

REQUEST FOR PROPOSALS:

REGIONAL PAVEMENT CONDITION DATA  
COLLECTION PROJECT

Wednesday, May 16, 2018



**SOUTH JERSEY TRANSPORTATION  
PLANNING ORGANIZATION**

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Vineland, New Jersey 08361

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LEONARD DESIDERIO, CHAIRMAN  
JENNIFER MARANDINO, EXECUTIVE DIRECTOR

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**SOUTH JERSEY TRANSPORTATION PLANNING ORGANIZATION****REQUEST FOR PROPOSALS****REGIONAL PAVEMENT CONDITION DATA COLLECTION PROJECT**

(To see a list of upcoming RFPs at SJTPO, go to [www.sjtpo.org/RFP/#upcoming](http://www.sjtpo.org/RFP/#upcoming).)

**I. INTRODUCTION****A. General**

SJTPO is seeking a qualified firm or firms to collect, process, and map pavement condition data on approximately 1,491 miles of county roadway in the SJTPO region (Atlantic, Cape May, Cumberland, and Salem counties). This work is included in the SJTPO FY 2019 Unified Planning Work Program ([www.sjtpo.org/UPWP](http://www.sjtpo.org/UPWP)). Technical proposals must be prepared and submitted in accordance with the goals, requirements, format, and guidelines presented in this RFP document.

The SJTPO is the designated Metropolitan Planning Organization for Atlantic, Cape May, Cumberland, and Salem Counties. As such, the SJTPO has responsibility or oversight for all federally funded surface transportation planning activities in the region.

**B. Submission**

Proposals are to be received no later than 5:00 P.M., prevailing time, on **Wednesday, June 13, 2018**. The SJTPO shall not be held responsible for timeliness of mail or messenger delivery. Submittals should be addressed to:

**Andrew Tracy, Program Engineer**  
South Jersey Transportation Planning Organization  
782 South Brewster Road, Unit B6  
Vineland, New Jersey 08361

**Elements required in submission include:**

1. **Signed Cover Letter** that indicates review and acceptance of SJTPO Standard Contract Agreement boilerplate, or enumerates proposed changes thereto. (see Section I.E) [www.sjtpo.org/wp-content/uploads/2016/07/RFPSubcontractAgreement.pdf](http://www.sjtpo.org/wp-content/uploads/2016/07/RFPSubcontractAgreement.pdf)
2. **Technical Proposal** (*seven (7) hard copies and one (1) electronic copy*)
  - a. **Narrative** that reflects the requirements of the Scope of Work (see Section II)
    - A detailed approach to completing the work program
    - List and description of deliverables
    - Any issues or problems with requirements of the Scope
  - b. **Staffing Plan** (see **Exhibit D**) without salary or other costs (a detailed description of the work team key staff and estimated hours required on the project), including:
    - Staff name (if appropriate, see Exhibit D)

- Company/organization
  - Job title
  - Person-hour requirements by task
  - It should be clear which staff/firm(s) count towards the DBE/ESBE goal (see Section IV). In addition, the DBE/ESBE percentage should be clearly stated within this section.
- c. **Project Schedule** – Indicating project milestones, deliverables, and key meetings using a Notice to Proceed as “Day 0.” Schedule should anticipate review time by other agencies and committees, but time allotments for work under the control of the consultant will be regarded as a commitment.
- d. **Organizational Chart** of firm or firms with brief description of their role in the project
- e. **Firm Profile** – Description of the firm's facilities, number of offices, employees in each office, any special equipment, and other factors, (knowledge, skills, etc.) that may affect the delivery of the required services.
- f. **Work History** – List of similar work, including name and telephone number of the clients, and a full description of the services provided by the firm.
- g. **Resumes** of key professional staff included in the Staffing Plan, organized by firm
- h. **DBE/ESBE Certificates** (see Section IV)
- i. **Equal Employment Opportunity Statement** (see Section V)
3. **Cost Proposal** (*one (1) hard copy and one (1) electronic copy in a sealed envelope, separate from the Technical Proposals*)
- a. **Total Costs** of each task detailed in the scope of work.
- b. **Breakdown of All Other Charges**, such as fringe benefit, overhead, profit, etc., yielding a total project cost.
- c. **Staffing Plan (see Exhibit D)** with Dollar Values (a detailed description of the work team key staff and their estimated hours required on the project.)
- Staff name (if appropriate, see Exhibit D)
  - Company/organization
  - Job title
  - Person-hour requirements by task
  - Hourly rates
  - It should be clear which staff or firm counts toward the DBE/ESBE goal (see Section IV). In addition, the DBE/ESBE percentage should be clearly stated within this section.

The SJTPO reserves the right to reject any submission for failure to adhere to these goals and requirements or to accept any submission, which in its judgment will best serve its interest. All submitting firms grant to the SJTPO a non-exclusive right to use, or cause others to use, the contents of the submission for any purpose. All submissions will become the sole property of SJTPO. Subconsultants, subcontractors, and joint ventures are permitted for the purposes of this submission.

### C. Interpretations and Addenda

All questions, requests for interpretations and comments must be submitted in writing and received on or before Wednesday, May 30, 2018 and submitted to Andrew Tracy at the above address. Faxes (856-794-2549) and e-mails ([atracy@sjtpo.org](mailto:atracy@sjtpo.org)) are acceptable. Interpretations or clarifications in response to questions or comments received by prospective proposers will be posted on the SJTPO website. Only written clarifications from SJTPO will be binding; oral and other interpretations or clarifications will be without legal effect.

**PLEASE CHECK THE SJTPO WEBSITE DURING THE RFP RESPONSE PERIOD FOR ADDENDA TO THE RFP, AND QUESTIONS AND ANSWERS.**

### D. Anticipated Consultant Selection Schedule

1. Questions about RFP Due	Wednesday, May 30, 2018
2. Answers about RFP Published	Friday, June 1, 2018
3. Proposal Due Date	Wednesday, June 13, 2018 by 5:00 pm
4. Consultant Interviews*	Week of Monday, June 25, 2018
5. Policy Board Action	Monday, July 23, 2018
6. Notice to Proceed	Early August 2018
7. Project Completion Due	Wednesday, February 20, 2019

*\* (We may need to conduct interviews during the selection process. Please keep this week available.)*

### E. Contracting

The contract with SJTPO will be executed via the South Jersey Transportation Authority (SJTA), the administrative host of the SJTPO. All provisions and requirements of the SJTA pertaining to contractual matters will be in effect. This project is funded by the Federal Highway Administration of the United States Department of Transportation. All proposals must include a signed cover letter that indicates review and acceptance of SJTPO Standard Contract Agreement boilerplate, or enumerates proposed changes thereto:

[www.sjtpo.org/wp-content/uploads/2016/07/RFPSubcontractAgreement.pdf](http://www.sjtpo.org/wp-content/uploads/2016/07/RFPSubcontractAgreement.pdf)

## II. SCOPE OF WORK

Proposals should explicitly address the full scope of the project as described within this section. SJTPO cannot ask firms for clarification if questions remain prior to scoring. Proposals, however, should detail any concerns which impact successful completion of the project as described herein or if additional innovations or alternative tasks are recommend enhancing the intended project scope.

### A. Background

The Federal Highway Administration (FHWA) encourages pavement condition analysis as a data-driven method for prioritizing resurfacing projects and spending funding in the most effective manner. SJTPO-region counties report that pavement condition data is a valuable

resource when developing work programs. The purpose of this technical study is to collect the pavement condition data needed for counties to make informed programming decisions and advance pavement preservation techniques.

This project will also provide the groundwork needed to implement the FHWA Every Day Counts “Pavement Preservation” initiative. One of the new federal initiatives, Pavement Preservation aims to “help infrastructure owners achieve and sustain a desired state of good repair for their transportation facilities—despite tight budgets.” This technical study will provide the data needed to identify candidate roadways for innovative preservation techniques encouraged by FHWA and help prioritize pavement resurfacing projects throughout the SJTPO region.

For this project, a consultant will be selected to collect pavement condition data on approximately 1,491 centerline miles of county-jurisdiction roadways in the SJTPO region. The breakdown of mileage by county is as follows:

- 373 miles in Atlantic County
- 213 miles in Cape May County
- 542 miles in Cumberland County
- 363 miles in Salem County

SJTPO shall provide the consultant with pavement centerline GIS shapefiles of all county roadways to be surveyed for this project. The consultant shall collect data on all 1,463 miles of roadway, process the data as appropriate, and provide each county with a GIS shapefile or layer containing pavement condition data for each county roadway segment.

## **B. Content**

### **Task 1: Project Coordination**

In cooperation with SJTPO staff, the consultant shall be responsible for conducting meetings with project stakeholders, including SJTPO and representatives from the four counties. Meetings shall include a kick-off meeting and draft deliverable meeting when the data collection and processing are complete. Meetings will be held at the SJTPO office in Vineland, NJ or at Vineland City Hall, as these locations are central to the four counties. The consultant shall be responsible for the preparation of an agenda for the meetings and a summary of all meetings. A summary of phone conversations discussing important tasks or issues related to the project may be requested.

Brief status updates shall be provided every two weeks to SJTPO’s project manager via email. The status updates should describe tasks completed in the past two weeks, upcoming tasks for the next four weeks, any delays that affect the schedule of the project, and any assistance that will be needed from stakeholders in the coming weeks.

<b>Task 1 Deliverable:</b>	<b>Meeting minutes and progress updates (every two weeks)</b>
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**Task 2: Pavement Condition Data Collection**

The consultant shall collect pavement condition data on approximately 1,491 centerline miles of county roadways in the SJTPO region. A shapefile of these roadways is available on SJTPO's website on the RFP page at [www.sjtpo.org/rfp/#current](http://www.sjtpo.org/rfp/#current).

The consultant shall use the International Roughness Index (IRI) methodology. This method is also used by the NJDOT Pavement Management System. The IRI methodology uses an instrumented vehicle to directly measure deviations in the pavement surface profile. On two-lane roadways, data need only be collected for one direction of travel. For multi-lane roadways, data shall be collected for one travel lane in each direction (the lane of heaviest use; generally, the right lane). Additional data collection such as windshield surveys, imagery, and rut profiling may also be proposed, but are not required.

The consultant shall contact each county to provide advance notice prior to beginning field data collection. The counties will provide the consultant with information relating to roadway construction or other events that may impact data collection. Data shall be collected in optimal conditions, when the roadways are free of rain or snow.

<b>Task 2 Deliverable:</b>	<b>IRI data collected for all roadways in electronic format; additional data such as windshield survey data or photography (if collected) in electronic format.</b>
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**Task 3: GIS**

The consultant shall process the collected pavement condition data as necessary to ensure accuracy and to prepare a GIS deliverable. The consultant shall deliver to SJTPO and to each county a GIS shapefile, layer, or geodatabase containing the collected data mapped to the pavement segments. The GIS deliverable must be compatible with Esri ArcGIS 10. The GIS deliverable should be clean and organized so that staff at SJTPO and the counties may easily create maps as needed from within ArcMap.

<b>Task 3 Deliverable:</b>	<b>GIS shapefile, layer, or geodatabase containing the pavement condition data</b>
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**C. Schedule**

We anticipate a Notice to Proceed in early August 2018 and the entire project shall be completed by Wednesday, February 20, 2018.

**III. CONSULTANT SELECTION**

SJTPO's consultant selection is a two-step, quality-based selection process. First, based on an assessment of the technical qualifications of responding firms, we will select a firm best suited to carry out the scope of work as outlined in our RFP. A review committee will evaluate each proposal and may recommend firms to present additional information and appear for interviews; or, the proposal may be the sole basis for the selection.

Second, SJTPO will negotiate a price with the selected firm. Negotiations and award of the contract will be to the firms that provide the most advantageous proposals. If we cannot negotiate an acceptable contract with the selected firm, negotiations will be terminated and SJTPO will initiate discussions with the second ranked firm.

As the selection of the firm is based solely on technical qualifications, the budget for the scope of work is not material to selecting the most qualified firm. SJTPO's Unified Planning Work Program is publicly available through SJTPO's website ([www.sjtpo.org/UPWP](http://www.sjtpo.org/UPWP)), but should only be used to provide general budgetary information for work activities based on preliminary estimates.

### **LATE PROPOSALS WILL NOT BE EVALUATED.**

The submission should be stapled or bound with no loose pages. The following criteria have been established to guide the evaluation of each consultant proposal with each criterion weighted as indicated below.

#### **A. Technical Proposal**

- 1. Technical Approach** (Criterion weight: 40 percent)
  - a. Demonstrate a clear understanding of the effort and products required.
  - b. Explicit consideration of the features listed in Section II, *Scope of Work*.
  - c. Innovations or efficiencies to be used in completing the project with descriptions of how they add value to the project.
  - d. Demonstrate an ability to perform needed tasks and meet stated completion date.
  - e. Quality, clarity, thoroughness in addressing required tasks and submission guidelines.
  - f. Demonstrate the ability to complete project within the schedule stated in this document.
- 2. Firm Qualifications** (Criterion weight: 20 percent)
  - a. Demonstrate successful experience of the firm or team (particularly recent) on similar projects.
  - b. Demonstrate expertise in specialized areas required for this project.
  - c. Firm(s) references submitted with proposal.
  - d. Availability of resources needed to successfully complete the project.
- 3. Staff Qualifications** (Criterion weight: 25 percent)
  - a. Staffing Plan demonstrates staff (particularly Project Manager) ability to successfully complete project.
  - b. Resumes demonstrate staff (particularly Project Manager) experience successfully implementing similar projects.
  - c. Location of office that will be performing the work on this project.
- 4. DBE/ESBE Utilization** (Criterion weight: 15 percent)
  - a. DBE/ESBE firm must be explicitly identified. If a specific DBE/ESBE firm is not identified, a zero percent DBE/ESBE commitment will be assumed.



- b. Staffing Plan clearly states the hours and specific tasks of DBE/ESBE staff as well as percent of total budget to be dedicated to DBE/ESBE firm(s). Do not provide dollar figures within the Technical Proposal, as those must be included within the separate Cost Proposal.

Federal and State goals for DBE/ESBE participation must be addressed explicitly in the proposal. This is satisfied by stating the percentage of total project cost devoted to DBE/ESBE firm involvement in the Technical Proposal. Do not provide dollar figures within the Technical Proposal, as those must be included within the separate Cost Proposal. See Section IV for definition of DBE/ESBE firms. Note: SJTPO utilizes the most recent NJDOT federally approved DBE/ESBE goal (effective 10/1/2016 through 9/30/2019), which is 12.44 percent.

The highest-ranking firms may be invited, at the option of SJTPO, to an interview to present relevant details of their proposals and introduce key staff.

## B. Cost Proposal

**The Technical Proposals must be accompanied by one (1) hard copy and one (1) electronic copy of the Cost Proposal in a separate, sealed envelope.** The cost proposals must include a price and level of effort for the Scope of Work. All other charges, such as fringe benefit, overhead, profit, etc., must be identified, yielding a total project cost. Proposals and costs should address the full scope of the project as described within the RFP. Proposals, however, should detail any concerns which impact successful completion of the project as described herein or if additional innovations or alternative tasks are recommend enhancing the intended project scope. Cost proposals must include all tasks or alternatives discussed within the technical proposal. If applicable, multiple costs scenarios are acceptable.

**SJTPO will review proposals based solely on the merit of the Technical Proposal and its adherence to the goals and requirements laid out in this RFP in conformity with the Brooks Act. Only after selection of a top proposal will the separate, sealed cost proposal be opened.**

If an acceptable contract cannot be negotiated with the selected firm, negotiations will be terminated and SJTPO will initiate discussions with the second ranked firm. The consultant selection and negotiated contract are subject to approval by the U.S. Department of Transportation in accordance with its policies and procedures. The dollar and percentage participation of DBE/ESBE firms must be separately itemized in the cost proposal.

## IV. DISADVANTAGED BUSINESS ENTERPRISE (DBE) AND EMERGING SMALL BUSINESS PARTICIPATION (ESBE)

### A. General

Regulations of the Department of Transportation relative to Non-Discrimination in Federally assisted projects of the Department of Transportation (49 CFR Part 21), is made part of the Agreement. In order to ensure The State of New Jersey Department of Transportation (NJDOT) achieves its federally mandated statewide DBE goal, SJTPO encourages the participation of Disadvantaged Business Enterprise (DBE) or Emerging Small Business Enterprise (ESBE), as

defined below, in the performance of consultant contracts financed in whole or in part with federal funds.

**1. Disadvantaged Business Enterprise (DBE)** is defined in 49 CFR Part 26, as a small business concern (from Section 3 of the Small Business Act), which is:

- a. At least 51 percent owned by one or more 'socially and economically disadvantaged' individuals, or in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more 'socially and economically disadvantaged' individuals, and
- b. Whose management and daily business operations are controlled by one or more of the 'socially and economically disadvantaged' individuals who own it.

'Socially and economically disadvantaged' is defined as individuals who are citizens of the United States (or lawfully permanent residents) and who are: "Black Americans," "Hispanic Americans", "Native Americans," "Asian-Pacific Americans", "Asian-Indian Americans", "Women" (regardless of race, ethnicity, or origin); or "Other" disadvantaged pursuant to Section 8 of the Small Business Act).

**2. Emerging Small Business Enterprise (ESBE)** is defined as a firm that has met the following criteria and obtained small business certification as an ESBE by The State of New Jersey Department of Transportation:

- a. A firm must meet the criteria for a small business as defined by the Small Business Administration in 13 CFR Part 121, which includes annual receipts from all revenues, including affiliate receipts which equates to the annual arithmetic average over the last 3 completed tax years, or by the number of employees.
- b. The small business must be owned by individuals who do not exceed the personal net worth criteria established in 49 CFR Part 26, which is \$750,000. All appropriately certified DBEs fall into this definition due to their size.

## **B. Policy**

The CONTRACTOR agrees that DBE/ESBE firms shall have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this Agreement, the CONTRACTOR and its subcontractors shall not discriminate on the basis of race, color, national origin or sex in the award and performance of USDOT-assisted contracts in accordance with 49 CFR Part 21. DBE requirements of 49 CFR Part 23 applies to this agreement. The SJTPO strongly encourages the use of DBE/ESBEs in all of its contractual efforts.

## **C. Certified DBE/ESBE Firms**

A list of certified ESBE firms is compiled and is effective for contracts on a per calendar year basis. Current guidance on DBE/ESBE is available on the website of the New Jersey Department of Transportation ([www.state.nj.us/transportation/business/civilrights](http://www.state.nj.us/transportation/business/civilrights)). Firms who wish to be considered for DBE/ESBE certification are encouraged to contact the NJDOT Office of Civil

Rights directly for information on the certification process. Once a firm is certified, the federal portion of the dollar value of the contract or subcontract awarded to the DBE/ESBE is generally counted toward the applicable DBE/ESBE goal. If state matching and/or non-matching funds are also awarded to a DBE/ESBE, the total dollar value of the DBE/ESBE contract or subcontract may also be counted toward the applicable DBE/ESBE goal.

There are only two lists that count towards meeting this DBE/ESBE goal. Firms should check these sites PRIOR TO submitting a proposal.

1. New Jersey ESBE: <http://www.nj.gov/transportation/business/civilrights/pdf/ESBEDirectory.pdf>
2. New Jersey DBE: <https://njucp.dbesystem.com/>

There are some certifications that have similar requirements, such as MBE, SBE, or any similar certifications in another state – THESE DO NOT COUNT for this goal.

#### **D. Consultant Documentation**

If applicable, the Consultant must demonstrate sufficient reasonable efforts to meet the DBE/ESBE contract goals. Additionally, SJTPO has a long-standing commitment to maximize business opportunities available to DBE/ESBE firms. The consultant's contract is subject to all federal, state, and local laws, rules, and regulations, including but not limited to, non-discrimination in employment and affirmative action for equal employment opportunity. The consultant's contract obligates the consultant to aggressively pursue DBE/ESBEs for participation in the performance of contracts and subcontracts financed in whole or in part with Federal funds. The consultant cannot discriminate on the basis of race, color, national origin, or sex in the award and performance of federally assisted contracts. The consultant contract specifies the DBE/ESBE goal and the DBE/ESBE participation rate for that contract, if applicable. The prime consultant contract must document, in writing, all of the steps that led to any selection of the DBE/ESBE firm(s). Prior to the award of a consultant contract, the consultant must demonstrate sufficient reasonable efforts to utilize DBE/ESBE firms. SJTPO utilizes the most recent NJDOT federally approved DBE/ESBE goal (effective 10/1/16 through 9/30/19), which is 12.44 percent.

If, at any time a firm intends to subcontract or modify any portion of the work already under contract, or intends to purchase material or lease equipment not contemplated during the original preparation of the cost proposal, the firm must notify SJTPO in writing. If, as a result of any subcontract, modification, purchase order, or lease, the actual DBE/ESBE or participation rate for the consultant's contract is in danger of falling below the agreed upon DBE/ESBE participation, then a request must be made for a DBE/ESBE Goal Exemption Modification through SJTPO.

## V. EQUAL EMPLOYMENT OPPORTUNITY PROVISION

- A. Consultants and subconsultants shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of this contract.
- B. All potential Consultants must demonstrate a commitment to the effective implementation of an affirmative action plan or policy on equal employment opportunity. The potential Consultant must insure equal employment opportunity to all persons and not discriminate against any employee or applicant for employment opportunity because of race, color, religion, sex, national origin, physical disability, mental disorder, ancestry, marital status, criminal record, or political beliefs. The Consultant must uphold and operate in compliance with Executive Order 11246 and as amended in Executive Order 11375, Titles VI and VII of the Civil Rights Act of 1964, the Equal Employment Opportunity Act of 1972, and the Fair Employment Practices Act.
- C. In response to this Request for Qualifications/Request for Proposals, the Consultant should furnish a detailed statement relative to its Equal Employment Opportunity practices and any statistical employment information that it deems appropriate, relative to the composition of its work force or its subconsultants.

## VI. INSURANCE REQUIREMENTS

- A. The Consultant shall carry and maintain in full force and effect for the duration of this contract, and any supplement thereto, appropriate insurance. The Consultant shall submit to the SJTPO, a Certificate of Insurance indicating the existence of the coverage required. Policies shall be issued by an insurance company authorized to do business in the State of New Jersey; and approved by the SJTA.
- B. Insurance similar to that required by the Consultant shall be provided by or on behalf of all subconsultants to cover its operation(s) performed under this contract, and include in all subcontracts. The Consultant shall not be issued the Notice to Proceed until evidence of the insurance coverage required has been received, reviewed, and accepted by the SJTPO.
- C. The insurance coverage under such policy or policies shall not be less than specified herein.
  - 1. Worker's Compensation and Employer's Liability:
    - a. Each Accident \$ 100,000
    - b. Disease-Each Employer \$ 100,000
    - c. Disease Policy Limit \$ 500,000
  - 2. Comprehensive General Liability:
    - a. Bodily Injury
      - Each Person \$ 250,000
      - Each Occurrence \$ 1,000,000
    - b. Property Damage
      - Each Person \$ 1,000,000
      - Aggregate \$ 2,000,000

- 3. Comprehensive Automobile Liability:**
- a. Bodily Injury**
    - Each Person \$ 500,000
    - Each Occurrence \$ 1,000,000
  
  - b. Property Damage**
    - Each Occurrence \$ 250,000
- 4. Professional Liability Insurance:**
- a. Claims made/aggregate** \$ 1,000,000

**EXHIBIT A****P.L. 1975, C. 127 (N.J.A.C. 17:27)  
MANDATORY AFFIRMATIVE ACTION LANGUAGE****PROCUREMENT, PROFESSIONAL, AND SERVICES CONTRACTS**

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation. The contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause;

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation;

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment;

The contractor or subcontractor; where applicable, agrees to comply with the regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time and the Americans with Disabilities Act;

The contractor or subcontractor agrees to attempt in good faith to employ minority and female workers consistent with the applicable county employment goals prescribed by N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time or in accordance with a binding determination of the applicable county employment goals determined by the Affirmative Action Office pursuant to N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time;

The contractor or subcontractor agrees to inform in writing appropriate recruitment agencies in the area, including employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices;

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions;

The contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation, and conform with the applicable employment goals, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions; and

The contractor and its subcontractors shall furnish such reports or other documents to the Affirmative Action Office as may be requested by the office from time to time in order to carry out the purpose of these regulations, and public agencies shall furnish such information as may be requested by the Affirmative Action Office for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code (NJAC 17:27)**.

**EXHIBIT B****NOTICE TO ALL BIDDERS  
SET-OFF FOR STATE TAX**

Please be advised that, pursuant to P.L. 1995, c.159, effective January 1, 1996, and notwithstanding any provision of the law to the contrary, whenever any taxpayer, partnership or S corporation under contract to provide goods or services or construction projects to the State of New Jersey or its agencies or instrumentalities, including the legislative and judicial branches of State government, is entitled to payment for those goods or services at the same time a taxpayer, partner or shareholder of that entity is indebted for any State tax, the Director of the Division of Taxation shall seek to set off that taxpayer's or shareholder's share of the payment due the taxpayer, partnership or S corporation. The amount set off shall not allow for the deduction of any expenses or other deductions, which might be attributable to the taxpayer, partner, or shareholder subject to set-off under this act.

The Director of the Division of Taxation shall give notice of the set-off to the taxpayer and provide an opportunity for a hearing within 30 days of such notice under the procedures for protests established under R.S. 54:49-18. No requests for conference, protest, or subsequent appeal to the Tax Court from any protest under this section shall stay the collection of the indebtedness. Interest that may be payable by the State, pursuant to P.L. 1987, c.184 (c.52:32-32 et seq.), to the taxpayer shall be stayed.



**EXHIBIT C**

**REQUIRED AFFIRMATIVE ACTION EVIDENCE FOR  
PROCUREMENT, PROFESSIONAL AND SERVICES CONTRACTS**

All successful vendors must submit one of the following within seven (**7**) days of the notice of intent to award:

- 1. A photocopy of their Federal Letter of Affirmative Action Plan Approval; OR
- 2. A photocopy of their Certificate of Employee Information Report; OR
- 3. A completed Affirmative Action Employee Information Report (AA302).

**PLEASE COMPLETE THE FOLLOWING QUESTIONNAIRE AS PART OF THE BID PACKAGE IN THE EVENT THAT YOU OR YOUR FIRM IS AWARDED THIS CONTRACT.**

- 1. Our company has a Federal Letter of Affirmative Action Plan Approval.  
Yes\_\_\_\_\_ No\_\_\_\_\_
- 2. Our company has a Certificate of Employee Information Report.  
Yes\_\_\_\_\_ No\_\_\_\_\_
- 3. Our company has neither of the above. Please send Form #AA302  
(AFFIRMATIVE ACTION EMPLOYEE INFORMATION REPORT)  
\_\_\_\_\_Check here

**NOTE: This form will be sent only if your company is awarded the bid.**

I certify that the above information is correct to the best of my knowledge.

NAME: \_\_\_\_\_  
(Please type or print)

SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

PHONE: \_\_\_\_\_

FAX \_\_\_\_\_

**EXHIBIT D**

**SAMPLE STAFFING PLAN IN TECHNICAL PROPOSAL**  
**(DO NOT include any cost information in your Technical Proposal)**

Staff Name	Title	Hours per Task								Total Hours
		First task	Second task	Third task	Fourth task	Fifth task	Sixth task	Seventh task	Eighth task	
		1	2	3	4	5	6	7	8	
<b>Company 1</b>										
[Name]*	Project Manager	25	0	20	0	15	0	41	0	<b>70</b>
[Name]*	Planner 1	5	0	4	0	2	3	1	4	<b>19</b>
<b>Company 1 Subtotal</b>		<b>30</b>	<b>0</b>	<b>24</b>	<b>0</b>	<b>17</b>	<b>3</b>	<b>42</b>	<b>4</b>	<b>89</b>
<b>Company 2 (DBE Firm)</b>										
[Name]*	Technician 1	0	8	0	2	0	0	0	0	<b>10</b>
[Name]*	Technician 2	0	6	0	4	0	0	0	0	<b>10</b>
<b>Company 2 Subtotal</b>		<b>0</b>	<b>14</b>	<b>0</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>20</b>
<b>Sub-Total Hours</b>		<b>30</b>	<b>14</b>	<b>24</b>	<b>6</b>	<b>17</b>	<b>3</b>	<b>42</b>	<b>4</b>	<b>119</b>

\* Staff Name should generally be included; however, staff title may be substituted, where appropriate

**STAFFING PLAN IN COST PROPOSAL**

A Staffing Plan identical to the one in the Technical Proposal should also be included in the Cost Proposal. However, in the Cost Proposal, the Staffing Plan should include billable rates and cost totals for each staff member and company.

**Note:** All titles, numbers, number of companies, etc. used in this table are illustrative only. The table is only used to show the types of information required in each Staffing Plan. Format may differ from the table shown above as long as it includes, at a minimum, the information shown above. **DO NOT** include any cost information in your Technical Proposal.