

REQUEST FOR PROPOSALS

PROFESSIONAL ENGINEERING SERVICES REGARDING THE INSPECTION AND
CONTRACT ADMINISTRATION FOR THE PROJECT KNOWN AS BOUND BROOK
TRAIN STATION EASTBOUND WAITING ROOM AND PLATFORM RENOVATIONS, IN
THE BOROUGH OF BOUND BROOK,
SOMERSET COUNTY, NEW JERSEY

Federal Project # TAP-D00S(380)

NJDOT Job Code #7204309

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**BOROUGH OF BOUND BROOK
SOMERSET COUNTY, NEW JERSEY
NOTICE OF REQUEST FOR PROPOSALS**

Due: Thursday, September 16, 2021

Notice is hereby given that the Borough of Bound Brook is requesting proposals be submitted by interested consultants to provide a qualified Resident Engineer (RE) and a qualified Construction Inspector (I), or one person to act as both Resident Engineer and Inspector (RE/I) for the inspection and contract administration for Bound Brook Train Station Eastbound Waiting Room and Platform Renovations in the Borough of Bound Brook, County of Somerset, New Jersey: Federal Project No. TAP D00S(380) NJ State Project Number 7204039.

Proposals for the project must be submitted in a sealed package and must include the following:

- Completed “Bid/Proposal Checklist” furnished in the project’s RFP;
- Consultant’s qualifications;
- Four (4) (one original and three (3) copies) Technical Proposal based on the project’s RFP; and
- **One (1) separately sealed envelope containing four (4) (one original and three (3) copies) cost proposal**, identifying as such, and bearing the project name and the name and address of the respondent.

Proposal packages shall bear the project name, and the name and address of the respondent on the outside and must be addressed to the Borough Clerk, Borough of Bound Brook, 230 Hamilton Street, Bound Brook, NJ 08805 by no later than 10:00 a.m., prevailing time, on **Thursday, September 16, 2021**, at which time the proposals, exclusive of the separately sealed cost proposal, will be opened and read in public.

Interested consultants which consider themselves qualified for the anticipated work should have expertise in the areas of construction inspection and contract administration of roadway projects, and the administrative requirements of NJDOT and Federal Aid Projects. Responses to this “Notice of RFP” will be rated based on the following criteria: Qualifications/Experience of Firm in Similar Work, Qualifications/Experience/Ability of Key Personnel, Understanding of Scope of Work and Project Needs, Technical Approach, Experience of Firm with NJDOT and FHWA Procedures, and Presentation of Proposal.

This project requires that consultant contracts be compliant with 48 CFR 31 – Contract Cost Principles Under the Federal Acquisition Regulations (FAR). This project has NJDOT oversight, and to ensure the consultant contract is compliant with FAR cost principles, only NJDOT approved overhead rates will be used. Consultants that do not have approved NJDOT overhead rates must be approved in accordance with NJDOT Procurement policies and procedures.

Interested consultants are invited to download the “Request for Proposals” at <http://www.BoundBrook-nj.org> and contact the Borough Administrator in writing with questions no less than 10 days before the opening of the proposals. Interested consultants are informed that the contract, if awarded, is subject to all pertinent federal, state and local laws, rules and regulations.

Proposals are being solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.2, et seq., and as such, contractors are exempt from the limitations on making political contributions under that law. Further, for that reason, as well as because of a language in the New Jersey’s Annual Appropriations Act, refusal to disclose campaign contributions otherwise required by N.J.S.A. 19:44A-20.2 et seq. and 19:44A-20.25 et seq., will not adversely affect your consideration for award. Respondents to this “Notice of Requests for Proposals” are also required to comply with N.J.S.A. 10:5-31, et seq. (N.J.A.C. 17:27) (Equal Employment Opportunity), N.J.S.A. 52:32-44, et seq. (New Jersey Business Registration).

The right is reserved to reject any or all proposals if it is deemed to be in the best interest of the Borough of Bound Brook in accordance with State law.

PROJECT DESCRIPTION

The consultant firm(s) shall provide the Borough of Bound Brook a qualified Resident Engineer (RE) and a qualified Construction Inspector (I), or one person to act as both Resident Engineer and Inspector (RE/I) for the inspection and contract administration for the Bound Brook Train Station Eastbound Waiting Room and Platform Renovations in the Borough of Bound Brook, County of Somerset, New Jersey: Federal Project No. TAP D00S(380) NJ State Project Number 7204039. The anticipated duration of the construction contract is for substantial completion at 240 calendar days from the date of the fully executed contract, and completion within 270 days. The construction completion date will be determined as per the Bid Proposal portion of the construction contract documents. A pre-construction meeting will be held as part of the scope of services for this construction administration and inspection contract, and shall be scheduled and presided over by the Resident Engineer. As of the time of preparation of this RFP, bids for the Construction Contract are expected to be received in summer 2021 and awarded shortly thereafter. It is anticipated that construction will begin fall 2021 and will be completed summer 2022.

The conduct of work and project documentation shall adhere to all applicable regulations and requirements of the New Jersey Department of Transportation (NJDOT) and Federal Highway Administration (FHWA). Respondents are informed that all services, including project administration, inspection, testing, reporting and documentation procedures, must adhere to FHWA and NJDOT regulations and requirements.

This project involves the renovations to the eastbound train station, waiting platform and roof.

To assist the respondents in becoming familiar with the project (and the associated federal and state requirements), an Appendix containing the following PDF items are available on disk, upon request:

- Construction Plans
- Construction Specifications
- Permits already acquired by the Borough

Respondents interested in the above should contact the Borough Administrator, Hector Herrera at 732-356-0833 or via email at hherrera@boundbrook-nj.org.

Respondents which consider themselves well qualified for the anticipated work should have specialized expertise in the FHWA and NJDOT regulations and requirements for construction projects, successfully managing and completing construction projects with FHWA and NJDOT oversight, inspection and contract administration of construction contracts involving historical building renovations, building construction projects, specialized building materials and critical path scheduling. They must also satisfactorily complete roadway worker protection training as required by NJ Transit.

SCOPE OF WORK

The Scope of Work (SOW) is intended to provide the Borough of Bound Brook with successful completion of fully renovating the eastbound train station, platform and roofing. The required services will be starting with scheduling of the Pre-Construction Conference and continue through acceptance and project close out with NJDOT.

All necessary contract administration, inspection, resident engineering, interaction and coordination with NJDOT, Bound Brook Borough Administrator and the Borough Superintendent of Public Works, and testing work for the successful completion of the project will be required under this contract. Respondents are reminded that all federal and state regulations and requirements, including 23 CFR, apply to this construction project as well as the conditions of the CED, ERs, and State Office of Historic Preservation (SHPO) permit documents.

The Scope of Work shall include, but not be limited to, the tasks listed below. It will be the Resident Engineer's responsibility to familiarize itself with the overall construction project, review the available information, and to identify and justify any additional tasks that will be required beyond those described in the SOW contained herein. Additional tasks beyond that described in this SOW, but which

the Consultant believes are necessary to complete this project, must be approved prior to the acceptance of the Consultant's final proposal.

1. **Construction Inspection:**

Provide detailed inspections to ensure construction is completed in conformance with the approved plans and specifications. The Resident Engineer (RE) or Inspector(s) shall be required at the construction site at all times when there is work being performed, deliveries received, or contractor or his subcontractor(s) are on site. The RE and the inspector(s) shall maintain a detailed diary of all work performed at the site in accordance with all FHWA and NJDOT requirements, and in compliance with 23 CFR. The diary will document inspections, delivery verifications, quality of materials, and work performance to ensure construction is in accordance with the plans and specifications. As a minimum, the following shall be performed:

- a. Perform the on-site inspection of items of work and inspect, and approve or recommend rejection, construction materials accepted by certification, or tested by other agencies as hereafter noted.
- b. Prepare and maintain detailed field inspection records; including reports, forms, job diary, photographs, detailed procedures, etc. in compliance with the **SOURCE DOCUMENTATION** section of this RFP.

Further, construction inspection records and source documents must be retained and utilized as the basis for payment of completed work and reimbursement of project funds from NJDOT/Federal. Construction contract source documents are the material receipts and handwritten notes of exactly what was delivered, how many or how much and handwritten logs of work performed in accordance with the plans and specifications. They are the single most important form of documentation that substantiate quality and quantities and provide the required basis for payment to the contractor. Work associated with construction inspection tasks shall ensure documentation is provided as outlined in the **SOURCE DOCUMENTATION** section within this RFP.

1a. **Equipment**

1. Processor having a clock speed of 1.6 GHz or faster, 12 GB RAM, 4 MB Video RAM, 256 Gigabyte hard drive designated as drive C, one DVD (+/-) Writer Drive, and one CD Recordable Drive. Ensure the system is USB 2.0 compatible and has at least 2 front USB ports Include Keyboard, optical mouse and 2-piece desktop speakers.
2. 19 inch or larger Flat Screen LCD monitor or 19" laptop.
3. 1 terabyte or larger external drive with backup software for MS-Windows, and 15 corresponding formatted data cartridges corresponding to the tap drive size.
4. Computer workstation, chair, printer stand, and/or table having both appropriate surface and chair height.

Software as follows:

1. Microsoft Windows, latest version with future upgrades for the duration of the entire project.
2. Microsoft Office Professional, latest version.
3. Norton's System Works for Windows, latest version, or compatible software package with future upgrades and latest vires patches.
4. Anti-Virus software, latest version with monthly updates for the duration of the contract.
5. Adobe Acrobat Professional, latest version, for Scanner.

Office Equipment. Provide the following:

- a. digital camera(s). Ensure each digital camera has auto-focus, with rechargeable batteries and charger, GB memory card, USB Memory Card Reader compatible with camera and field office computer, 3.0-inch LCD monitor, mega pixel resolution, X

optical zoom lens, built in flash, image stabilization, computer connections, and a carrying case.

- b. ___ video camcorder(s) with ___ Memory Cards 32 GB (or larger) compatible with the camcorder. Ensure each video camcorder is a memory card camcorder with ___X optical zoom, 2” LCD monitor, USB 2.0 compatible, and includes USB 2.0 connections.

Inspection Equipment.

1. ___ Calculators with trigonometric capability.
2. ___ Date/ Received stamp and ink pad.
3. ___ Electronic Smart level, 4 foot.
4. ___ Electronic Smart level, 2 foot.
5. ___ Carpenter rulers.
6. ___ Steel tap, 100 feet.
7. ___ Cloth tape, 100 feet.
8. ___ Illuminated measuring wheel.
9. ___ Plumb bob and cord.
10. ___ Line level and cord.
11. ___ Surface thermometer.
12. ___ Concrete thermometer.
13. ___ Digital infrared asphalt thermometer.
14. ___ Direct Tension Indicator (DTI) Feeler Gage, 0.005 inch.
15. ___ Sledge hammer, 8 pound.
16. ___ Self-leveling laser level with range of 100 feet and an accuracy of ¼ inch per 100 feet.
17. ___ Hard hats – orange, reflectorized hard hats according to ANSI Z89.1.
18. ___ Safety garments – orange, reflectorized, 360° high visibility safety garments according to ANSI/ISEA Class 3, Level 2 standards. To be replaced yearly for the duration of the contract.
19. ___ Sets of rain gear with reflective sheeting.
20. ___ Sets of hearing protection with a NRR rating of 22 dB.
21. ___ Sets of eye protection according to ANSI Z87.1.
22. ___ Sets of fall arrest equipment according to ANSI Z359.1 standards consisting of a full body harness, lanyard, and anchor.
23. ___ Light meter – capable of measuring the level of luminance in foot-candles.
24. ___ Lantern flashlight, 6V with monthly battery replacements.
25. ___ Digital Psychrometer.
26. ___ Chain Drag according to ASTM D4580-86.
27. ___ Testing equipment and apparatus conforming to AASHTO T23, T119, and T152.
28. ___ Hard Bound Daily Diaries, 5 1/2” X 8” minimum with one day per page. To be provided yearly for the duration of the contract.
29. ___ Legal size hanging folders.
30. ___ Legal size manila file folders – three tab.

2. Construction Administration

Perform all work necessary to achieve safe and satisfactory performance from the Contractor and the successful completion of this construction project including, but not limited to:

- a. Review the Contractor's proposed schedule for all project tasks and activities. Receive and review schedule updates as required by the Contract.
- b. Consult with the Design Architect/Engineer on any Contractor requests or interpretations of the meaning and intent of the drawings and specifications and assist in the resolution of questions which may arise.
- c. Recommend courses of action to the Borough when the requirements of the contract are not being fulfilled and the non-performing party will not take satisfactory corrective action.
- d. Notify the Borough within 24 hours of written receipt of written claim or dispute from the Contractor and with a written recommendation.
- e. Coordinate the digging of test holes for utilities where utility interference is anticipated. During the digging of test holes, the Consultant shall measure and record the elevations and locations of the utilities uncovered.
- f. Review and monitor the relocation of utilities accomplished by owners thereof and advise the Borough of any potential conflicts.
- g. Recommend to the Borough, in writing, the rejection of any work that in the RE's opinion does not conform to the contract plans and specifications, and include the reason for each such rejection.
- h. Review written RFIs received from the Contractor. The RE will provide a written interpretation of the contract documents to the Borough within three (3) days of receipt of the written RFI. The RE shall maintain a log and file of all RFIs and verify construction conformance.
- i. Conduct the required wage rate interviews, complete the required documentation of same and submit the data to the Borough and NJDOT as required.
- j. Maintain insurance and indemnify and save harmless the Borough of Bound Brook, its officers, agents and employees from and against all claims, suits, actions, damages, losses, demands and costs of every name and description resulting from or claimed to result from any negligent act, error or omission of your firm and/or subcontractor(s) in the performance of services or resulting from the non-performance of the covenants and specifications of this Proposal, including supplements thereto, and such indemnity shall not be limited by reason of insurance coverage, as further described herein.
- k. Maintain a complete set of timesheets, records and accounts to identify eligible salaries/wages, fringe benefits, leave, and non-salary direct expenses incurred in support of the Project, as well as all material records, certifications, and as-built quantities.
- l. Maintain required civil rights documents - i.e. tracking goals for (DBE/ESBE and Trainee) achieved and ensuring on-site posting of required posters.

3. Meetings

Arrange, attend and hold meetings as necessary and provide meeting summaries to the Borough within three (3) business days. Meetings may consist of, but not limited to, the following:

- a. The RE will arrange, lead, and prepare minutes of the project Pre-Construction meeting. The RE will ensure that all items requiring follow up meetings and/or resolutions are addressed in a timely manner to ensure construction schedule is maintained. The Borough Administrator, Superintendent of Public Works and Design Architect/Engineer will attend the Pre-Construction meeting.
- b. Conduct bi-weekly progress meetings to monitor progress, provide periodic look ahead, address specific issues, etc.
- c. Attend other meetings such as FHWA and/or NJDOT audits, field inspections, etc. as they arise.

4. **Shop Drawings**

Shop Drawings will be reviewed and logged by the Design Architect/Engineer as well as the RE.

5. **Testing**

The RE shall provide services to coordinate and/or review laboratory and test reports, in accordance with the 2019 NJDOT Standard Specification and project Special Provisions for the duration of the project.

The RE should include evidence of sufficient experience in said Professional Architectural/Engineering Services needed to perform the required services.

The RE is required to demonstrate a strong understanding of NJDOT and FHWA policy and procedures on construction phase engineering.

6. **Change Orders**

The RE shall prepare necessary changes in plans, specifications, and any supplemental work during construction to resolve problems.

- a. Changes to the work will be made by written Field Order (FO) or Change Order (CO) in accordance with Section 104.03 of the NJDOT Specifications and ARTICLE II & III of the General Conditions for Construction Contracts in the Specifications.
- b. Deviations from the contract requirements will not occur unless the RE issues a written FO, upon consultation with and under direction of the Borough, or a CO is written and approved by the Borough.
- c. RE's written FO will state whether the directions provided by the FO are eligible for payment and/or modification of Contract Time. The Borough will provide such payment or modification of Contract Time in subsequent COs.
- d. The RE will provide detailed justification, breakdown of costs and quantities, and timely approvals to be used in developing the CO.
- e. Contract line-item overruns will not occur without a FO or CO. The RE will review all new or supplemental costs with the Borough to insure they are properly justified, itemized and negotiated. The RE will document all negotiated costs and analysis and retain as source document for the FO or CO and the overall project.

The RE will always evaluate time as part of every CO and document justification of the time extension. Extension in contract time will only be granted for excusable compensable delays as defined in Section 108.11 of the Specifications. Liquidated damages will be assessed for each day the contractor fails to complete work within the specified Contract Time.

Protests in COs will be resolved in accordance with 23 CFR 635.109 and ARTICLE II & III of the General Conditions for Construction Contracts in the Specifications. Upon receipt of Contractor's written claim or dispute, the Consultant together with the Borough will review and issue a written recommendation to the Borough within five (5) days following receipt of a written claim or dispute.

Any changes in Scope, Time or Contract Amount must first be formally authorized by the Bound Brook Borough Council. The Consultant will inform the Contractor of any changes in the plans and specifications upon approval of the changes by the Borough of Bound Brook and the NJDOT.

7. **Contract Payments**

Determine the amount owed to the Contractor, by reviewing the measurement and/or calculations of quantities involved and certify the Contractor's requests for payment in such amounts on the

basis of work completed and in-place and that the quality of the work is in accordance with the Contract Documents and sound construction practices.

Measure pay items or work as needed to verify the Contractor's estimates and prepare estimates of payment to the Contractor in a format acceptable to the Borough, using Microsoft Excel software. The RE shall supply the Borough Superintendent of Public Works with an electronic copy of the Excel file for each estimate, along with three (3) hard copies of the estimate. The RE shall prepare a cover letter to the Borough to accompany the Contractor's payment request recommending the payment request. The letter shall summarize the project costs to date, the contract time used and remaining, the percentage of the project that is completed, and percentage of the award amount expended.

Prepare monthly invoices for use by the Borough when it submits requests to NJDOT for reimbursements. Prior to submitting the monthly invoice packages to the Borough, the RE will be required to prepare, collect and verify that all supporting documents are accurate and sufficient to ensure timely reimbursement to the Borough.

8. **Progress Reports & Certifications**

Advise the Borough as to the status of the completion of construction of the project by monitoring the adequacy of the Contractor's personnel and equipment, and the availability of the necessary materials and suppliers, so as to meet the project's deadline. Conduct job progress meetings, as needed to monitor progress, provide periodic look ahead, address specific issues, etc.

On a monthly basis, prepare and submit to the Borough a written report on the progress and quality of work in conformance with federal requirements, which shall include:

- A narrative description of work performed during the calendar month and any difficulties or delays encountered;
- A comparison of actual accomplishments to the goals established for the period;
- A comparison, by tasks, of costs incurred with amounts budgeted, and;
- A comparison, by tasks, of work performed compared to the schedule, including a percentage of the total work completed. This requirement can be met by including a bar chart showing schedule timing and actual progress.
- Copies of all required federal contract compliance documents for the reporting month.

9. **Project Close Out**

Prepare a punch list of incomplete or unsatisfactory items and a schedule for their completion and assist in determining when the project is substantially complete. Participate in the final inspection of the completed work. Assist the Director of Public Works and NJDOT with the final inspection. Coordinate, schedule, and document any NJDOT corrective action requested work with the Contractor. Measure final pay items of work, prepare any final change order, if needed, and recommend approval of the final estimate of payment to the Contractor. Prepare all final reimbursement and close out documents in accordance with all FHWA and NJDOT requirements.

The RE will be responsible for correcting and paying for any work that does not conform to the specifications and ADA standards that he/she inspected and approved.

SOURCE DOCUMENTATION

The RE shall be responsible for the Construction Contract Source Documentation and will report to the Borough. The RE and Inspector assigned to the project must have completed training in Construction Contract Source Documentation. Construction contract source documents are the material receipts and handwritten notes of exactly what was delivered, how many or how much and handwritten logs of work performed in accordance with the plans and specifications. They are the single most important form of documentation that substantiate quality and quantities and provide the required basis for payment to the contractor. Construction contract source documents consist of:

- Form DC-29, Daily Inspector's Report;
- field notes/diary/photographs;
- measurements (length, width, depth and slope);
- calculations of area, volume, weights;
- sketches;
- a statement of compliance with contract plans and specifications;
- field changes; and
- delivery tickets collected and initialed by the inspector at the point of unloading.

In compliance with Title 23 CFR 635.123, the RE and inspector(s) shall ensure:

1. Delivery tickets are received before placement of materials and checked for conformance with approved material certifications. Originals will be kept as official record copies in support of copies which will be distributed in support of payment requests. Ticket totals will be compared to original quantity estimates and field measurements in verification of recommended payment quantities.
2. Testing of materials are documented in the project files and referenced in daily inspection reports.
3. Form DC-29s are used for Daily Inspector's Reports and the instructions included on the DC-29s will be followed. DC-29s will be supplemented with field notes/diary and photographs that tie the work being done to the plans, specifications and related contract documents.
4. Daily Inspector's Reports must be legible and are signed and dated by the inspectors.
5. The RE reviews and initials the Daily Inspection Reports.
6. The RE prepares a summary of pay quantities based on the Daily Inspection Reports.
7. The RE uses the summary of pay items to develop periodic pay estimates for the PM. The summary of pay items will be used for comparison and negotiations of contractor payment requests. The Borough, in cooperation with and based on Consultant's recommendation and documentation, will ensure proper payments are being made in accordance with the contract provisions. Once contractor payment is made, the Borough will submit a request for reimbursement to NJDOT.

8. The RE and all inspectors keep Diaries in addition to the DC-29s. The Diaries will log daily observations for correct procedure and be detailed as possible and include information such as:
 - a. Number of workers
 - b. Number of apprentices/trainees
 - c. Work Zone and Traffic Control measures
 - d. Work performed by DBEs
 - e. Phase of work accomplished with quantities
 - f. Presence of any other inspectors
 - g. Field sketches
 - h. Field orders
 - i. Field sampling/testing
 - j. Field measurements
 - k. Materials delivery
 - l. Wage Rate interviews
9. Prevailing wage rate requirements of 23 U.S.C. and the Davis-Bacon Act are met and documented. DC-126 Wage Rate Inspection form will be used to report wage rate inspections.
10. NJUCP DBE certification(s)/Documentation of Good Faith Efforts must be obtained and maintained during the course of the project, if one is assigned by Civil Rights.
11. Environmental commitments and/or permit requirements are met and documented in the daily inspection reports. Copies of the environmental approvals and permits, which are included in the appendix and available upon request, are required to be kept in a dedicated binder/file for the duration of the contract for ready access and reference for all inspectors and audits.
12. All pedestrian facilities are constructed or reconstructed in accordance with the American with Disabilities Act (ADA) of 1990; Section 504 of the Rehabilitation Act of 1973; 28 CFR 35.151(e). Forms must be inspected and accepted prior to concrete placement.
13. Project specific Buy America certification, as outlined in 23 CFR 635.410, is received at the time of delivery and prior to the steel or iron product being incorporated into the project. The Buy America certification will be current, signed, and dated and be specific to the materials. The RE must be mindful that:
 - a. Federal regulations require that all steel or iron products permanently incorporated into a federal-aid project must be manufactured in the United States. This includes application of coatings.
 - b. Buy America requirements apply to the entire federal-aid project. Steel or iron products purchased with non-federal funds are not exempt from this requirement.
 - c. Waivers are permissible in rare cases as specified in 23 CFR 635.410(c)(1). Minimal use of foreign steel or iron is permissible if the costs of such materials does not exceed one-tenth of one percent (0.1%) of the total cost or \$2,500, whichever is greater as specified in 23 CFR 635.410(b)(4).
14. Work Zone Safety and Traffic Control measures are in compliance with 23 CFR 635.108 and the construction plans and specifications. The RE/inspector will be responsible for ensuring that the contractor is maintaining adequate Work Zone Safety and Traffic Control measures at all times.

STAFFING PLAN

The Respondent is reminded that federal and state regulations and requirements apply to this contract and the construction documentation and close-out. Provide professional engineering services staffing for construction inspection and contract administration to ensure successful completion of this federally funded Improvements. Staffing shall be sufficient to assume responsibility for full-time inspection and administration of the construction period and the contract's close-out period.

The Respondent shall provide a qualified Resident Engineer (RE) and Inspector (I), or one person to act as both Resident Engineer and Inspector (RE/I), to accomplish the services described in the RFP. All staff must have substantial experience in construction work performed under federal and state regulations, must have worked on a construction project with federal and state oversight within the last two years, and must be familiar with the documentation and reimbursement requirements. The Project Manager shall be a Professional Engineer licensed in the State of New Jersey and shall make periodic site inspections as required.

The Resident Engineer (RE) and Inspector (I), or RE/I must be experienced and knowledgeable of the work required to complete the subject improvement project, must comply with all applicable federal and state regulations and requirements, and must comply with all terms and conditions of the contract documents. Resumes detailing their experiences shall be attached to the Respondent's proposal. If selected, the project staff identified in the Respondent's response to this RFP may not be substituted without a written request for the change and approval from the Borough. Respondent's request for team member change must include a justification and qualifications and resume of the recommended new staff. The BOROUGH reserves the right, at its discretion, to request a team member change.

SUBCONSULTANT (DBE/ESBE) REQUIREMENT

The DBE/ESBE requirement/goal for this project is 0%.

If, at any time the Respondent intends modify any portion of the work already under contract, or intends to purchase material or lease equipment not contemplated during the original preparation of the Respondent's cost proposal, the Respondent must notify the Borough/NJDOT in writing for review/approval.

COMPENSATION

THE COST PROPOSAL SHALL BE SEALED AND BE SEPARATE FROM TECHNICAL PROPOSAL

This project requires that contracts be compliant with 48 CFR 31 – Contract Cost Principles Under the Federal Acquisition Regulations (FAR). This project has NJDOT oversight, and to ensure the consultant contract is compliant with FAR cost principles, only NJDOT approved overhead rates will be used. Consultants that do not have approved NJDOT overhead rates must be approved in accordance with NJDOT Procurement policies and procedures. The NJDOT approved overhead rate will be used for the purpose of estimating, negotiating, and making payment on the contract.

Allowable costs include those directly associated with the specific contract as well as overhead costs, also known as their indirect cost rate. The method of payment for this project will be Cost plus fixed fee which reimburses the Respondent for its direct labor cost, NJDOT approved overhead, and allowable direct expenses in addition to a negotiated amount as a fixed fee. The project cost and work hour proposal for the project, on a per task basis, will be utilized to establish an overall contract fee ceiling. The actual fee per task may vary from the estimated fee, however, the total contract fee ceiling amount will be not exceeded. The estimated cost and work hour per task will be utilized towards the project status and invoice review.

The Project Cost and Work Hour Proposal Form (see sample) shall specify the Maximum Direct Hourly Wage Rate for each title classification and ASCE grade level for the project. The Project Cost and Work Hour Proposal Form will indicate the “estimated” number of man-hours and the project not to exceed Maximum Direct Hourly Wage Rate for each title classification and ASCE grade level which will be used to establish the estimated cost per task and the overall contract fee ceiling. However, billing and compensation will be based on the actual number of man-hours expended per task per billing period and the actual hourly direct labor rate for each Consultant staff performing the task. Direct hourly wage rate shall not exceed the Maximum Direct Hourly Wage Rate per title classification and/or ASCE grade in the Project Cost and Work Hour Proposal through the project duration.

Periodic payments will be made during the course of work, based on progress reports submitted by the Respondent and reviewed by the Superintendent of Public Works. Invoices and progress reports shall be prepared in accordance with the approved BOROUGH format which will be provided at the project kick-off meeting. The progress report shall include actual project tasks and their related percentage of the overall project, as contained in the original Respondent’s proposal.

Payment will only be made after the work is completed and found to be satisfactory for its intended use per submission. Payment will be made upon approval of vouchers submitted in accordance with the requirements of the BOROUGH’s Professional Service Agreement and subject to federal cost principles.

Notwithstanding, this provision (or any other terms of this contract), the BOROUGH reserves the right to issue an immediate stop work order notice to the Respondent upon receipt of the same from the state and/or federal authorities. No payment for work, expenses or costs after the date of the stop work order notice will be paid by the BOROUGH (including non-cancelable costs) unless the BOROUGH receives the same from the state and/or federal cost principles.

The BOROUGH is not liable for any cost incurred by Respondent in the preparation of proposals or for any work performed prior to the approval of an executed contract.

As a condition of engagement by the BOROUGH, the Consultant will be required to execute a Professional Services Agreement with BOROUGH. A sample of this agreement is included in this package.

PERFORMANCE EVALUATION

At 50% mark and after project completion, the Respondent's performance will be evaluated generally based on Schedule, Quality, and Project Management.

PERMISSION TO PUBLISH AND/OR PUBLICIZE FINDINGS

The Respondent shall not publish or otherwise publicize any information relating to the project or its findings without written permission from the BOROUGH. Permission will not be unreasonably withheld. Written requests for such permission should include an abstract, or outline in the case of oral presentation. A copy of the final text of the presentation should also be submitted.

The Respondent will refer all inquiries from news organizations to the BOROUGH. The Respondent will release no information unless specifically directed by the BOROUGH.

BID / PROPOSAL CHECKLIST
RFP NO.: 2019-1

Owner's
CHECKMARKS

Items submitted with bid / proposal
Bidder's / Respondent's **INITIALS**

A. FAILURE TO SUBMIT ANY OF THESE ITEMS WITH THE

© **BID / PROPOSAL IS MANDATORY CAUSE FOR REJECTION** ©

- Bid / Proposal (original unbound) (6 copies requested) _____
- Separately Sealed Cost Proposal (original unbound) (6 copies requested) _____
- Bid / Proposal guarantee (bid bond or guaranteed funds) _____
- Surety certificate (consent of surety) _____
- Resume(s) _____
- List of designated subcontractors _____
- Acknowledgment of receipt of addenda or revisions (if any) _____
- Statement of Ownership _____
- Non-Collusion Affidavit _____

Other: Copy of NJUCP DBE certification(s) / Documentation of Good Faith Efforts _____

- Other: Proof of NJDOT Approved Overhead Rate(s) _____

**B. ITEMS PREFERRED AT TIME OF BID / PROPOSAL, BUT
MANDATORY PRIOR TO AWARD OF CONTRACT**

- Copy of Public Works Contractor Registration Act Certificate for the bidder / respondent and any designated subcontractors, effective on the date of bid / proposal _____
- Copy of the N.J. Business Registration Certificate or other acceptable proof of Business Registration for the bidder / respondent and any designated subcontractors _____
- References / List of previous and/or active relevant work _____
- Financial Statement _____
- Catalogs/Price Lists _____
- Product Samples _____
- Certification of Available Equipment _____
- Contractor's Qualification Statement _____
- Disclosure of Energy Sector Investment Activities in Iran _____

. OPTIONAL ITEMS

- Equal Employment Opportunity Questionnaire _____
- BOROUGH Cooperative Contract Option _____

PRINT NAME OF BIDDER / RESPONDENT:

SIGNED BY:

PRINT NAME AND TITLE:

DATE:

COMPLETE AND SUBMIT THIS CHECKLIST WITH THE BID / PROPOSAL

NEW JERSEY BUSINESS REGISTRATION REQUIREMENTS NON-CONSTRUCTION

All New Jersey and out of state business organizations must obtain a Business Registration Certificate (BRC) from the Department of Treasury, Division of Revenue, prior to conducting business in the State of New Jersey. Proof of valid business registration with the Division of Revenue, Department of Treasury, State of New Jersey, must be submitted. No contract will be awarded without proof of business registration with the Division of Revenue. The contract will contain provisions in compliance with N.J.S.A. 52:32-44, as amended, outlined below.

The contractor shall provide written notice to its subcontractors and suppliers of the responsibility to submit proof of business registration to the contractor.

Before final payment of the contract is made by the contracting agency, the contractor shall submit an accurate list and proof of business registration of each subcontractor or supplier used in the fulfillment of the contract, or shall attest that no subcontractors were used.

For the term of the contract, the contractor and each of its affiliates and each subcontractor and each of its affiliates (N.J.S.A 52:32-44 (g) (3)) shall collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the "Sales and Use Tax Act" (N.J.S.A. 54:32 B-1, et seq.) on all sales of tangible personal property delivered into this state.


A business organization that fails to provide a copy of a registration as required pursuant to section 1 of P.L. 2001, c.134 (N.J.S.A. 52:32-44 et seq.) or subsection e. or f. of section 92 of P.L. 1977, c.110 (N.J.S.A. 5:12-92), or that provides false business registration information under the requirements of either of those sections, shall be liable for a penalty of \$25.00 for each day of violation, not to exceed \$50,000.00 for each business registration copy not properly provided under a contract with a contracting agency.

Sample Business Registration Certificates are attached. Certain other forms, such as a Certificate of Authority to collect Sales and Use Taxes or a Certificate of Employee Information Report Approval, are **not** proof of business registration.

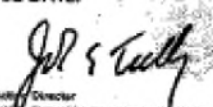
Any questions in this regard can be directed to the Division of Revenue at (609) 292-9292. Form NJ-REG can be filed online at:

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

THESE ARE SAMPLES OF THE ONLY ACCEPTABLE BUSINESS REGISTRATION CERTIFICATES.

	STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE
Taxpayer Name:	
Trade Name:	
Address:	
Certificate Number:	
Date of Issuance:	
For Office Use Only:	

OR

STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE		DEPARTMENT OF TREASURY/ DIVISION OF REVENUE P.O. BOX 212 TRENTON, N.J. 08646-0212
TAXPAYER NAME:	TRADE NAME:	
TAXPAYER IDENTIFICATION#:	SEQUENCE NUMBER:	
ADDRESS:	ISSUANCE DATE:	
EFFECTIVE DATE:		
FORM-BRC(08-01)	<small>Director</small>	<small>This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.</small>

STATEMENT OF OWNERSHIP

(N.J.S.A. 52:25-24.2)

The VENDOR is (check one):

- | | | | | |
|---|--------------------------------------|--|-------------------------------|---------------------------------|
| <input type="checkbox"/> Individual | <input type="checkbox"/> Partnership | <input type="checkbox"/> P.A. | <input type="checkbox"/> P.C. | <input type="checkbox"/> L.L.C. |
| <input type="checkbox"/> L.L.P. | <input type="checkbox"/> Corporation | <input type="checkbox"/> Joint Venture | | |
| <input type="checkbox"/> Other (specify): _____ | | | | |

I certify that:

- No individual person or entity owns a 10% or greater interest in the Vendor.

OR

- The names and addresses of all persons and entities who own a 10% or greater interest in the Vendor or any listed entities are as follows:

NAMES:	ADDRESS
_____	_____
_____	_____
_____	_____
_____	_____

- Check here if additional sheets are attached.

- Check here to certify that no person or entity, **except for those already listed above or on any attached sheets**, owns a 10% or greater interest in the vendor or any listed entities.

NAME OF VENDOR: _____

SIGNED BY: X _____

PRINT NAME & TITLE: _____

DATE: _____

NOTE : If an entity owns a 10% or greater interest in the Vendor, list all owners of 10% or greater interest for each such entity. Repeat the process of disclosure as necessary for each tier or level of ownership until the name and address of each individual person who owns a 10% or greater interest in each listed entity has been disclosed.

NON-COLLUSION AFFIDAVIT
(N.J.S.A. 52:34-15)

STATE OF _____)

ss:

BOROUGH OF _____)

**Re: PROFESSIONAL ENGINEERING SERVICES REGARDING THE INSPECTION
AND CONTRACT ADMINISTRATION OF THE BOUND BROOK TRAIN STATION
EASTBOUND WAITING ROOM AND PLATFORM RENOVATIONS, IN THE
BOROUGH OF BOUND BROOK, SOMERSET
COUNTY, NEW JERSEY**

I, _____ (name) of full age, being duly sworn according to law, on my oath depose and say:

I am the _____ (title)

of _____ (name of vendor), the vendor for the above named project, and that I executed the said bid with full authority so to do; that the vendor 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 the above named project; and that all statements contained in the bid and in this affidavit are true and correct, and made with full knowledge that the Borough of Hightstown relies upon the truth of the statements contained in the bid and in the statements contained in this affidavit in awarding a contract for the project.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by my firm for the purpose of securing business.

Signed: X _____

Subscribed and sworn to before me this _____ day of _____, 20__.

Notary Public of _____

My commission expires _____, 20__.

BOROUGH OF BOUND BROOK
DISCLOSURE OF ENERGY SECTOR INVESTMENT ACTIVITIES IN IRAN
New Jersey Public Law 2012, Chapter 25

Solicitation Number: _____ **Bidder / Respondent:** _____

Project Description: _____

PART 1 – CERTIFICATION – CHECK THE APPROPRIATE BOX:

A. I certify that neither the Bidder / Respondent nor any of the Bidder's / Respondent's parents, subsidiaries, or affiliates, as defined in C.52:32-56(e), is on the "Chapter 25 List" created and maintained by the New Jersey Department of the Treasury, as a person or entity engaging in the energy sector investment activities in Iran described in C.52:32-56(f). The Chapter 25 List may be found at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>.

OR

B. The Bidder / Respondent and/or one or more of its parents, subsidiaries or affiliates is a person or entity on the Chapter 25 List referred to above. A detailed and precise description of the relevant activities of the listed Bidder / Respondent and/or listed parents, subsidiaries or affiliates is provided in Part 2 below.

PART 2 – ADDITIONAL INFORMATION – COMPLETE PART 2 ONLY IF B. IN PART 1 IS CHECKED:

The following is an accurate and precise description of the energy sector investment activities in Iran of the Bidder / Respondent and/or listed parents, subsidiaries or affiliates, on the Chapter 25 List (attach additional pages as necessary to make full disclosure):

Name of Person(s) or Entity(ies) on the Chapter 25 List: _____

Relationship to Bidder / Respondent: _____

Description of Activities: _____

Duration of Engagement: _____ Anticipated Cessation Date: _____

Bidder / Respondent Contact Name: _____ Contact Phone Number: _____

Check here if additional pages are attached and state number of attached pages: _____ (Number of pages attached.)

CERTIFICATION FOR PART 1 AND, IF APPLICABLE, PART 2: I, being of full age, hereby certify that the foregoing information and any attachments hereto are to the best of my knowledge true and complete. I certify that I am authorized to execute this certification on behalf of the Respondent. I acknowledge that the Borough of Hightstown will rely on the information contained herein and thereby acknowledge that I and the Bidder / Respondent are under a continuing obligation from the date of this certification through the completion of any contracts with the Borough to notify the Borough in writing of any changes to the answers or information contained herein.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me is willfully false, I am subject to punishment and the Bidder / Respondent is subject to the penalties stated in C. 52:32-59 and C. 40A:11-2.1.

Full Name (Print) _____ Signature: _____

Title: _____ Date: _____

BOROUGH OF BOUND BROOK

ADDENDUM NO. _____

ACKNOWLEDGMENT

PROJECT ENTITLED:

**PROFESSIONAL ENGINEERING SERVICES REGARDING THE INSPECTION AND
CONTRACT ADMINISTRATION OF THE PEDDIE LAKE DAM PEDESTRIAN
BRIDGE PROJECT, IN THE BOROUGH OF HIGHTSTOWN, MEERCER COUNTY,
NEW JERSEY**

Acknowledgment is hereby made of the receipt of Addendum No.
containing information for the above referenced project.

VENDOR: _____

BY: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

NOTE:

**WHEN AN ADDENDUM IS ISSUED, THIS ACKNOWLEDGMENT MUST BE
ATTACHED TO THE FRONT OF THE PROPOSAL AT THE TIME OF RECEIPT.
FAILURE TO DO SO WILL RESULT IN IMMEDIATE REJECTION.**

SIGNATURE PAGE

TO THE BOROUGH COUNCIL OF THE BOROUGH OF BOUND BROOK:

THE UNDERSIGNED HEREBY DECLARES THAT I (WE) HAVE CAREFULLY EXAMINED THE SPECIFICATIONS. I (WE) HEREBY CERTIFY PRICES QUOTED ARE IN ACCORDANCE WITH YOUR REQUIREMENTS.

COMPANY NAME: _____
(STATE YOUR NAME AS SHOWN ON YOUR FEDERAL TAX RETURNS)

BUSINESS (TRADE) NAME: _____
(IF DIFFERENT FROM COMPANY NAME)

ADDRESS: _____

PREPARER'S NAME: _____

SIGNATURE: _____

CONTACT PERSON: _____

TELEPHONE NUMBER: _____

FAX NUMBER: _____

PROFESSIONAL SERVICES AGREEMENT

BOROUGH OF BOUND BROOK

(Hereinafter the "Borough")

AND

THIS AGREEMENT WITNESSETH that, in consideration of the mutual covenants herein expressed, the Contracting Unit and _____ agree as follows:

1. Scope and Term of Contract

The _____ is hereby retained by the Contracting Unit to act as the Resident Engineer commencing _____ and terminating _____.

The Borough hereby agrees to pay _____ for the duration of the contract.

The hourly billing rates are per proposal dated _____ for all Resident Engineer related services in the Scope of Work.

2. Assignment

This Contract shall not be assigned by the Resident Engineer.

3. Special Provisions

In the event the Resident Engineer shall be unable to fulfill its duties as required hereunder because of illness, conflict of interest or any other valid reason, he may designate another engineer to serve temporarily or for any specific purpose hereunder, which designation shall be subject to approval by the Contracting Unit. The fees to be charged for engineering services by said designated engineer shall in no event exceed the agreed upon amount.

4. **Termination of Contract.**

This Contract may be terminated by the Contracting Unit upon twenty-one (21) days' prior written notice to the Resident Engineer.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals, or caused these presents to be signed by their proper corporate officers and their corporate seal to be hereto affixed per contract award on _____.

WITNESS:

BOROUGH OF BOUND BROOK

QUALIFICATIONS REVIEW RATING SHEET

BOROUGH OF BOUND BROOK
 TRAIN STATION EAST BOUND WAITING ROOM AND
 PLATFORM RENOVATIONS
 CONSTRUCTION INSPECTION AND CONTRACT
 ADMINISTRATION SERVICES

ITEMS	FIRMS				
A. <u>Qualifications</u>					
1. Licensed Firm	NNR				
2. Conflict of interest	5				
3. Size of Firm vs. Project Size	5				
4. Location of Team(s)	10				
B. <u>Expertise/Experience</u>					
1. Special Expertise — Personnel	15				
2. Similar projects	30				
C. <u>Project</u>					
1. Evaluation of Scope of Services	10				
2. Evaluation of Resumes	30				
D. <u>Rate</u>					
1. Overhead Rate(s)	10				
2. Hourly Rate	25				
E. <u>Proposer Certification</u>					
	NNR				
TOTAL SCORE	140				

NNR — No Numerical Rating; however, response is required from Proposer

BOUND BROOK TRAIN STATION EASTBOUND WAITING ROOM AND PLATFORM RENOVATIONS

RESIDENT ENGINEERING SERVICES: COST AND WORK HOUR ESTIMATE TOTAL (include their proposals)

FEDERAL PROJECT NUMBER: TAP D00S(380) NJ STATE PROJECT NUMBER 7204039

Date: 7/20/2021

Task	Description	Div Manager PVII	Proj Manager PVI	Resident Engineer PIV	Inspector ET3	Clerical					TOTAL
1	Construction Inspection										
2	Meetings										
3	Shop Drawings and RFI Logging										
4	Review Testing Results Approved/Cert. by Other Agencies										
5	Change Orders										
6	Contract Payments										
7	Progress Reports & Certifications										
8	Prepare and Maintain Inspection Records										
9	Project Close Out										
Hours Total											
Maximum Direct Hourly Wage Rate (See Note 1)											
Direct Salaries Total											

Direct Expenses: Subconsultants	
(include their proposals)	
Total	
