



EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

REQUEST FOR PROPOSALS FOR PROFESSIONAL ENGINEER / ARCHITECTURAL SERVICES FOR THE EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY MILLSTONE ROAD WATER TREATMENT FACILITY PROJECT

The East Windsor Municipal Utilities Authority, East Windsor Township, County of Mercer, New Jersey is requesting proposals for Professional Engineering/Architectural Services for a new 3.5/5.0 MGD (full build out) Water Treatment Plant Facility. Proposals must be submitted by **10:00 a.m. on Wednesday, April 17, 2024** to the East Windsor Municipal Utilities Authority, 7 Wiltshire Drive, East Windsor, New Jersey 08520. For a copy of the Request for Proposals, visit our web site at www.eastwindsormua.com or contact Sue Pretz at (609) 443-6000 ext. 7603. Proposals are being solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.5 et seq.

Richard Brand
Executive Director

Date: March 11,2024



REQUEST FOR PROPOSALS

FOR

DESIGN SERVICES FOR 3.5/5.0 MGD WATER TREATMENT PLANT

PROPOSALS DUE:
10:00 AM, local time
Wednesday, April 17, 2024

Project representative:

Richard Brand

Executive Director

Email: Rbrand@eastwindsormua.com

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1.0 Invitation to submit proposals

The East Windsor Municipal Utilities Authority will receive proposals from qualified engineering firms in response to this Request for Proposals (RFP) for design Services for 3.5 MGD/ 5 MGD (full build out) until **10:00 AM, local time, Wednesday, April 17, 2024.**

Proposals must be prepared in the form required in Subsection 3.0 of this RFP and delivered to Richard Brand, Executive Director, 7 Wiltshire Drive, East Windsor Township, N.J. 08520.

Note: Any omissions or errors of this RFP must be brought to the attention of the Authority prior to the awarding of the RFP contract. Any omissions or errors that are brought to the attention of the Authority after the awarding of the RFP contract will be considered favorable to the Authority.

1.1 Purpose

The East Windsor Municipal Utilities Authority, (the "Authority") is requesting proposals from qualified Engineers/architectural firms ("Proposers") for comprehensive design Services related to the new construction of a Water Treatment Facility for the East Windsor Municipal Utilities Authority.

In general, the Engineering / Architectural Services will consist of planning, design, and construction administration services for the new construction of approximately 10,000 square feet of a 3.5 MGD / 5 MGD Water Treatment Facility located at 142 Millstone Road, East Windsor Township, NJ 08520 including site improvements; filters, aerators, chemical feed system, detention and backwash tanks and assortment of equipment; and all necessary plumbing, electrical, and mechanical (the "Project").

1.2 Solicitation Documents

RFP documents may be downloaded from the Authority web site at <https://www.eastwindsormua.com>.

Printed copies of the RFP documents may be obtained by contacting Sue Pretz via email at SPretz@eastwindsormua.com or by phone at 609-443-6000.

1.3 Addenda

The Authority may issue addenda to modify or add to the terms of the RFP or change the time or date for submission of proposals. Any such addenda will be issued by the Authority in writing not less than seven (7) business days prior to the deadline for receipt of proposals and be delivered by email to eligible Proposers. The terms, conditions, requirements,

clarifications, information, and instructions contained in any addenda issued by the Authority must be acknowledged, agreed to, and accepted in the proposals received and will become part of any resulting contract.

1.4 Questions and inquires

All questions and inquiries must be submitted in writing and received no later than seven (7) business days prior to the bid opening date.

2.0 Project description

East Windsor Municipal Utilities Authority has an administration office, maintenance building and water treatment plant located at 7 Wiltshire Drive, East Windsor Township. This facility has experienced several floods within the last 15 years including Hurricane Irene in which both the administration building and water treatment plant were severely damaged. Due to the importance of the facility, high cost to renovate the existing facility, and the limited size of its current foot print, East Windsor Municipal Utilities Authority has decided to relocate the facility to a property located at 147 Millstone Road (Block 1, Lot 1, 2, 5.01, 5.02 and 7) on a one hundred sixty five (165) acre site which is owned by the East Windsor Municipal Utilities Authority. The construction of the Administration and maintenance building is being constructed on the same property under a separate contract.

The existing property, specifically Lot 2 (97 acres), is partially being utilized by a Pollution Control Facility (wastewater Treatment plant) and a one (1) million - gallon elevated storage tank. This utilizes approximately 25% or 25 acres of a 97-acre lot. The other parcels have been used specifically for farming.

The proposed construction of a water treatment plant approximately (10,000 sq. ft) will provide the East Windsor Municipal Utilities Authority with an essential facility to accommodate the significant growth that has taken place over the past 40 years in East Windsor Township. This will allow the Authority to meet its operational responsibilities now and into the future.

East Windsor Municipal Utilities Authority is seeking Proposals for Engineering / Architectural Services for design, permitting, public bidding, assistance in funding through the NJIB and any other government / non-government agency that offers grant money for new infrastructure, contract administration and other services required for the construction of the East Windsor Municipal Utilities Authority Millstone Road Water Treatment Plant. The project scope of work, schedule and budget outlined herein are preliminary expectations envisioned by the East Windsor Municipal Utilities Authority at this time. All criteria must be evaluated and confirmed during the very early stages of the conceptual design phase. The preliminary estimated budget for the project, including construction, equipment, design and project management costs, is \$22 million.

The project includes the design and construction of an approximately 10,000 square foot water treatment facility that will replace an existing facility to maintain high quality water service to our rate payers.

Interested parties should contact Richard Brand, East Windsor Municipal Utilities Authority at (609) 443-6000 ext. 7600 to schedule a time to review and inspect the property.

The Authority created a building committee in spring of 2021 to lead a design process for the construction of the new administration building, maintenance/garage building. The Authority's facility committee is also leading the design process with full support of the board on constructing a Water Treatment Facility and two well buildings. The design process resulted in the *conceptual plans* ("preliminary design" - of site location). Proposers are encouraged to review the preliminary design to familiarize themselves with the Project. There will be three (3) buildings located at this facility - Administration, Maintenance and Water Treatment Plant ("Facility"). The Administration and Maintenance Buildings has completed its final design. The final design of the Administration and Maintenance Building are at the end of this proposal (Attachment F) which provides an exterior view of the Proposed Buildings and site layout. The cost estimate for the new water treatment plant is estimated to be \$1,600.00 per square foot (\$16 million) for the Project.

The project should include elements such as solar carports over parking spaces, and entrance ways; Electric charging stations; security fencing and electric gates with security entry; landscaping; storm water management.

All proposers must submit a basic conceptual exterior 3D rendering (front and side view) of the proposed water treatment facility as they vision, as part of the submittal. The design look should match the design of the new Administration and Utility Maintenance Building.

The selected Proposer will work with Authority staff, appointed committee (board) members and the Authority Board, to prepare final plans, drawings, and specifications. Afterwards, the selected Proposer will prepare bid documents and assist the Authority in selecting a contractor. The selected Proposer will advise the Authority on an appropriate construction method and oversee the work of selected contractors and subcontractors. All permits will be the responsibility of the proposer. The Authority has applied for freshwater wetlands permit for the entire facility and expects approval shortly.

The Authority is funding this project through a variety of means. The Authority is funding the design phase with the selected Proposer through its unrestrictive net position and funding through the I Bank. The Authority anticipates funding construction through a combination of possible grants, New Jersey Infrastructure Bank (NJIB) and/or Authority bonding. The proposer will be responsible to submit the necessary applications and forms so that the

Authority can obtain the necessary funding and grant money to fund the entire project. The proposers should note on the RFP the types of grant funding that may be available for this project (climate change, redundancy, solar, etc.).

3.0 Preparation and submission of proposals and proposer requirements

Proposers are responsible for reading and understanding all portions of the solicitation documents, including attachments and addenda, if any, and to include all requirements in their proposals. To be responsive, proposals must be made in writing, and address the background, information, questions, criteria, and requests for information contained in the RFP. Proposals must be submitted in the required form and contain all required documents and responses, be signed by the Proposer or its authorized representative, and be submitted in the manner and number described in this RFP.

3.1 Proposal submission

Proposals must be received by the time and date stated for receipt in Section 1.0. Proposals must be submitted in the form and manner stated in the Invitation for Proposals, complete with a Proposer Certification Form signed by the Proposer or its authorized representative, responses to all criteria and requirements included in the RFP, other documents required to be submitted, if any, and contain the number of copies required.

Each Proposer must submit one (1) electronic copy in PDF format on a USB storage device or CD and eight (8) hard copies no later than the due date and time specified in the Request for Proposal. Proposer will be requested to meet with the facilities committee and or the full board at a special meeting.

Proposals submitted must be mailed to: Richard Brand, Executive Director, East Windsor MUA, 7 Wiltshire Drive, East Windsor Township, N.J. 08520, address stated above in Section 1.0. The subject line of the package must contain the words "Request for Proposals: Engineer/Architectural Services" identifying the submission as a response to this specific RFP.

Electronic media must be enclosed in a sealed envelope bearing the Proposer's name and address, clearly marked with the title of this RFP, and bearing the words "Proposal Enclosed," delivered to the person and address stated above in Section 1.0.

By submitting a proposal, a Proposer acknowledges that the Proposer has read and understands the terms and conditions applicable to this RFP, and accepts and agrees to be bound by the terms and conditions of the contract, including the obligation to perform the scope of work and meet the performance standards.

3.2 Proposal withdrawal

A Proposer may withdraw its proposal at any time prior to the deadline set for receipt of proposals, by email or U.S. mail to the person identified for receipt of proposals, and may submit a new proposal in the manner stated in this RFP. The Authority will not consider proposals received after the time and date indicated for receipt of proposals. A Proposer may not modify its proposal after it has been submitted, other than to address minor informalities, unless the proposal is withdrawn and resubmitted as described above. Multiple or alternate proposals will not be accepted.

3.3 Proposer costs

Proposers responding to this RFP do so solely at their expense, and the Authority is not responsible for any Proposer expenses associated with the RFP.

3.4 Interpretation of RFP

Proposers are cautioned not to make any assumptions as to the implied meaning or intent of any part of the RFP. Proposers should request clarification or additional information concerning the RFP in writing as soon as possible, but in no event will such requests be received by the Authority later than the deadline set forth in this RFP. Any corrections or clarifications made in any manner other than by a written addendum addressed to all proposers will not be binding on the Authority, and proposers shall not rely thereon.

3.5 Duration of proposals

Any proposal submitted shall be irrevocable and open for acceptance for a period of ninety (90) days from the proposal closing date. An award of the contract to any Proposer shall not constitute a rejection of any other proposal.

3.6 Proposer minimum requirements

Proposers must be properly registered to do business in the State of New Jersey, registered and in good standing with the New Jersey State Board of Architects and/or The State Board of Professional Engineers and Land Surveyors.

Proposers must be an "equal opportunity employer" willing to comply with all applicable provisions of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972 (see 42 USCA 2000), all regulations thereunder (see 41 CFR Parts 60 and 60-1), and all New Jersey statutes and regulations regarding employment.

3.7 Proposals are subject to New Jersey open public records Act

Proposals submitted in response to this RFP become public records under New Jersey law and, following contract award, will be subject to disclosure to any person or organization that submits an open public records act request. Proposers are required to acknowledge that

any proposal may be disclosed in its entirety to any person or organization making a records request, except for such information as may be exempt from disclosure under the law.

Each Proposer must clearly identify all information included in its proposal that is claimed to be exempt from disclosure along with a short statement of the basis for exemption. A Proposer may not designate its entire proposal as being exempt from disclosure. If the Authority receives a records request, including subpoena, covering information the bidder believes is covered by an applicable open public records act exemption, it is the Proposer's responsibility to defend, reimburse, hold harmless, and indemnify the Authority for any costs associated with establishing such an exemption.

4.0 Clarification or protest of solicitation documents

If a Proposer finds discrepancies or omissions in the RFP documents, or is in doubt as to their meaning, the Proposer must immediately notify the Project representative designated for receipt of proposals or other person identified for submission of questions.

If the Project representative believes a clarification is necessary, an addendum will be issued in writing not less than seven (7) business days prior to the deadline for receipt of proposals, and available on the Authority webpage listed above. The addendum may postpone the date for submission of proposals. The requirements or clarifications contained in any addenda so issued must be acknowledged in the proposals received and will become part of any resulting contract.

The apparent silence of the solicitation documents regarding any detail, or the apparent omission from the RFP of a detailed description concerning any point, means that only the best commercial or professional practice, material, or workmanship is to be used.

4.1 Protest of solicitation procedures

Section 2.115 "Protests and appeals" of the *RFP*. Proposers may protest the competitive selection process outlined herein, or any of the provisions in the RFP documents. Protests are required to be submitted in writing and not less than seven (7) days prior to the solicitation closing.

5.0 Opening of proposals

The Authority will not examine any proposal prior to the time set for opening proposals (which will be after proposal submittal deadline). Any proposal or modification received after the designated deadline will not be opened or considered in the discretion of the Authority. The proposals submitted will be open to public inspection at the time of the bid opening, except for any information covered by an exemption to disclosure.

6.0 Compliance with laws

Proposals will be reviewed by the Project representative for responsiveness to the minimum requirements established by RFP, which include:

- Submission of a completed Proposer Statements and Certifications in the form included as Attachment B.
- Compliance with proposal procedures, public contracting laws, and the requirements of the *Authority*.

7.0 Proposal evaluation and award

The Authority will award based on the responsiveness of the actual proposals received to the requirements established in Attachment A, considering qualifications, experience, resources, proposed services, experience with East Windsor MUA or Township, Proposers' past record of performance, 3D rendering of basic conceptual plans and other factors identified in the RFP, as well as responses received from references, interviews, and follow-up questions, if any.

Each proposal will be evaluated by a Selection Committee based on the process and scoring established in Attachment C. Based upon evaluation of the submitted proposals, the Selection Committee may choose to conduct interviews with the Proposers. Interviews may include a presentation by the Proposer and questions regarding the proposal and services to be provided.

Upon conclusion of the interviews, if any, the Selection Committee will revise its scores, again based on the evaluation criteria. The Selection Committee may meet one or more times to discuss interviews or proposals, or both, and revise scores. Unless the Authority provides additional criteria for interviews, interviews are not a separate evaluation criterion eligible for points, but the Selection Committee may consider the interview when revising its scores. The Selection Committee will rank the Proposers and make its recommendation for selection of a Proposer determined to be the most highly qualified based on the final scores. The selection committee will present the most highly qualified proposer (s) to the full Authority Board for full approval.

Additional criteria for selection interviews, if any, will be distributed at the time interviews are scheduled.

In evaluating the proposals and selecting a Proposer, the Authority reserves the rights to:

- a) Reject any and all proposals and cancel the RFP at any time if doing either would be in the public best interest as determined by the Authority in its sole discretion;
- b) Issue subsequent Requests for Proposals for the same or similar services;

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- c) Not award a contract for the requested services;
 - d) Waive any irregularities, informalities, or deficiencies in proposals, or, alternatively, to give a lower rating in the evaluation process as a result of such informalities or deficiencies;
 - e) Accept the proposal which the Authority deems to be the most beneficial to the public and the Authority;
 - f) Seek clarification of each proposal or investigate each Proposer;
 - g) Negotiate with any Proposer to further amend, modify, redefine or delineate its proposal;
 - h) Negotiate a final contract that is in the best interest of the Authority;
 - i) Reject any limitations or disclaimers of liability or limitations or disclaimers of types of recoverable damages from Proposers or any sub-consultants of Proposers;
 - j) Negotiate and accept, without re-advertising, the proposal of the next-highest scored Proposer, in the event that a contract cannot be successfully negotiated with the selected Proposer, which may occur prior to the time a final recommendation for award is made;
 - k) To reconvene the Selection Committee and collectively review the scoring, making changes as the Selection Committee deems appropriate; and
 - l) Further question any Proposer to substantiate claims of experience, background knowledge, and ability.

7.1 Negotiation and award of contract

After the highest-scored Proposer is determined by the Selection Committee, the Authority will discuss and negotiate the scope of services with that Proposer and the Proposer will submit a written compensation proposal and schedule of services. The Authority may request supplemental scope, compensation, or schedule information from the Proposer, including but not limited to number of hours proposed for services required, expenses, hourly rates, overhead, profit and additional or different schedule milestones or other schedule information. If the highest-scored Proposer refuses to provide this or any other information promptly after the Authority request, the Authority may terminate discussions with that Proposer.

If the Authority and the highest-scored Proposer are for any reason unable to reach agreement about the scope of services, compensation, or schedule, the Authority may terminate discussions with that Proposer. The Authority may then enter discussions and negotiations as described herein with the second highest-scored Proposer. If the Authority and the second highest-scored Proposer are for any reason unable to reach agreement, the Authority may terminate discussions with that Proposer and enter into discussions with the next highest-scored proposers in order of ranking until agreement is reached. The contract

will be awarded to the Proposer who in the Authority judgment has submitted a proposal and negotiated scope, compensation, and schedule that best meets the Authority needs.

If the Authority is for any reason unable to reach agreement with any and all Proposers about the scope of services, compensation, or schedule, the Authority shall terminate the process and may, in its sole discretion, re-solicit proposals under a new RFP. Unless the process is earlier terminated, based upon the Selection Committee's recommendation and the Authority reaching agreement with a Proposer, the Project representative will issue a notice of intent to award. The final award of the contract is subject to the review and approval of the Authority Board.

7.2 Mistakes in proposals

Minor informalities may be waived in the sole discretion of the Authority. Mistakes discovered after opening where the intended correct statement or amount is clear or properly substantiated may be corrected in the sole discretion of the Authority. Where the intended correct statement or amount is not clearly evident or cannot be substantiated by accompanying documents, and where the statement or amount is material to determining compliance with the minimum requirements of the RFP, the proposal may not be accepted in the sole discretion of the Authority. The Authority reserves the right to waive technical defects, discrepancies, and minor irregularities, and to not award a contract when it finds such action to be in the public interest, in the sole discretion of the Authority.

7.3 Notice of award

The Authority will provide written notice of award to a given Proposer within seven (7) days after the award, unless the Authority determines that a shorter notice period is more practicable.

7.4 Rejection of proposals

The Authority may reject any proposal not in compliance with all prescribed proposal procedures, requirements, rules, or laws, and may any and all proposals upon the Authority finding that it is in the public's best interest to do so. If all proposals are rejected, new proposals may be called for in a new solicitation, or the proposals received may be considered with opportunity for supplemental submission. If there is partial rejection, the Authority will solicit supplemental information only from those Proposers who submitted proposals, on the condition that it is unlikely that re-advertising would lead to greater competition. The Project representative is delegated the authority to reject all proposals, prepare findings of best interests, and provide written notice of rejection of all proposals.

8.0 SCOPE OF WORK

Proposer shall provide East Windsor MUA with a basic conceptual (3D rendering – Front view and side view) of the water treatment facility.

Submitted proposals should address the respondent's ability to provide the services and cost required for each of the following project phases:

8.1 CONCEPTUAL PLAN PHASE.

- a. Conduct meetings with EWMUA officials/staff as directed to determine space utilization needs and develop conceptual plans, review standard building systems, equipment, and code compliance issues.
- b. Proposer will be responsible to design for adequate utilities which includes Water Treatment Plant needs (sewer, electric, natural gas, storm water). Water Treatment Plant estimated to be 3.5MGD / 5 MGD (full build out) rating.
- c. Preliminary assessments
- d. Prepare and submit site plan and building sketches, together with cost options and recommendations for EWMUA review.
- e. Conduct meetings with EWMUA officials/staff as directed and address points of clarification.
- f. Prepare and submit final conceptual plans, estimated schedule and preliminary cost estimates to the EWMUA for review and approval.
- g. Submit conceptual plans and attend E.W. Township planning board for customary review
- h. Geotechnical work – Soil boring test for footings if necessary

8.2 CONSTRUCTION DOCUMENT PHASE

- a. Prepare and submit Preliminary and Final Design Documents, Specifications, Cost Estimate and Schedule to the EWMUA for review and approval.
- b. Conduct meetings with EWMUA officials/staff as directed and address points of clarification regarding the project and revise plans to reflect issues noted by review.
- c. Submit construction plans and attend E.W. Township planning board meetings for customary review
- d. Submit construction plans to Township for code review.
- e. Revise plans to reflect issues noted by review.
- f. Submit application to all necessary agencies (NJDEP, Mercer County Soils, Delaware Raritan Canal Commission, East Windsor Township construction dept, etc....). Water Allocation permitting and wetlands permitting has been started by a third party and will not be necessary for this RFP.

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- g. Deliver Final Construction Documents, Specifications, Cost Estimate and Schedule to the EWMUA suitable for public bidding. Delivered documents shall be delivered in both PDF and Word formats. Construction plans shall be delivered in both PDF and CAD format together with ten (10) paper sets. Additional paper sets are to be provided at cost, if required.
 - h. Obtain all necessary permitting for project

8.3 FUNDING PHASE.

- a. File necessary documents to the New Jersey Infrastructure Bank (NJIB) for EWMUA to obtain financing.
- b. Attend necessary meetings with EWMUA officials and staff with NJIB officials, NJDEP and any other agency if necessary.
- c. File necessary documents to obtain NJIB funding and any grants that maybe available for this project.
- d. Assist and attend meetings with EWMUA officials, staff, and Financial Advisor when requested.
- e. Obtain bid / construction approval letter from NJIB if applicable.

8.4 BID PHASE.

- a. Conduct a pre-bid conference if deemed necessary (estimate 4 hours).
- b. Respond to all bidder questions during the bid period and prepare addenda, if required.
- c. Attend bid opening, evaluate bids based upon bidders' qualifications, compliance with bid requirements and price, and make a recommendation of award (estimate 4 hours).

8.5 CONSTRUCTION ADMINISTRATION PHASE.

- a. Conduct a Pre-Construction meeting and issue Notice to Proceed.
- b. Conduct regular construction progress meetings; review and approve all contractor submittals.
- c. Provide oversight and periodic inspections during construction to monitor progress, cost, and general conformance with the contract requirements.
- d. Provide direction for questions and concerns from the contractor.
- e. Respond to owner concerns.
- f. Coordinate, review and process all Requests for Payment, NJIB funding requirements, Change Orders, etc. including maintaining a log of all such documents.
- g. Conduct Substantial Completion Inspection, coordinate and prepare punch list, substantiate completion of punch list items, and issue Substantial Completion Certificate.

- h. Close out project and submit required documentation for NJIB, NJDEP, or any private funding requirements.
- i. Provide Authority with all as-builds (Construction documents, As-builds and specifications are the sole property of the Authority).

8.6 PROJECT SCHEDULE

The tentative schedule for the project is as follows:

TASK	TIMELINE
Solicit Engineering/Architectural Services proposals	March 11, 2024
Receive Proposals	April 17, 2024
Award Engineering/Architectural Services Contract	June 20 , 2024
Execute Contract	Within 10 days of Contract Award Notice
Schedule Kick-off Meeting	Within 1 months of Contract Execution
Submit Conceptual Plans for Authority Review	Within 3 months of Contract Execution
Submit permit application to all necessary agencies	Within 3 months of contract execution
Deliver Final Plans & Specifications for Bidding	Within 5 months of Contract Execution
Submit Application to NJIB; Obtain Funding through NJIB or Private Financing	Within 5 months of Contract Execution
Submit Final Plans to Planning Board	Within 5 months of Contract Execution
Bid Construction Contract	Within 6 Months of Contract Execution
Award Construction Contract	Within 8 Months of Contract Execution
Complete Construction	TBD
Project Closeout	TBD

Attachment A – Required Elements of Proposals

1.1 Proposal documents and format and documents to be submitted

The proposal submitted must include:

- Responses to each of the required items stated under 1.3, below.
- A completed and executed Proposer Statements and Certifications form (Attachment B).

1.2 Form of proposal

The form of the proposal must:

- Include the responses to Proposal Elements A - F below in the order and numbering requested
- Be submitted in the form and within the limitations stated in this RFP
- Contain primary text and headings in not less than 10-point type (with smaller text acceptable in notes, graphs, requested tables, and images, provided the information presented is reasonably legible)
- Be limited to no more than 12 pages, one sided, nominal 8.5" x 11" size. Pages used for a cover, cover letter (not to exceed two pages), section dividers, résumés identified in Proposal Element B below, and references in accordance with Proposal Element E below are not included in the page limit. Conceptual Plan (3D rendering – Plan sheet size)

1.3 Required response criteria

The proposal must address each of the following Proposal Elements:

A. Design team qualifications and experience (25 points maximum)

Provide sufficient information on the background, qualifications, technical competence, and specialized experience of Proposer (lead firm) to demonstrate its ability to provide the services required for this Project. Include a list of past projects demonstrating such qualifications and experience. Emphasize projects of similar scope, scale, and context, and how they are relevant to the Project subject to this RFP. Identify names and roles of team members listed in Proposal Element B below associated with each past project.

The Authority reserves the right to provide input on the final selection of subconsultants and has ultimate discretion on whether a subconsultant may be included on the Proposer's Design Team. However, the Authority intends to give broad discretion to the Proposer to assemble the Design Team that will result in the best possible execution of the Project.

Engineering, landscape architecture, and/or cost estimating services shall also be added to the Design Team as required either as a subconsultant to the selected Proposer or under direct contract with the Authority.

B. Key personnel (15 points maximum)

Provide an organizational chart of the proposed Design Team. Include the names of key persons designated to be on the Design Team and their intended role in the Project. Include the names and roles of key personnel from each subconsultant firm listed in Proposal Element A.

Provide a concise description of the qualifications and experience of Proposer's (lead firm's) key personnel. Include professional biographies or résumés for key Design Team members, including subconsultants, as an attachment at the end of the proposal. List any relevant certifications and/or licenses and their expiration date(s).

C. Project approach (35 points maximum)

Provide a general description of the techniques, methods, and tools your firm/team would expect to utilize for successfully completing this project. Address development of the design, management of budget and schedule, facilitation of decision making, development of construction documents, and construction administration. Present a Conceptual drawing (3D Rendering) of the two buildings as to how the proposer visualizes the project.

D. Proposal organization and readability (5 points maximum)

The Authority will evaluate the extent to which the proposal follows the instructions contained in this RFP, is easy to read and follow, and is professional in its presentation. This element may also be used by evaluators to assist in understanding and scoring other Proposal Elements.

E. Fee and schedule for various phases (20 points maximum)

Fixed fee for entirety of the project and payment schedules for various phases of the work. Include hourly rates for project personnel.

Invoicing shall reflect the amount of work performed during the billing period based upon the agreed-upon schedule.

Schedule for various phases of the project.

F. References (not separately scored)

Provide references from at least 3 comparable clients for which your firm has provided similar services that would be representative of the work anticipated under this RFP. The Authority reserves the right to investigate the past performance of any submitting firm with respect to its successful performance of similar projects, compliance with contractual obligations, and its completion or delivery of a project on schedule. Please ensure that your references are prepared to speak to the Authority regarding your firm's service and operation. For each reference, provide the following information:

- Name of organization
- Length of relationship
- Location
- Contact name
- Contact telephone number, and email
- Name and date of project(s) completed
- Brief description of project

Responses to reference checks, whether those references are listed above, may be used to assist in scoring other Proposal Elements. Authority staff may not be used as references and any previous work done by individuals or firms responding to this RFP will not be considered in evaluating statements except as specifically submitted in response to the Proposal Elements above.

[This section left intentionally blank.]

Attachment B – Proposer statement and certification

Proposer's Name:

RFP Title:

Proposer Statements:

Proposer's Offer. Proposer offers to provide the services in accordance with the requirements of the Request for Proposals (RFP) stated above and the enclosed proposal. The undersigned Proposer declares that the Proposer has carefully examined the above-named RFP, and that, if this proposal is accepted, Proposer will execute a contract with the Authority to furnish the services of the proposal submitted with this form. Proposer attests that the information provided is true and accurate to the best of the personal knowledge of the person signing this proposal, and that the person signing has the authority to represent the individual or organization in whose name this proposal is submitted.

Proposer's Acceptance of Terms and Conditions. By execution of this Form, the undersigned Proposer accepts all terms and conditions of this RFP except as modified in writing in its proposal. Proposer agrees that the offer made in this proposal will remain irrevocable for a period of 60 days from the date proposals are due.

Proposer's Acknowledgement of Open Public Records Act. By execution of this Form, the undersigned Proposer acknowledges that its entire proposal is subject to New Jersey Open Public Records Act (N.J.S. 47:1A-1 et seq.), and may be disclosed in its entirety to any person or organization making a records request, except for such information as may be exempt from disclosure under the law. Proposer agrees that all information included in this proposal that is claimed to be exempt from disclosure has been clearly identified either in the Proposer Statement, or in an itemization attached hereto. Proposer further acknowledges its responsibility to defend, hold harmless, reimburse and indemnify the Authority for any costs associated with establishing a claimed exemption.

Addenda

Proposer acknowledges that it has received, considered, and hereby agrees with and accepts the terms, conditions, requirements, clarifications and other information or instructions provided in the following addenda, if any:

Certifications

By signing this Proposer's Certification form, Proposer certifies that:

- Certification Status. Proposer is () is not () (check one) a New Jersey Licensed engineer and or architect.
- Certification of Non-Discrimination. Proposer has not discriminated and will not discriminate against a subcontractor in awarding a subcontract because the subcontractor is a disadvantaged business enterprise, minority-owned business, woman-owned business, a business that a service-disabled veteran owns, or an emerging small business.
- Certification of Non-Collusion. This proposal is made without connection or agreement with any individual, firm, partnership, corporation, or other entity making a proposal for the same services, and is in all respects fair and free from collusion or collaboration with any other Proposer.

[This section left intentionally blank.]

The undersigned, by signature here, acknowledges, accepts, and certifies to the statements and certifications as stated above.

PROPOSER:

Authorized signature

Proposer's legal name

Name of authorized signer

Address

Title

Federal Tax ID number

Date

Optional contact information regarding this proposal:

Contact name

Telephone number

Email address

Attachment C – Selection procedure and scoring

Selection Committee. The Selection Committee is anticipated to be comprised of:

- Richard Brand, Executive Director
- Linda Moore, Board Chairperson
- Marc Platizky, Board Secretary

The Authority reserves the right to modify the composition of the Selection Committee, including but not limited to the number of committee members.

Evaluation Process. The selection process for this RFP will include the procedures identified here:

- Will include evaluation and scoring of initial proposal
- May include interviews of top-scored Proposers
- May include a requirement for additional questions and responses from top-scored Proposers

Notwithstanding the selection procedures identified above, the Authority reserves the right to terminate the evaluation process after completion of any procedural stage when, in the Authority sole discretion, further evaluation procedures are not required for the Authority to identify the Proposer whose offer will best suit the interests of the Authority.

Proposal Scoring. The Authority will score proposals according to the following criteria:

Proposal element	Maximum points
Design team qualifications and experience	25
Key personnel	15
Project approach	35
Proposal organization and readability	5
Fee	20
	100

Attachment D – Insurance requirements

Proposer is not permitted to begin any work until Proposer obtains, at Proposer's own expense, all required insurance as specified below. Such insurance must have the approval of the Authority as to limits, form, and amount.

The types of insurance Proposer is required to obtain or maintain for the full period of the contract will be:

- Commercial General Liability Insurance covering Bodily Injury and Property Damage on an "occurrence" form. Such insurance shall be primary and non-contributory. Coverage shall be a minimum of \$2,000,000 per occurrence, and \$2,000,000 aggregate.
- Commercial Automobile Liability coverage including coverage for all owned, hired, and non-owned vehicles. The Combined Single Limit per occurrence shall not be less than \$1,000,000.
- Workers' Compensation Coverage. The Proposer, its subcontractors, if any, and all employers providing work, labor or materials under this Contract who are subject employers under the New Jersey Workers' Compensation Law, which requires them to provide workers' compensation coverage that satisfies New Jersey law for all their subject workers. Out-of-state employers must provide workers' compensation coverage for their workers that comply with New Jersey. Employers' Liability Insurance with coverage limits of not less than \$500,000 each accident is required.
- Professional Liability Insurance covering any damages caused by an error, omission, or any negligent acts. Combined single limit per occurrence shall not be less than \$2,000,000. Annual aggregate limit shall not be less than \$2,000,000.
- Additional insured endorsement for General Liability Insurance is required.

Attachment E – Pictures of existing property

This attachment provides pictures of the property under the services that this RFP contemplates. These pictures are provided to familiarize proposers with existing conditions, especially in relation to the “Project Approach” section of the required proposal elements.



Area of Wetlands



Location of site



Location of site (near tree line)

Attachment F – Conceptual Drawings (Authority)

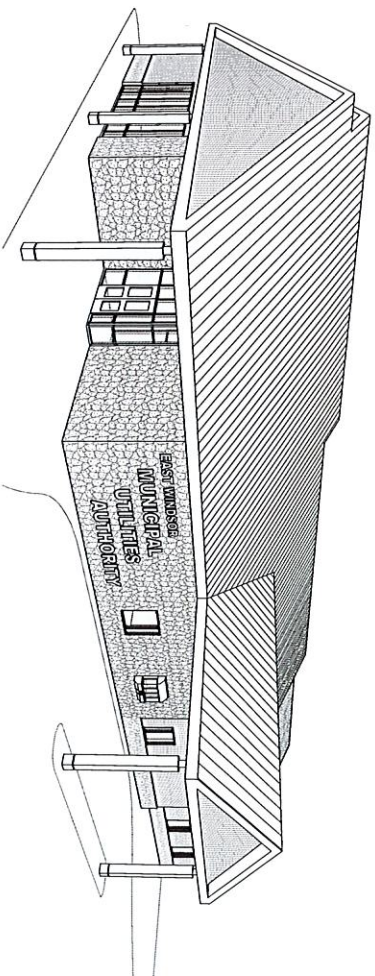
ADMINISTRATION AND MAINTENANCE BUILDING

147 MILLSTONE ROAD, EAST WINDSOR, NJ 08520

FOR THE

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

7 WILTSHIRE DRIVE, EAST WINDSOR, NJ 08520



HARRISON HAMNETT
STRUCTURAL ENGINEERS

KSI ASSOCIATES
M/E/P ENGINEERS

CME ASSOCIATES
SITE / CIVIL ENGINEER



SPIEZE ARCHITECTURAL GROUP, INC.
1395 WADSWORTH HAMILTON SQUARE ROAD
HAMILTON, NJ 08691
Phone: 609.696.7400 Fax: 609.394.2274
www.spieze.com

CODE SUBMISSION: DDMM/YYYY
BID DATE: TBD

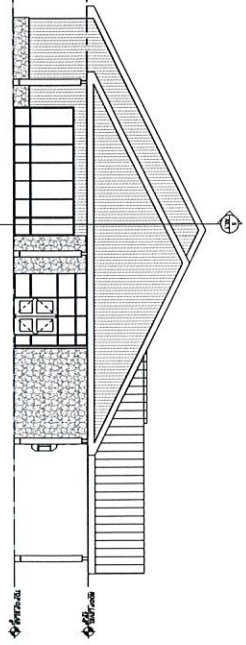
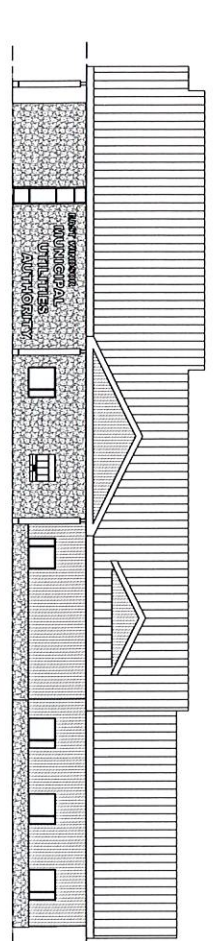
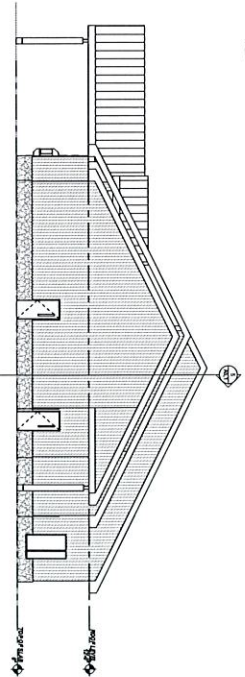
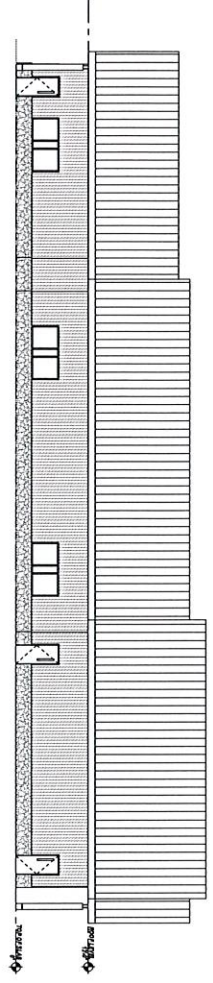
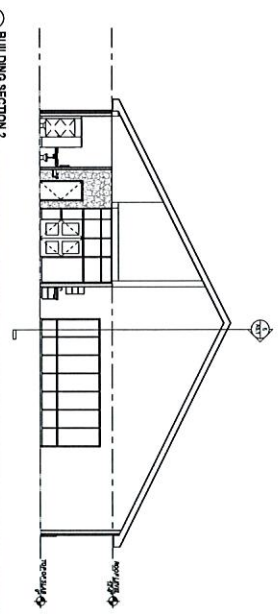
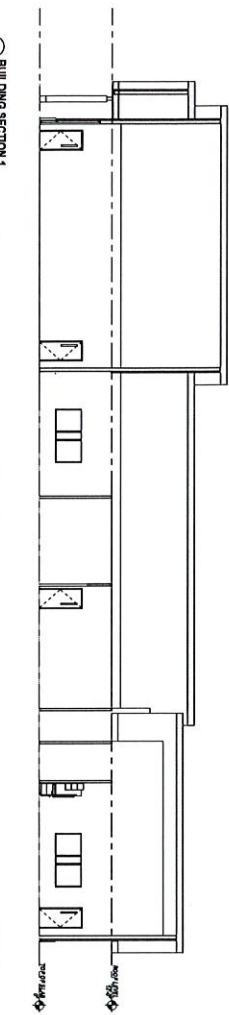
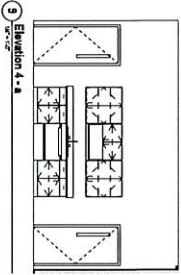
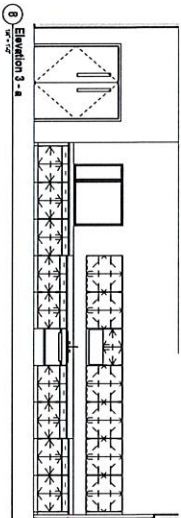
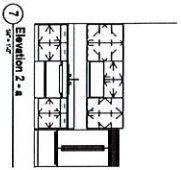
SCHEMATIC DESIGN

ADMINISTRATION AND
MAINTENANCE BUILDING

21M009

DATE: 08/11/09

CS.1



1 Elevation 1

2 Elevation 2

3 Elevation 3

4 Elevation 4

5 BUILDING SECTION 1

6 BUILDING SECTION 2

7 Elevation 2 - a

8 Elevation 3 - a

9 Elevation 4 - a

DATE PLOTTED: _____

SCALE: _____

DRAWN BY: _____

CHECKED BY: _____

PROJECT: SCHEMATIC DESIGN

CLIENT: EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

PROJECT ADDRESS: 7961 SHINE DRIVE EAST WINDSOR, ON N2S 1L2

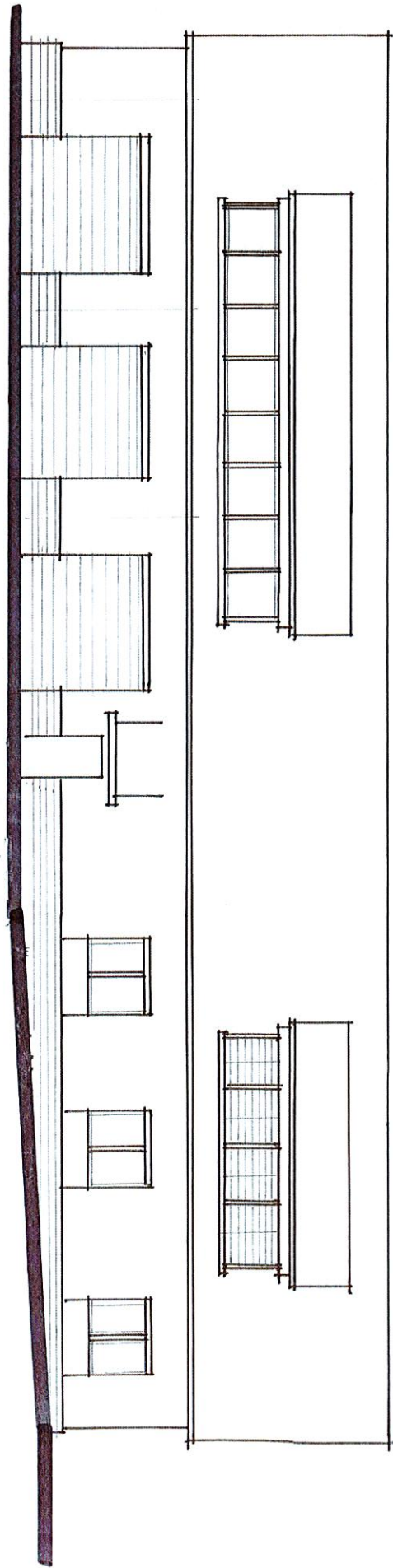
DATE: 21/10/09

PROJECT NUMBER: 2110009

PROJECT TITLE: EXTERIOR ELEVATIONS AND BUILDING SECTIONS

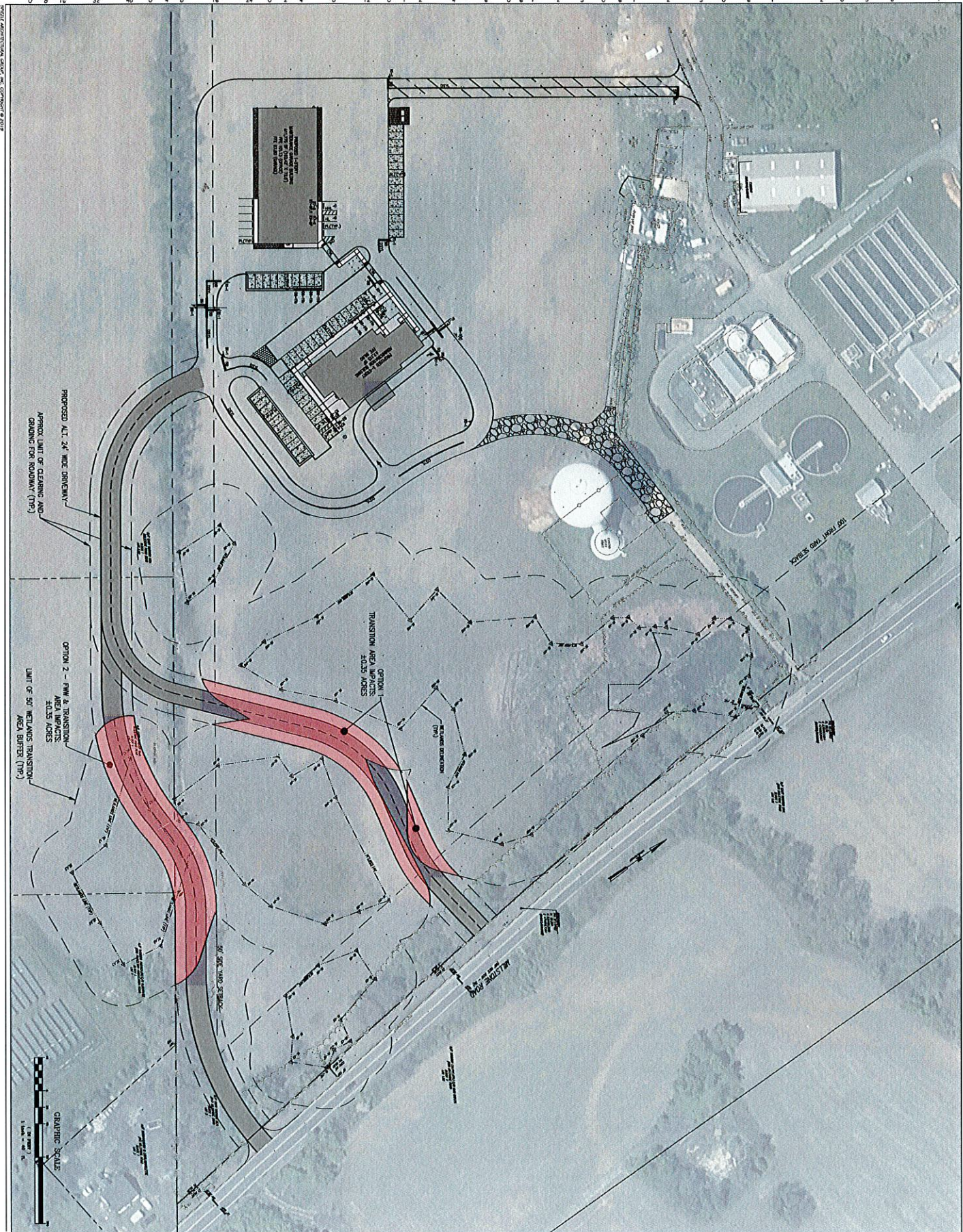
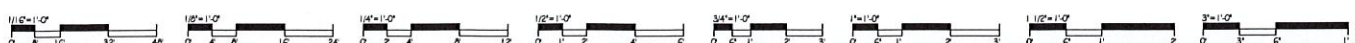
DRAWING NUMBER: A5.1

DO NOT SCALE THE DRAWING



FRONT ELEVATION

MAINTENANCE BUILDING PROPOSED ELEVATIONS



PROPOSED ALT. 24' WIDE DRIVEWAY
APPROX. LIMIT OF CLEARING AND GRADING FOR ROADWAY (TR)

OPTION 2 - FIN. & TRANSITION AREA IMPROVEMENTS
LIMIT OF 50' WELANDS TRANSITION AREA BUFFER (TR)

OPTION 1
TRANSITION AREA IMPROVEMENTS
SCISSOR ACRES



SW3.0

100' WEST 25' DRIVE

100' WEST 25' DRIVE

100' WEST 25' DRIVE

EAST WINNOCOR MUNICIPAL UTILITIES AUTHORITY

7 WILSON DRIVE
EAST WINNOCOR, NEW JERSEY 07030

WEST ADMINISTRATION AND MAINTENANCE BUILDING/CARAGE

ROOM 1, LOT 2
1.47 ACRES
EAST WINNOCOR, NEW JERSEY 07030

THEBROCK ENGINEERING, P.L.L.C.

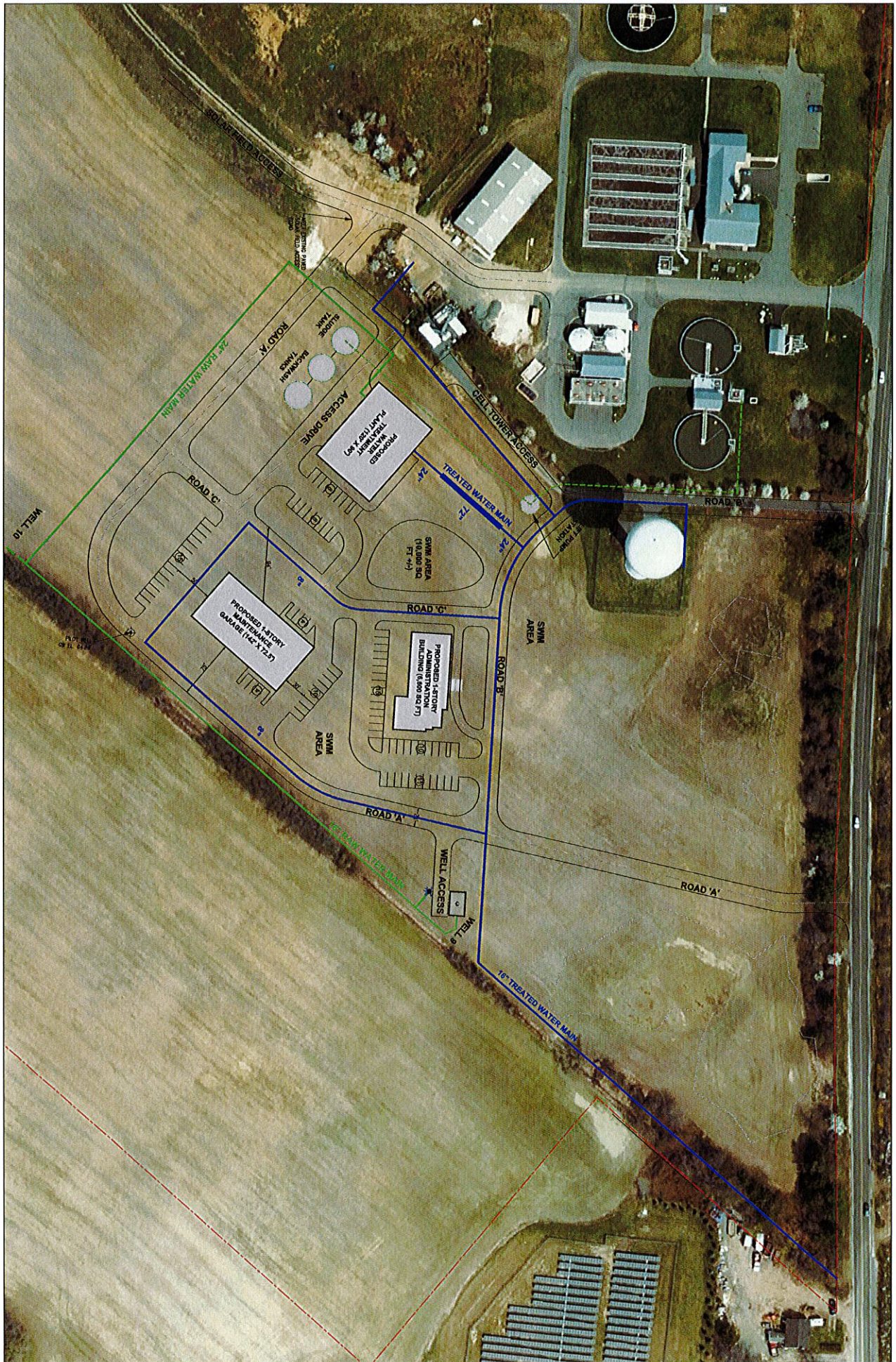
100 WEST 25' DRIVE
EAST WINNOCOR, NEW JERSEY 07030

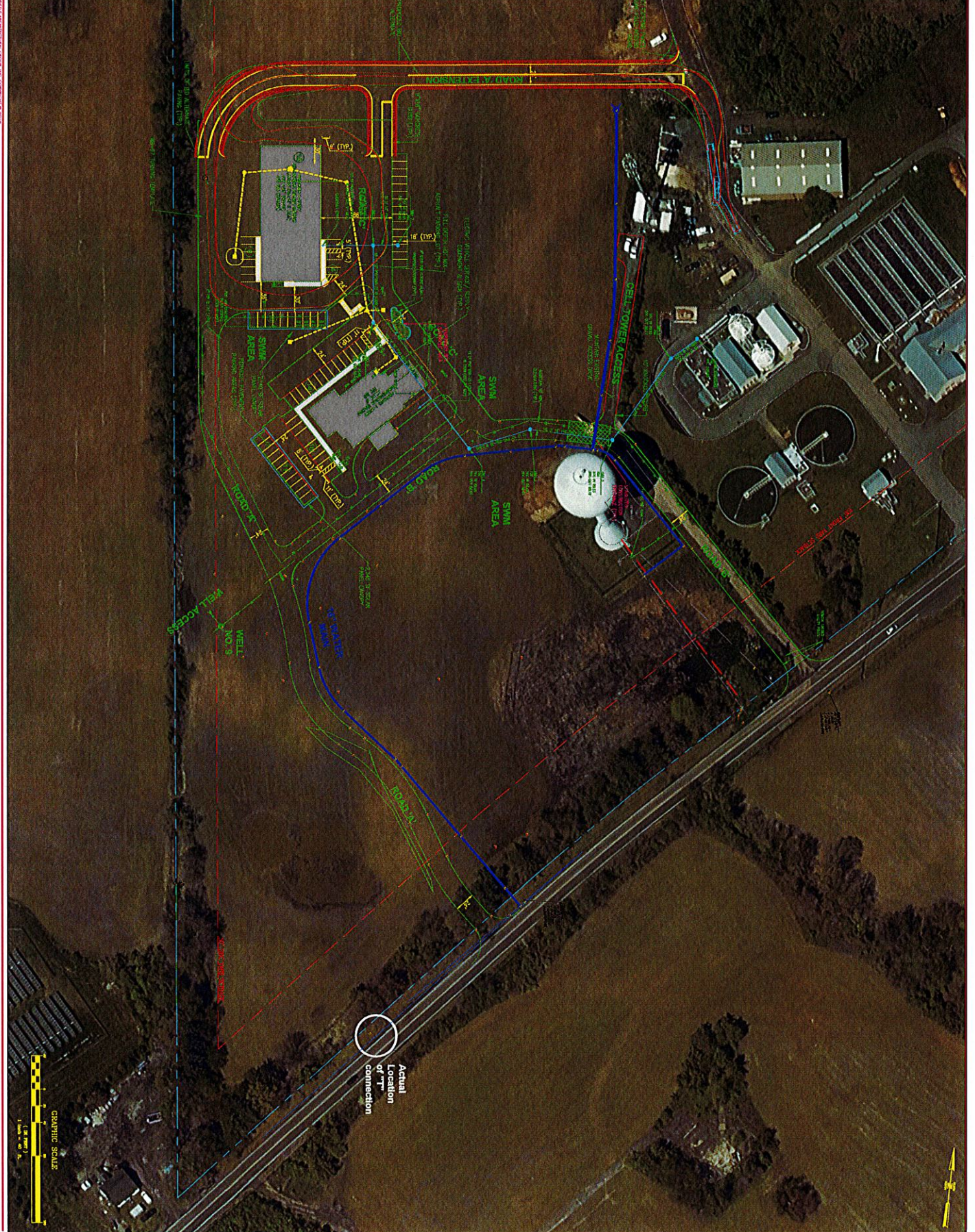
spiegle

100 WEST 25' DRIVE
EAST WINNOCOR, NEW JERSEY 07030

CONTRACT

100 WEST 25' DRIVE
EAST WINNOCOR, NEW JERSEY 07030





<p>DATE: 07/20/2011</p>	<p>CONTRACTOR:</p> <p>1800 WEST WINDSOR, NEW JERSEY 07033-1000 PHONE: 908.426.1000 FAX: 908.426.1000 WWW: WWW.1800WESTWINDSOR.COM</p>	<p>CONSULTANT:</p> <p>THE HNTB GROUP, INC. 1000 WEST WINDSOR, NEW JERSEY 07033-1000 PHONE: 908.426.1000 FAX: 908.426.1000 WWW: WWW.HNTB.COM</p>	<p>PROJECT:</p> <p>NEW ADMINISTRATION AND MAINTENANCE BUILDING/GARAGE 1.47 MILLION SQ. FT. 7 WINDSOR DRIVE EAST WINDSOR, NEW JERSEY 07033</p>	<p>PROJECT NUMBER:</p> <p>PR-DA</p>	<p>CONTRACTOR MARKS:</p> <p>ADVISOR MARKS: #####</p>
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SWS.O
SUEWELSON CONSULTANTS
1965
1800 S. 48th St.
Tulsa, OK 74109
Tel: (918) 438-3333
Fax: (918) 438-3344
www.suewelson.com

PHASE 1: EXISTING AND DEVELOPMENT OF TREATMENT CREEK

SITE LAYOUT AND DIMENSIONING PLAN

DATE: 08/01/07
PROJECT NO: 07-000-0010

CLIENTS:
NEW ADMINISTRATION AND MAINTENANCE BUILDINGS AND BUILDINGS
AND MAINTENANCE BUILDINGS
ADMINISTRATION AND MAINTENANCE BUILDINGS
ADMINISTRATION AND MAINTENANCE BUILDINGS

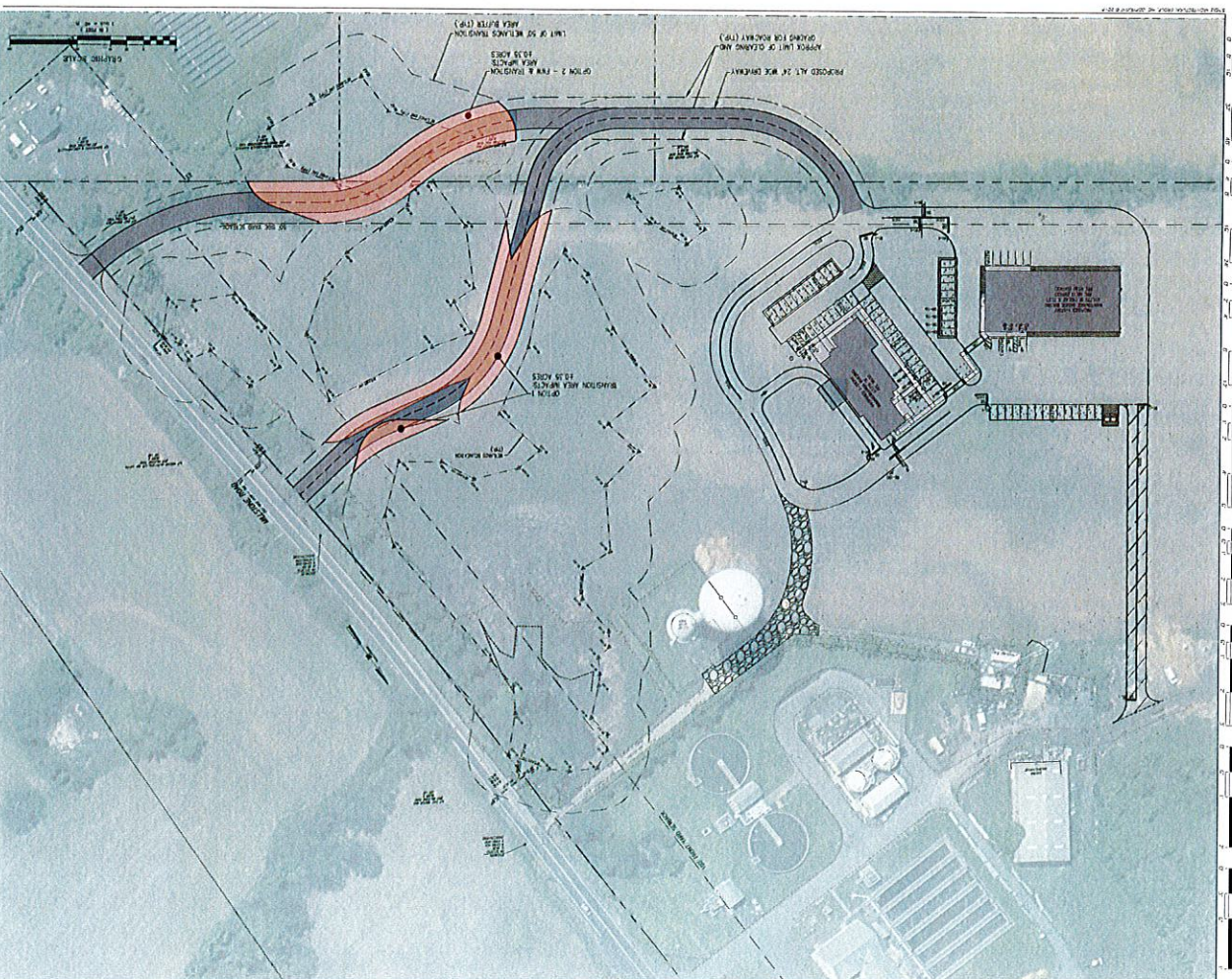
DESIGNED BY:
SUEWELSON CONSULTANTS
DATE: 08/01/07

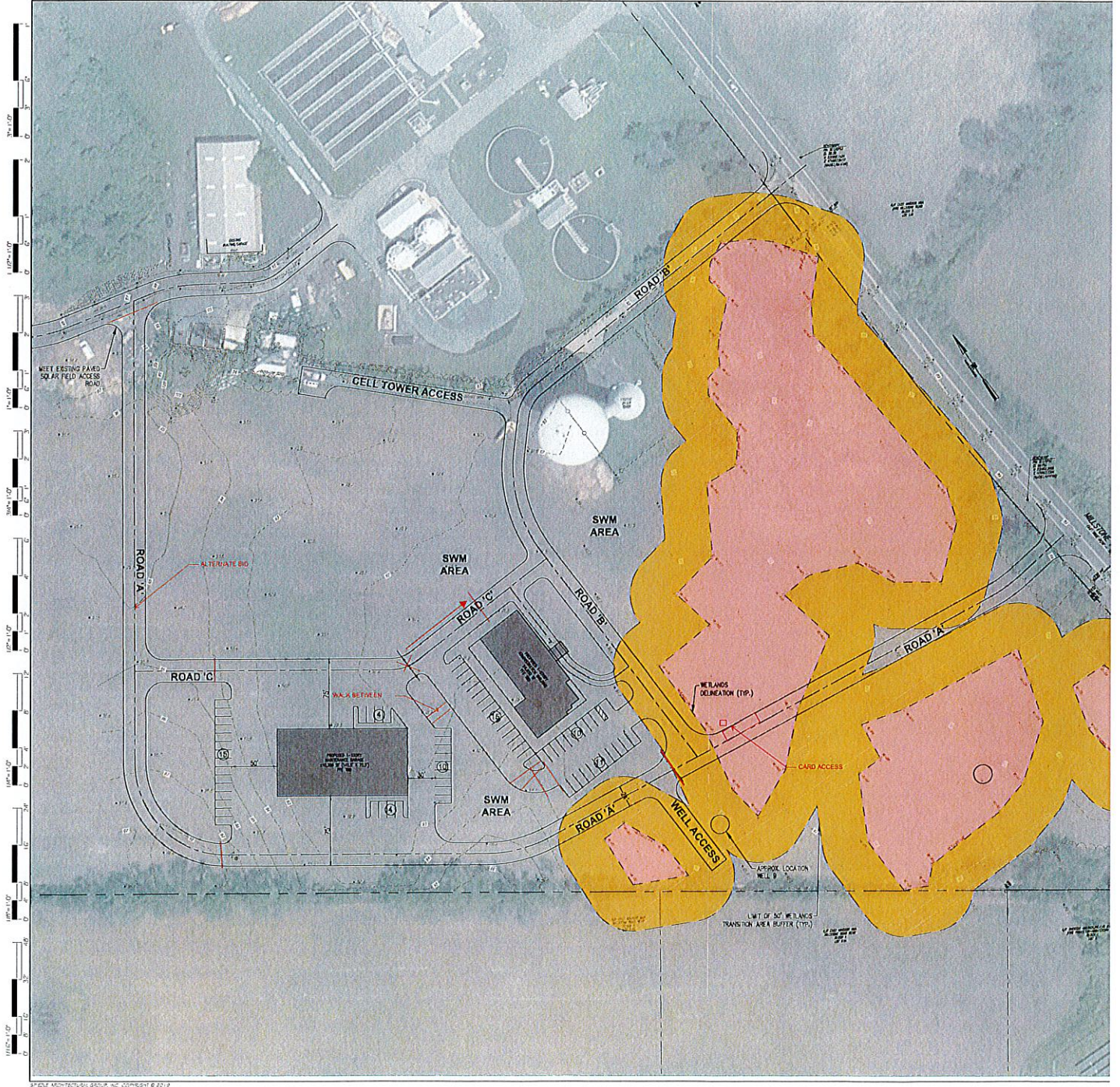
CHECKED BY:
DATE: 08/01/07

APPROVED BY:
DATE: 08/01/07

SCALE:
1" = 40'

GRAPHIC SCALE:
0 10 20 30 40 50 60 70 80 90 100





BID PRICE SHEET FOR WATER TREATMENT PLANT AND WELL BUILDINGS PROJECT DESIGN

Conceptual Plan Phase (I)

- a. Proposer will be responsible to design for adequate utilities for the Water Treatment Plant needs (sewer, electric, natural gas, storm water). Water Treatment Plant estimated to be 3.5 MGD rating with a full build out to 5 MGD.
- b. Preliminary assessments
- c. Prepare and submit site plan and building sketches, together with cost options and recommendations for EWMUA review.
- d. Conduct meetings with EWMUA officials/staff as directed and address points of clarification.
- e. Prepare and submit final conceptual plans, estimated schedule and preliminary cost estimates to the EWMUA for review and approval.
- f. Submit conceptual plans to E.W. Township planning board for customary review.

Conceptual Plan Phase I Lump Sum Fee \$_____

Meetings

- a) Meetings - It will be assumed that three meetings will be required during the Conceptual Plan design phase: 30% design review and 90% design review. It should also be assumed that there will be separate meetings with the full Authority Board. The EWMUA estimates that 6 hours should be assumed. Note: The Authority will only pay for actual time in meeting. Travel time is not considered.

Conceptual Plan Phase I-a Lump Sum Fee \$_____

- b) **Geophysical Investigation** – Soil borings will be advanced at the building locations to determine sub surface conditions. The boring depths will be at a minimum of 25' below grade, if necessary, to determine if there is any variation in the geology and to select the optimum strata for building footings. Boring logs will be prepared with the classification

of soils at each boring, depth to ground water, standard penetration test blow-out counts, sieve analyses, Atterberg Limits and unconfirmed compression tests.

If bedrock is encountered before the boring termination depth (25'), rock coring will be performed at 5' intervals to the boring termination depth (25'). Based on past projects and geologic information, rock formation is not expected to be encountered for building footings. If found to be necessary, rock cores will be cored using a minimum NX-size core barrel to measure the Rock Quality Designation (RQD) of the rock encounter. As part of this scope, the proposer or sub - contractor doing the work will be responsible to notify the one call mark-out system prior to any boring.

A Geo Technical representative shall be onsite during the borings to oversee and log all soil boring activities. Upon completion, a Geotechnical Data Report (GDR) will be produced with factual Geotechnical and geologic data obtained through the soil borings and laboratory test and does not include interpretive or baseline information. The GDR shall provide at a minimum:

- 4 copies of a GDR will be prepared with supporting boring logs and test results.
- The GDR will provide a description of the investigation including the final boring logs and a footing overview showing boring locations.
- The GDR will provide a description of the laboratory test conducted and a summary of the laboratory testing results.

The drilling program will consist of a minimum two borings per building and to be located as follows:

- Boring B-1 (South west corner side of buildings)
 - 1 boring advanced to 25' below grade in the location of the proposed building.
- Boring B-2 (North East corner side of buildings)
 - 1 boring advanced to 25' below grade in the location of the proposed Jack and Bore pit.

Conceptual Plan Phase I-b Lump Sum Fee \$_____

- c) Surveyor – East Windsor MUA has a current survey of the property. If further surveying is required, the proposer will be required to do so.

Conceptual Plan Phase I-c Lump Sum Fee \$_____

Total cost of Scope of Services Conceptual Plan Phase I (I thru I-c) Lump Sum Fee

\$ _____

Project Schedule – This project has several approvals from different agencies and is scheduled to go out to bid shortly. This project is on a fast track and the EWMUA will require this process to move quickly. The EWMUA requires a schedule for completion of the design and filing of all permits for consideration of this project. Weeks noted are from receipt of written Notice to Proceed from the EWMUA:

- Drill soil borings; review permitting process and notify EWMUA of status _____ weeks;
- Prepare 30% design (preliminary design) _____ weeks;
- Preparation of Geotechnical Data Report _____ weeks;
- Prepare 90% design _____ weeks;
- Prepare 100% design (Bid documents); permits filed with all agencies _____ weeks;

CONSTRUCTION DOCUMENT PHASE (II)

- a. Prepare and submit Preliminary and Final Design Documents, Specifications, Cost Estimate and Schedule to the EWMUA for review and approval.
- b. Submit Final Design Documents, Specifications, Cost Estimate and Schedule to NJIB and any other agency for final approvals
- b. Conduct meetings with EWMUA officials/staff as directed and address points of clarification regarding the project and revise plans to reflect issues noted by review.
- c. Submit construction plans and attend E.W. Township planning board meetings for customary review
- d. Submit construction plans to Township for code review.
- e. Revise plans to reflect issues noted by review.
- f. Deliver Final Construction Documents, Specifications, Cost Estimate and Schedule to the EWMUA suitable for public bidding. Delivered documents shall be delivered in both PDF and Word formats. Construction plans shall be delivered in both PDF and CAD format together with ten (10) paper sets. Additional paper sets are to be provided at cost, if required.

Construction Document Phase II - a Lump Sum Fee \$ _____

Meetings

- a. Meetings - It will be assumed that three meetings will be required during the Construction Document phase: Preliminary and final design review. It should also be assumed that two meetings with the East Windsor Twp. Planning Board. The EWMUA estimates that 8 hours should be assumed. Note: The Authority will only pay for actual time in meeting. Travel time is not considered.

Construction Document Phase II-b. Lump Sum Fee \$_____

- b. **Permitting Applications** - It should be assumed that NJDEP, Soil Erosion and Sediment Control Plan Certification and the Delaware Raritan Canal Commission may require applications for permits.

- 1) NJDEP Division of Land Use Regulation Freshwater Wetlands and/or transitional area waiver permitting – Wetlands may be located on the property by the well buildings. A letter of interpretation and wetlands delineation will be required. Mitigation of wetlands maybe necessary.

Construction Document Phase II-c Lump Sum Fee \$_____

- 2) Mercer County Soil Conservation District - A permit may be required and it will be necessary for the preparation of the application, check list and disclosure forms. Submit plans and applications for approval.

Construction Document Phase II-d Lump Sum Fee \$_____

- 3) Delaware and Raritan Canal Commission – This permit may be required.

Construction Document Phase II-e Lump Sum Fee \$_____

Total cost of Scope of Services - Construction Document Phase (II thru II-e)

\$_____

FUNDING PHASE (III)

- a. File necessary documents to the New Jersey Infrastructure Bank (NJIB) for EWMUA to obtain financing.
- b. File necessary documents to obtain any grants that maybe available for this project.
- c. Obtain construction approval letter from NJIB if applicable.

Funding Phase III-a Lump Sum Fee \$_____

- a. **Meetings** - It will be assumed that two meetings may be required during the funding phase: It should also be assumed that two meetings with the NJDEP and NJIB officials. The EWMUA estimates that 8 hours to discuss project and funding should be assumed. Note: The Authority will only pay for actual time in meeting. Travel time is not considered.

Funding Phase III-b. Lump Sum Fee \$_____

Total cost of Scope of Services Funding Phase (III-a + III-b)

\$_____

BID PHASE (IV)

- a. Conduct a pre-bid conference if deemed necessary.
- b. Respond to all bidder questions during the bid period and prepare addenda, if required.
- c. Attend bid opening, evaluate bids based upon bidders' qualifications, compliance with bid requirements and price, and make a recommendation of award.
 - 1) **Meetings** - It will be assumed that two meetings will be required during the Bid phase: It should also be assumed that two meetings: Pre - Bid meeting and Bid Opening meeting. The EWMUA estimates that a total of 6 hours to discuss project at pre bid meeting and review bid opening, if necessary, should be assumed. Note: The Authority will only pay for actual time in meeting. Travel time is not considered.

Total cost of Scope of Services Bid Phase (IV) \$_____

CONSTRUCTION ADMINISTRATION PHASE (V)

- a. Conduct a Pre-Construction meeting and issue Notice to Proceed.
- b. Obtain all necessary permitting for project
- c. Conduct regular construction progress meetings; review and approve all contractor submittals.
- d. Provide oversight and periodic inspections during construction to monitor progress, cost, and general conformance with the contract requirements.
- e. Provide direction for questions and concerns from the contractor.
- f. Respond to owner concerns.
- g. Coordinate, review and process all Requests for Payment, NJIB funding requirements, Change Orders, etc. including maintaining a log of all such documents.
- h. Conduct Substantial Completion Inspection, coordinate and prepare punch list, substantiate completion of punch list items, and issue Substantial Completion Certificate.
- i. Close out project and submit required documentation for NJIB or private funding requirements.

Provide Authority with all as-builds (As-builds are the property of the Authority)

Construction Administration Phase (V) Hourly Fee \$ _____

- 1) **Construction Administration** - It will be assumed that two to three days per week on average will be required during the construction phase. The EWMUA feels 1,040 hours of Construction Administration should be assumed. Note: The Authority will only pay for actual time in the field. Travel time is not considered.

Construction Administration Phase (V) Lump Sum Fee \$ _____

(Phase (V) x 1,040 Hours)

Total cost of Scope of Services (I – V) \$ _____

Total Cost of Scope of Service (I-V) _____

(In Writing) Not to exceed

**PROPOSAL DOCUMENT CHECKLIST
(REQUIRED WITH SUBMISSION OF PROPOSAL)**

The following checklist is provided as assistance to the development of the RFP Response. It in no way supersedes or replaces the requirements of the RFP. Please initial on the lines below for each document/section attesting to the fact that you have read and/or included the documents with your RFP.

Business Registration Certificate to be supplied
(PRIOR TO CONTRACT AWARD) _____√_____

Acknowledgement of Receipt of Addenda _____√_____

Stockholder Disclosure
(MANDATORY REJECTION IF NOT INCLUDED) _____√_____

Affirmative Action Statement _____√_____

Affirmative Action Mandatory Language _____√_____

Affidavit of Compliance – Township of East Windsor _____√_____

Americans with Disabilities Act Mandatory Language _____√_____

Acknowledgement of Addenda _____√_____

Non-Collusion Affidavit _____√_____

Disclosure of Invested Activities in Iran
(required to be completed) _____

Detailed Information as Mentioned in this
Request for Proposal _____√_____

Original Copy and **(2)** additional copies
with **original** signatures _____√_____

Proposal Form with original signature _____√_____

STANDARD BID DOCUMENT REFERENCE	
	Reference: III
Name of Form:	ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA
Statutory Reference:	N.J.S.A. 40A:11-23c. 1), 2), & 3)
Instructions Reference:	Interpretation and Addenda III
Description:	Recommended administrative method for securing Acknowledgment of receipt of addenda by bidders

This form could be used for complex purchases.

Should it be necessary to issue addenda, it is recommended that an acknowledgement form for receipt of addenda accompany same.

Publishing & Notice Requirements for Bid Addenda

N.J.S.A. 40A:11-23c, 1), 2), & 3)

TYPE OF BID SOLICITATION

Action	Goods & Services	Construction Work	Municipal Solid Waste Collection & Disposal Service
Publish in official newspaper of the contracting unit	Yes	Not required	Published in an official newspaper, and in at least one newspaper of general circulation published in the State.
Publication Time	No later than 7 days, Saturdays, Sundays, & holidays excepted, prior to the date for acceptance of bids.	A notice shall be provided no later than 7 days, Saturdays, Sundays, or holidays excepted, prior to the date for acceptance of bids, to any person who has submitted a bid or who has received a bid package.*	No later than 7 days, Saturdays, Sundays, & holidays excepted, prior to the date for acceptance of bids.
In writing by certified mail <u>or by:</u>	Yes	Yes	While the Local Public Contracts Law does not specifically provide for these three methods, it may be a best practice to use any one of the three.
...Certified facsimile transmission** <u>or by:</u>	Yes	Yes	
...A delivery service***	Yes	Yes	

* For all construction work contracts a notice must be provided, but the placement of an official newspaper notice is not statutorily required.

** Sender's facsimile machine produces a receipt showing date and time of transmission and that the transmission was successful.

*** Delivery service provides certification of delivery to the sender.

(Name of Local Public Agency)

ACKNOWLEDGMENT OF RECEIPT OF ADDENDA

The undersigned Bidder hereby acknowledges receipt of the following Addenda:

<u>Addendum Number</u>	<u>Dated</u>	<u>Acknowledge Receipt</u> (initial)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

No addenda were received:

Acknowledged for: _____
(Name of Bidder)

By: _____
(Signature of Authorized Representative)

Name: _____
(Print or Type)

Title: _____

Date: _____

STOCKHOLDER DISCLOSURE CERTIFICATION
(MANDATORY REQUIREMENT)

_____ I certify that the list below contains the names and home addresses of all stockholders holding 10% or more of the issued and outstanding stock of the undersigned.

_____ I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

____Partnership ____Corporation ____Sole Proprietorship
____Limited Partnership ____Limited Liability Company ____Limited Liability Partnership
____Subchapter S Corporation ____Non-Profit Corporation ____Other_____

**PLEASE CHECK APPROPRIATE STATEMENTS ABOVE AND SIGN BELOW
THIS STATEMENT MUST BE INCLUDED WITH PROPOSAL SUBMISSION.**

Stockholders

Name: _____
Home Address: _____

Name: _____
Home Address: _____

Name: _____
Home Address: _____

Name: _____
Home Address: _____

Name: _____
Home Address: _____

Name: _____
Home Address: _____

THIS STATEMENT MUST BE INCLUDED WITH PROPOSAL SUBMISSION

Subscribed and sworn before me
this ____ day of _____, 20__ (Affiant)

(Notary Public)

(Print Name & Title)

Affiant)

My Commission expires: _____ (Corporate Seal)

**REQUIRED EVIDENCE
AFFIRMATIVE ACTION REGULATIONS
N.J.S.A. 10:5-31et seq., N.J.A.C. 17:27**

If awarded a contract, all procurement and service contractors will be required to comply with the requirements of P.L.1975, C.127, (N.J.A.C. 17:27). Within seven (7) days after receipt of the notification of intent to award the contract or receipt of the contract, whichever is sooner, the contractor should present one of the following to the Purchasing Agent:

1. A photocopy of a valid letter from the U.S. Department of Labor that the contractor has an existing federally-approved or sanctioned Affirmative Action Plan (good for one year from the date of the letter).
OR
2. A photocopy of approved Certificate of Employee Information Report.
OR
3. An Affirmative Action Employee Information Report (Form AA302)
OR
4. All successful construction contractors must submit within three days of the signing of the contract an Initial Project Manning Report (AA201) for any contract award that meets or exceeds the Public Agency proposal threshold (available upon request).

NO FIRM MAY BE ISSUED A CONTRACT UNLESS IT COMPLIES WITH THE
AFFIRMATIVE ACTION REGULATIONS OF P.L. 1975, c. 127 (N.J.A.C. 17:27)

The following questions must be answered by all Respondents:

1. Do you have a federally-approved or sanctioned Affirmative Action Program?
YES _____ NO _____
If yes, please submit a copy of such approval.
2. Do you have a Certificate of Employee Information Report Approval?
YES _____ NO _____
If yes, please submit a copy of such certificate.

The undersigned contractor certifies that he is aware of the commitment to comply with the requirements of P.L.1975, c.127 and agrees to furnish the required documentation pursuant to the law.

DATE: _____

COMPANY _____

SIGNATURE: _____

TITLE: _____

Note: A contractor's proposal **must** be rejected as non-responsive if a contractor fails to comply with requirements of P.L. 1975, c.127, within the time frame.

TOWNSHIP OF EAST WINDSOR

AFFIDAVIT OF COMPLIANCE WITH
SECTION 2.36 OF THE REVISED GENERAL ORDINANCES OF
EAST WINDSOR TOWNSHIP

State _____;
of _____ : ss
of _____;
County of _____

I, _____

(Name of Professional Business Entity(s); if a corporation, name of officer making affidavit)

being duly sworn, affirm that I am aware of the provisions of Section 2.36 of the Revised General Ordinances of East Windsor Township, which was enacted by Ordinance No. 2004-21 adopted by the East Windsor Township Council on January 1, 2005 and made effective as of April 1, 2005. In accordance with that Ordinance, I further declare that neither the professional business entity with which I am associated, nor I, have made any contributions in excess of the limits permitted under Section I, subparagraph (d) of the said Ordinance within the past calendar year, to any East Windsor Township Council candidate or office holder, or to any municipal or county party committee or to any political action committee that is organized for the purpose of promoting or supporting East Windsor Township candidates or office holders. I further declare that I am aware that if it is determined that such contributions have been made, that it will be deemed as a material breach of any professional services agreement that have entered into with the Township of East Windsor and that may be subject to penalties as may be provided by law, including those set forth in Section 2.36 of the Revised General Ordinances of East Windsor Township.

Signature of Person Making Affidavit

Sworn and subscribed to before me this

_____ day of _____, 20____

My Commission expires _____

AMERICANS WITH DISABILITIES ACT OF 1990
Equal Opportunity for Individuals with Disability

The CONTRACTOR and the OWNER do hereby agree that the provisions of Title II of the Americans With Disabilities Act of 1990 (the "ACT") (42 U.S.C. §12101 et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant thereto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the OWNER pursuant to this contract, the CONTRACTOR agrees that the performance shall be in strict compliance with the Act. In the event that the Contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the CONTRACTOR shall defend the OWNER in any action or administrative proceeding commenced pursuant to this Act. The Contractor shall indemnify, protect, and save harmless the OWNER, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The CONTRACTOR shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the OWNER grievance procedure, the CONTRACTOR agrees to a proposal by any decision of the OWNER which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the OWNER or if the OWNER incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the CONTRACTOR shall satisfy and discharge the same at its own expense.

The OWNER shall, as soon as practicable after a claim has been made against it, give written notice thereof to the CONTRACTOR along with full and complete particulars of the claim. If any action or administrative proceedings is brought against the OWNER or any of its agents, servants, and employees, the OWNER shall expeditiously forward or have forwarded to the CONTRACTOR every demand, complaint, notice, summons, pleading, or other process received by the OWNER or its representatives.

It is expressly agreed and understood that any approval by the OWNER of the services provided by the CONTRACTOR pursuant to this contract will not relieve the CONTRACTOR of the obligation to comply with the Act and to defend, indemnify, protect, and save harmless the OWNER pursuant to this paragraph.

It is further agreed and understood that the OWNER assumes no obligation to indemnify or save harmless the CONTRACTOR, its agents, servants, employees and subcontractors for any claim which may arise out of their performance of this Agreement. Furthermore, the CONTRACTOR expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the CONTRACTOR'S obligations assumed in this Agreement, nor shall they be construed to relieve the CONTRACTOR from any liability, nor preclude the OWNER from taking any other actions available to it under any other provisions of the Agreement or otherwise at law.

DATE: _____

COMPANY NAME

SIGNATURE: _____

NON-COLLUSION AFFIDAVIT

State of New Jersey
County of _____

ss:

I, _____ residing in
(name of affiant)

_____ in the County of _____
(name of municipality)

and State of _____ of full age, being duly sworn according to law on my oath depose and say that:

I am _____ of the firm of
(title or position)

_____ the Proponent making this Proposal
(name of firm)

for the proposal entitled _____, and that I executed the said

(title of proposal)

proposal with full authority to do so that said Proponent has not, directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive contracting proposals in connection with the above named project; and that all statements contained in said proposal and in this affidavit are true and correct, and made with full knowledge that the _____ relies upon the

(name of contracting unit)

truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract for the said project.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by _____.

Subscribed and sworn to
before me this day

_____ 20 .

(Type or print name of affiant under signature)

Notary public of

My Commission expires _____ 20 .

State of New Jersey
Division of Purchase and Property
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

Solicitation Number: _____ **Bidder/Offeror:** _____

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that the person or entity, or one of the person or entity's parents, subsidiaries, or affiliates, is not identified on a list created and maintained by the Department of the Treasury as a person or entity engaging in investment activities in Iran. If the Director finds a person or entity to be in violation of the principles which are the subject of this law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the person or entity.

I certify, pursuant to Public Law 2012, c. 25, that the person or entity listed above for which I am authorized to bid/renew:

- is not providing goods or services of \$20,000,000 or more in the energy sector of Iran, including a person or entity that provides oil or liquefied natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas, for the energy sector of Iran, **AND**
- is not a financial institution that extends \$20,000,000 or more in credit to another person or entity, for 45 days or more, if that person or entity will use the credit to provide goods or services in the energy sector in Iran.

In the event that a person or entity is unable to make the above certification because it or one of its parents, subsidiaries, or affiliates has engaged in the above-referenced activities, a detailed, accurate and precise description of the activities must be provided in part 2 below to the Division of Purchase and Property under penalty of perjury. Failure to provide such will result in the proposal being rendered as non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.

PART 2: PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN

You must provide a detailed, accurate and precise description of the activities of the bidding person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below.

EACH BOX WILL PROMPT YOU TO PROVIDE INFORMATION RELATIVE TO THE ABOVE QUESTIONS. PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, CLICK THE "ADD AN ADDITIONAL ACTIVITIES ENTRY" BUTTON.

Name _____	Relationship to Bidder/Offeror _____
Description of Activities _____	

Duration of Engagement _____	Anticipated Cessation Date _____
Bidder/Offeror Contact Name _____	Contact Phone Number _____

ADD AN ADDITIONAL ACTIVITIES ENTRY

Certification: I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the above-referenced person or entity. I acknowledge that the State of New Jersey is relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the State to notify the State in writing of any changes to the answers of information contained herein. I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with the State of New Jersey and that the State at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): _____ Signature: _____
 Title: _____ Date: _____

EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127) N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE 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, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, 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, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. 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, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

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 any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, 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, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, 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.

In conforming with the applicable employment goals, 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, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302

The contractor and its subcontractors shall furnish such reports or other documents to the Div. of Contract Compliance & EEO as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Div. of Contract Compliance & EEO for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27**.