

December 17, 2008

To: ALL CONSULTANTS

**Subject: REQUEST FOR EXPRESSIONS OF INTEREST
ORDER FOR PROFESSIONAL SERVICES NO. T3177
SUPERVISION OF CONSTRUCTION SERVICES FOR CONTRACT NOS.
T200.086, RESURFACING, MILEPOST 0 TO 74 AND
T200.114, MEDIAN INLET REPAIRS, MILEPOST 0 TO 83**

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 Codes:

Profile Code(s)	Description(s)
B-153	Roadway Construction Inspection
B-154	Roadway Resurfacing Inspection

Attached is a list of all consultants currently prequalified and eligible to submit an EOI for the above referenced assignment. 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 the resurfacing between Milepost 0 and 74 and median inlet repairs between Milepost 0 and 83 on the Turnpike Roadway to ensure that the subject contracts are completed in accordance with the Contract Plans and Specifications. It is the Authority's intent to engage the services of one firm to provide the professional services required for the construction supervision of both construction contracts at an estimated total construction cost of \$15,000,000.00.

Project Description

The work to be performed under Contract No. T200.086, which is expected to be awarded at the Authority's March 2009 Commission Meeting, shall consist of pavement rehabilitation and miscellaneous repairs between Milepost 0 and 74 along the Turnpike Roadway. The estimated construction cost for Contract No. T200.086 is \$10,000,000. The work to be performed under Contract No. T200.114, which is expected to be awarded at the April 2009 Commission Meeting, shall consist of median inlet repairs between Milepost 0 and 83 along the Turnpike Roadway. The estimated construction cost for Contract No. T200.114 is \$5,000,000.

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 Engineers on Similar Projects**
Both Resident Engineers 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 Engineers and each key project team member**, (a maximum total of 7) 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. 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.

EOIs are limited to a total of thirteen (13) pages (single-sided), excluding 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 thirteen (13) will not be considered. This page limitation shall be increased to Twenty-Two (22) pages if the Consultant must exercise Option C above. The additional nine (9) 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 seven (7) 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 January 20, 2009. 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
John D. Ernst, 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
John D. Ernst, Project Engineer**

Inquiries

Inquiries pertaining to this RFEOI are to be directed in writing to John D. Ernst, Project Engineer, New Jersey Turnpike Authority, P.O. Box 5042, Woodbridge, New Jersey 07095-5042. E-mail inquiries to jernst@turnpike.state.nj.us are acceptable. Inquiries by FAX are also acceptable. The Fax number is (732) 750-5292. **The deadline for inquiries is January 6, 2009.** 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 under "Professional Services" on or before January 13, 2009.** 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.	20
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	5
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 and Executive Order 117 (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, the *Executive Summary of Procurement to be Awarded*, the *Certification on Behalf of a Company, Partnership or Organization and All Individuals whose Contributions are Attributable to the Entity Pursuant to Executive Order 117 (2008)*, as well as the *Individual Certification of Compliance with Executive Order No. 117 (2008)* form.

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:JDE:sc
Attachments

c: J. L. Williams
M. Garofalo
J. D. Ernst
Review Committee
File

ATTACHMENTS

to the

Solicitation for Expressions of Interest

Dated December 17, 2008

for

**Order for Professional Services No. T3177
Supervision of Construction Services for
Contract No. T200.086
Resurfacing, Milepost 0 to 74
And
Contract No. T200.114
Median Inlet Repairs, Milepost 0 to 83**

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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 and Executive Order 117) {Formerly Executive Order 134}

*All forms are available on the Authority's website at 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. Buchart-Horn, Inc.
10. C.V. Associates NY: P.E., L.S., P.C.
11. CH2M Hill
12. Churchill, P.C.
13. CME Associates
14. CMX
15. Dewberry-Goodkind, Inc.
16. DMJM+Harris, Inc.
17. French & Parrello Associates, P.A.
18. Gannett Fleming, Inc.
19. Greenman-Pedersen, Inc.
20. HAKS Engineers, P.C.
21. Hatch Mott MacDonald
22. Hill International, Inc.
23. HNTB Corporation
24. IH Engineers, P.C.
25. Jacobs Engineering Group Inc.
26. KS Engineers, P.C.
27. Kupper LLC
28. LiRo Engineers, Inc.
29. MaGuire Group, Inc.
30. Maitra Associates, P.C.
31. Malick & Scherer, P.C.
32. Mast Construction Services, Inc.
33. Medina Consultants, P.C.
34. Michael Baker, Jr., Inc.
35. NAIK Consulting Group, P.C.
36. PB Americas, Inc.
37. Promatech, Inc.
38. Remington & Vernick Engineers
39. RIG Consulting, Inc.
40. Savin Engineers, P.C.
41. SJH Engineering, P.C.
42. Stantec Consulting Services, Inc.
43. Stone & Webster, Inc.
44. STV Incorporated
45. T & M Associates
46. Tectonic Engineering & Surveying Consultants, P.C.
47. The Louis Berger Group, Inc.
48. TRC Engineers, Inc.
49. Urban Engineers, Inc.
50. Urbitran Associates, Inc.
51. 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 Media Relations Coordinator.

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

<u>Milestone</u>	<u>Date(s)</u>
Date of Solicitation for EOI's.....	December 17, 2008
Deadline for Consultant Inquiries.....	January 6, 2009
Responses to Inquiries to be Posted by.....	January 13, 2009
Deadline for Submission of EOI's.....	January 20, 2009
Request/Receive Fee Proposals from Consultants.....	February 16, 2009
Authority Approval/OPS Award.....	March, 2009
Notice to Proceed.....	April, 2009

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 the Order for Professional Services, OPS No. T3177, Supervision of Construction Services for Contract No. T200.086, Resurfacing, Milepost 0 to 74 and Contract No. T200.114, Median Inlet Repairs, Milepost 0 to 83 along the Turnpike Roadway.
- 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, and in accordance with the Authority's Construction Manual.
- C. The construction work to be performed under Construction Contract T200.086 consists of resurfacing separate work areas between Milepost 0 and 74 along the Turnpike Roadway. The construction work to be performed under Construction Contract No. T200.114 consists of median inlet repairs between Milepost 0 and 83 along the Turnpike Roadway. The Authority anticipates awarding Contract No. T200.086 at the March 2009 Commission Meeting and Contract No. T200.114 at the April 2009 Commission Meeting.
- D. The estimated value of Construction Contract No. T200.086 is approximately \$10,000,000 and the estimated duration for construction is five (5) months. The estimated value of Construction Contract No. T200.114 is approximately \$5,000,000 and the estimated duration for construction is ten (10) 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 for projects of this nature and size. The quality, extent of details 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 Project Manager for the project. The Project Manager or 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 Meetings, 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. For each contract, 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 must meet one of the following minimum qualification criteria:

(A) Ten years of full-time experience, acceptable to the Authority, involved in roadway construction and/or roadway resurfacing projects, five years of which shall have been spent full-time on construction contracts in the capacity of Resident Engineer.

(B) Five years of full-time experience, acceptable to the Authority, involved in roadway construction and/or roadway resurfacing projects, three years of which shall have been spent full-time on construction contracts in the capacity of Resident Engineer, and certification by the National Institute for Certification in Engineering Technologies (NICET) as a Transportation Engineering Technician, Highway Construction, Level IV.

For Contract T200.086, the Resident Engineer must also have successfully completed the asphalt concrete pavement construction course administered by the New Jersey Society of Asphalt Technologists.

Each Resident Engineer or person in responsible charge at both job sites 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 (for both projects) 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 Consultant or 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.
- 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 811 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. All "As-Built" deliverables shall be in accordance with the Authority's "NJTA Design Guide for the development of CADD files" which can be found on the Authority's website.
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 for Contract T200.086. Field Inspectors must have successfully completed the Asphalt Concrete Pavement Construction course administered by the New Jersey Society of Asphalt Technologists. 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. Provide field and plant inspections of the construction and provide quality assurance of bituminous concrete, including a bound report of test results.
- a. 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.
 - b. Furnish equipment for making on-site tests, except that equipment for the design and control of bituminous mixes shall be provided at the plant by the Contractor.
 - c. 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.
 - d. 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.

- e. There shall be at least one plant inspector and one testing technician to perform the testing and inspection at each bituminous concrete batch plant. The plant inspector shall check the truck weights, trucks for cleanliness, stock piles, screens, temperatures and the overall plant operation. The materials technician shall perform the testing of the various bituminous mixes, which shall include a minimum of one hot bin sample for combined gradation per day and additional testing as required by the New Jersey Turnpike Authority's Standard Specification dated 2004 and as amended by the Contracts Supplementary Specifications.
- f. Review and recommend, for payment, all testing laboratory invoices.
- g. 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 of such testing and inspection is "on-site" or "off-site."

**SECTION V
 STAFFING SCHEDULE**

OPS No. T3177
 Supervision of Construction Services for Contract No. T200.086
 Resurfacing, Milepost 0 to Milepost 74
 And
 Contract No. T200.114
 Median Inlet Repairs, Milepost 0 to 83

Classification (ASCE-Grade N.I.C.E.T. Level)	Pre-Construction	Construction	Post Construction	Total Hours
Project Manager (PT)				
Resident Engineer (FT) T200.086				
Inspector, NICET III (FT) T200.086				
Inspector, NICET II (FT) T200.086				
Resident Engineer (FT) T200.114				
Inspector, NICET III (FT) T200.114				
Inspector, NICET II (PT) T200.114				
CADD Operator (PT)				
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. Average rate 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.

**Corporate officers are defined as all officers required or permitted pursuant to the New Jersey Business Corporation Act (N.J.A.C. 14A:1 et seq.) which includes a president, secretary, treasurer, chairman of the board, and vice presidents. Corporate officers are also defined as all officers created by the business entity's by-laws, resolutions or other legal action. This could include, but not be limited to, chief finance officer and chief executive officer. Partners, owners and/or principals are defined as any person with an equity interest in the business entity whether or not such a person is an officer, however, they may be equity owners, and, as such, would qualify under this exclusion.*

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.

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. T3177.
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 VIII DISCLOSURE FORM – OUTSTANDING WORK WITH THE AUTHORITY

The purpose of this form is to disclose the outstanding work a firm has with the New Jersey Turnpike Authority (Authority). Outstanding work is defined as all work a firm anticipates billing the Authority in the next 18 months. Work to be performed by Subconsultants shall not be included. However, work a firm performs as a Subconsultant should be included. Include recent Consultant Selections, all executed OPS', Letters of Intent and On-Call Consultant Assignments. Generally, firms with the most billings will receive a lower rating than firms with lesser billings.

The Review Committee will only consider workload at the time of reviewing this Expression of Interest for selection and/or short listing. If this project requires a Technical Proposal, workload will not be considered again.

All consultants must complete and submit this form with their Expression of Interest. List each OPS separately. Attach additional pages if necessary. State "none" if firm does not have any outstanding work with the Authority.

Disclosure

Total outstanding work anticipated to be invoiced in the next 18 months from the date of this Expression of Interest letter:

<u>OPS No.</u>	<u>Description - Title</u>	<u>OPS Award Amount</u>	<u>Amount Outstanding</u>
1)			
2)			
3)			
4)			
5)			
TOTAL \$ _____		TOTAL \$ _____	

The undersigned certifies that the foregoing information regarding outstanding work is true and accurate as of the date of signing this disclosure form. I am aware that if any of the foregoing information provided herein is willfully false, I am subject to punishment as provided by law.

Certification: _____
 (Print Name of Firm)

 (Signature, Principal of the Firm)

Date: _____

 (Print Name & Title)

**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. T3177, 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. T3177: _____

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.: _____ T3177

SECTION XIII
State Contractor Political Contributions Compliance
Public Law 2005, Chapter 51 and Executive Order 117
(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.19:44A-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. Through December 31, 2004, contributions in excess of \$400 during a reporting period were deemed "reportable" under these laws. As of January 1, 2005, that threshold was reduced to contributions in excess of \$300.

- 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 legal commercial entity organized under the laws of New Jersey or any other state or foreign jurisdiction. The definition of a business entity 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 section 527 of the Internal Revenue Code 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 in the same household.

BREACH OF TERMS OF THE LEGISLATION

It shall be a breach of the terms of the contract for the Business Entity to (i)make or solicit a contribution in violation of the Legislation, (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 of 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 if made or solicited by the business entity itself, would subject that entity to the restrictions of the Legislation; (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 the Legislation; 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 the Legislation.

CERTIFICATION AND DISCLOSURE REQUIREMENTS

a) The State shall not enter into a contract to procure from any Business Entity services or any material, supplies or equipment, or to acquire, sell or lease any land or building, 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 certain specified time periods

b) Prior to awarding any contract or agreement to any Business Entity, the Business Entity proposed as the intended awardee of the contract shall submit the Certification and Disclosure form, certifying that no contributions prohibited by the Legislation have been made by the Business Entity and reporting 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 mean of N.J.S.A. 19:44A-3(n) and N.J.A.C. 19:25-1.7. The required form and instructions, available for review on the Purchase Bureau website at

<http://www.state.nj.us/treasury/purchase/forms.htm#eo134>, shall be provided to the intended awardee for completion and submission to the Purchase Bureau with the Notice of Intent to Award. Upon receipt of a Notice of Intent to Award a Contract, the intended awardee shall submit to the Division, in care of the Purchase Bureau Buyer, the Certification and Disclosure(s) within five (5) business days of the State's request. Failure to submit the required forms will preclude award of a contract under this RFP, as well as future contract opportunities.

c) Further, the Contractor is required, on a continuing basis, to report any contributions it makes during the term of the contract, and any extension(s) thereof, at the time any such contribution is made. The required form and instructions, available for review on the Purchase Bureau website at <http://www.state.nj.us/treasury/purchase/forms.htm#eo134>, shall be provided to the intended awardee with the Notice of Intent to Award.

STATE TREASURER REVIEW

The State Treasurer or his designee shall review the Disclosures submitted pursuant to this section, as well as any other pertinent information concerning the contributions or reports thereof by the intended awardee, prior to award, or during the term of the contract, by the contractor. If the State Treasurer determines that any contribution or action by the contractor constitutes a breach of contract that poses a conflict of interest in the awarding of the contract under this solicitation, the State Treasurer shall disqualify the Business Entity from award of such contract.

ADDITIONAL DISCLOSURE REQUIREMENT OF P.L. 2005, C. 271

Contractor is advised of its responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Law Enforcement Commission (ELEC), pursuant to P.L. 2005, c. 271, section 3 if the contractor receives contracts in excess of \$50,000 from a public entity in a calendar year. It is the contractor'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.

ADDITIONAL DISCLOSURE REQUIREMENT OF P.L. 2005, C. 271 (EXECUTIVE ORDER NO. 117)

Governor Jon S. Corzine recently signed Executive Order No. 117, which is designed to enhance New Jersey's efforts to protect the integrity of government contractual decisions and increase the public's confidence in government. The Executive Order builds on the provisions of P.L. 2005, c. 51 ("Chapter 51"), which limits contributions to certain political candidates and committees by for-profit business entities that are, or seek to become, State government vendors.

Executive Order No. 117 extends the provisions of Chapter 51 in two ways:

1. The definition of "business entity" is revised and expanded so that contributions by the following individuals also are considered contributions attributable to the business entity:
 - Officers of corporations and professional services corporations, with the term "officer" being defined in the same manner as in the regulations of the Election Law Enforcement Commission regarding vendor disclosure requirements (N.J.A.C. 19:25-26.1), with the exception of officers of non-profit entities;
 - Partners of general partnerships, limited partnerships, and limited liability partnerships and members of limited liability companies (LLCs), with the term "partner" being defined in the same manner as in the regulations of the Election Law Enforcement Commission regarding vendor disclosure requirements (N.J.A.C. 19:25-26.1); and

- Spouses, civil union partners, and resident children of officers, partners, LLC members and persons owning or controlling 10% or more of a corporation's stock are included within the new definition, except for contributions by spouses, civil union partners, or resident children to a candidate for whom the contributor is eligible to vote or to a political party committee within whose jurisdiction the contributor resides.
2. Reportable contributions (those over \$300.00 in the aggregate) to legislative leadership committees, municipal political party committees, and candidate committees or election funds for Lieutenant Governor are disqualifying contributions in the same manner as reportable contributions to State and county political party committees and candidate committees or election funds for Governor have been disqualifying contributions under Chapter 51.

Executive Order No. 117 applies only to contributions made on or after November 15, 2008, and to Orders for Professional Service Agreements executed on or after November 15, 2008.

Beginning **November 15, 2008**, prospective vendors will be required to submit, **in addition to the currently required Chapter 51 and Chapter 271 forms**, the Certification of Compliance with Executive Order No. 117 form (Corporation or Individual – whichever applies).