\_\_

No \_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Position

\_\_\_\_\_  
Relationship

- (b) Has any principal/partner of your firm been convicted of an indictable offense? If yes, then please provide further explanation and copies of any relative documents.

Yes \_\_\_\_\_

No \_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

- (c) Has any individual who would provide service under this contract ever been sanctioned by the appropriate licensing board?

Yes \_\_\_\_\_

No \_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Position

\_\_\_\_\_  
Term

Reason for censure:

- (d) Has the firm been found liable for professional malpractice in the last 5 years?

Yes \_\_\_\_\_

No \_\_\_\_\_

Reason for Action:

- (e) Has any member of your firm ever been barred from doing business with any state, City or municipal government? If yes, then please provide further written explanation including date and copies of relevant documentation.

Yes \_\_\_\_\_

No \_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
State, County or Municipality  
Government

\_\_\_\_\_  
Date

- (f) Has your firm sued the City of Elizabeth in the past five (5) years? If yes, then please identify the matter/case and provide further written explanation including date and copies of relevant documents.

Yes \_\_\_\_\_

No \_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date