

May 5, 2008

**To:** ALL CONSULTANTS

**Subject:** REQUEST FOR EXPRESSIONS OF INTEREST  
ORDER FOR PROFESSIONAL SERVICES No. P3180  
SUPERVISION OF CONSTRUCTION SERVICES FOR CONTRACT NO. P200.096  
INTERIM SHOULDER REPAIR & MISCELLANEOUS SAFETY IMPROVEMENTS  
MILEPOST 89.7 TO MILEPOST 96.1

The New Jersey Turnpike Authority (Authority) invites Expressions of Interest (EOIs) for a Simple project from engineering firms prequalified and eligible in the following Profile Code:

Profile Code(s)	Description
B-153	Roadway Construction Inspection

Attached is a list of all consultants currently prequalified and eligible to submit an EOI for the above referenced assignments. Consultant teams that meet all of the Profile Code requirements are also eligible to submit an EOI.

To qualify as a prequalified consultant, a firm **must** have on file with the Authority a current "Professional Service Prequalification Questionnaire" (PSPQ) package prior to submission of the EOI. A current PSPQ is one that has been on file with the Authority for no more than 24 months. Only those firms who have been prequalified for the type of service this project entails will be considered. Prequalification is not required for subconsultants.

The Authority shall be seeking participation of Small Business Enterprises (SBE) as subconsultants. The project goal is 25% SBE participation to New Jersey Businesses (see Section X of the Attachment to the Expression of Interest for the program provisions)

This solicitation is for professional services required to provide supervision of construction services for interim shoulder repairs and miscellaneous safety improvements between Milepost 89.7 to Milepost 96.1 along the Garden State Parkway to ensure that the subject contract is completed in accordance with the Contract Plans and Specifications.

## Project Description

Construction work to be performed under Contract No. P200.096 shall consist of interim shoulder repair and miscellaneous safety improvements between Milepost 89.7 and Milepost 96.1 along the Garden State Parkway, including embankment, grading, clearing, seeding, guide rail installation and other related work. The estimated construction cost for Contract No. P200.096 is approximately \$5 million.

Project background materials (preliminary plans, studies, reports, etc.) will be available for review from 9:00 a.m. to 4:00 p.m., Monday through Friday, at the Authority's Administration Building in Woodbridge. Viewing of these documents will be by appointment only. To make an appointment please call John Ferrandino at 732-750-5300, extension 8220.

**Consultants are advised that these materials are for REVIEW ONLY. Consultants are not permitted, nor have access to, or will be allowed to use the copy machines for any reproduction of reference materials made available by the Authority.**

## EOI Submission Requirements

To be considered for these services, qualified firms or joint ventures of prequalified firms need to submit 5 copies of their EOI, which must contain the following:

- 1) **Letter of Interest** not exceeding five (5) single-sided, letter-sized pages with minimum 1-inch borders and minimum font size of 10 pt., stating the firm's interest, ability and its commitment to complete the requested professional services listed in this solicitation and in their EOI.

The Letter of Interest shall summarize the following information:

- a. **Experience of the Firm on Similar Projects**  
Provide a list of the firm's experience on similar projects.
- b. **Experience of the Resident Engineer on Similar Projects**  
The Resident Engineer should highlight details of the projects in his/her resume. References shall be furnished for each project listed (include at least one contact name and phone number for each project).
- c. **Key Personnel's Qualifications and Relevant Experience**  
Key personnel should highlight details of qualifications and relevant experience on similar projects.
- d. **Understanding of the Project and the Authority's Needs**  
Provide an explanation of the firm's understanding of the tasks required for the successful completion of the assignment as described herein. Provide a summary of the firm's and its staff's qualifications, and state how they relate to the firm's ability to provide the requested services. Through attached organizational chart and resumes identify the person(s), or subconsultant(s), responsible for each division of the assignment and their relevant experience. Demonstrate through an attached estimate of work-hours the extent of work effort required to perform each primary task for the assignment.

**e. Approach to the Project**

Identify the project's critical path and key milestones. Identify the major tasks comprising the project and describe in detail how they may be accomplished. Provide an explanation of the process the firm will use to schedule, manage and perform the required tasks within the scope of services. Provide a list of key issues and potential problems with reliable solutions, if applicable. Include innovative concepts with cost benefits and/or accelerated project delivery.

**f. Commitment and Ability to Perform the Project**

Provide an affirmation of the firm's commitment and ability to complete the proposed work and outstanding work with the Authority. Through the attached forms, Disclosure Form – Outstanding Work with the Authority and Certification of Team Commitment, and an explanation of the anticipated project schedule demonstrate that the firm has adequate staff resources and management ability to perform the required services. Include a listing of the firm's facilities, including the address of the office where the project will be performed, and how they relate to the firm's ability to provide the requested services.

**g. Commitment to Quality Management**

Provide an affirmation of the firm's commitment to quality management. Provide a written narrative that describes the firm's quality assurance policy and how it intends to implement a quality assurance program for the project.

**h. Attainment of Small Business Enterprise (SBE) Participation Goals**

The Authority has adopted a Small Business Enterprise Sub-Consultant's Program (the SBE Program). Under the SBE Program, Firms interested in submitting an EOI for this project agree to make a good faith effort to award at least twenty-five (25) percent of this OPS to those businesses that meet the requirements and have been registered by the New Jersey Commerce & Economic Growth Commission as a Small Business Enterprise. All Firms are bound to and must comply with the SBE Program as set forth in the standard Agreement for Professional Services. Proof of a subconsultant's registration, as a SBE should be provided to the Authority with the EOI. To obtain a list of registered Small Business Enterprises, contact Commerce at 609-292-2146 or 609-777-0885.

- 2) An **organizational chart** showing key project team members for all primary tasks, including subconsultants. Provide all team members' names, titles and reporting relationships.
- 3) **Resumes for the Resident Engineer and each key project team member**, (a maximum total of 5) detailing relevant experience and professional/technical qualifications. Include resumes of proposed subconsultants. Each resume should be one page single-sided.
- 4) A **detailed estimate of the work-hours** per task and by ASCE Grade/ Classification, along with an estimate of total hours, to provide the work described herein.
- 5) A completed **Affidavit of Eligibility/Disclosure of Material Litigation form** (which is available on the Authority's website) for review by the Authority's legal counsel. Firm shall certify that it is not suspended, disbarred or disqualified from bidding on any state or federal projects. Furthermore, no litigation shall be pending or brought against the firm that could materially affect its ability to perform the OPS described herein. Firm shall submit a description of all litigation pending, threatened or brought against it, including any litigation against its owners and/or principals; and shall also submit a description of any enforcement actions or penalties pending or assessed by any regulatory agency having jurisdiction over permit compliance, worker health and safety, or labor laws, as these issues relate to performance of the OPS described herein.

- 6) A completed **Disclosure Form – Outstanding Work with the Authority** (which is available on the Authority's website) stating all outstanding work with the Authority. State "none" on the form if firm has no outstanding work with the Authority. Disclosure Forms shall be submitted for all Sub-Consultants.
- 7) A completed **Certification of Staff Availability form** (which is available on the Authority's website). Firm shall certify that the staff proposed in the EOI shall be used in the performance of the project. When proposing the same staffing in multiple EOIs, disclose one of the following:
  - A. A statement that all projects utilizing same staff will be completed on time and how this will be done, or
  - B. A statement that the firm voluntarily withdraws one of the EOIs from further consideration if the Authority is giving serious consideration to more than one EOI, or
  - C. Alternate staff resumes to be used by the Authority in evaluating EOIs if the Authority is giving serious consideration to more than one EOI.
- 8) A completed **SBE Form – Proposed Schedule of Small Business Enterprise Participation Form** (which is available on the Authority's website). Stating the firm's intention to use SBE Certified firms as sub-consultants.

EOIs that are incomplete will not be considered.

The NJTA has promulgated a Code of Ethical Standards pursuant to the laws of the State of New Jersey, a copy of which is available at: [http://www.state.nj.us/turnpike/code\\_of\\_ethics.doc](http://www.state.nj.us/turnpike/code_of_ethics.doc). By submitting an EOI, your firm will be subject to the intent and purpose of said Code and to the requirements of the Division on Ethical Standards of the State of New Jersey.

Expressions of Interest are limited to a total of twelve (12) single-sided pages, exclusive of a brief transmittal letter, the Affidavit of Eligibility/Disclosure of Material Litigation form, the Disclosure Form - Outstanding Work with the Authority, Certification of Staff Availability form, Estimate of Work Hours and the SBE form. Pages in excess of twelve (12) will not be considered. This page limitation shall be increased to sixteen (16) pages if the Consultant must exercise Option C above. The additional four (4) pages shall include information for alternate staffing as follows:

1. An alternative organization chart not exceeding one (1) single-sided page showing key personnel names, position, title and reporting relationships.
2. One page, single-sided resume for up to two (2) alternative key project personnel stating relevant experience including dates of assignments and professional qualifications.
3. Allowance for one (1) single-sided letter size page, if necessary, to explain the Consultants approach to the project if it would be handled differently as a result of utilizing the alternative personnel.

The Consultant shall not include alternative staffing in their Expression of Interest unless they are required to do so in accordance with Option C. If included in the EOI, the proposed alternative staffing information shall be contained in a separate section of the EOI. It shall not be considered by the Authority in the scoring of the EOI until a point determined to be appropriate by the Authority, if required. The information shall be presented in an organized fashion and shall be categorized in accordance with the preceding submission requirements. Foldout sheets will not be permitted.

**Expressions of Interest must be submitted no later than 2:00 p.m. on May 28, 2008.** Consultants will be fully responsible for the delivery of their EOIs. Reliance upon U.S. Mail or other carriers is at the Consultant's risk. Late EOIs will not be considered. EOIs hand delivered or delivered by an overnight delivery service shall be addressed to:

**New Jersey Turnpike Authority  
581 Main Street  
Woodbridge, NJ 07095  
Attn: Engineering Department  
Rod Simon, Project Engineer**

Expressions of Interest transmitted via U.S. Mail should be addressed to:

**New Jersey Turnpike Authority  
P.O. Box 5042  
Woodbridge, NJ 07095-5042  
Attn: Engineering Department  
Rod Simon, Project Engineer**

### **Inquiries**

Inquiries pertaining to this RFEOI are to be directed, in writing, to Rod Simon, Project Engineer, Construction Division, New Jersey Turnpike Authority, P.O. Box 5042, Woodbridge, New Jersey 07095-5042. E-mail inquiries to [rsimon@turnpike.state.nj.us](mailto:rsimon@turnpike.state.nj.us) are acceptable. Inquiries by FAX are also acceptable. The Fax number is (732) 750-5392. **The deadline for inquiries is May 16, 2008.** The Authority will respond to all written inquiries received. Each inquiry will be stated and a written response provided. **Responses will be posted on the Authority's Internet website at [www.state.nj.us/turnpike/buss](http://www.state.nj.us/turnpike/buss) under "Professional Services" on or before May 20, 2008.** Consultants will be responsible for submitting their EOIs in accordance with the RFEOI and any modifications, revisions and/or clarifications thereto as a result of the posted responses. Late inquiries may not be reviewed or considered.

### Consultant Selection

A consultant selection will be made from the EOIs that are received on time and are deemed complete. A Review Committee will evaluate the technical qualifications and experience of each firm and its project team, and will rank the firms. The evaluation and ranking of the EOIs will serve as a method by which to create a short list of firms most highly qualified to perform the project, who will receive requests for Fee proposals.

The EOIs will be evaluated and ranked on the basis of numerical scores resulting from pre-established weighted factors. For this project, the rating factors and their relative weights are:

RATING FACTORS	WEIGHT %
Experience of the Firm on Similar Projects.	15
Resident Engineer's Qualifications and Relevant Experience.	15
Key Personnel's Qualifications and Relevant Experience.	15
Understanding the Project and the Authority's Needs.	15
Approach to the Project (the Estimate of Hours will be Evaluated Under this Rating Factor).	15
Firm's Commitment and Ability to Perform the Proposed Work and Outstanding Work with the Authority.	10
Commitment to Quality Management.	10
Attainment of SBE Participation Goals.	5
	100%

Following the review of the submitted EOIs, the Authority will request fee proposals from at least three (3) firms it deems the most qualified and will commence negotiations with such technically qualified firms in the order ranked. The short listed firms will be notified at the completion of the review process, regarding their status.

All submittals required pursuant to P.L. 2005, c.51 (formerly Executive Order 134) will be requested from the Intended Awardee only. This includes a Certification and Disclosure form completed by each business entity, the Ownership Disclosure form and the Executive Summary of Procurement to be Awarded. The required forms will be transmitted to the Intended Awardee by the Authority via mail or fax and returned to the Authority within five business days.

## Order for Professional Services Agreement

Final OPS Documents shall consist of the Authority's Order for Professional Services Agreement (which is available on the Authority's website) and the selected firm's submitted EOI and Fee Proposal.

The OPS will not be entered into by the Authority unless the firm first provides proof of valid business registration in compliance with P.L. 2001, c.134 (N.J.S.A. 52:32-44). Pursuant to this law the firm is further notified that no subcontract shall be entered into by any firm under any OPS with the Authority unless the subconsultant first provides proof of valid business registration.

Very truly yours,

### ORIGINAL SIGNED BY

Richard J. Raczynski, P.E.  
Chief Engineer

RJR:RS:sc  
Attachments

cc: J. L. Williams  
M. Garofalo  
R. Simon  
Review Committee  
File

**Attachments  
to the  
Solicitation for Expressions of Interest**

**Dated May 5, 2008  
for  
Order for Professional Services No. P3180  
Supervision of Construction Services for  
Contract No. P200.096  
Interim Shoulder Repair & Miscellaneous Safety Improvements  
Milepost 89.7 to Milepost 96.1**

**TABLE OF CONTENTS**

<u>Section No.</u>	<u>Section Title</u>
I.	Prequalified and Eligible Consultants
II.	Administrative and Agreement Information
III.	OPS Procurement Schedule
IV.	Scope of Services
V.	Staffing Schedule
VI.	Compensation Basis
VII.	Affidavit of Eligibility/Disclosure of Material Litigation form*
VIII.	Disclosure Form – Outstanding Work with the Authority*
IX.	Certification of Staff Availability form*
X.	Small Business Enterprise Sub-Consultant Program
XI.	Small Business Enterprise (SBE) form*
XII.	Affirmative Action Regulations form* (included for informational purposes only; to be completed by selected firm when the OPS is awarded)
XIII.	State Contractor Political Contributions Compliance (P.L. 2005, Chapter 51) {Formerly Executive Order 134}

\*All forms are available on the Authority's website at [www.state.nj.us/turnpike/buss](http://www.state.nj.us/turnpike/buss)

**SECTION I**  
**PREQUALIFIED AND ELIGIBLE CONSULTANTS**

1. Alaimo Group
2. AmerCom Corporation
3. Ammann & Whitney Consulting Engineers, P.C.
4. Armand Corporation
5. Arora & Associates, P.C.
6. BANC3, Inc.
7. Birdsall Engineering, Inc.
8. Boswell Engineering
9. Buchar-Horn, Inc.
10. Carter & Burgess, Inc.
11. CH2M Hill
12. Churchill, P.C.
13. CME Associates
14. CMX
15. Consolidated Construction Management Services Corp.
16. Dewberry-Goodkind, Inc.
17. DMJM+Harris, Inc.
18. French & Perrello Associates, P.A.
19. Gannett Fleming, Inc.
20. Greenman-Pedersen, Inc.
21. HAKS Engineers, P.C.
22. Hatch Mott MacDonald
23. Hill International, Inc.
24. HNTB Corporation
25. IH Engineers, P.C.
26. C.V. Associates NY
27. Jacobs Engineering Group, Inc.
28. KMA Consulting Engineers, P.C.
29. KS Engineers, P.C.
30. Kupper Associates
31. LiRo Engineers, Inc.
32. MaGuire Group, Inc.
33. Maitra Associates, P.C.
34. Malick & Scherer, P.C.
35. Medina Consultants, P.C.
36. Michael Baker, Jr., Inc.
37. NAIK Consulting Group, P.C.
38. PB Americas, Inc.
39. PBS&J
40. Promatech, Inc.
41. Remington Vernick Engineers
42. RIG Consulting, Inc.
43. SJH Engineering, P.C.
44. Stantec Consulting Services, Inc.
45. Stone & Webster, Inc. A Shaw Group Company
46. STV Incorporated
47. T & M Associates
48. Tectonic Engineering & Surveying Consultants
49. The Louis Berger Group, Inc.
50. The RBA Group
51. TRC Engineers, Inc.
52. U.S. International Services, Ltd.
53. Urban Engineers, Inc.
54. URS Corporation

## SECTION II ADMINISTRATIVE AND AGREEMENT INFORMATION

### **Professional Corporation**

Incorporated firms that have not filed a copy of a Certificate of Authorization, as required by N.J.S.A. 45: 8-56, with the Authority must include a copy of the Certificate with the EOI.

Professional service corporations established pursuant to the "Professional Service Corporation Act," P.L. 1969, c. 232 (N.J.S.A. 14A: 17-1 et seq.), are exempt from this requirement.

### **Signatures**

Expressions of Interest, Technical Proposals and Fee Proposals must be signed by an officer of the Firm authorized to make a binding commitment.

### **Incurring Costs**

The AUTHORITY shall not be liable for any costs incurred by any consultant in the preparation of their EOI.

### **Addendum to EOI Solicitations**

If, at any time prior to receiving EOIs, it becomes necessary to revise any part of this EOI solicitation, or if additional information is necessary to enable a firm to make an adequate interpretation of the provisions of this EOI solicitation, an addendum to the EOI solicitation will be made available on the Authority's web-site as described herein.

### **Acceptance of EOIs**

The Authority may award an OPS for these services to a firm that the Authority determines best satisfies the needs of the Authority. The solicitation for an EOI or Technical Proposal does not, in any manner or form, commit the Authority to award any OPS. The contents of the EOIs may become a contractual obligation, if, in fact, the EOI or Technical Proposal is accepted and an OPS is entered into with the Authority. Failure of a firm to adhere to and/or honor any or all of the obligations of this EOI - Technical Proposal may result in cancellation of any OPS awarded by the Authority.

### **Rejection of EOIs**

The Authority shall not be obligated at any time to award an OPS to any consultant.

### **Final Contract**

Any OPS entered into with a selected Consultant shall be a contract that shall be satisfactory to the Authority in accordance with the laws of the State of New Jersey. It is understood that any OPS that may be awarded will be on the basis of a professional services agreement within the intent of the statutes and laws of the State of New Jersey, specifically N.J.S.A. 27:23-6.1.

**Dissemination of Information**

Information included in this document or in any way associated with this project is intended for use only by the Consultant and the Authority, and is to remain the property of the Authority. Under no circumstances shall any of said information be published, copied or used by the Consultant, except in replying to this EOI solicitation.

**News Releases**

No news releases pertaining to this project to which it relates shall be made without Authority approval and then only in coordination with the issuing office and the Authority's Director of Communications.

**Public Records**

Any EOI or Technical Proposal submitted by a firm under this EOI solicitation constitutes a public document that will be made available to the public upon request. Should the Consultant believe that any portion of the EOI is non-disclosable pursuant to law, it may take appropriate action to protect those interests.

**SECTION III  
OPS PROCUREMENT SCHEDULE**

**SUPERVISION OF CONSTRUCTION SERVICES FOR CONTRACT NO. P200.096  
INTERIM SHOULDER REPAIR & MISCELLANEOUS SAFETY IMPROVEMENTS  
MILEPOST 89.7 TO MILEPOST 96.1**

<u>Milestone</u>	<u>Date(s)</u>
Date of Solicitation for EOIs.....	May 5, 2008
Deadline for Consultant Inquiries.....	May 16, 2008
Responses to Inquiries to be Posted by.....	May 20, 2008
Deadline for Submission of EOIs.....	May 28, 2008
Request/Receive Fee Proposals from Consultants.....	June 17, 2008
Authority Approval/OPS Award.....	July 22, 2008
Notice to Proceed.....	August 2008

## SECTION IV SCOPE OF SERVICES

### I. SUBJECT OF WORK

- A. The work set forth herein is to be known as the Scope of Services to be rendered for Order for Professional Services, No. P3180, Supervision of Construction Services for Contract No. P200.096, Interim Shoulder Repair & Miscellaneous Safety Improvements, Milepost 89.7 to Milepost 96.1 along the Garden State Parkway.
- B. This work shall include engineering services covering all construction supervision of the said construction work as described herein, together with providing the necessary personnel, equipment, transportation and main office facilities to facilitate in every way the performance of such inspection and coordination of construction in accordance with the Authority's Construction Manual.
- C. The construction work to be performed under Construction Contract P200.096 consists of interim shoulder repair & miscellaneous safety improvements between Milepost 89.7 and Milepost 96.1 along the Garden State Parkway, including embankment, grading, clearing, seeding, guide rail installation and other related work as detailed in the Construction Contract Documents. The Authority anticipates awarding Contract No. P200.096 at the July 22, 2008 Commission Meeting.
- D. The estimated value of Construction Contract No. P200.096 is approximately \$5,000,000 and the estimated duration for construction is six (6) months.

### GENERAL

The Consultant shall provide services which will include, but not be limited to, inspecting all work to ensure that it is done in compliance with the Contract Plans and Specifications, inspecting all construction materials to be used at the site to ensure compliance with the Contract Plans and Specifications, obtaining certifications of all manufactured materials, maintaining as-built information and the preparation of "as-built" plans, and all such other services as may be required to furnish a complete engineering service of high quality. The construction supervision services shall be provided in accordance with the Authority's Construction Manual.

Specifically, the Consultant further agrees to:

1. Assume responsibility for the full time inspection of construction, and assign sufficient experienced, responsible personnel to man a project of this nature and size. The quality and extent of detail of the field inspection provided shall ensure proper control and shall meet with the approval of the Authority.
2. The Consultant is required to designate a part-time Project Manager for the project. The Project Manager or a Principal of the firm shall be a Professional Engineer licensed in the State of New Jersey. It is expected that the Project Manager attend the Preconstruction Meeting, along with an orientation with the Authority's Engineering and Operations Departments. The Project Manager must be available should incidents occur that are critical in nature. This includes responding to calls from the Turnpike staff to be present in the field to observe and/or assist with incidents that affect Turnpike traffic. These call-outs may be at night, and the Project Manager must be reachable 24-hours a day.

3. Provide a full time Resident Engineer during all periods of construction activity to perform construction inspection and administrative services for cost control, progress control and quality control. The Resident Engineer shall be a Licensed Professional Engineer in the State of New Jersey or N.I.C.E.T. (National Institute for the Certification of Engineering Technicians) Level 4 Certified. Said Engineer must be experienced in the Administration, Supervision and Inspection of Turnpike/Parkway or Interstate highway projects.

The Resident Engineer must have ten (10) years of construction related experience, at least half of which has been at the Resident Engineer level.

The Resident Engineer or person in responsible charge shall have a cellular phone in his possession at all times for his use in communicating with the Authority's Project Engineer and the Authority personnel involved in lane closing operations.

The Duties of the Resident Engineer shall include, but not be limited to, the following:

- A. Conduct and or attend the Pre-Construction Meeting and other meetings as directed by the Authority.
- B. Coordinate lane closing requests from the Contractor.
- C. Instruct all testing laboratories hired by the Authority as to testing needs and to review all testing reports.
- D. Inspect all construction materials to be used at the site to ensure compliance with the Plans and Specifications.
- E. Review material certifications, as required.
- F. Inspect all construction activities to ensure quality of workmanship.
- G. Provide full-time construction supervision during resurfacing operations (as applicable).
- H. Maintain daily records of the numbers and classification of workers employed by the Contractors using the Authority's CapEx Manager system.
- I. Prepare and approve monthly Certificates of Payment using the Authority's CapEx Manager System.
- J. Prepare and recommend for payment any and all contract Change Orders that may be required. Prepare independent cost estimates for supplemental and or extra work resulting from design or field contract revisions. Negotiate prices with Contractors for changes resulting from design or field contract revisions.
- K. Prepare daily reports of all construction and engineering field work using the Authority's CapEx Manager System.

- L. Prepare and forward, to the Authority, weekly quantity summaries for each item of the contract.
- M. Prepare bi-weekly narrative of progress problems, if any, for transmittal to the Chief Engineer.
- N. Review and approve the Contractor's progress schedule.
- O. Review and approve all testing laboratory invoices.
- P. Maintain records covering running totals of quantities and costs while construction is in progress.
- Q. Review, approve and process all shop drawings, catalog cuts and methods of work and equipment.
- R. Maintain daily records of the type and size of equipment used on all construction operations using the Authority's CapEx Manager system.
- S. Review traffic protection procedures.
- T. Perform tests required to ensure material compliance with the Plans and Specifications.
- U. Review and approve lane closing request forms prepared by the Contractor prior to submitting forms to the Authority for final approval.
- V. Ensure that the Contractor complies with all local, state and federal laws, ordinances, rules, regulations or orders, as provided by the Contract. Review the Contract Documents and familiarize himself/herself with, and verify in the field, all evident Electronic Toll Collection (ETC) facilities (in particular installation of fiber optic cable and its ancillary facilities) and any relocation and/or protection requirements identified in the Contract Documents.

The Resident Engineer shall also be familiar with the Contractor's requirements to comply with the "One Call Law" and the N.J. Board of Public Utilities Excavator Handbook for damage prevention of buried utilities. The One Call System can be reached by dialing 1-800-272-1000 a minimum of three (3), but no more than ten (10) business days in advance of excavation work or other activity that may adversely affect the ETC facilities.

Review with the Contractor, at the Preconstruction Meeting, the Contract requirements for working at and/or in the vicinity of Authority ETC facilities.

A FIBER OPTIC CABLE CONTRACT DOCUMENT REVIEW CERTIFICATION Form FOC 2/22/00 shall be completed and signed by the Resident Engineer and delivered to the Authority no less than three (3) days prior to the Preconstruction Meeting. This document is found on the Turnpike Authority's website under Professional Services, under the section entitled, "Supplemental Forms."

4. Conduct a Preconstruction Meeting, attend all meetings called by the Authority and convene job meetings with the Contractor, as required.
5. Review any Contractor's claims and make recommendations with regard to payment of such claims, if requested by the Authority, except as hereinafter provided. Where the performance of such review requires unreasonable time and personnel and is considered by the Authority as "Extra Work", the Authority may increase the payment to the Consultant and, therefore, the Consultant shall be paid equitably for such services and expenses as may be mutually agreed upon by the Consultant and the Authority.
6. Furnish accurate "as-built" construction drawings to the Authority within thirty (30) calendar days of the Final Inspection, on mylars provided by the Authority.
7. Participate in the final inspection of the completed work, measure all pay items of work and certify that the work has been completed in accordance with the Plans and Specifications, and that the final estimate of payment to the Contractor is correct.
8. Provide N.I.C.E.T. Certified Inspectors during all periods of construction activity. The duties of the Inspectors shall include, but not be limited to the following:
  - a) Inspect all construction materials to be used at the site to ensure compliance with plans and specifications.
  - b) Inspect all construction activities to ensure quality of workmanship.
  - c) Maintain daily records of the numbers and classification of workers employed by the Contractors using the Authority's CapEx Manager system.
  - d) Prepare daily reports of all construction and engineering field work using the Authority's CapEx Manager system.
  - e) Prepare and forward to the Authority weekly quantity summaries for each item of the contract, with an appropriate format.
  - f) Maintain records covering running totals of quantities and costs while construction is in progress.
  - g) Maintain daily records of the type and size of equipment used on all construction operations using the Authority's CapEx Manager system.
  - h) Review traffic protection procedures.
  - i) Attend meetings or conferences as directed by the Authority.
  - j) Perform tests required to ensure material compliance with the Plans and Specifications.

9. Perform all on-site testing and inspection using qualified inspectors and technicians, or arrange to have the on-site testing and inspection performed by an approved testing agency. In either case, the qualifications of those performing the testing and inspection shall be approved by the CHIEF ENGINEER. On-site testing and inspection shall be performed in accordance with the Authority's Construction Manual.
10. Visually inspect all construction material delivered to the site and incorporated in the work for compliance with the contract requirements; obtain Manufacturer's Certificates of Compliance for all products.
11. Arrange for all off-site inspection and testing services utilizing a commercial testing laboratory as designated by the CHIEF ENGINEER. Direct and coordinate with the laboratory the type, range and number of tests to be taken in accordance with the NJTA Standard Specifications dated 2004, the contract's Supplementary Specifications and the Authority's Manual for Construction.
12. Review and recommend, for payment, all testing laboratory invoices.
13. Notify the CHIEF ENGINEER of any additional testing or inspection necessary to ensure compliance with the Specifications. The CHIEF ENGINEER shall have sole right to decide if such additional testing and inspection is required and, if required, he will also decide if such testing and inspection is "on-site" or "off-site."

**SECTION V  
 STAFFING SCHEDULE**

OPS No. P3180  
 Supervision of Construction Services for Contract No. P200.096  
 Interim Shoulder Repair & Miscellaneous Safety Improvements  
 Milepost 89.7 to Milepost 96.1

Classification (ASCE-Grade N.I.C.E.T. Level)	Pre-Construction	Construction	Post Construction	Total Hours
Project Manager ( PT )				
Resident Engineer, P.E., NICET Level IV ( FT )				
Inspector, NICET III ( FT )				
CAD Operator ( PT )				
Survey Crew ( PT )	--	20	20	40
Total Hours				

Note: The above chart is intended to act as a guide. The Consultant shall modify and expand Classifications and tasks such as Signing and Lighting, Drainage, Utility Relocations, etc as required to meet project needs.

## SECTION VI COMPENSATION BASIS

Following a review of submitted Expressions of Interest, the Authority will request Fee Proposal(s) from the firm(s) it deems most qualified.

The Fee Proposal shall be submitted as a cost-plus fee, based on reimbursement of direct professional and technical salaries, except Corporate Officers, Partners, Owners and routine secretarial and clerical services, times a multiplier, not to exceed 2.2 plus direct expenses and subconsultant services, at cost. The multiplier shall not be applied to the premium portion of overtime. When Corporate Officers, Partners, Owners and/or Principals are required to provide services in a technical capacity, their salary rates shall be limited to a maximum of \$75.00 per hour. The multiplier covers all overhead and profit. No expenses or costs shall be billed unless specifically included in this EOI Solicitation.

The Fee Proposal when requested, shall detail time (hours) and direct salary data for classifications conforming to ASCE Professional and Technical Grades, as shown on the staffing schedule and as modified by the Consultant to account for all required services. The ceiling amount shall be estimated to the nearest \$5,000.

Salaries shall be charged at the Consultant's hourly rates. The Consultant is responsible for managing the assignment, adhering to the number of hours, salary rates and personnel, as presented in the Expression of Interest and Fee Proposals. Individual standard and overtime rates must be approved by the Authority's Chief Engineer or the Chief Engineer's designated representative prior to commencement of work or whenever the Consultant proposes that an individual's rate be changed during the term of this OPS, provided such change is reflected in the Consultant's Fee Proposal. Except for overtime worked on construction supervision during permissible contract working hours, approval of overtime must be issued by the Authority. The Fee Proposal shall follow and reflect the staffing schedule as shown in Section IV.

Direct expenses shall include approved subconsultant services, mileage, photographic film, film developing and printing. Mileage will be paid at the prevailing rate. Mileage and tolls will be reimbursed for travel between the field office and the job site and return. Any change to this rate is subject to the approval of the New Jersey Turnpike Authority.

Subconsultant services are those required services performed by other firms at the Consultant's direction. These services in excess of \$5,000 must be approved in advance by the Authority.

Average rate per classification/grade will not be permitted to determine total labor costs. The Consultant shall list each individual proposed for the project and include the hours and hourly pay rate. If cost of living or merit increases are anticipated during the life of the project, the rates shall be increased accordingly with a statement as to the percent increase included. If such statement is not provided, wage rate increases for cost of living or merit will not be approved.

**SECTION VII**  
**AFFIDAVIT OF ELIGIBILITY / DISCLOSURE OF MATERIAL LITIGATION**

STATE OF \_\_\_\_\_

ss:

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_ the \_\_\_\_\_  
(Principal of the Firm, Print Name) (Title)

of \_\_\_\_\_, being first duly sworn, deposes and affirms:  
(Print Name of Firm)

1. That \_\_\_\_\_ (Firm) wishes to demonstrate its eligibility to do business with the New Jersey Turnpike Authority (Authority) or any state or the federal government agency, and to disclose material litigation in accordance with the Authority's solicitation for Expressions of Interest in connection with the professional services required for Order for Professional Services No. P3180.
2. That the undersigned, being authorized to act on behalf of the Firm, certifies that I am personally acquainted with the operations of the Company, have full knowledge of the factual basis comprising the contents of this Affidavit and that the same are true to my knowledge.
3. That the Firm is not listed on the "Report of Suspensions, Debarments and Disqualifications of Firms and Individuals" published by the State of New Jersey Department of the Treasury in accordance with New Jersey Executive Orders No. 34 (1976) and 189 (1988), and neither the Firm nor its Principals, Owners, Officers, or Directors are collectively or individually suspended, debarred or otherwise declared ineligible from doing business with the Authority or any state or the federal government, for any other reason except as follows (if none, so state; attach additional sheet if necessary):
4. That as of the date of signing this Affidavit, neither the Firm, nor any of its Principals, Owners, Officers, or Directors are involved in any litigation, pending, threatened or brought against them, that could materially affect its ability to perform the OPS, except as follows (if none, so state; attach additional sheet if necessary):
5. That as of the date of signing this Affidavit, neither the Firm, nor any of its Principals, Owners, Officers, or Directors have any enforcement actions or penalties pending or assessed on them by any regulatory agency having jurisdiction over permit compliance, worker health and safety, or labor laws, as these issues relate to performance of the OPS, except as follows (if none, so state; attach additional sheet if necessary):

6. That, to the best of my knowledge, the Firm and its employees have not had access to any confidential information of the Authority, which was not made available to all firms.
7. That all statements contained in the Firm's Expression of Interest for the OPS and in this Affidavit are true and correct, and are made with full knowledge that the Authority relies upon the truth of the statements herein contained in awarding the OPS.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature

Subscribed and sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Notary Public of the State of \_\_\_\_\_

My commission expires \_\_\_\_\_, 20\_\_\_\_\_.



**SECTION IX  
CERTIFICATION OF STAFF AVAILABILITY**

I certify on the behalf of \_\_\_\_\_,  
(Print Name of Firm)

that the staff proposed in this Expression of Interest, in connection with the professional consulting services required for the Order for Professional Services, OPS No. P3180, will be used in the performance of this OPS, and will be available for assignment to this OPS as of the anticipated OPS start date through its anticipated completion.

When proposing the same staffing, project manager and/or key project team members, on multiple Expressions of Interest, I further certify one of the following.

- A. \_\_\_\_\_ All projects utilizing same staff, or portions thereof, will be completed on time. If applicable, provide statement of how this will be done:
  
  
  
  
  
  
  
  
  
  
- B. \_\_\_\_\_ The Firm voluntarily withdraws one of the Expressions of Interest from further consideration if the New Jersey Turnpike Authority is giving serious consideration to more than one Expression of Interest.
  
  
- C. \_\_\_\_\_ Alternate staff resumes are provided herewith and shall be used in evaluating the Expression of Interest if the New Jersey Turnpike Authority is giving serious consideration to more than one Expression of Interest.
  
  
- D. \_\_\_\_\_ Not applicable.

CONSULTANT

\_\_\_\_\_  
Signature (Principal of the Firm)

\_\_\_\_\_  
Print Name & Title

\_\_\_\_\_  
Date

**SECTION X**  
**NEW JERSEY TURNPIKE AUTHORITY**  
**SMALL BUSINESS ENTERPRISE SUBCONSULTING PROGRAM**

It is the policy of the New Jersey Turnpike Authority (the "Authority") that Small Business Enterprises ("SBE") as determined and defined by the New Jersey Commerce and Economic Growth Commission ("Commerce Commission") and the Department of the Treasury ("Treasury") in N.J.A.C. 12A:10A-1 et seq. have the opportunity to compete for and participate in the performance of consultant services. The Authority is seeking participation of these SBEs for the issuance of certain Orders for Professional Services (OPS). Your Expression of Interest (EOI) must include a goal of awarding at least twenty-five (25%) percent of the total value of the OPS to subconsultants who are registered with the Commerce Commission as a SBE. The Consultant must submit proof of its subconsultant's SBE registration. In the event that the Consultant cannot comply with the goal set forth above, prior to the time of the award, the Consultant must demonstrate to the Authority's satisfaction that a good faith effort was made to accomplish the above stated goal.

In order for the Authority to monitor and report SBE participation during the course of the OPS pursuant to N.J.A.C. 17:14-5.2, the consultant shall submit evidence of SBE participation in a form acceptable to the Authority, with each invoice for payment. Invoices for Payment submitted without the completed SBE Form will not be processed.

If the Consultant, for any reason, at any time during the course of the OPS, intends to make any additions, deletions or substitutions to the list of firms on the SBE form submitted to the Authority, the Consultant shall submit such proposed changes for approval. Any such proposed changes must comply with the requirements and procedures set forth herein.

Evidence of a "good faith effort" includes, but is not limited to:

1. Consultant shall request a listing of small businesses from the Commerce Commission and the Authority and attempt to contact same;
2. Consultant shall keep specific records of its efforts, including the names of businesses contacted and the means and results of such contacts, receipts from certified mail and telephone records;
3. Consultant shall provide proof of solicitations of SBEs for their services, including advertisements in general circulation media, professional service publications and minority and women focus media;
4. Consultant shall provide evidence of efforts made to identify work categories capable of being performed by SBEs;
5. Consultant shall provide all potential subconsultants with detailed information regarding the project description;
6. Consultant shall attempt, wherever possible, to negotiate lower prices with potential SBE subconsultants which submitted higher than acceptable fee estimates; and
7. Efforts made to use the services of available community organizations, consultant groups, and local, state and federal agencies that provide assistance in the recruitment and placement of SBEs.

Consultant shall maintain adequate records to document their efforts and will provide same to the Authority upon request.

**SECTION XI**

OPS No. P3180

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

**NEW JERSEY TURNPIKE AUTHORITY  
 SBE FORM – PROPOSED SCHEDULE OF SMALL BUSINESS ENTERPRISE PARTICIPATION**

NAME & ADDRESS OF SBE (SUB)CONSULTANT/SUPPLIER	CLASSIFI- CATION	TYPE OF WORK TO BE PERFORMED	PROJECTED DATE OF COMMENCEMENT & COMPLETION	ESTIMATED PERCENTAGE OF (SUB)CONSULTANT WORK

(Attach additional sheet if necessary)

\_\_\_\_\_  
 Prime Consultant (print name)

\_\_\_\_\_  
 Prime Consultant's SBE Liaison Officer

\_\_\_\_\_  
 Telephone Number

**All Consultants must complete and submit this form with their EOI and may be requested to submit evidence of each SBE's certification.**

**SECTION XII**  
**AFFIRMATIVE ACTION REGULATIONS**  
**P.L. 1975, C. 127 (NJAC 17:27)**  
**PROFESSIONAL SERVICE AGREEMENTS**

Pursuant to P.L. 1975, c. 127 (N.J.A.C. 17:27) all Consultants negotiating for a professional service agreement with the Authority are required to comply with the following requirements.

Prior to the time the OPS Agreement is submitted for execution by the Authority, the Consultant is required to present one of the following three documents to the Authority:

- (a) An existing federally approved or sanctioned affirmative action program.
- (b) A Certificate of Employee Information Report Approval.
- (c) If the Consultant cannot present "a" or "b", the Consultant is required to submit a completed Affirmative Action Employee Information Report (Form AA 302). This form will be made available to Consultants upon request.

The Consultant shall complete information requested below and return this form with the appropriate documents required above within 7 days of receipt of notice of the Authority's acceptance of their proposal.

1. Name & Address of Firm: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Do you have a federally approved or sanctioned Affirmative Action Program?  
Yes \_\_\_\_\_ No \_\_\_\_\_  
(a) If yes, please submit a copy of a valid letter of approval of your firm's Affirmative Action Program from the Office of Federal Contract Compliance Programs

3. Do you have a State Certificate of Employee Information Report Approval?  
Yes \_\_\_\_\_ No \_\_\_\_\_  
(a) If yes, please submit a copy of such certificate.

4. Information is being provided for Award of OPS, OPS No.: \_\_\_\_\_ P3180 \_\_\_\_\_

**SECTION XIII**  
**State Contractor Political Contributions Compliance**  
**Public Law 2005, Chapter 51**  
**(Formerly Executive Order 134)**

In order to safeguard the integrity of State government procurement by imposing restrictions to insulate the award of State contracts from political contributions that pose the risk of improper influence, purchase of access, or the appearance thereof, Executive Order 134 was signed on September 22, 2004 ("EO 134"). The Order is applicable to all State agencies, the principal departments of the executive branch, any division, board, bureau, office, commission within or created by a principal by a principal executive branch department, and any independent State authority, board, commission, instrumentality or agency. Executive Order 134 was superseded by Public Law 2005, c.51, signed into law on March 22, 2005. The Executive Order, and the subsequent legislation, contains additional restrictions and reporting requirements that will necessitate a thorough review of the provisions. Pursuant to the requirements of PL 2005, c.51, the terms and conditions set forth in this section are material terms of any OPS resulting from this RFEOI or RFP:

**Definitions**

For the purpose of this section, the following shall be defined as follows:

- a) **Contribution** – means a contribution reportable as a recipient under "The New Jersey Campaign Contributions and Expenditures Reporting Act." P.L. 1973, c. 83 (C.10:44A-1, et. seq.), and implementing regulations set forth at N.J.A.C. 19:25-7 and N.J.A.C. 19:25-10.1, et. seq. As of January 1, 2005, contributions in excess of \$300 during a reporting period are deemed "reportable" under these laws.
- b) **Business Entity** – means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other state or foreign jurisdiction. It also includes (i) all principals who own or control more than 10 percent of the profits or assets of a business entity or 10 percent of the stock in the case of a business entity that is a corporation for profit, as appropriate; (ii) any subsidiaries directly or indirectly controlled by the business entity; (iii) any political organization organized under 26 U.S.C.A. 527 that is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee; and (iv) if a business entity is a natural person, that person's spouse or child, residing therewith.

**Violation of Terms of P.L. 2005, c.51**

It shall be a violation of the terms of P.L. 2005, c.51 for the Business Entity to (i) make or solicit a contribution in violation of this Order; (ii) knowingly conceal or misrepresent a contribution given or received; (iii) make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution; (iv) make or solicit any contribution on the condition or with the agreement that it will be contributed to a campaign committee or any candidate or holder of the public office of Governor, or to any State or county party committee; (v) engage or employ a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any contribution, which is made or solicited by the business entity itself, would subject that entity to the restrictions of P.L. 2005, c.51; (vi) fund contributions made by third parties, including consultants, attorneys, family members, and employees; (vii) engage in any exchange of contributions to circumvent the intent of P.L. 2005, c.51; or (viii) directly or indirectly through or by any other person or means, do any act which would subject that entity to the restrictions of P.L. 2005, c.51.

### **Certification and Disclosure Requirements**

The Authority shall not enter into a contract to procure from any Business Entity services or any material, supplies or equipment, where the value of the transaction exceeds \$17,500, if that Business Entity has solicited or made any contribution of money, or pledge of contribution, including in-kind contributions to a candidate committee and/or election fund of any candidate for or holder of the public office of Governor, or to any State or county political party committee during specified time periods as set forth in the P.L. 2005, c.51.

Accordingly, the Business Entity(s) shall submit a Certification(s) certifying no contributions prohibited by P.L. 2005, c.51 have been made by the Business Entity. A separate Certification is required for each person or organization defined above as a Business Entity.

Furthermore, prior to awarding any contract or agreement to any Business Entity, the Business Entity proposed as the intended awardee of the contract shall report all contributions the Business Entity made during the preceding four years to any political organization organized under 26 U.S.C. 527 of the Internal Revenue Code that also meets the definition of a "continuing political committee" within the meaning of N.J.S.A. 19:44A-3(n) and N.J.A.C. 19:25-1.7, as set forth in the P.L. 2005, c.51. A separate Disclosure is required for each person or organization defined above as a Business Entity.

In order to further simplify the P.L. 2005, c.51 compliance process, a combined Certification and Disclosure Form can be utilized to satisfy the above requirements. It is to be submitted following a notice of intent to award or prior to contract award.

The intended awardee must also submit an Ownership Disclosure form and The Executive Summary of Procurement to be Awarded form.

All forms will be requested from the intended awardee only. The necessary forms will be transmitted to the intended awardee by the Authority via mail or fax. These documents will then be completed by the intended awardee and returned to the Authority within five business days.

### **State Treasurer Review**

The State Treasurer or his/her designee, shall review all forms submitted pursuant to this P.L. 2005, c.51, as well as any other pertinent information concerning the contributions or reports thereof that may be requested of the intended awardee or contractor prior to award or during the term of the contract, respectively. If the State Treasurer determines that any contribution or action by the intended awardee or contractor violates the terms of the P.L. 2005, c.51, the State Treasurer shall disqualify the Business Entity from award of such contract or shall terminate the existing contract.