

NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY

REQUEST FOR PROPOSALS

For

INTERNAL AUDITING CONSULTANT SERVICES

For the

COST REVIEW OF FOUR CONSTRUCTION PHASE PROJECTS

CONTRACT NO.: GP-0202-R01

ISSUE DATE: August 7, 2013

MANDATORY ELECTRONIC NOTICE OF INTENT TO PARTICIPATE DUE DATE:

August 21, 2013 by 5:00 PM Eastern Time

(See Section 2.0, within, for details)

PROPOSAL DUE DATE: September 4, 2013 by 5:00 PM Eastern Time

At the

NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY

{See Section 3.0, within, for delivery addresses}

REQUEST FOR PROPOSALS

1.0 INTRODUCTION

Through this Request for Proposals (“RFP”), the New Jersey Schools Development Authority (“NJSDA” or “Authority”) is seeking to engage one firm (“Consultant”) to provide cost review auditing of the construction phase of four identified school facilities projects constructed utilizing a design-bid-build delivery methodology.

The NJSDA will issue a separate authorization-to-proceed to the selected Consultant for each of the school facilities projects to be audited.

The Scope of Services under the Agreement (as described more fully in Appendix B to the Agreement, Attachment A to this RFP) will include the auditing of billing, payments and change orders/amendments related to construction phase activities performed by the construction management firm (“CM”) and general contractor (“GC”) and subcontractors working with NJSDA staff. The Consultant will inspect documentation in support of project costs as they pertain to the scope of work, to ensure that State funds for school facilities construction projects are expended prudently.

Firms must propose a single lump sum fee for auditing all four school facilities projects as noted in Appendix B to the Agreement (Attachment A to the RFP Package). In the event of an unforeseen project cancellation or hold, firms must also provide a per project audit cost. The selected Consultant shall be responsible for providing the services as outlined in the Scope of Services for each of the four identified projects.

This REQUEST FOR PROPOSALS consists of the following:

1. Request for Proposals
2. Attachment A: Internal Auditing Consultant Services Agreement
3. Attachment B: Key Team Members List (NJSDA Form 201)
4. Attachment C: Resume Form (NJSDA Form 202)
5. Attachment D: Fee Proposal Form
6. Attachment E: Moral Integrity Questionnaire

These documents (the “RFP Package”) must be read in their entirety since they define the scope of services and responsibilities of the Consultant and the NJSDA. A firm wishing to submit a proposal for real-time construction auditing consultation services must review and be thoroughly familiar with all terms and conditions of the RFP Package. General information about the School Construction Program can be found at NJSDA’s website: www.njsda.gov.

2.0 MANDATORY ELECTRONIC NOTICE OF INTENTION TO PARTICIPATE // WRITTEN REQUESTS FOR INFORMATION

The NJSDA shall not hold a traditional pre-proposal conference for this procurement. All firms wishing to submit a proposal must sign-in electronically by sending a mandatory email Notice of Intent to Participate to Daryl Johnson at djohnson@njsda.gov no later than 5:00 PM Eastern Time on August 21, 2013.

Firms may submit written questions regarding this procurement to the NJSDA by sending them by email to Daryl Johnson at djohnson@njsda.gov no later than 5:00 PM Eastern Time on August 21, 2013. The questions and answers shall be provided via an addendum to the RFP to each firm that submitted a timely email Notice of Intent to Participate.

3.0 SUBMISSION OF PROPOSALS

Proposals must be submitted to and received by the NJSDA by no later than **5:00 PM Eastern Time on September 4, 2013**. The Proposal Package shall be placed in a sealed envelope and shall consist of the following:

- 3.1 Technical Proposal. One (1) unbound original, four (4) bound copies and two (2) electronic copies in PDF format on CDs of its Technical Proposal.
- 3.2 Fee Proposal. One (1) original placed in a separate sealed envelope labeled “FEE PROPOSAL.”
- 3.3 Moral Integrity Questionnaire. One (1) completed original placed in a separate sealed envelope labeled “MORAL INTEGRITY QUESTIONNAIRE.”

Proposal Packages are to be submitted and delivered as follows:

If submitting by hand or overnight delivery, at the:

**NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY
1 West State Street
Trenton, New Jersey 08625-0991
Attention: Daryl Johnson, Procurement Analyst
Subject: Internal Auditing Consultant Services Proposal - GP-0202-R01**

If submitting by U.S. Mail, address packages to:

**NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY
P.O. Box 991
Trenton, New Jersey 08625-0991
Attention: Daryl Johnson, Procurement Analyst
Subject: Internal Auditing Consultant Services Proposal - GP-0202-R01**

Submissions received after the above date and time will not be considered. Faxed or e-mailed Proposals shall not be accepted.

Any firm wishing to submit a Proposal must submit a timely electronic notice of intent to participate, as provided in the Section 2.0, above.

4.0 INSTRUCTIONS FOR SUBMITTING A TECHNICAL PROPOSAL

A firm must become thoroughly familiar with this RFP to ensure responsiveness in its Technical Proposal. The Technical Proposal must consist of the following:

- 4.1 Cover Letter
- 4.2 Roles of the Firm and Subcontracted Firms
- 4.3 Firm Experience – Case Studies
- 4.4 Key Team Members List (NJSDA Form 201)
- 4.5 Resumes of Key Team Members (NJSDA Form 202)
- 4.6 Approach
- 4.7 Business Registration

All of the above items must be addressed in a Technical Proposal of no more than forty (40) one-sided 8.5” X 11” pages. Organizational charts, staffing structure, and schedules may be on larger paper. Resumes, required forms, and section dividers will not count toward the page limit.

4.1 Cover Letter

Present a brief understanding of the NJSDA’s needs based upon the information provided in the Scope of Services set forth as Appendix B to the Agreement (Attachment A to the RFP Package). Include the name, address and phone number of the firm, the name and phone number of the firm’s contact person and the name of the person who prepared the Technical Proposal. Include in

the cover letter any other information relevant to the firm's qualifications. **Firms must not include any fee information in the cover letter or elsewhere in the Technical Proposal.**

4.2 Roles of the Firm and Subcontracted Firms

In this section of its Technical Proposal, a proposing firm must describe its role and the roles of any proposed subcontracted firms in providing the required services. This description must include an estimate of each firm's percentage of participation in providing the services.

4.3 Firm Experience - Case Studies

Describe the experience of the proposing firm, inclusive of the experience of any proposed subcontracted firms, through up to three (3) case studies. The case studies should address examples of the proposing firm's past provision of services of the type and scale outlined in the Scope of Services. Thus, the case studies must concisely set forth the basic background information, the scope of services provided, and results of said engagement. **Case studies may be based on contracts with public or private sector clients.** The case studies must describe the effectiveness of the project, and the methodology used to measure such effectiveness. The firm must identify the name and address of the contracting entity and the name, title and telephone number of a contact person associated with the contracting entity who is familiar with and able to comment on the firm's performance on each project.

4.4 Key Team Members List (NJSDA Form 201)

In this section of its Technical Proposal, a proposing firm must set forth a list of proposed Key Team Members, using NJSDA Form 201 (set forth in Attachment B to the RFP Package). For the purposes of this engagement, a "Key Team Member" is any auditor working on the cost review of an identified project, and the supervisor or manager of the individual auditor(s) or the like who shall be responsible for all or some portion of the internal auditing consultation services to be rendered. A separate sheet should **not** be completed for each proposed subcontracted firm. The proposing firm must indicate on NJSDA Form 201 one Key Team Member to be identified as the "Project Manager," who shall have overall responsibility for the internal auditing consultation services to be rendered.

4.5 Resumes of Key Team Members (NJSDA Form 202)

In this section of its Technical Proposal, a proposing firm must include a fully completed resume form for each proposed Key Team Member, using NJSDA Form 202 (set forth in Attachment C to the RFP Package). The selected firm shall be required to use all Key Team Members as indicated in its Technical Proposal. Failure to do so without the prior written approval of the Authority may result in termination. For each Key Team Member, the resumes should include, but not be limited to: relevant experience and any applicable certifications and/or affiliations.

4.6 Approach

4.6.1 Approach to Providing the Required Scope of Services

The proposing firm must describe its approach to providing the required Scope of Services, including how to determine the need for site visits, when to review invoices and pro-actively communicate with the NJSDA outside of the required reporting structure. The firm must describe its proposed approach to data management and the firm's proposed quality control approach and procedures.

4.6.2 Approach to Administrative Oversight and Management

The proposing firm must describe its approach to management of the agreement, including the firm's administrative structure, practices and procedures. The firm must describe its approach to checks and balances for quality assurance and how to manage services within costs.

4.7 Business Registration

Pursuant to N.J.S.A. 52:32-44, as amended by P.L. 2004, c. 57, each proposing firm must provide proof of valid business registration with the Division of Revenue of the New Jersey Department of the Treasury (the “Division of Revenue”), in its Proposal.

Any subcontracted firm of the firm selected as a Consultant must provide the selected firm with a copy of its business registration, which the selected firm must forward to the Authority. No firm selected as a Consultant may enter into any subcontract with a firm that has not provided proof of valid business registration to the selected firm, for forwarding to the NJSDA. The NJSDA shall duly file all business registrations with the other procurement documents relating to the contract. **Business registrations of proposed subconsultants, if any, are NOT required to be included in a firm’s Proposal.**

Firms may obtain New Jersey Business Registration assistance by going on-line to www.state.nj.us/treasury/revenue/gettingregistered.shtml or by calling the New Jersey Department of Treasury at (609) 292-9292. Please be advised, however, that business registrations are mailed generally within seven to ten days, so firms should plan accordingly.

5.0 INSTRUCTIONS FOR SUBMITTING A FEE PROPOSAL

Firms must complete and return a Fee Proposal on the NJSDA’s Fee Proposal Form (Attachment D). The Fee Proposal must list the proposing firm’s entire proposed staff (by position) providing internal auditing consultation services, whether such staff is comprised of the proposing firm’s employees or those of a subcontracted firm.

As noted in the mailing instructions set forth in Section 3.0 of this RFP, one (1) original of the Fee Proposal must be submitted as part of the Proposal Package, **but the Fee Proposal must be enclosed in a sealed envelope separate from the Technical Proposal and the Moral Integrity Questionnaire.**

6.0 INSTRUCTIONS FOR SUBMITTAL OF MORAL INTEGRITY QUESTIONNAIRE

Firms **must** also submit to the Authority one (1) original (and no copies) of a completed Moral integrity Questionnaire for submission to the New Jersey State Police, in the form set forth as Attachment E to this RFP. The Authority shall hold all Questionnaires submitted, unopened, until the evaluation of Technical Proposals is completed, unless special circumstances warrant otherwise. At such time, Authority staff will forward the Questionnaire of the firm receiving the highest technical score or ranking to the New Jersey State Police for review. **Moral Integrity approval is a prerequisite for contract award.**

7.0 EVALUATION OF TECHNICAL PROPOSALS

Each Proposal Package will be reviewed to determine responsiveness.

Technical Proposals will be evaluated by a Selection Committee (“Committee”) established for the purpose of evaluating such responses. The Selection Committee shall consist of no fewer than four (4) SDA Staff members. The evaluation will be based upon the information provided by a Firm in response to this RFP, and any necessary verification thereof.

The members of the Selection Committee will evaluate each Firm’s Technical Proposal, and may confer with each other regarding the content of the submissions before scoring, but each Selection Committee member will independently score each Technical Proposal in all of the evaluation categories described in this RFP, in accordance with the evaluation criteria described herein. Technical Proposals shall be evaluated in the following categories:

- Construction Auditing Experience of Firm
- Resumes & Experience of Key Team Members
- Approach to Providing the Scope of Services
- Approach to Administrative Oversight & Management

Each Selection Committee Member will evaluate each Technical Proposal, assigning a raw score for each category on a scale of 0 to 10 as follows:

- Outstanding (9–10): depth and quality of response offers significant advantages.
- Superior (7-8): exceeds RFP requirements with no deficiencies.
- Sufficient (5-6): meets RFP requirements with no significant deficiencies.
- Minimal (3-4): meets RFP requirements but contains some significant deficiencies.
- Marginal (1-2): comprehends intent of RFP but contains many significant deficiencies.
- Unsatisfactory (0): requirements not addressed and lack of detail precludes adequate evaluation.

Weighting factors will then be applied to each of the Selection Committee Member’s raw scores for each category to arrive at a total weighted score as follows:

Technical Proposal Evaluation Category	Weighting Factor (Applied to Raw Score)	Maximum Available Points for Category
Construction Auditing Experience of Firm	2.0	20
Resumes & Experience of Key Team Members	3.0	30
Approach to Providing the Scope of Services	2.0	20
Approach to Administrative Oversight & Management	3.0	30
Total Points Available:		100

Firms will receive a Technical Proposal Score based on the above-described evaluation criteria. The scores of the Selection Committee members will be aggregated to obtain a Technical Proposal Score for each firm.

The Technical Proposal Score will be the Final Technical Score, except that, at its sole option, the Committee may conduct interviews with a shortlist of the five (5) firms receiving the highest Technical Proposal Scores. In the event of a tie in Technical Proposal Scores for the fifth firm to be short-listed, all firms with the tie Technical Proposal Scores will be short-listed. Following the interviews, if any, firms will again be evaluated by Selection Committee members based on Interview Criteria that are the same as those used in the evaluation of the Technical Proposals. Interview Scores will then be aggregated with Technical Proposal Scores to arrive at a Final Technical Score for each firm. Firms will be ranked in accordance with their Final Technical Score.

8.0 EVALUATION OF FEE PROPOSALS

After all Final Technical Scores have been tabulated, the NJSDA shall open all Fee Proposals. Using the Fee Proposals as a guide, NJSDA staff shall negotiate a fair and reasonable fee with the firm receiving the highest Final Technical Score. Should the Authority be unable to negotiate a satisfactory contract with the firm receiving the highest Final Technical Score, the NJSDA shall terminate negotiations with that firm and shall then undertake negotiations with the firm receiving the second highest Final Technical Score. Failing accord, the NJSDA shall terminate negotiations with that firm and shall then negotiate with the firm receiving the third highest Final Technical Score. In the event that the NJSDA is unable to reach a satisfactory contract with any of the three highest-ranked firms, the NJSDA may select additional firms in order of their ranking and continue negotiations until an Agreement is reached or, at its option, the NJSDA may reject all Proposal Packages.

NJSDA staff shall then make a recommendation of award to the most technically qualified firm at compensation determined to be fair and reasonable. If the recommendation of award is approved, a notice of award shall be transmitted to that firm and other proposing firms shall thereupon receive written notice of the award.

Notwithstanding anything to the contrary, the NJSDA has no obligation to make an award and reserves the right to waive any non-material defects, reject all Proposal Packages for any reason, and terminate the selection process at any time.

Upon award, the selected firm shall execute the Agreement, without modification.

Any bidder attempting to contact government officials (elected or appointed), including Authority Board members, Authority Staff, and Selection Committee members in an effort to influence the selection process may be immediately disqualified.

9.0 OTHER REQUIREMENTS

After determination of the selected firm, the NJSDA shall request the following information prior to the award of the contract:

9.1 Political Contributions. P.L. 2005, c. 51 amended and supplemented N.J.S.A. 19:44A-20.1 *et seq.*, and superseded Executive Order 134 (2004), addresses the effect of political contributions on State contracting. Accordingly, a selected Firm will be required to respond in a timely fashion to certification and disclosure requirements that will be stated in the Notice of Award issued by the NJSDA. Additionally, Executive Order No. 117, which is designed to enhance New Jersey's efforts to protect the integrity of government contractual decisions and increase the public's confidence in government. The Executive Order builds on the provisions of P.L. 2005, c. 51 ("Chapter 51"), which limits contributions to certain political candidates and committees by for-profit business entities that are, or seek to become, State government vendors.

Requirements for Selected Firm. The selected Firm shall receive a Notice of Award that will, among other things, notify the Firm that it must submit a Certification and Disclosure of Political Contributions form and Business Entity Disclosure form as provided by NJSDA. Failure to submit these forms in a timely fashion shall be cause for rejection of the Firm.

Firm's Continuing Obligation to Comply with P.L. 2005, c. 51. Any Selected Firm is required, on a continuing basis, to disclose and report to NJSDA any political contributions made during the Contract term by the Firm on forms provided by NJSDA, at the time it makes the contribution.

9.2 Political Contributions Disclosure. Firms are advised of their responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Law Enforcement Commission ("ELEC"), pursuant to N.J.S.A. 19:44A-20.13 (P.L. 2005, c. 271, section 3), in the event they receive contracts in excess of \$50,000 from a public entity in a calendar year. It is a Firm's responsibility to determine if filing is necessary. Failure to so file can result in the imposition of financial penalties by ELEC. Additional information about this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us.

9.3 Outsourced Services Special Provisions. Under P.L. 2005, c. 92 (formerly Executive Order No. 129 (2004)), the NJSDA shall not award a contract to a bidder that submits a bid proposal to perform services, or to subcontract with a firm to perform services, outside the United States, unless certain conditions is met. If, during the term of the contract, the Firm or subcontracted firm, who had on contract award declared that services would be performed in the United States, proceeds to shift the performance of the services outside of the United States, the Firm shall be deemed in breach of the Agreement, unless the Director of the NJSDA Division of Procurement shall have first determined in writing that extraordinary circumstances require a shift of services or that a failure to shift the services would result in economic hardship to the NJSDA or the State.

9.4 Anti-Discrimination Requirements. In addition, the Firm shall not discriminate in employment and shall abide by all anti-discrimination laws including those contained within N.J.S.A. 10:5-1 *et seq.* and all rules and regulations issued there under, including N.J.A.C. 17:27-1 *et seq.* Accordingly, in a Notice of Award, a Firm shall be required to submit to the NJSDA, with its executed Agreement, a copy of one of the following three documents:

- (1) appropriate evidence that the contractor is operating under an existing Federally approved or sanctioned affirmative action program;
- (2) a certificate of employee information report approval issued in accordance with N.J.A.C. 17:27-4; or
- (3) an initial employee information report (Form AA302*) provided by the Affirmative Action Office and completed by the Firm in accordance with N.J.A.C. 17:27-4.

***The original of this document shall be provided to the New Jersey Department of Treasury. Please see following link for details: http://www.state.nj.us/treasury/contract_compliance/pdf/aa302ins.pdf**

9.5 Insurance and Indemnification. A successful Firm shall be required to provide evidence of the insurance coverages required in Section 5.1 of the Agreement, Attachment A to this RFP, at the time of execution of the Agreement. **This is a pre-award requirement. Do not submit with your Technical Proposal.**

9.6 Additional Information. NJSDA may request additional information as required under the Agreement, or pursuant to applicable policies, procedures or law.

ATTACHMENT A

INTERNAL AUDITING CONSULTANT SERVICES AGREEMENT

{Please see attached sheets}

ATTACHMENT B

KEY TEAM MEMBER LIST (NJSDA FORM 201)

{Please see attached sheets}

ATTACHMENT C

KEY TEAM MEMBER RESUME (NJSDA FORM 202)

{Please see attached sheets}

ATTACHMENT D

FEE PROPOSAL FORM

{Please see attached sheets}

ATTACHMENT E

MORAL INTEGRITY QUESTIONNAIRE

{Please see attached sheets}