

***REQUEST FOR PROPOSALS***  
*for*  
**BRIDGING DESIGN CONSULTANT SERVICES**  
*for*  
**MILLVILLE SENIOR HIGH SCHOOL AND  
LAKESIDE MIDDLE SCHOOL PROJECTS**

**SDA Project No.: ST-0045-A01**

**Issued Date: October 25, 2013**

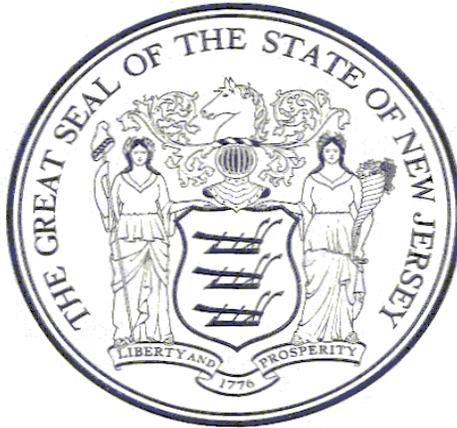
**Proposal Due Date: November 26, 2013**

**MANDATORY SITE VISIT**

**October 31, 2013, 1:30 PM**

**Millville Senior High School**

**200 North Wade Boulevard, Millville, NJ**



**SDA**

NJ SCHOOLS DEVELOPMENT AUTHORITY

**N.J. SCHOOLS DEVELOPMENT AUTHORITY**

1 West State Street, PO Box 991, Trenton, NJ 08625

**REQUEST FOR PROPOSALS  
FOR  
MILLVILLE SENIOR HIGH SCHOOL AND LAKESIDE MIDDLE SCHOOL  
PROJECTS**

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**INTRODUCTION**

The New Jersey Schools Development Authority (“NJSDA” or “Authority”) is seeking to procure Design Consultant services that will provide viable, cost-effective design solutions for the Millville Senior High School and Lakeside Middle School projects. This Request for Proposals (“RFP”) defines the steps needed for participation in this procurement, and is issued pursuant to the Authority’s regulations governing the procurement of professional services consultants, N.J.A.C. 19:38C-1 et seq.

The NJSDA intends to award a contract and enter into a “Bridging Design Consultant Services Agreement” (the “Agreement”) with the selected Firm and, upon satisfactory completion of all specified pre-award requirements, the selected Firm will be issued a Notice to Proceed with Predesign Services. Following completion and acceptance of Predesign Services, the NJSDA may, at its sole discretion, negotiate fees for remaining Bridging Design Consultant Services with the awarded Firm.

This Design Consultant Services RFP consists of the following:

1. **Request for Proposals**
2. **Attachment A: (Technical Proposal Forms):**
  - a. Team Design Consultant Experience Summary Form;
  - b. Team Design Consultant Experience Case Study Form;
  - c. Key Team Member List;
  - d. Key Team Member Resume Form;
  - e. Team Approach to Predesign Services and Development of Cost-Effective Alternatives Form;
  - f. Team Approach to Identification of Opportunities for Earlier Advancement of Work Form;
  - g. Team Approach to Effective Management of Resources Form;
  - h. Approach to SBE Participation Form; and
  - i. Disclosure of Investment Activities in Iran Form
3. **Attachment B: (Fee Proposal Forms)**
  - a. Fee Proposal Form; and
  - b. Detailed Predesign Fee Proposal Form; and
  - c. NJSDA SBE Form D.

4. **Attachment C: Bridging Design Consultant Services Agreement**
  - a. Appendix A: Project Description and Special Conditions with attachments
  - b. Appendix B: Predesign Services
  - c. Appendix C: Bridging Design Submission Requirements
  - d. Appendix D: Hourly Rate Schedule

These documents must be read in their entirety as they define the methodology for responding to this RFP, as well as describing the scope of services and responsibilities of the Design Consultant for the project. A firm wishing to submit a response to this RFP must review and be thoroughly familiar with all terms and conditions of these documents.

Any firm responding to this RFP must be prequalified by the Department of Treasury, Division of Property Management and Construction (“DPMC”) and the NJSDA in the Architecture discipline with a rating of UNLIMITED as of the due date for responses to this RFP. In addition, the responding firm must be prequalified by DPMC and NJSDA in the following required disciplines OR must identify as part of its Team subconsultants prequalified by DPMC and NJSDA in the following required disciplines as of the due date for this RFP:

- P002 Electrical Engineering
- P003 HVAC Engineering
- P004 Plumbing Engineering
- P005 Civil Engineering
- P007 Structural Engineering
- P011 Environmental Engineering
- P019 Building Commissioning
- P025 Estimating/Cost Analysis
- P037 Asbestos Design
- P038 Asbestos Safety Control Monitoring
- P040 Telecommunications
- P048 Security Systems

Additionally, responding firms must identify as part of their Team subconsultant(s) in the following discipline(s) who need not be DPMC or SDA prequalified:

- P045 Food Service

The foregoing identified subconsultant(s) shall be engaged by the responding firm.

In accordance with NJAC 19:38A-2.1, all subconsultants of any tier in the DPMC Disciplines listed below, whose contract is in an amount which is equal to or greater than \$500,000, must be prequalified by DPMC and the NJSDA.

- P001 Architecture
- P002 Electrical Engineering
- P003 HVAC Engineering

P004 Plumbing Engineering  
P005 Civil Engineering  
P007 Structural Engineering  
P011 Environmental Engineering  
P015 Land Surveying  
P029 Construction Management  
P038 Asbestos Safety Control Monitoring  
P066 - P103 Materials Testing Laboratories

Responses to this RFP, consisting of a Technical Proposal (one unbound original, three bound copies and two electronic copies in PDF format on CDs) and a Fee Proposal (one unbound original in a separate sealed envelope), must be received by the NJSDA Trenton Office by 5:00 PM Eastern Time on November 26, 2013.

**Mandatory Site Visit.** Any firm wishing to submit a proposal must attend a Mandatory Site Visit at 1:30 PM Eastern Time on October 31, 2013 at Millville Senior High School, 200 North Wade Boulevard, Millville, NJ.

**Questions from Interested Firms.** Firms may submit questions to the NJSDA by sending them by e-mail to James McElhenny at [jmcelhenny@njsda.gov](mailto:jmcelhenny@njsda.gov) no later than 5:00 PM Eastern Time on November 12, 2013. The questions and NJSDA answers will be provided electronically to each firm attending the Mandatory Site Visit.

**Ineligibility of Bridging Design Consultant to participate in subsequent Design-Build Procurement.** Participants in this Bridging Design Consultant Services procurement are hereby notified that the proposed Bridging Design Consultant engagement contemplates the preparation of Bridging Design Documents which will be used as the basis for a subsequent design-build procurement seeking a Design-Build team to perform completion of the project design and construction services for these projects.

Parties interested in participating in this Bridging Design Consultant Services procurement are advised that pursuant to N.J.A.C. 19:36-3.5 (“Conflicts of Interest”) **a professional consultant that has assisted the Authority in preparation of an RFQ or RFP for a design-build procurement shall not be permitted to participate in that procurement as a member of a Design-Build Team.**

“Professional Consultant” is defined to include individuals as well as firms that provide architectural, engineering or other services. “Preparation of an RFQ or RFP” is defined to include the preparation of the RFP and RFQ documents themselves, as well as plans, specifications, reports or other documents that are incorporated into a Project Manual or Design-Build Information Package that is part of an RFQ or RFP.

Accordingly, **the selected firm and all of its employees and/or consultants who perform Bridging Design Consultant services shall be ineligible to compete as a bidder or participate as a consultant or subconsultant to a bidder (or, with respect to individuals, as an employee of a bidder, consultant, or subconsultant) in the subsequent Design Build Contract procurement.** Failure to observe this prohibition shall result in disqualification of the conflicted consultant (firm or

individual) from any Proposed Design-Build Team, which may in turn result in rejection of the entire proposal that includes the ineligible consultant.

## **1.0 PROCUREMENT OVERVIEW**

**1.1 General.** This is a solicitation pursuant to the Authority’s regulations at N.J.A.C. 19:38C-1 et seq., seeking interested firms to provide Bridging Design Consultant Services for the Millville Senior High School and Lakeside Middle School projects in Millville, New Jersey.

**1.2 Selection Process.** Responsive Firms will be evaluated and scored by a Selection Committee on the basis of their written Technical Proposal submissions in response to this RFP. The Responsive Firms will be ranked on the basis of such scores, and a shortlist of the six most highly-ranked Firms will be determined and notified. The shortlisted Firms will participate in Interviews with the Selection Committee and will be separately scored on the basis of the Interview. The scores for the written Technical Proposal submission and the Interview will be averaged to arrive at a “Final Combined Score.”

Based on the final ranking of firms using the “Final Combined Scores,” the Authority will enter into negotiations with the most highly ranked Firm to arrive at a lump-sum fee for the specified design services consistent with the hourly rates established in the Agreement. Should the NJSDA be unable to negotiate a satisfactory lump-sum fee with the most highly-ranked Firm, the NJSDA shall terminate negotiations with the most highly-ranked Firm and shall then undertake negotiations with the second most highly-ranked Firm. Failing accord with the second most highly-ranked Firm, the NJSDA shall terminate negotiations with the second most highly-ranked Firm and shall then negotiate with the third most highly-ranked Firm. In the event that the NJSDA is unable to reach a satisfactory accord with any of the three most highly-ranked Firms, the NJSDA may select additional Firms in order of their ranking and continue negotiations until an accord is reached or, at its option, the NJSDA may reject all Proposals.

Following successful negotiation of a lump-sum fee, the selected Firm will be issued a Notice of Award for Bridging Design Consultant Services (the Agreement) and, upon satisfactory completion of all specified pre-award requirements, will be issued a Notice to Proceed with Predesign Services. Following completion and acceptance of Predesign Services, the NJSDA may, at its sole discretion, negotiate fees for remaining Bridging Design Consultant Services with the awarded Firm.

The NJSDA has no obligation to award a contract and reserves the right to waive any non-material defects, reject any or all responses for any reason in accordance with law, and/or terminate the selection process at any time.

**1.3 Components of Response.** Firms responding to the RFP shall thoroughly familiarize themselves with the RFP to ensure responsiveness in their submission. A conforming Technical Proposal shall consist of the following components:

1. Summary and Case Studies of Team Design Consultant Experience over the last five years providing similar services on projects of similar type, size and complexity (Forms provided in Attachment A);
2. Key Team Member List (Form 201 provided in Attachment A);
3. Key Team Member Resume Form for each identified Key Team Member (Form 202 provided in Attachment A);
4. Team Approach to Predesign Services and Development of Cost-Effective Alternatives (Form provided in Attachment A);
5. Team Approach to Identification of Opportunities for Earlier Advancement of Work (Form provided in Attachment A);
6. Team Approach to Effective Management of Resources (Form provided in Attachment A);
7. Approach to SBE Participation (Form provided in Attachment A); and
8. NJ Business Registration Certificate.

Firms shall also submit a Fee Proposal consisting of the following components in a separate sealed envelope marked “Fee Proposal, Bridging Design Consultant Services, Contract No. ST-0045-A01”:

1. Fee Proposal Form (Form provided in Attachment B);
2. Detailed Predesign Fee Proposal Form (Form provided in Attachment B); and
3. NJSDA SBE Form D (Form provided in Attachment B).

Fee Proposals will not be opened until after the review and scoring of Technical Proposals and interviews with selected firms.

All of the above items must be included in the submission, with responses utilizing the Authority’s Forms as indicated above.

**1.4 Evaluation Criteria and Scoring Process.** Each Firm’s Technical Proposal 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 three (3) 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:

- Team Design Consultant Experience
- Key Team Member Qualifications
- Team Approach to Predesign Services and Development of Cost-Effective Alternatives
- Team Approach to Identification of Opportunities for Earlier Advancement of Work
- Team Approach to Effective Management of Resources

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:

<b>Technical Proposal Evaluation Category</b>	<b>Weighting Factor (Applied to Raw Score)</b>	<b>Maximum Available Points for Category</b>
Team Design Consultant Experience	2.5	25
Key Team Member Qualifications	2.5	25
Team Approach to Predesign Services and Development of Cost-Effective Alternatives	2.0	20
Team Approach to Identification of Opportunities for Earlier Advancement of Work	2.0	20
Team Approach to Effective Management of Resources	1.0	10
<b>Total Points Available:</b>		<b>100</b>

For each Firm’s Technical Proposal, the individual category scores awarded by a particular Selection Committee member will be added together to calculate a score for that Technical Proposal. The maximum score for a Technical Proposal score is 100.

All of the scores awarded by the Selection Committee members to a particular Firm's Technical Proposal will be added together and averaged to arrive at a Final Technical Proposal Score for each Firm. The Responding Firms will be ranked based on their Final Technical Proposal Scores, and a shortlist of the six (6) highest-ranked Firms shall be determined. The shortlisted Firms will be notified to participate in interviews with the Selection Committee. If six or fewer Firms submit valid, responsive Technical Proposals, then all such Responding Firms will be invited to participate in interviews with the Selection Committee.

The Selection Committee will interview each of the shortlisted Firms and evaluate each Firm on Interview Criteria that are the same as those used in the evaluation of the Technical Proposals, as follows:

- Team Design Consultant Experience
- Key Team Member Qualifications
- Team Approach to Predesign Services and Development of Cost-Effective Alternatives
- Team Approach to Identification of Opportunities for Earlier Advancement of Work
- Team Approach to Effective Management of Resources

Each Selection Committee Member will evaluate each Firm's participation in the interview and assign a raw score for each Interview 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 Interview Category as indicated below:

<b>Interview Evaluation Category</b>	<b>Weighting Factor (Applied to Raw Score)</b>	<b>Maximum Available Points for Category</b>
Team Design Consultant Experience	2.5	25
Key Team Member Qualifications	2.5	25
Team Approach to Predesign Services and Development of Cost-Effective Alternatives	2.0	20
Team Approach to Identification of Opportunities for Earlier Advancement of Work	2.0	20
Team Approach to Effective Management of Resources	1.0	10
<b>Total Points Available:</b>		<b>100</b>

The weighted Interview Category scores awarded by a particular Selection Committee member will be added together to calculate an Interview Score for that Firm. The maximum Interview Score is 100.

All of the Interview Scores awarded to a particular Firm by the Selection Committee members will be added together and averaged to arrive at a Final Interview Score for each Firm. The Final Interview Score for each Firm will be added to the Final Technical Proposal Score for such Firm, and the two scores will be averaged to arrive at a Final Combined Score for each Firm. The maximum Final Combined Score is 100.

Once all the Final Combined Scores for all shortlisted Firms have been calculated, the Authority will open the sealed Price Proposals and will review them for responsiveness. Using the Fee Proposals as a guideline, the NJSDA shall negotiate a contract with the most highly ranked Firm at compensation that the NJSDA determines to be fair and reasonable. Should the NJSDA be unable to negotiate a satisfactory lump-sum fee with the most highly-ranked Firm, the NJSDA shall terminate negotiations with the most highly-ranked Firm and shall then undertake negotiations with the second most highly-ranked Firm. Failing accord with the second most highly-ranked Firm, the NJSDA shall terminate negotiations with the second most highly-ranked Firm and shall then negotiate with the third most highly-ranked Firm. In the event that the NJSDA is unable to reach a satisfactory accord with any of the three most highly-ranked Firms, the NJSDA may select additional Firms in order of their ranking and continue negotiations until an accord is reached or, at its option, the NJSDA may reject all Proposals.

Following successful negotiation of a lump-sum fee, the selected Firm will be issued a Notice of Award for Bridging Design Consultant Services (the Agreement) and, upon satisfactory completion of all specified pre-award requirements, will be issued a Notice to Proceed with Predesign Services. Following completion and acceptance of Predesign

Services, the NJSDA may, at its sole discretion, negotiate fees for remaining Bridging Design Consultant Services with the awarded Firm.

## **2.0 TECHNICAL PROPOSAL SUBMISSION REQUIREMENTS**

Following are detailed requirements for submission of Technical Proposals. Responding Firms are advised to adhere strictly to these requirements. Any materials which are not required or which exceed the specified submission requirements will not be considered in scoring. Firms are specifically advised that submission of proposed design solutions to the proposed project is not required.

As discussed below, submission requirements include demonstration of similar project experience. For purposes of this proposal, similar design experience shall include the scope of services described in the Agreement as modified and supplemented by Appendices A, B, and C. Similar projects may include, but are not limited to, the following:

- Projects of similar size
- Projects of similar complexity
- High School and Middle School Facility Projects
- Addition-Renovation Projects
- Multiple Facility Projects
- Design-Build Projects

### **2.1 Project Team Organizational Chart (0 Points – Required Submittal)**

The responding firm shall provide an Organizational Chart illustrating the organizational relationship of the responding Firm, all identified subconsultants, and all Key Team Members. The Project Team Organizational Chart must identify by name (not just by discipline) the firms responsible for services in all disciplines as required by this RFP; and must identify by name and firm all Key Team Members listed in Section 2.3 below.

### **2.2 Team Design Consultant Experience (25 Points)**

Team Design Consultant experience shall be evaluated based on the following submissions:

- (1) A brief summary of the Team's relevant design consultant experience within the last 5 years; and
- (2) At least three (3), but not more than five (5), specific case studies illustrating the Team's experience providing similar services on similar projects.

Team Experience Summary. The Team experience summary should highlight the Team's experience with providing similar design services on projects similar to the project scope described in Appendix A. The summary should describe the experience of the responding Firm, as well as the subconsultant members of the Team, and should highlight the experience of the responding Firm's working

relationship with the Team subconsultants on similar projects with a similar scope of services. The experience summary shall be limited to no more than 1,000 words.

Team Experience Case Studies. Utilizing the Case Study Form provided by the Authority, the responding Firm shall identify particular projects as examples (within the past 5 years) of the proposed Team's past provision of similar services for projects similar to the project scope described in Appendix A.

The case studies must concisely set forth the relevant information called for on the Case Study Form. Case studies may be based on contracts with public or private sector clients. The case study narratives should describe the experience of the responding Firm, and/or the experience of the subconsultant members of the Team, preferably in combination with the responding Firm.

The narrative should describe how the Firm worked with the client to identify, develop, and evaluate alternatives for addressing facility needs, and assisted in the determination of the most appropriate solution, and should describe situations in which the responding Firm or its Key Team Members performed Predesign services similar to those identified in Appendix B as well as similar design and construction phase services.

The Case Study Form must identify the name and address of the contracting entity for the case study project, 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 team's performance on each project. The narrative for each case study should be no more than 1,000 words.

### **2.3 Key Team Member Qualifications (25 Points)**

Key Team Member qualifications shall be evaluated based on the following submissions:

- (1) The responding Firm's Key Team Member List; and
- (2) Key Team Member Resumes.

Key Team Member List. Firms responding to this RFP must identify the Key Team Members, as defined in the Agreement and as identified below, who will be primarily responsible for performing and/or supervising the design services under the contract. The Key Team Members may include employees of the responding Firm, subconsultants and/or particular employees of named subconsultants, as applicable. Each responding Firm must complete and submit the Key Team Member List (NJSDA Form 201, provided in Attachment A), providing all the information requested on the form, continued onto additional sheets, if required.

The Key Team Member List shall include the following Key Team Members:

- Project Manager – Individual with overall responsibility for managing and coordinating the work of the Design Consultant Team

- Project Architect – Individual(s) responsible for leading architectural planning and design
- Educational Planner – Individual(s) responsible for leading educational programming, planning, and preparation of educational specifications
- Project Engineers (Civil, Structural, Electrical, HVAC, Plumbing, and Environmental) – Individuals responsible for leading engineering design
- IT/Security Systems Specialist – Individual(s) responsible for leading design of IT, communications, and security systems design
- Food Service Designer – Individual(s) responsible for food service planning and design
- E-Rate Specialist – Individual(s) responsible for E-Rate analysis and planning
- Commissioning Specialist – Individual(s) responsible for identification and specification of project building commissioning requirements

Key Team Member’s Resume and Experience. Utilizing the Key Team Member Resume Form (NJSDA Form 202, provided in Attachment A), Firms should provide a summary of each Key Team Member’s experience, which must include, but is not limited to: a description of at least 3 projects for which the Team Member in question fulfilled a role similar to that proposed for this contract. The cited projects must be completed within the last 5 years and should be similar to the project scope described in Appendix A.

#### **2.4 Team Approach to Predesign Services and Development of Cost-Effective Alternatives (20 Points)**

Utilizing the Authority’s Approach to Predesign Services and Development of Cost-Effective Alternatives Form (provided in Attachment A), the responding Firm shall submit a description of the Team’s approach to Predesign Services described in Appendix B and development and evaluation of alternative solutions to project requirements that recognize cost and schedule effectiveness as well as other considerations. The submission shall describe in detail the Team’s approach and methodology for verification of project requirements, and shall describe the Team’s approach to identification and development of proposed solutions to those requirements. The submission shall also describe the Team’s approach to evaluation of potential alternatives including, but not necessarily limited to consideration of cost, schedule, and phasing, as well as consideration of ongoing use and occupancy of the facilities during construction. The submission should also describe the Team’s approach to evaluating and determining code required improvements, including accessibility improvements, which may be triggered by renovation and/or new construction work. The narrative for the approach to Predesign services and development of cost-effective alternatives shall be no more than 1,000 words.

#### **2.5 Team Approach to Identification of Opportunities for Earlier Advancement of Work (20 Points)**

Utilizing the Authority’s Approach to Identification of Opportunities for Earlier

Advancement of Work Form (Provided in Attachment A), and based upon an understanding of the proposed scope of services and project scope, the responding firm shall submit a description of the Team's approach to identifying opportunities for earlier advancement of work. The submission shall describe in detail the Team's approach and methodology during the Predesign phase to identify components of the Work which could or should be advanced separate from or prior to the engagement of a Design-Builder. The narrative for the approach to earlier advancement of work shall be no more than 1,000 words.

## **2.6 Team Approach to Effective Management of Resources (10 Points)**

Utilizing the Authority's Team Approach to Effective Management of Resources Form (Provided in Attachment A), the responding firm shall submit a description of the Team's approach to staffing, budgeting and scheduling its predesign, design and design-build phase services. Specifically, please address the Team's approach to scheduling work and the processes and systems in place to ensure that work is completed on schedule. The narrative for the Team's Approach to Effective Management of Resources shall be no more than 500 words.

## **2.7 SBE Participation (0 Points – Required Submittal)**

The Authority may only recognize firms duly registered with the Department of Treasury, Division of Revenue as SBEs. There are three categories of SBE comparative sizes based upon average annual revenue for purposes of professional service contracts:

**Category 1:** firms with gross revenue not exceeding \$500,000

**Category 2:** firms with gross revenue not exceeding \$5,000,000

**Category 3:** firms with gross revenue not exceeding \$12,000,000

The selected Consultant shall be required to make good faith efforts to ensure that small business enterprises (SBEs) have the maximum practicable opportunity to participate in the performance of this engagement. A 25% target has been established pursuant to N.J.A.C.12A:10-1.1 et seq. and Executive Order 71 (2003). Firms shall be required to meet set-aside targets of 5% for Category 1, 5% for Category 2, 5% for Category 3 and the remaining 10% to be allocated among Categories 1, 2 and 3.

Utilizing the Authority's Approach to SBE Participation Form (Provided in Attachment A), and based upon an understanding of the proposed scope of services and project scope, the responding firm shall submit a description of the Team's approach to ensuring that the Authority's SBE participation goals will be met for the Predesign Phase, as well as the entire contract scope overall. The narrative for the approach to SBE participation shall be no more than 500 words.

In the event that a proposing firm names a Subconsultant for SBE purposes, and the Subconsultant is not registered as an SBE with the Department of Treasury, Division of Revenue at the time of proposal, the proposing firm must disclose that fact and explain how

and when the lack of registration shall be cured.

**If a firm fails to show that it will meet SBE subcontracting targets, it must document its good faith efforts to meet the targets, in accordance with the provisions of N.J.A.C. 17:13-1.1 et seq.**

A firm shall not be permitted to remove or substitute any firms listed on the Authority's SBE Form D without prior written approval from the Authority.

For more information on statewide listing of firms certified as small, woman and minority owned business enterprises and to learn more about the Standards of Eligibility to become registered as a "Small Business" contact the Business Services Call Center at 1-866-534-7789, or visit New Jersey's business web portal: <http://www.nj.gov/njbusiness/contracting>.

## **2.8 Business Registration Certification (0 Points – Required Submittal)**

Pursuant to N.J.S.A. 52:32-44(b), 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.

Business registrations of proposed subconsultants, if any, are NOT required to be included in a firm's Proposal.

However, if a firm is selected as a Consultant, it must require all of its subcontracted firms to provide it with a copy of each such sub-consultant's business registration, which the Consultant must forward to the NJSDA. 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.

Firms may obtain New Jersey Business Registration assistance by going on-line to [www.state.nj.us/treasury/revenue/gettingregistered.shtml](http://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.

## **2.9 Fee Proposal (0 Points – Required Submittal)**

Firms shall also submit a Fee Proposal consisting of the following components in a separate sealed envelope marked "Fee Proposal, Bridging Design Consultant Services, Contract No. ST-0045-A01":

- (1) Fee Proposal Form (Form provided in Attachment B);
- (2) Detailed Predesign Fee Proposal Form (Form provided in Attachment B); and
- (3) NJSDA SBE Form D (Form provided in Attachment B).

1. Fee Proposal Form – The responding firm must provide all required information,

including proposed Predesign Services fees for each of the projects which are part of this package and a total lump sum fee proposal including any specified allowances.

2. Detailed Predesign Fee Proposal Form – Following the instructions included with the Form, the responding firm shall provide a detailed breakdown of proposed fees for Predesign Services for each of the projects included in this package.
3. NJSDA SBE Form D - The firm must submit a completed Authority SBE Form D, identifying all SBE firms proposed for use in performance of Predesign Services to meet (or exceed) the set-aside targets. Please note that any firm identified as an SBE must be registered as such with the Department of Treasury, Division of Revenue when the firm submits its proposal, in the revenue category specified.

Fee Proposals will not be opened until after the review and scoring of Technical Proposals and interviews with selected firms.

All of the above items must be included in the submission, with responses utilizing the Authority's Forms as indicated above.

#### **2.10 Disclosure of Investment Activities in Iran Form (0 Points – Required Submittal)**

Using the form provided by the NJSDA, the firm must submit a Disclosure of Investment Activities in Iran Form, pursuant to Public Law 2012, c. 23 (codified at N.J.S.A. 52:32-55 et. seq.) (the "Act"). Pursuant to the Act, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract with the New Jersey Schools Development Authority ("NJSDA") must complete a Certification which states that the person or entity, or one of the persons or entity's parents, subsidiaries, or affiliates, is not identified on a list created and maintained by the New Jersey Department of the Treasury ("Treasury") as a person or entity engaging in investment activities in Iran. Such a Certification must be in the form attached hereto, and included with the completed Technical Proposal. Failure to submit such Certification will result in the disqualification of the bid and rejection of the Technical and Price Proposals.

#### **3.0 DELIVERY AND MAILING REQUIREMENTS**

The firm must deliver Technical and Fee Proposals in response to this RFP no later than **5:00 PM Eastern Time on November 26, 2013** as follows:

***If submitting by hand or overnight delivery, at the:***

NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY  
32 East Front Street  
Trenton, New Jersey 08625-0991  
Attention: James McElhenny, Sr. Procurement Analyst  
Subject: Bridging Design Consultant Services – ST-0045-A01

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

NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY  
P.O. Box 991  
Trenton, New Jersey 08625-0991  
Attention: James McElhenny, Sr. Procurement Analyst  
Subject: Bridging Design Consultant Services – ST-0045-A01

Submissions received after the date and time listed above will not be forwarded to the Selection Committee for review.

**Faxed or e-mailed Proposals shall not be accepted.**

**4.0 PRE-AWARD REQUIREMENTS**

After completion of the RFP process and determination of the successful Firm, the NJSDA shall require the following additional information prior to the award of the contract:

**4.1 Subconsultant Business Registration Certification.** Proof of valid business registration with the Division of Revenue of the New Jersey Department of the Treasury (the “Division of Revenue”) for all subconsultants must be provided to the Authority. **This is a pre-award requirement. Do not submit Subconsultant Business Registration Certifications with your Qualifications and Technical Proposal.**

**4.2 Campaign Contributions Disclosure and Contracting Ineligibility.** The NJSDA and participants in this procurement are subject to the provisions of P.L. 2005, c. 51 (enacting N.J.S.A. 19:44-20.13 to -20.25, and amending and supplementing N.J.S.A. 19:44A-20.1 *et seq.*) which impose restrictions on State agencies and independent authorities to insulate the procurement, negotiation and award of state contracts from the risk or appearance of improper influence in connection with political contributions. Additionally, this procurement is subject to the terms of Executive Order No. 117 (2008), 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”), and limits contributions to certain political candidates and committees by for-profit business entities that are, or seek to become, State government vendors.

The provisions of Chapter 51 and Executive Order No. 117 (2008) make political contributors ineligible for award of state contracts for specific periods of time depending on the nature of the contribution. 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.

**a. Certification and Disclosure Forms.** 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.

b. **Firm's Continuing Obligation to Comply with P.L. 2005, c. 51.** The Firm shall be required on a continuing basis to disclose and report to NJSDA any contributions made during the contract term by the Business Entity on forms provided by NJSDA, at the time it makes the contribution.

**4.3 Annual Political Contributions Disclosure Statement.** 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-20.18 and 20.19 (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](http://www.elec.state.nj.us).

**4.4 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 are met. If, during the term of the contract, the Consultant 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 Consultant shall be deemed in breach of the Agreement, unless the NJSDA Procurement Director 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.

**4.5 Anti-Discrimination Requirements.** In addition, the Consultant 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. 17:27-1.1 et seq. **Accordingly, in a notice of award, a firm shall be required to submit to the NJSDA, with its executed Agreement, 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. 17:27-4.2; or
- (3) an initial employee information report (Form AA302)\* provided by the Affirmative Action Office and completed by the contractor in accordance with N.J.A.C. 17:27-4.2.

\*The original of the Form AA302 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](http://www.state.nj.us/treasury/contract_compliance/pdf/aa302ins.pdf)

- 4.6 Firm's Proposal for SBE Set-Aside Targets (SBE Forms C and D).** The Authority may only recognize firms duly registered with the Department of Treasury, Division of Revenue as SBEs. There are three categories of SBE comparative sizes based upon average annual revenue for purposes of professional service contracts:

**Category 1:** firms with gross revenue not exceeding \$500,000

**Category 2:** firms with gross revenue not exceeding \$5,000,000

**Category 3:** firms with gross revenue not exceeding \$12,000,000

The selected Consultant shall be required to make good faith efforts to ensure that small business enterprises (SBEs) have the maximum practicable opportunity to participate in the performance of this engagement. A 25% target has been established pursuant to N.J.A.C.12A:10-1.1 et seq. and Executive Order 71 (2003). Firms shall be required to meet set-aside targets of 5% for Category 1, 5% for Category 2, 5% for Category 3 and the remaining 10% to be allocated among Categories 1, 2 and 3.

The firm must submit a completed Authority SBE Form D, identifying all SBE firms proposed for use on the engagement to meet (or exceed) the set-aside targets. Please note that any firm identified as an SBE must be registered as such with the Department of Treasury, Division of Revenue when the firm submits its proposal, in the revenue category specified. All Subconsultants must submit a completed Authority SBE Form C, confirmation statement of SBE status, to the proposing firm for submission to the Authority.

In the event that a proposing firm names a Subconsultant for SBE purposes, and the Subconsultant is not registered as an SBE with the Department of Treasury, Division of Revenue at the time of proposal, the proposing firm must disclose that fact and explain how and when the lack of registration shall be cured.

**If a firm fails to show that it will meet SBE subcontracting targets, it must document its good faith efforts to meet the targets, in accordance with the provisions of N.J.A.C. 17:13-1.1 et seq.**

A firm shall not be permitted to remove or substitute any firms listed on the Authority's SBE Form D without prior written approval from the Authority.

For more information on statewide listing of firms certified as small, woman and minority owned business enterprises and to learn more about the Standards of Eligibility to become registered as a "Small Business" contact the Business Services Call Center at 1-866-534-7789, or visit New Jersey's business web portal: <http://www.nj.gov/njbusiness/contracting>.

- 4.7 Insurance and Indemnification.** A successful Firm shall be required to provide evidence of the insurance coverages required in Section 12.1 of the Agreement, Attachment C to this RFP, at the time of execution of the Agreement. This is a pre-award requirement. Do not submit with your Technical Proposal.
- 4.8 Additional Information.** NJSDA may request additional information as required under the Agreement, or pursuant to applicable policies, procedures or law.