

August 23, 2023

To: ALL QUALIFIED FIRMS

Subject: REQUEST FOR EXPRESSIONS OF INTEREST  
ORDER FOR PROFESSIONAL SERVICES NO. T3922  
FINAL DESIGN SERVICES FOR NEWARK BAY-HUDSON COUNTY EXTENSION  
IMPROVEMENTS PROGRAM, SECTION 2, MILEPOST N1.3 TO N2.9

Enclosed (See Attachment A) herewith is a Request for Expressions of Interest ("RFEOI") by the New Jersey Turnpike Authority (Authority) for professional engineering final design services for the replacement of the Newark Bay Bridge over Newark Bay, specifically Structure Nos. N2.01W, N2.01, and N2.01E, with staged twin, 3-span, cable-stayed bridges. In accordance with N.J.A.C. 19:9-2.8(b), this Order for Professional Services ("OPS") is considered a Complex procurement.

To be considered as eligible and qualified to submit an Expression of Interest ("EOI") for the professional engineering services being solicited in this RFEOI, a Firm must be prequalified in the following Profile Code:

Profile Code	Description
A098	Bridges: Complex

A Qualified Firm, eligible to submit an EOI for this RFEOI solicitation, is one that has a **current** "Professional Service Prequalification Questionnaire" ("PSPQ") package on file with the Authority prior to submission of the EOI. A current PSPQ is one that has been on file with the Authority for no more than 24 months, or in certain cases for no more than 12 months.

Prequalification is not required for subconsultants. Prequalification is required for Joint Ventures.

A list of Qualified Firms eligible to submit an EOI for the above referenced assignment is attached (See Attachment B3). \*Joint Ventures (\*Qualified Firms interested in submitting an EOI as a Joint Venture **must be prequalified as a Joint Venture** with the Authority) that meet all Profile Code requirements are also eligible to submit an EOI.

The Authority is seeking participation of Small Business Enterprises (SBEs) as subconsultants to the Qualified Firm that is awarded a contract under this RFEOI (the "Successful Qualified Firm"). The SBE project goal is 25%. The Authority has also adopted a Disabled Veteran Owned Business (DVOB) Enterprise Program (the "DVOB Program") pursuant to which the Successful Qualified Firm must make a good faith effort to award at least three (3) percent of the assignment to DVOBs, all as more fully described in this RFEOI. See Attachment "C", Subsection C12, "Small Business Enterprise and Disabled Veteran Owned Business Programs".

All submittals required pursuant to N.J.S.A. 19:44A-20.18 (P.L. 2005, c.51), N.J.S.A. 19:44-20.26 (P.L. 2005, c.271s.2), P.L. 2023, c.30 (The Elections Transparency Act) and Executive Order 333 (2023 Murphy) will be requested from the Successful Qualified Firm only. The relevant forms will be transmitted to the Successful Qualified Firm by the Authority and are to be returned to the Authority within five (5) business days from receipt of request.

The following attachments are incorporated into and made part of the RFEOI:

- ATTACHMENT A – Expression of Interest Submission Requirements (A1).
- ATTACHMENT B - Supplemental Information (B1 through B4).
- ATTACHMENT C - Standard Supplemental Information and Forms (C1 through C13(k)).
- ATTACHMENT D - N.J.A.C. 19:9-2.8 Procedures for Prequalification and Award of Contracts for Architectural, Engineering and Land Surveying Procedures.

Staff Qualifications

It will be the Successful Qualified Firm's responsibility to ensure that the project is fully and adequately staffed at all times for the successful completion of the project.

A description of services being solicited by this RFEI can be found in Attachment B, Subsection B2 of "Scope of Services" of this RFEI.

Project Description

The Newark Bay-Hudson County Extension (NB-HCE) Improvements Program (the "Program") has been developed to replace the entire length of the 8.1-mile NB-HCE corridor from New Jersey Turnpike Interchange 14 (Milepost N0.0) in Newark to the eastern terminus of the New Jersey Turnpike Authority's jurisdiction at Jersey Avenue (Milepost N8.1) in Jersey City. The NB-HCE is a primary corridor connection from the region to ports terminals, major residential and commercial developments, and New York City via the Holland Tunnel. The existing structures that carry the mostly elevated NB-HCE roadway, originally constructed circa 1955, are nearing the end of their serviceable life. The Program corridor runs through Essex and Hudson Counties which includes 3 municipalities: Newark, Bayonne, and Jersey City. The Program will address the integrity of the roadway and structures, the need to improve regional mobility, as well as the need to improve safety. The preliminary engineering design and initial environmental services for the Program are anticipated to be completed by mid-2024. The Authority has engaged a Program Manager (PM Team) for the Program.

The Authority's highest priority of the Program is to replace the existing Newark Bay Bridge. To accomplish this, a new Westbound Newark Bay Bridge must be available for bi-directional traffic on July 1, 2031. The demolition of the existing Newark Bay Bridge (Str. No. N2.01) and its approach structures (N2.01W and N2.01E) is necessary for the construction of a new Eastbound Newark Bay Bridge in the existing bridge footprint, configured for and carrying eastbound traffic by July 3, 2036.

The work to be performed by the Consultant under this OPS consists of professional engineering services for final design for the replacement of the Newark Bay Bridge over Newark Bay, specifically Structure Nos. N2.01W, N2.01 and N2.01E with staged twin cable-stayed bridges to accommodate four travel lanes and standard full left and right shoulders in each direction across the Newark Bay. This effort will also include the final design for the demolition of the existing bridges including the continuous tied arch through truss over the navigable channel of Newark Bay.

The Authority will utilize a Secure File Sharing site ("Kiteworks") to share with and receive information from the Qualified Firms. Access to Kiteworks will be provided to the Qualified Firms via e-mail. Reference materials (*preliminary plans, studies, reports, etc.*) for this RFEI will be made available for review electronically in the "Background Materials" folder on Kiteworks.

If there are any questions or issues related to Kiteworks, please contact Jennifer Romero via e-mail at [jromero@njta.com](mailto:jromero@njta.com). The subject line should read "OPS No. T3922, Kiteworks Information."

**Request for Expressions of Interest**

OPS No. T3922

Final Design Services for Newark Bay-Hudson County Extension

Improvements Program, Section 2, Milepost N1.3 to N2.9

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**Submission Requirements for Expression of Interest**

Qualified Firms that are interested in being considered to perform these services as specified in the RFEOI must submit a total of **five (5)** copies of their Expression of Interest (EOI), no later than **10:00 a.m. on Thursday, September 14, 2023**. EOIs are to be submitted as follows: **One (1) PDF** copy uploaded to the "EOI" folder on **Kiteworks** in accordance with the following naming convention: "OPS No. T3922\_EOI\_Qualified Firm Name"; and **four (4)** hard copies of the EOI shall be delivered to the Authority's Headquarters, clearly marked with the Qualified Firm's name and the words, "EOI, OPS No. T3922", no later than the date and time referenced above. **Late submissions will not be considered and will be returned unopened.**

Expressions of Interest shall be delivered/addressed as follows:

**Hand or Overnight Delivery**

New Jersey Turnpike Authority  
1 Turnpike Plaza  
Woodbridge, NJ 07095  
Attn: Engineering Department, Highway Design  
Anne Sinagra, P.E.

**U.S. Mail**

New Jersey Turnpike Authority  
P.O. Box 5042  
Woodbridge, NJ 07095-5042  
Attn: Engineering Department, Highway Design  
Anne Sinagra, P.E.

**Inquiries**

Inquiries pertaining to this RFEOI are to be directed in writing to Anne Sinagra, via e-mail to [sinagra@njta.com](mailto:sinagra@njta.com). The subject line should read "OPS No. T3922, EOI Inquiry". **The deadline for inquiries is August 30, 2023.** The Authority will respond to all written inquiries received by the deadline. Each inquiry will be stated, and a written response provided. **Responses will be posted on the Authority's website under Doing Business, Current Solicitations on or before September 6, 2023.**

Qualified Firms will be responsible for submitting their EOIs in accordance with this RFEOI and any modifications, revisions and/or clarifications to this RFEOI as may be issued by the Authority.

**Selection of Qualified Firm**

Upon receipt of the EOIs, and in accordance with N.J.A.C. 19:9-2.8(e), the Authority will review each Qualified Firm's submission for completeness and shall reject those EOIs that are incomplete. The Authority shall notify all Firms whose EOIs are determined to be incomplete in writing.

Once the EOIs have been evaluated for completeness, the Authority will create a list of Qualified Firms that shall receive the Request for Technical and Sealed Fee Proposals. ("RFP"). A Review Committee will evaluate the technical qualifications and experience of each Firm and its project team, and will rank the Firms. The evaluation and ranking of the EOIs will serve as a method by which to create a list of Firms most highly qualified to perform the project, in accordance with N.J.A.C. 19:9-2.8(e), who will receive Requests for Technical and Sealed Fee Proposals.

The EOIs will be evaluated and ranked on the basis of numerical scores resulting from pre-established weighted rating factors in accordance with N.J.A.C. 19:9-2.8(e), and final selection shall be made in accordance N.J.A.C. 19:9-2.8(g).

For this project, the rating factors and their relative weights are:

RATING FACTORS	WEIGHT (%)	POINTS
1. Experience of the Qualified Firm and its Subconsultants on Similar Projects	15	45
2. Experience of the Project Manager on Similar Projects	15	45
3. Key Personnel's Qualifications and Relevant Experience	15	45
4. Understanding of the Project and the Authority's Needs	15	45
5. Approach and Methodology in Performing the Services Required	15	45
6. Commitment and Ability to Perform the Project and Outstanding Work with the Authority	10	30
7. Commitment to Quality Management	10	30
8. Attainment of DVOB and SBE Participation Goals	5	15
	100%	300

**Rating Factors (to be summarized in the Letter of Interest):**

**1. Experience of the Qualified Firm and its Subconsultants on Similar Projects**

The Qualified Firm shall provide information on past projects which it has performed that demonstrate similar service of those required for this assignment. Each project listed shall include a brief description of the project scope performed by the Qualified Firm (including subconsultants) and its relevance to the proposed assignment. It shall identify the Qualified Firm or subconsultants' office(s) the work was performed from, the date (time frame) the services were performed, magnitude and cost of the project, and contact/reference information for each project listed.

**Recent Authority Project Experience Form identifying all Authority projects on which the Qualified Firm is currently working or have been completed (closed out) within the previous five (5) year period. A separate form shall be provided for the prime Qualified Firm and for each subconsultant.**

**2. Experience of the Project Manager on Similar Projects**

The Qualified Firm shall identify the Project Manager that will be assigned to the project and identify the individual's education, credentials, and work experience. The Qualified Firm should discuss the proposed Project Manager's experience and its application to the assignment. The Qualified Firm shall review the criteria set forth by the Authority in the RFEI in consideration of the person proposed for the assignment. If the Qualified Firm is proposing an individual with credentials considerably different than those identified by the Authority, the Qualified Firm must explain its rationale and identify/demonstrate the benefit the individual brings to the assignment.

The resume of the Project Manager proposed, included in the EOI, shall be clear, dated and detailed to the related assignment experience. References shall be furnished for each project listed (include date when work performed and relevance to subject assignment and at least one contact name and phone number for each project). Unless otherwise noted, the Project Manager shall be a Professional Engineer licensed in the State of New Jersey.

### 3. Key Personnel's Qualifications and Relevant Experience

The Qualified Firm shall identify the Project Engineer and/or other Key Personnel that will be assigned to the project and their role and responsibilities specific to the assignment. Key Personnel are those individuals essential to carrying out the scope of services. Key Personnel shall include those staff that will lead a primary discipline such as structures (including proposed Engineers of Record for cabled stayed bridges and the demolition of the existing arch bridge), geotechnical, environmental, and other critical roles as deemed appropriate by the Qualified Firm to successfully perform the scope of services to completion. The role of Deputy Project Manager(s), if proposed by the Qualified Firm, shall be included with Key Personnel. At a minimum, the Qualified Firm shall identify Key Personnel for the following roles on this assignment:

- Deputy Project Manager(s), if proposed by the Qualified Firm
- Engineer of Record for the cable stayed bridges
- Engineer of Record for the demolition of the existing arch bridge
- Constructability Engineer for the constructability and erection analysis of the cable stayed bridges
- Wind Engineer

The resumes of Key Personnel proposed, included in the EOI shall be clear, dated and detailed to the related assignment experience. Information concerning their education, credentials and work experience should be provided along with contact/reference information (name and phone number) for each project. The Qualified Firm shall discuss the individuals proposed for the assignment (including subconsultants) and identify how their education, credentials and work experience are applicable to their role on the assignment.

Key personnel, as defined above, proposed shall be a Professional Engineer licensed in the State of New Jersey and shall not be removed from or replaced on this assignment without prior approval of the Authority

### 4. Understanding of the Project and the Authority's Needs

Provide an explanation of the Qualified Firm's understanding of the project and Authority's needs required for the successful completion of the assignment. Provide a summary of the Qualified Firm's qualifications, and state how they relate to the Qualified Firm's ability to provide the requested services. Through attached organizational chart and resumes identify the person(s), or subconsultant(s), responsible for each division of the assignment and their relevant experience.

#### Understanding of the Project

The Qualified Firm shall provide information to demonstrate that it fully understands the overall objective of the project and why the Authority is undertaking the assignment. This may include discussions providing background information on the need for the project, its effect on the Authority's facilities, and impact on the overall transportation network. Qualified Firms should demonstrate knowledge of the location affected by the project and the long-term effects the project has on the Authority, its patrons, or other relevant issues.

The estimated total construction cost for these improvements is between \$2.0 billion and \$2.5 billion.

Understanding of the Authority's Needs

The Qualified Firm shall demonstrate that it fully understands the needs of the Authority as it relates to the specific scope-of-work identified in the RFEI. The Qualified Firm must confirm the deliverables and the schedule for design and construction associated with project specific deliverables. The Qualified Firm should also discuss project management items, including deliverables such as submittal of wage rate approvals and invoicing.

**5. Approach and Methodology in Performing the Services Required**

The Qualified Firm shall identify the major tasks comprising the project and describe in detail how they will be accomplished. Provide an explanation of the process the Qualified Firm will use to schedule, manage, and perform the required tasks within the scope of services and identify the key milestones and the project's critical path. The Qualified Firm shall identify key issues and potential problems and discuss alternatives and options which would lead to resolution. The Qualified Firm should discuss innovative concepts with cost benefits and/or accelerated project delivery, where applicable. The subconsultant roles, value to the team/project, and reporting relationship shall be clearly identified.

**6. Commitment and Ability to Perform the Project and Outstanding Work with the Authority**

The Qualified Firm shall identify its commitment and ability to complete the proposed work as well as any outstanding work they currently have with the Authority. The Qualified Firm shall provide an explanation of the anticipated project schedule and demonstrate that the Qualified Firm can commit the required staff resources and management to perform the assignment. A listing of the Qualified Firm's facilities, including the address of the office where the project will be performed, and how they relate to the Qualified Firm's ability to provide the requested services shall be provided.

➤ Commitment and Ability to Perform the Project

The Qualified Firm shall discuss its commitment and availability of required staff for the assignment as shown on the completed "Commitments of Proposed Project Staff" and "Certification of Staff Availability" forms.

➤ Outstanding Work with the Authority

The Qualified Firm shall discuss its outstanding work with the Authority as shown on the completed Disclosure Forms for the prime and all subconsultants. Information should be provided to demonstrate how this project may be impacted or affected by the existing workload of the Qualified Firms or its subconsultants. Outstanding Work shall be considered the sum of the Outstanding Work of the prime and subconsultants. No factors/weighting will be applied based on the percent of work assigned to the prime or subconsultants.

**7. Commitment to Quality Management**

The Qualified Firm shall discuss its Commitment to Quality Management and Quality Assurance/Quality Control (QA/QC). The Qualified Firm shall provide a written narrative that describes the Qualified Firm's quality assurance policy and how it intends to implement a quality assurance program specifically for this assignment. The Qualified Firm shall identify credentialed QA/QC staff and the roles and working relationship with other staff members as part of the design process or construction phase.

**8. Attainment of DVOB and SBE Participation Goals**

The Qualified Firms agree to make a good faith effort to award at least three (3) percent of the assignment to those businesses that meet the requirements and have been registered by the Division of Revenue & Enterprise Services/Department of Treasury as a Disabled Veteran Owned Business Enterprise. Qualified Firms shall demonstrate how they will utilize DVOB Qualified Firms to achieve the 3% goal and add value to the project team.

The Qualified Firms also agree to make a good faith effort to award at least twenty-five (25) percent of the assignment to those businesses that meet the requirements and have been registered by the Division of Revenue & Enterprise Services/Department of the Treasury as a Small Business Enterprise.

Qualified Firms shall demonstrate how they will utilize SBE Qualified Firms to achieve the 25% goal and add value to the project team.

**Order for Professional Services**

**(OPS)**

The final OPS Agreement to be awarded and issued to the Successful Qualified Firm shall be in a form consistent with the Authority's Standard OPS Agreement No. 4 for Complex projects (which is available on the Authority's website: [www.njta.com](http://www.njta.com) under Doing Business, Engineering Professional Services, PS Supplemental Forms).

Very truly yours,

**ORIGINAL SIGNED BY**

Michael Garofalo  
Chief Engineer

MG:AMS:dmm  
Attachments

c: L.T. Malak  
L. K. Navarro  
A. M Sinagra  
Review Committee  
File, w/att.

**ATTACHMENT A**

**Expression of Interest Submission Requirements**

**Subsection No. and Title**

A1. Expression of Interest Submission Requirements



**Subsection A1**

**Expression of Interest Submission Requirements**

A. To be considered for these services, each Qualified Firm, must submit the following:

1. **Letter of Interest**, which shall be limited to a total of eight (8) single-sided, letter-sized pages with minimum 1-inch borders and minimum font size of 10 pt., stating the Qualified Firm's interest, ability, and its commitment to complete the requested professional services listed Attachment B, Subsection B2, "Scope of Services".

A brief transmittal letter is **excluded** from the above referenced page count.

The Letter of Interest shall demonstrate the Qualified Firm's ability to meet the rating factors listed under the heading "Selection of Qualified Firm" hereinabove. The Qualified Firm shall address the rating factors in the order in which they are listed, i.e., 1 through 8.

This 8-page limitation does not apply to the documents listed in Items 2-7 below. Qualified Firms may include a maximum of two (2) 11x17 inch foldout sheets to convey certain information such as team experience and graphics that cannot otherwise be adequately presented on 8½ x 11-inch pages. Use of a foldout sheet shall count as one (1) page within the 8-page limitation.

2. An **organizational chart** showing Qualified Firm's Key Personnel and supporting staff, including subconsultants, for all primary tasks. Provide all names, titles, and reporting relationships for all staff presented on the organizational chart.
3. **Resumes for the Project Manager, Key Personnel and supporting staff (10 maximum resumes, two single-sided letter-sized pages maximum per resume)** detailing relevant experience and professional/technical qualifications. Include resumes of proposed subconsultants as deemed necessary.
4. A **Project Schedule** for this solicitation that addresses the various tasks and critical milestones defined by the scope of services for this assignment. A maximum of 2 pages – foldout sheets are permitted.
5. A completed **Commitment of Proposed Project Staff Form** stating the percentage of time each member has available to commit to this assignment, including subconsultant staff. This form is available at [www.njta.com/doing-business/ps-supplemental-forms](http://www.njta.com/doing-business/ps-supplemental-forms).
6. A completed **Certification of Staff Availability Form**, which certifies that the staff proposed in the EOI shall be used in the performance of the project. This form is available at [www.njta.com/doing-business/ps-supplemental-forms](http://www.njta.com/doing-business/ps-supplemental-forms). When proposing the same staffing in multiple EOIs, disclose one of the following:
  - A. A statement that all projects utilizing same staff will be completed on time and how this will be done, or
  - B. A statement that the Qualified Firm voluntarily withdraws one of the EOIs from further consideration if the Authority is giving serious consideration to more than one EOI, or
  - C. Alternate staff resumes (5 **maximum resumes, two single-sided letter-sized pages maximum per resume**) to be used by the Authority in evaluating EOIs if the Authority is giving serious consideration to more than one EOI.

An additional six (6) single-sided letter-sized pages shall include information for alternate staffing as follows:

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Improvements Program, Section 2, Milepost N1.3 to N2.9

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- 1) An alternate Organizational Chart as permitted above showing Key Personnel names, position, title, and reporting relationships (Note: Organizational Chart is not included in the page count).
- 2) Resume for up to five (5) alternative Key Personnel stating relevant experience including dates of assignments and professional qualifications.
- 3) Allowance for one (1) page, if necessary, to explain the Qualified Firms' modified approach to the project if it would be handled differently as a result of utilizing the alternate personnel.

The Qualified Firm shall not include alternate staffing in their EOI unless they are required to do so in accordance with Option \*6C. When appropriately included in the EOI, the proposed alternative staffing information shall be contained in a separate attachment of the EOI. It shall only be considered by the Authority in the scoring of the EOI if required.

7. Completed Standard Supplemental Forms as forth in Attachment C, Subsection C13 "Standard Supplemental Forms to be Submitted".

Pages in excess of the stated page limitations for each of the EOI criteria above will not be read or considered. If the EOI submitted is not in accordance with the specific provisions defined above, it shall be considered, non-responsive, incomplete and may be rejected.

**ATTACHMENT B**  
**Supplemental Information**

**Subsection No. and Title**

B1. Anticipated OPS Procurement and Project Schedule

B2. Scope of Services

B3. Qualified and Eligible Firms

B4. Compensation Basis

**Subsection B1**  
**OPS Procurement and Project Schedule**

**OPS Procurement Schedule**

Request for Expressions of Interest Posted .....	August 23, 2023
Deadline for Written Inquiries.....	August 30, 2023
Posted Responses to Inquiries .....	September 6, 2023
Deadline for Submittal of Expressions of Interest .....	September 14, 2023
Request for Technical and Sealed Fee Proposals .....	September 29, 2023
Deadline for Submittal of Technical Proposals .....	October 20, 2023
Notice of Scheduled Oral Presentations .....	November 7, 2023
Oral Presentation, If Required .....	November 13, 2023
Recommendation to Award OPS .....	December 19, 2023

**Anticipated Project Schedule**

Notice to Proceed .....	February 2, 2024
Start of Trestle Construction for Westbound Newark Bay Bridge .....	July 2, 2026
Start of Westbound Newark Bay Bridge In-Water Construction .....	July 2, 2027
New Westbound Newark Bay Bridge Available for Bi-Directional Traffic .....	July 1, 2031
Start of Eastbound Newark Bay Bridge In-Water Construction .....	July 2, 2032
Completion of all Services .....	July 3, 2036
Administration Project Closeout .....	October 3, 2036

**Subsection B2**  
**Scope of Services**

**INTRODUCTION**

OPS No. T3922 is for professional engineering final design services for the design for the replacement of the Newark Bay Bridge over Newark Bay, specifically Structure Nos. N2.01W, N2.01, and N2.01E, with staged twin cable-stayed bridges to accommodate four travel lanes and standard full left and right shoulders in each direction across the Newark Bay. This effort also includes the design of the demolition of the existing bridges including the continuous tied arch through truss over the navigable channel of the Newark Bay. The Successful Qualified Firm shall advance these designs and produce complete and final construction contract documents as deliverables. The Qualified Firm will account for project needs in their EOI. Qualified Firms are expected to submit EOIs based on the information presented herein, available reference material, and sound professional engineering judgement and experience. The scope of work associated with the above final design effort includes but is not limited to:

**Program Background**

The Newark Bay-Hudson County Extension Improvements Program has been developed to replace the entire length of the 8.1-mile NB-HCE corridor from New Jersey Turnpike Interchange 14 (Milepost N0.0) in Newark to the eastern terminus of the New Jersey Turnpike Authority's jurisdiction at Jersey Avenue (Milepost N8.1) in Jersey City. The NB-HCE is a primary corridor connection from the region to port terminals, major residential and commercial developments, and New York City via the Holland Tunnel. The existing structures that carry the mostly elevated NB-HCE roadway, originally constructed circa 1955, are nearing the end of their serviceable life. The Program corridor runs through Essex and Hudson Counties which includes 3 municipalities: Newark, Bayonne, and Jersey City. The Program will address the integrity of the roadway and structures, the need to improve regional mobility, as well as the need to improve safety. The preliminary engineering design and initial environmental services for the Program are expected to be completed mid-2024. HNTB Corporation and its subconsultants are the Program Manager (PM Team) for the Program.

The Authority's highest priority of the Program is to replace the existing Newark Bay Bridge. To accomplish this, a new Westbound Newark Bay Bridge must be available for bi-directional traffic on July 1, 2031. The demolition of the existing Newark Bay Bridge (Str. No. N2.01) and its approach structures (N2.01W and N2.01E) is necessary for the construction of a new Eastbound Newark Bay Bridge, in the existing bridge footprint, configured for and carrying eastbound traffic by July 3, 2036. The replacement Newark Bay Bridges shall be twin cable-stayed bridges to accommodate four travel lanes and standard full left and right shoulders in each direction across the Newark Bay.

**General NB-HCE Limits of this Scope of Services**

The limits of the work extend from approximately Milepost N1.3 (east of Doremus Avenue in Newark) to approximately Milepost N2.9 (west of John F. Kennedy Boulevard in Bayonne). Any recommended adjustment to the limits of work shall be proposed early in the final design phase by the Successful Qualified Firm. Changes to the limits of work shall be made at the sole discretion of the Authority.

It is currently anticipated that this design section will be comprised of five (5) Construction Contract Packages. The Design firm shall carry post-design services responsibilities for each of the packages. The assumed breakout of these Contracts is as follows:

- Construction Contract No. 1 – Westbound Newark Bay Bridge trestles
- Construction Contract No. 2 – Westbound Newark Bay Bridge from Milepost N1.3 (east of Doremus Avenue in Newark) to Milepost N2.9 (west of John F Kennedy Boulevard in Bayonne). The bridge shall be temporarily configured to support barrier separated bi-direction traffic (eastbound and westbound) until the completion of the Eastbound Newark Bay Bridge
- Construction Contract No. 3 – Existing Newark Bay Bridge demolition
- Construction Contract No. 4 – Eastbound Newark Bay Bridge trestles
- Construction Contract No. 5 – Eastbound Newark Bay Bridge

The Authority is interested in construction contracts that are appropriately sized for risk and competitiveness that will begin construction in 2026 and that meet the Anticipated Project Schedule. It is noted that work in the Newark Bay will be encumbered by in-water work restrictions between January 1 and June 30, of each calendar year, for the protection of essential fish and other listed species. All schedules must account for this in-water restriction in the planning of related design and construction activities affected by this restriction.

### **Estimated Total Construction Cost**

The estimated total construction cost for these improvements is between \$2.0 billion and \$2.5 billion.

### **Existing Newark Bay Bridge – Structures Description**

Structures No. N2.01W, N2.01 and N2.01E carry the Turnpike's HEW and HWE Roadways over Newark Bay at the confluence of the Passaic and Hackensack Rivers and NJ Route 440 and Hackensack Rivers and NJ Route 440. These bridges opened to traffic in 1955 and are part of the Newark Bay-Hudson County Extension. On October 24, 1995, Structure No. N2.01 was dedicated to the honor of Vincent Robert Casciano of Bayonne, New Jersey, a former state legislator (1949 - 1953).

Along with its adjoining viaduct approach structures (Structure Nos. N2.01W and N2.01E) linking Interchange 14 (Newark) and Interchange 14A (Bayonne), this highly visible and complex crossing of Newark Bay constitutes the longest and largest continuous use of multiple structures on the Turnpike. Structure No. N2.01 includes the spans between Piers W15 and E19 with a length of 6,170'-0" and was originally designed to carry three (3) lanes of traffic without shoulders in each direction. It presently carries two (2) lanes of traffic with a narrow left shoulder and a right shoulder in each direction with a deck width of 79'-8 3/4" and a curb-to-curb width of 73'-6". Both approaches climb at a 3% grade to a 1,200' vertical curve over the main three (3) spans continuous truss unit, all on a tangent horizontal alignment. The spans between Pier W15 and Pier W45 (just west of Doremus Avenue in Newark) with an approximate length of 2209' comprise Structure No. N2.01W; the spans east of Pier E19 to the East Abutment with an approximate length of 1182' are Structure No. N2.01E.

The superstructure of Structure No. N2.01 consists of thirty-three (33) spans. The West Approach consists of thirteen (13) simply supported two (2) girder spans with either 140'-0" or 168'-0" in length with floorbeam and stringer framing floor system. The East Approach consists of seventeen (17) spans with the same superstructure configuration and span lengths. The main continuous truss unit consists of three (3) spans of two (2) cantilevered tied arch through trusses with floorbeam and stringer framing floor system. The main span extends from Pier W1 to Pier E1 with 670'-6"

in length, and each side span (Spans W1 and E1) is 298'-0" in length and extends between Piers W1 to W2 and E1 to E2, respectively. The two (2) tie chords are located below the roadway at the floorbeam level in the main span over the navigable channel and connect the trusses from Panel Points L9W to L9E for a length of 596'-0". The floor system of the main span is suspended from the overhead trusses by total of 120 galvanized steel suspender strands, quadruple at each floorbeam end along the north and south trusses, from Panel Points L10W/FB10W to L10E/FB10E (fifteen (15) support locations per truss; thirty (30) support locations total).

Both girders in all the approach spans, and selected members of both trusses, as well as both tie chords in the main three (3) spans continuous truss unit, are considered Fracture Critical Members (FCMs) due to the tension and stress reversal loadings. In addition, all floorbeams throughout the structure are considered FCMs. The built-up riveted fabrication of the girders, floorbeams, truss members, and the tie chords provides internal redundancy. The main three (3) spans continuous truss unit also has some degree of structural redundancy based on the unit's continuity.

The superstructures for Structures Nos. N2.01W and N2.10E consist of thirty (30) spans and fifteen (15) spans respectively. Each structure is configured with three-span continuous steel multi-girder cross-sections with rolled beams.

The substructure for these three bridges consists of reinforced concrete piers. Each pier is comprised of two (2) columns with a top strut/pier cap. Piers for Structure Nos. N2.01W and N2.01E also have cantilever sections and Pier E33 is a solid wall pier. All piers are supported on long steel H-piles. Structure No. N2.01 is not considered scour critical.

The as-built navigation clearance is approximately 135' vertical at mean high water and 610' horizontal between the Pier W1 and Pier E1 fenders in the navigable channel beneath the main span. The river flow is normal to the bridge and centered between Piers W4 and E18.

## **GENERAL**

1. All services provided by the Successful Qualified Firm shall be in strict conformance with Authority requirements and standards of quality as may be found in the Procedures Manual, Design Manual, Standard Drawings, Sample Design Plans, CADD Standards (including any pertinent modification required for the Program), latest Standard and Supplemental Specifications, Manual for Traffic Control in Work Zones, and any specific criteria established for the Program. Authority Standard publications and drawings are available on the Authority's website at [www.njta.com](http://www.njta.com). Program-specific criteria will be made available through the Program's collaborative SharePoint site.

As part of the final design, the Successful Qualified Firm shall prepare a Design Element Modification Request listing all design elements that do not meet minimum design criteria of the Authority's Standard or the Program-specific criteria.

2. The Successful Qualified Firm shall be responsible for the thorough understanding of the project requirements, including all applicable codes, environmental permits, and regulations for all aspects of this project. All design elements must be in full compliance with all applicable codes, regulations, and standards, and shall consider all technical guidelines available.

3. Any documents required to be submitted to the Authority for review and comment, in performance of the services, will not relieve the Successful Qualified Firm from its obligation to perform all services in accordance with proper engineering criteria and sound professional engineering in accordance with the relevant standard of care. The Authority's review and comment shall not be construed as a comprehensive or detailed review for purposes of verifying or validating such submissions or the Successful Qualified Firm's work product. The Successful Qualified Firm shall be solely responsible for all documents it prepares and shall remain responsible to ensure the integrity of its work, including that of its subconsultants.

### **DETAILED SCOPE OF WORK**

The Successful Qualified Firm is responsible to undertake any and all activities required to prepare contract documents and all ancillary activities to effectuate the design/construction process. As such, the Successful Qualified Firm shall perform, at a minimum, the services outlined below. However, the Successful Qualified Firm shall be responsible to account for any and all work activities necessary for the complete performance of this assignment, whether or not such activities are identified below. The Successful Qualified Firm shall account for all work activities required for this project and shall identify any additional services that will be required for the complete performance of this assignment.

#### **A. Preliminary Design Review**

Prior to the development of Phase A plans, the Successful Qualified Firm shall verify in all respects the accuracy of the preliminary design, review the Preliminary Design Report (PD report) and evaluate the Preliminary Preferred Alternative for the replacement of Structure Nos. N2.01W, N2.01 and N2.01E with twin cable-stayed bridges to accommodate four travel lanes and standard full left and right shoulders in each direction. The Successful Qualified Firm shall identify design elements of the proposed cable-stayed bridge that can be optimized and recommended for advancement to final design. The optimized alternatives must be feasible from a constructability standpoint and be in compliance with obtained permits. Within 60-days of Notice to Proceed, the Successful Qualified Firm shall develop a technical optimization report which evaluates and provides recommendations for design elements proposed to deviate from the preliminary design for review by the Authority and the PM Team. The report shall include cost, schedule, permit compliance, and life cycle benefits for recommendations. The Successful Qualified Firm shall address any comments and make recommendations regarding the alternatives best meeting the needs of the Authority prior to advancing to Phase A submission.

#### **B. Final Design**

The services furnished for final design shall include but not necessarily be limited to the items of work described below and shall adhere to the requirements of the Authority's Design and Procedure Manuals and as supplemented by the Program:

##### **1. Survey/Mapping**

The PM Team and the Authority will furnish the Successful Qualified Firm with digital aerial photography for the Project area in Microstation V8 format and a survey control report. The mapping will be at a scale of 1" = 100' with break lines and 1' contours. This information will be made available, at no cost to the Successful Qualified Firm through the Program collaboration SharePoint site. If the Successful Qualified Firm, in coordination with the PM Team and the Authority, determines that the limit of mapping furnished should be extended to adequately cover the Project area, such additional mapping shall be obtained by the Successful Qualified Firm through appropriate cost-effective means.



The Successful Qualified Firm shall supplement existing base mapping with field surveys as required in order to obtain the required coverage and accuracy for final design. Such surveys may include, but are not limited to: determining existing rights-of-way and property boundaries necessary for the development of right-of-way acquisition documents, establishing proposed monumentation, location of utilities, fencing, drainage, and lighting facilities; establishing existing roadway and railroad facilities; surveys at existing structures to establish locations and clearances and other incidental survey work as may be required in the performance of the final design efforts. All stormwater outfall data shall be collected utilizing the latest GPS (Global Positioning System) data collectors and procedures.

## 2. Utility Relocations/Protection

It is anticipated that the PM Team will coordinate the design of the Authority's fiber optic backbone with the Authority's Fiber Optic Manager throughout final design. The Successful Qualified Firm will be responsible for incorporating this proposed relocation into the design of the replacement bridges, inclusive of providing supports for the Authority's relocated fiber optic conduit on the structures based on criteria provided by the Authority's Fiber Optic Manager and the PM Team. The Successful Qualified Firm will also assist the PM Team during the design of the Authority's fiber optic line by providing information related to the new structures as required to support the design of the relocation.

The Successful Qualified Firm will be required to sign a Fiber Optic Cable Certification form (available at [www.njta.com/media/2933/ps\\_fiberfod.pdf](http://www.njta.com/media/2933/ps_fiberfod.pdf)) attesting that they have been acquainted with the information shown on the as-built drawings and the field conditions and that they have incorporated same in the contract. As-built drawings of the Fiber Optic Cable facilities are on file in the Authority's Engineering Department. The Successful Qualified Firm shall show on the contract drawings the Fiber Optic Cable facilities when in proximity of the proposed work.

The Successful Qualified Firm shall identify conflicts within their OPS limit and be responsible for the coordination and design of all other utility relocations. All utilities shall be maintained and protected during construction. Relocation schemes shall be coordinated with the utility companies prior to preparing and executing all Utility Orders for utility relocation work. The Successful Qualified Firm shall also investigate and identify proposed future utility installations that may be impacted by the Program including any betterment, abandonment, or removal of existing facilities that are under consideration by the utility companies. Any required preliminary engineering costs requested by the utility companies will be paid by the Authority through a Utility Order. The Successful Qualified Firm shall be responsible to negotiate with the utility companies for their respective preliminary engineering fees (if requested) and utility relocation costs, and prepare the Utility Order for execution by the Authority. The Successful Qualified Firm shall also be responsible for preparing supplements to Utility Orders(s) as required.

The summary of anticipated utility impacts is provided as reference material in the PD report which includes the preliminary design findings with regards to utility impacts and the potential costs associated with mitigating these impacts. Utility information shown in the preliminary design documents has been determined based on a review of as-built plans, meetings with utility companies, and field visits / review of visible utility markouts on site.

Utility relocation work shall be designed in accordance with NJTA Procedures Manual. Where feasible, eliminate overhead wire across the New Jersey Turnpike, remove utility conduits from bridges and provide underground conduit systems.

Every effort shall be made for utility relocation work to be performed prior to the award of the construction contract. Similarly, every effort should be made for all contract dependent utility relocation work to be incorporated into and made part of the contracted work.

The Successful Qualified Firm shall be responsible to provide for and make arrangements to undertake any and all activities necessary for test pits to verify the location of major utilities that may be impacted by the design. All costs, including test pits, site inspection, maintenance and protection of traffic, etc., associated with this work shall be included in the Successful Qualified Firm's fee proposal as a direct expense.

3. Railroad Owner/Third-Party Stakeholder Coordination

The Successful Qualified Firm shall be responsible for confirming with railroad owners and third-party stakeholders within the project limits that all necessary project approvals or permits are obtained, and all project requirements are satisfied before advertising. The Successful Qualified Firm shall set-up all necessary Agreements and Escrow Accounts, where required under each jurisdiction's protocols.

Phase B and Phase C contract documents shall be provided to each railroad owner and third-party stakeholder having jurisdiction for review. Resulting comments shall be addressed by the Successful Qualified Firm and the Authority and the PM Team shall be copied on the comment response.

The Successful Qualified Firm shall be responsible for ensuring that the design, inclusive of anticipated means of construction access, demolition, and erection operations, is in accordance with the requirements of rail owners within the work limits.

The Successful Qualified Firm shall prepare a Local Jurisdiction tracking sheet to ensure necessary approvals have been received from those having jurisdiction prior to the Final MPT submission but no later than Phase C submission. Approvals may be necessary from State, County and Local Engineering departments, police and school officials and municipal Mayors and/or administrators, depending upon the complexity of the MPT or detour.

4. Right-of-Way

Management of all Right-of-way documentation shall be completed through the Authority's PAECETrak System. The Successful Qualified Firm shall identify staff to be provided PAECETrak training.

The Successful Qualified Firm shall prepare right-of-way acquisition documents for permanent or temporary impacts, as required. The plans shall be prepared in accordance with the Authority's Design Manual and in accordance with Section 8 and other sections of the Authority's Procedures Manual. Right-of-way for construction access and environmental mitigation shall also be considered in the development of right-of-way documents. Right-of-way documents shall comply with the New Jersey Recordation Act (formerly Map Filing Law). The Successful Qualified Firm shall prepare preliminary jurisdictional agreement(s) and map(s) for improvements at the affected areas of the project, outlining the jurisdictional responsibilities of the Authority, State, Counties, and Municipalities at an appropriate scale satisfactory to the Authority. Due to the timeline associated with an extensive right-of-way acquisition process, the improvements should be developed to minimize right-of-way effort.

The preparation of right-of-way documents shall be accelerated in the early stages of design to the extent possible in coordination with the PM Team and the Authority Right-of-Way Team to facilitate the land acquisition process, if required. The right-of-way strategy will be discussed with the Successful Qualified Firm at the kickoff meeting.

5. Environmental Permitting

The Successful Qualified Firm will be provided with relevant permit applications that are the responsibility of the preliminary engineering design and initial environmental services phase of the Program, including those associated with the National Environmental Policy Act (NEPA), NJ Executive Order 215 (EO215) (1989 Kean), USACE, USCG and the NJDEP.

The Successful Qualified Firm shall ensure that the final design and contract documents comply with the conditions and restrictions of permits/approvals submitted and obtained during the preliminary engineering design and initial environmental services phase of the Program. The Successful Qualified Firm shall prepare all other applications and obtain all other necessary permits for the proposed project including, but not limited to, Road Opening Permits, New Jersey Department of Transportation Access Permits, and Railroad and Soil Erosion and Sediment Control Permits/Plan Certification. The Successful Qualified Firm shall investigate and identify the need for any other permits. The preparation of such other permit applications and any additional design required by such other permits not listed above will not be regarded as Extra Work. The preparation of permit modification applications for design changes made by the Successful Qualified Firm will not be regarded as Extra Work. Required permit applications and documentation shall be provided to the Authority and Program Manager for review prior to submission to the appropriate regulatory agency.

6. Stormwater Management/Water Quality Measures

This Program is considered a "major development" under NJDEP's Stormwater Management (SWM) Regulations (N.J.A.C. 7:8). As part of Preliminary Design, potential SWM basin locations have been identified. These basin locations will need to be designed and sized as part of Final Design. The SEM design shall follow the NJDEP SWM regulations (effective March 2, 2020, and operative March 2, 2021). However, the SWM design is exempt from the Green Infrastructure design standards in accordance with a Memorandum of Understanding between NJDEP and the Authority dated April 2, 2020.

Based on the information provided in the PD Report, the Successful Qualified Firm shall create a preliminary roadway drainage design which addresses the location and size of detention, retention and/or water quality basins, shows the general location of the proposed pipe network and outfall structures, and documents areas of potential concern with associated recommendations. The design shall satisfy current requirements of the New Jersey Department of Environmental Protection. Upon the approval of the Authority and PM Team, the Successful Qualified Firm shall prepare final drainage plans.

Prepare a final project drainage design in accordance with applicable sections of NJDEP's stormwater management rules and Flood Hazard Rules. Provide preliminary locations and sizes for Best Management Practices (detention, retention and/or water quality basins) to comply with the Rules. The design shall address the location and size of detention, retention and/or water quality basins and/or swales which must also be in conformance with the NJDEP's current water quality requirements.

7. Drainage Improvements

The Successful Qualified Firm shall develop drainage studies and final designs, including the investigation of the condition of the major drainage relief structures beneath the existing roadway within the project limits and on or below the existing structures. The Successful Qualified Firm shall prepare support documentation ("Post Construction Program Design Checklist for Individual Projects" form) necessary for compliance with the Authority's Stormwater Pollution Prevention Plan for activities associated with the design. The studies shall also investigate drainage during staged construction. A drainage report shall be submitted as part of the Phase B Submission.

8. Lighting Design

a. Highway Lighting

The Successful Qualified Firm shall provide a new highway lighting system which will be owned and maintained by the Authority, relocate existing utility owned highway lighting, and prepare utility orders for the Utility Company-installed facilities as required. Lighting shall be designed for temporary requirements during staged construction as well as the final configuration. Lighting shall be coordinated with existing lighting on the NB-HCE corridor at each terminus of this Contract. Provisions shall be included to maintain existing lighting system where applicable.

Lighting design shall be performed in accordance with the requirements of the current edition of the Design Manual which specifies criteria, limits, and equipment. contract documents shall specify the light standard manufacturer perform a pole vibration analysis to confirm the suitability of the Authority's standard structure-mounted lighting standards for use on the replacement Newark Bay Bridges. Preliminary lighting plans will be submitted for review with Phase B. Upon approval of the design, the Successful Qualified Firm shall prepare lighting plans for Pre-Phase C and subsequent submissions.

b. Navigation, Aviation and Security Lighting

The Successful Qualified Firm shall also provide design of all required waterway navigation lighting, FAA aviation obstruction warning lighting and bridge security lighting with redundant power supplies, if available.

c. Aesthetic Lighting

The Successful Qualified Firm shall prepare a recommendation for aesthetic lighting for the replacement Newark Bay Bridges with consideration of future maintenance, annual power consumption and operational, maintenance and replacement costs. This recommendation shall be submitted to the Authority and PM Team for review. Upon formal approval, the Successful Qualified Firm shall provide a design for the aesthetic lighting on the bridge.

9. Subsurface Investigation

A Preliminary Subsurface Investigation Work Plan (PSIWP) has been developed during Preliminary Engineering and these boring plans, logs, and soil test results are provided in the reference material.

The Successful Qualified Firm will review the PSIWP and coordinate with the PM Team to determine the need for any additional boring to support final design beyond those taken during preliminary design or subsequent supplemental boring programs undertaken by the PM Team as noted below. The PM Team will be responsible for preparing contract documents, soliciting bids, entering into a contract with a boring contractor, and administering and inspecting the boring contractor's operations.

NOTE: To reduce potential in-water restriction delays, the PM Team is currently conducting a supplemental boring program, and soil testing program, based on the Preliminary Preferred Alternative to perform approximately 50 additional in-water borings in the Newark Bay. This information will be provided to the Successful Qualified Firm for the use in the final design of the replacement bridge.

The Successful Qualified Firm shall prepare all geotechnical reports.

10. Roadway

Appurtenances and approach roadway features shall receive field inspection to verify their conditions. Shoulders, pavements, and inlet conditions shall also be inspected in order to determine their suitability to carry traffic during various construction stages.

Provisions shall be made in the contract documents for the continued operation of Authority facilities if disruption should occur during the construction phase. Existing guide rail, drainage, striping, delineation, etc., shall be maintained at all times by permanent or temporary means.

Where widening of the existing roadways is required. The Successful Qualified Firm shall investigate alternatives to address the impacts of the increased roadway footprint. These alternatives may include but are not limited to reinforcement of the existing roadway side slopes, retaining walls or acquisition of right-of-way.

The design of roadside protection elements such as guide rail, concrete barriers and attenuators shall be in accordance with the Authority's Design Manual. Length-of-need calculations for guide rail shall be based upon a field inspection and survey of each site. Copies of all calculations shall be included with the Phase B Review Submission.

11. Signing and Striping

The Successful Qualified Firm shall design the signing and striping within the limits of the Design Section and based upon the preliminary design signing and striping provided in the reference material. The contract documents shall include provisions for maintaining existing signing until the proposed signing is installed, along with interim signing that may be required in coordination with the proposed Maintenance and Protection of Traffic. The proposed or modified signing shall be prepared in accordance with the current edition of the Authority's Design Manual, Standard Drawings and the "Manual on Uniform Traffic Control Devices" (MUTCD) as applicable. A Preliminary Signing Layout at 1"=100' shall be prepared as part of the Pre-Phase B Submission and should show the existing and proposed locations of all major

signs, Hybrid Changeable Message Signs (HCMS), Variable Message Signs (VMS), and Variable Speed Limit Signs (VSLS).

The Successful Qualified Firm shall use the "Guideline for Use of VMS Systems for Construction", provided as reference material, in developing recommendations for use of the various types of permanent variable message signs and in the preparation of details for portable variable message signs.

12. ITS

The Successful Qualified Firm is responsible for the final design of the local fiber optic network and all systems on the bridges, including but not limited to CCTV, traffic monitoring cameras, aesthetic lighting controllers, roadway weather information system and bridge Structural Health Monitoring System and Permanent Weigh-in-Motion System. The design of this local fiber optic network must be coordinated with the design of the Authority's fiber optic backbone which will be carried across each of the bridges, the design of which is the responsibility of the PM Team.

13. Structures

The Successful Qualified Firm is responsible to the final design of all structures within the limits of this Design Section, inclusive but not limited to the following:

a. Cable-stayed bridges

- i. A concrete tower, steel superstructure with composite concrete deck in general conformance with the Preliminary Preferred Alternative and providing system redundancy.
- ii. Design of a MASH Compliant TL-5 barrier system and permanent safety and security fence on all edges of the cable stayed bridge decks including ice accretion effects
- iii. Full wind analysis and design, including:
  1. Climatology report for the site and bridge design, including recommended ice accretion design requirements
  2. Cable vibration analysis, section modeling and full aeroelastic modeling report for all stages for construction
  3. All required wind mitigation measures
- iv. Security design requirements shall be in accordance with item 21 (Security) below.
- v. Development of a Maintenance and Inspection Manual for the new bridges
- vi. Development of a Corrosion Protection Plan to ensure the minimum overall structure service life requirement of 150-years stipulated for the structure and in accordance with the Authority's Design Manual for Major Bridges
- vii. Recommendation and design of Structural Health Monitoring System and Permanent Weigh-in-Motion System
- viii. Design for the accommodation and support of the Authority's fiber optic backbone across both cable-stayed structures, inclusive of fiber and communication network needs for the bridges

- ix. themselves
- ix. Design for the installation of wet/dry standpipes pursuant to Operation's Emergency Response Plans and local agency emergency response requirements.
- b. Approach structures
  - i. Concrete substructures with steel superstructures and composite concrete bridge decks in general conformance with preliminary engineering preferred concept
  - ii. Design of a MASH Compliant TL-5 barrier system and permanent safety and security fence
  - iii. Security design requirements shall be in accordance with item 21 (Security) below
  - iv. Development of a Maintenance and Inspection Manual for the new bridges
  - v. Development of a Corrosion Protection Plan to ensure the minimum service life requirement of 150-years stipulated for the structure and in accordance with the Authority's Design Manual for Major Bridges
  - vi. Design for the accommodation and support of the Authority's fiber optic backbone on both approach structures
  - vii. Design for the installation of wet/dry standpipes pursuant to Operation's Emergency Response Plans and local agency emergency response requirements.
- c. Temporary Trestle System for all stages of construction and demolition
- d. Bridge Fender System
- e. Ancillary structures including but not limited to retaining walls and overhead signs structures.

The new structures shall be designed in accordance with criteria outlined in the Authority's current Design Manual for new bridges, including seismic design and staged construction/demolition requirements. The twin cable-stayed bridges and their approach structures will be classified as "Critical" as it relates to the seismic design of the new bridges.

In addition, the design of the twin cable-stayed bridges shall also be in accordance with accepted industry practice, current governing code provisions for the design of cable-stayed bridge structures and with the Program-specific design criteria established for the NBHCE Program, including a site-specific live load to be developed by the PM Team. This structure and its approaches will be designated as Major Bridges within the Authority's inventory and shall be designed for a 150-year overall service life in accordance with the Authority's Design Manual.

The Successful Qualified Firm shall provide final engineering design calculations and LRFR load ratings for the new structure, in accordance with NJTA's Load Rating Manual (current version).

14. Independent Design Review Coordination

Due to the complexity of this project, the Authority will retain an Independent Review Consultant (IRC) to assess, evaluate and verify the design of the replacement Newark Bay Bridge main span units and certify to the PM Team and the Authority that the design is in accordance with current governing code provisions, accepted industry practice and the design standards of the Program. This independent review will include, but not be limited to, review of the Successful Qualified Firm's design criteria and assumptions, development of a global finite element model of the main span unit with capacity checks of all primary members and critical connections, verification of the Successful Qualified Firm's proposed erection methods and construction sequence, and analysis and evaluation of the resistance of foundation elements based on geotechnical parameters provide by the Successful Qualified Firm. The independent review will also include review and verification of the Successful Qualified Firm's proposed demolition method for the existing Newark Bay Bridge.

The Successful Qualified Firm will be required to provide design documents on a regular basis to the IRC, participate in bi-weekly meetings during Phase A and B design and weekly meetings during Phase C and D with the IRC, the PM Team, and the Authority to discuss this independent review and resolve conflicts and questions the Independent Review may have. The Successful Qualified Firm will prepare the memoranda of meetings for review by all attendee within five (5) working days of the meeting. The Successful Qualified Firm will also provide satisfactory and timely responses to comments and questions provided by the IRC during the independent review. Revisions to the design which occur during contract advertisement or during construction will be reviewed and verified by the IRC. The Successful Qualified Firm will be required to respond to any comments provided during this review.

The IRC shall retain no responsibility in the record documents developed and delivered under this OPS.

15. Demolition

The Successful Qualified Firm shall evaluate and provide a design and contract documents for the demolition and legal disposal of the existing Newark Bay Bridge and its approaches within the milepost limits of this Final Design OPS. These contract documents shall include allowable equipment, access requirements, and means and methods for the demolition of all existing bridge structures to be replaced, including the existing cantilevered tied arch continuous through-truss which is part of Structure No. N2.01. The design by the Successful Qualified Firm shall also be used to eliminate demolition methods or equipment which may damage and destabilize the proposed structure and existing structure before its planned removal.

16. Routine and Emergency Bridge Repairs

The Successful Qualified Firm shall design repairs necessary for the maintenance of the existing bridge decks in their entirety between Milepost N1.3 and N2.9, throughout the duration of the Contract. Provisions shall be included in the contract documents for such repairs to be performed. For purposes of estimating the level of effort for the design of routine and emergency bridge repairs to maintain existing bridges throughout construction, a total Design cost to be utilized for this task will be provided to the Qualified Firms if and when they are requested to provide a Technical and Sealed Fee Proposal for this assignment.



Provisions shall be included in the contract documents for partial and full depth deck panel and spall repairs, headblock repairs, deck joint header repairs, and resurfacing performed as required on an emergency basis for the contract bridges. Provisions shall be included in the contract documents for cementitious and asphalt surfacing repairs.

17. Temporary Shielding/Catch Protection

The Successful Qualified Firm shall include specific contract requirements to protect all structures, roadways, railroads, utilities, right-of-way or property of others, waterways, and facilities beneath the work site. The catch system shall be a closed system and the limits shall be clearly delineated on the contract drawings. No debris shall be allowed to fall onto the roadways or railroads or into waterways below. The Successful Qualified Firm shall also assess the need for supplemental protection of structural steel during demolition, formwork installation, concrete placement, and any other operations that may cause damage.

18. Staging and Disposal Operations

The Contract Drawings shall identify all project areas where provisions for noise and dust control are required, as well as staging areas for equipment, storage, and disposal of materials. Methods and locations for disposal of removed materials and debris shall be included in the contract drawings and specifications. The Successful Qualified Firm shall specify the disposal of concrete, asphalt, and other debris off of the Authority's property.

19. Constructability

The Successful Qualified Firm shall evaluate and review the proposed Construction Contract Packaging set forth in this RFEI. Any recommendations for adjustments to Construction Contract limits or schedule or revisions to the number of Construction Contracts shall be presented to the Authority and the PM Team for further discussion. Proposed revisions shall be based on final design refinements or opportunities for Project schedule or cost savings. Changes to the Construction Contract limits or packages shall be at the sole discretion of the Authority.

The Successful Qualified Firm shall perform a detailed constructability review of the design in accordance with the requirements in the most current version of the Authority's Procedures Manual and as supplemented by the Program. This constructability review shall identify, investigate, and address constructability issues as part of the final design process, including but not limited to current and available construction techniques, scheduling, economic factors, permit conditions, maintenance and protection of traffic, grade and profile changes at stage limits, construction access, available contractor laydown areas and production rates.

Construction Cost Estimates and construction schedule shall be provided with each Phase Submission. A draft anticipated construction schedule, draft construction estimate, and draft constructability report shall be submitted at Phase A. A preliminary Construction Schedule with backup computations and an updated draft Constructability Review Report shall be provided with the Phase B Submission. The final Constructability Review Report, including final Construction Cost Estimate, final Construction Schedule, and summary of resolved constructability issues shall be provided with the Phase C Submission.

The Constructability Review shall be performed by qualified construction personnel that are not a member of the design team.

20. Maintenance and Protection of Traffic (MPT)

MPT shall be designed in accordance with the criteria outlined in NJTA's Design Manual, Standard Drawings, and Lane Closure Tables under the Lane Closing Application. All final MPT Plans and Specifications must meet the approval of the Authority's Operations Department. MPT on facilities outside of the Authority's jurisdiction shall follow the standards and specifications of the agency with jurisdiction.

Traffic protection plans and cross sections shall be developed for each construction stage indicating proposed traffic staging that details construction barrier layout, cone lines, signing, positioning of attenuator systems, line obliteration, temporary line striping and proposed work zones. The current number of through lanes must be maintained in each direction throughout the work limits of major construction stages, except for short duration (daily/nightly) closures required for Contractor access, placement of construction barrier and line striping changes. The contract documents shall define the allowable primary and supplemental lane closing hours, starting and ending point locations for detours and lane closings, and line striping tapers for each construction stage and work zone, as deemed permissible by the Authority's Operations Department during the design process, so that the Contractor is made fully aware of access restrictions for this project.

Staging limits shall consider proposed construction joint locations to ensure that they will not be located in the permanent wheel paths. Construction joints shall be aligned within 1 foot of permanent lane lines, or within 1 foot of the center of permanent lanes, where feasible. MPT and construction staging shall be coordinated with any concurrent contracts in the project area.

MPT shall be performed by the Contractor, and shall include placing, maintaining, patrolling, and removing lane and shoulder closings. Signs, sign stands, and traffic cones will be supplied by the Contractor. Arrow boards, variable message signs and truck mounted attenuators (TMAs) shall be furnished, operated, and maintained by the Contractor.

The Successful Qualified Firm shall prepare a Pre-Phase C submission including traffic control plans, complete MPT specifications and appendices, draft Traffic Impact Notices, and a preliminary construction schedule with backup computations. This submission shall meet the requirements of the Phase C MPT submission as noted in the Authority's Design Manual and shall be 95% complete. The submission shall be prepared with sufficient time to allow for Authority Engineering and Operations Department and PM Team review, comment resolution, and contract document revisions so as not to delay the Phase C submission date.

21. Traffic Management

The Successful Qualified Firm will support the PM Team in refinement and implementation of a Traffic Management Plan (TMP). Traffic models and visualizations shall be prepared to reflect conditions during and after construction and shall be made available as necessary for presentation at meetings with stakeholders and the public.

22. Security

All security documents shall be managed in accordance with the Authority's requirements for the handling of secure information. The Authority will provide the Successful Qualified Firm with the confidential privileged security design requirements for the final design work. The Successful Qualified Firm will perform a design-based threat assessment of its proposed final design that prioritizes mitigations based on risk reduction and cost. This assessment should also make recommendations for emergency preparedness and rapid recovery planning with local and regional first responders and authorities. The design-based threat assessment is a report deliverable to be submitted, reviewed, and updated in all phases of design. The Phase A submission should include, at the minimum, a discussion of the design threat analyses and how security is being considered for the proposed structure type, particularly in the layout and size of primary structural components. As structural drawings progress in Phases B and C, the design-based threat assessment report must be updated accordingly to evaluate vulnerability to the design threats. Handling of secure information shall be in accordance with the Authority's policy and as supplemented by the Program.

23. 3D CADD Modeling

The Successful Qualified Firm shall utilize 3D CADD modeling for clash detection, demonstration of construction sequencing and staging, evaluation of the constructability of elements and horizontal/vertical clearance verification during final design. The 3D CADD model will be part of the Successful Qualified Firm's final deliverable to the Authority.

24. eGIS Deliverable

The Authority utilizes an eGIS platform which contains information for its key assets. Successful Qualified Firm shall include an eGIS deliverable with their Phase D Submission. This will include creating eGIS layers and/or providing georeferenced data in excel sheets, with pertinent information from the proposed design (such as SWM devices/drainage layouts, ITS devices, guide rail, light poles, etc.). The data to be included and layers/spreadsheets will be determined via coordination with the Authority.

25. Construction contract documents

The preparation of contract plans, specifications and estimates required for this project shall be in accordance with the latest edition of the Authority's Design Manual with amendments, and the 2016 NJTA Standard Specifications, 7th Edition, and the latest revisions within the Authority's Standard Supplementary Specifications. Improvements on roadways under the jurisdiction of other agencies shall conform to the standards of the respective agency. The Successful Qualified Firm is to recommend the actual number of individual construction contracts required to complete these improvements prior to the Phase B submission, if applicable.

26. Project Controls

- a. Project controls shall include document control, reporting and cost controls, scheduling, risk management and design quality management.
- b. A collaborate Program SharePoint site will be utilized for this Program. The Successful Qualified Firm shall provide information as required by the PM Team, follow naming conventions and criteria, utilize this site as a resource daily, and fully participate in the utilization of this site. The PM Team shall operate, maintain, and control this site and shall provide training to the Successful Qualified Firm. The Successful Qualified Firm shall at a minimum perform the following tasks using the SharePoint site: view, post and edit documents and databases, as appropriate on a daily basis, submit all required deliverables in electronic format and participate in the comment resolution process. The selected Successful Qualified Firm shall fully commit to the use of this site.
- c. The Successful Qualified Firm shall have a secure information manager (SIM) to manage all confidential and confidential privileged documents in accordance with Program requirements.
- d. The Successful Qualified Firm shall submit a detailed design schedule upon the OPS' notice to proceed in Primavera P6 for review and approval by the Authority. The Program scheduling requirements will be accordance with the Authority's Procedures Manual and a supplemented by the Program. The schedule shall identify all submission dates, review times, major activities, durations, critical path items, interdependencies, etc., to complete the scope of service required for the project. Monthly updates of the approved schedule shall be submitted in progress reports. The Schedule submitted for this RFEIO shall include this required information.
- e. The Successful Qualified Firm shall also develop an Anticipated Construction Schedule for each construction contract in accordance with the Authority's Procedures Manual and a supplemented by the Program.

C. Post Design Services

The Successful Qualified Firm will be responsible for providing post design services as described in the Authority's Procedures Manual (which is available on the Authority's website at [www.njta.com](http://www.njta.com)). It is specifically noted that the Successful Qualified Firm shall be responsible for review of shop drawings and responding to request for information (RFIs) in accordance with Section 3.4.6 "*Post Design Services*" including Exhibit 3-9 of the Authority's Procedure's Manual. The Successful Qualified Firm will be required to attend a Project Hand-off Meeting and prepare required materials, such as a Hand-off Report, to inform the Authority's construction staff of the key components of the contract prior to construction. Additionally, participation at weekly progress meetings for the duration of construction and participation at the final inspection meeting will be required. Construction supervision services are not included as part of this assignment.

D. Public Involvement

The Successful Qualified Firm will be required to attend monthly Public Strategy Meetings with the PM Team and the Authority.

The Successful Qualified Firm will lead three (3) Public Information Centers (PICs) to present design of the project. The Successful Qualified Firm will prepare and provide all necessary design-related information and presentation materials to support the PICs, prepare meeting notes, and coordinate responses to submitted

questions during and after the PIC with the Authority and PM Team. The Successful Qualified Firm have the appropriate key personnel attend the PICs. Assume an initial pre-meeting and second meeting prior to each PIC.

The Successful Qualified Firm will also prepare necessary design-related information and presentation materials to support up to three (3) Public Hearings.

The Successful Qualified Firm will be responsible for supporting the Authority's efforts in complying with Executive Order No. 172 (E.O.172), which requires that transportation agencies solicit public input regarding proposed transportation projects. In this regard, the Authority is planning to hold 3 Public Hearing(s), one in Newark, Bayonne and Jersey City. The Successful Qualified Firm's services for the E.O.172 Public Hearings shall include, but not be limited to supporting the Authority and the Program Manager, preparing all necessary exhibits and newsletters, assisting the Authority's and Program Manager's personnel with the oral presentation of the project at the hearings, preparing the Final Hearing Reports and assisting the Authority and the Program Manager in satisfying all E.O.172 requirements. This effort shall be performed in close coordination with the Authority's Design Liaison and Program Manager. No contact shall be made with the public or municipal, county or state officials unless authorized in advance by the Authority.

The Successful Qualified Firm will provide necessary design-related information on a quarterly basis to support the development and updating of the Authority's Program Website.

E. Miscellaneous

1. Include provisions in the Specifications for controlling the dust and noise originating from any construction operations into the construction contract where necessary.
2. The Specifications shall state the contractor will be required to follow the "One Call Law" field stake out in accordance with the N.J. Board of Public Utilities Excavator Handbook for damage prevention of buried utilities. The One Call System can be reached by dialing 1-800-272-1000.
3. The Successful Qualified Firm shall identify areas where roadway communication facilities will be affected by work and make provisions for maintenance of same, as necessary.
4. The Successful Qualified Firm shall specify all shop drawings required for the project and list them and required submission dates within Subsection 104.08 of the Specifications.
5. The Successful Qualified Firm shall coordinate with the designated New Jersey Turnpike Authority Key Custodian or Security Liaison to obtain security keys necessary to open the locks at locations where security fence is present. A representative of the Successful Qualified Firm who will require access at the bridge(s) shall obtain the security key in person at a designated Authority facility.
6. Traffic Control Coordinator (TCC) shall be required where lane and half ramp closings are to be installed by the Successful Qualified Firm, subconsultant or subcontractor as part of design or bridge inspection. A TCC will not be required for shoulder closings installed by the Successful Qualified Firm or vendor. Refer to Specifications Subparagraph 801.03(A)(6) for TCC requirements and certification, which shall apply to design and bridge inspection tasks involving lane and half ramp closings.

**ADMINISTRATIVE:**

1. Project Coordination – The Successful Qualified Firm shall coordinate its activities with Authority personnel throughout the course of this project. Upon commencement of services under the OPS, the Successful Qualified Firm shall establish a means of coordinating and reporting its activities with the Authority's representative to ensure an expeditious exchange of information. The Authority shall be informed of all meetings with other agencies, government officials and/or groups so that Authority personnel can attend if necessary.

The Successful Qualified Firm is responsible to coordinate all design activities that interface with, or may affect, other sections of the Program through the PM Team. The PM Team shall act as an extension of the Authority and will provide coordination/guidance for the design sections within the Program on the behalf of the Authority.

Throughout the duration of the project, the Successful Qualified Firm shall maintain a document control system recording the disposition of all documents associated with the project. The Successful Qualified Firm shall also prepare a detailed project schedule using Primavera software for activities to be completed. The schedule shall identify all submission dates, review times, major activities, durations, critical path items, interdependencies, etc., to complete the scope of services required for the project.

The Successful Qualified Firm shall work in harmony with any and all entities that have been and may be retained by the Authority for this project and the Program.

The Successful Qualified Firm may be required to meet with representatives from appropriate federal, State, County, Municipal, Utility and other private or public organizations or agencies, as necessary, to effectuate the completion of work items. The Successful Qualified Firm shall give adequate notification of all meetings to the Authority through the Authority's PM Team and Authority's Design Liaison. The Successful Qualified Firm shall conduct a pre-meeting with the PM Team and the Authority's Design Liaison. High level meetings will be attended by the Authority as required. Other meetings for the purpose of discussing typical design related issues are anticipated to be attended solely by the Successful Qualified Firm. The Successful Qualified Firm will prepare, in a timely manner, all minutes of meetings attended with copies to the Authority, and others as appropriate. Draft meeting minutes will be shared with the Authority's Design Liaison's for review before they are issued to the attendees. The Successful Qualified Firm is responsible for the preparation of all necessary design work, graphics, renderings, displays, exhibits and like material as needed for the meetings. All presentation materials shall be submitted to the PM Team for review prior to the pre-meeting. The Successful Qualified Firm will prepare the draft memoranda of meetings for review by the PM Team and Authority's Design Liaison within five (5) working days of the meeting. The Successful Qualified Firm shall also prepare a separate comment resolution document to memorialize the meetings, decisions, and questions raised.

**The Successful Qualified Firm is responsible to the Authority for the work of its subconsultants. As such, it is expected that the Successful Qualified Firm shall perform Quality Reviews of its subconsultant's work prior to providing copies/submittals to the Authority. If extensive errors/omissions are found during reviews, the work shall be rejected, and shall be revised and resubmitted at no additional cost to the Authority.**

2. Management Requirements – The Successful Qualified Firm's Project Manager and Key Personnel shall possess a valid New Jersey Professional Engineer's license and shall not be removed from the OPS and replaced with another Project Manager or Key Personnel without prior written approval from the Authority's Chief Engineer or his representative.

It is expected that the Project Manager will actively manage the project and will lead/participate in all project-related meetings. The Project Manager will serve as the primary point of contact for the team and be available for project-related matters. The Engineers of Record and Constructability Engineer shall also be available if requested by the Authority.

3. Progress Reports – The Successful Qualified Firm will be responsible to prepare and submit monthly progress reports indicating percent of work completed by task, work completed in the last month, work to be performed, actions/decisions required by the Authority, and the status of the project's schedule and budget. Reports shall be submitted on a monthly basis and coincide with the invoice submitted for the same time period.

Progress reports shall contain monthly updates of the approved schedule. Progress reports shall also include an estimate of the Authority's financial spending plan for the project. This spending plan will be detailed for the OPS, construction contract(s), Utility Order(s), and any other costs to be paid by the Authority.

4. Status Meeting - It is anticipated that the Successful Qualified Firm will be required to conduct monthly project status meetings with the Authority throughout all design work on the project and prepare the memoranda of meetings for review by all attendees within five (5) working days of the meeting. These meetings shall typically occur at the Authority's Administrative offices but can be held virtually at the Authority's discretion. Other meetings may be scheduled based on project needs.
5. The Successful Qualified Firm shall attend bi-weekly design meetings with the Authority (for the duration of all design work) and will prepare the memoranda of meetings for review by all attendee within five (5) working days of the meeting. The Successful Qualified Firm shall also prepare a separate comment resolution document to memorialize the meetings, decisions, and questions raised. These meetings shall typically be half in-person at the Authority's Administrative offices and half will be virtual.
6. The Successful Qualified Firm shall also participate in a minimum of fifteen (15) Technical Workshops with Subject Matter Experts (SMEs) to discuss key technical design issues and will prepare the memoranda of meetings for review by all attendee within five (5) working days of the meeting. The Successful Qualified Firm shall also prepare a separate comment resolution document to memorialize the meetings, decisions, and questions raised. Technical Workshops will be held at the Authority Administrative Offices.
7. Invoicing Requirements – All invoices shall be consecutively numbered and shall contain the words, "Order for Professional Services No. T3922". Invoices will not be processed before the progress report for that month's activities have been submitted.

Invoices are **required** to be submitted (electronically to [EngineeringOPSInvoices@njta.com](mailto:EngineeringOPSInvoices@njta.com)) on a **monthly** basis. They shall be submitted to the Authority within 15 business days of the cutoff date. The Successful Qualified Firm will also be responsible for preparing and submitting, as part of this invoice, projected billings associated with the OPS, monthly projections for two years and quarterly billing projections for the duration of the OPS.

The Successful Qualified Firm shall submit time sheet summaries. Individual employees' time sheets are not required, unless specifically requested by the Authority. Direct expenses shall be reimbursed in accordance with the expenses identified in Attachment B, Subsection B4.

The Successful Qualified Firm shall immediately notify the Authority's representative in writing if the percentage of fee earned exceeds the percentage of services completed. The Successful Qualified Firm shall immediately implement the necessary adjustments and/or make recommendations on how to alleviate this condition. Failure to do so may result in the Successful Qualified Firm being required to absorb any costs beyond the authorized fee.

The Successful Qualified Firm shall be responsible to submit to the Authority for approval the wage rates of personnel that will be working on the project.

8. The Successful Qualified Firm shall develop a risk management plan, manage all threats and opportunities, and participate in up to three (3) risk management workshops if required by the Authority. Estimates and schedules are to be at a P80 level of confidence.
9. The Successful Qualified Firm shall develop a design quality management plan (DQMP) which shall incorporate all Program quality requirements. The DQMP must identify all quality control and assurance processes clearly, have a clear sign-off process and track deliverables.

#### **DELIVERABLES:**

The preparation and submission of contract plans, specifications and estimates shall be in accordance with the current version of the Authority's Design Manual and Procedures Manual, unless noted otherwise herein.

Reports and phase review documents shall be submitted in accordance with the Authority's Procedures Manual and as supplemented by Program requirements, including the number of hard copies required. The Successful Qualified Firm shall allow for a minimum four (4) week review period by the Authority for each submission. However, any delays caused by the Authority's review process shall not be sufficient reason for additional compensation.

All project deliverables will be provided to the Authority, at no additional cost, in electronic format (PDF or as otherwise required). The Successful Qualified Firm will submit all project deliverables through the Program collaborative SharePoint site established by the PM Team and will participate in comment resolution utilizing the site.

Prior to submission of any deliverable the Successful Qualified Firm will perform a QA/QC review of the submission and submit one (1) complete set (in PDF format) to the PM Team and the Authority's Design Liaison through the Program collaborative SharePoint site for advanced review and authorization to submit the deliverable materials.

The Successful Qualified Firm will be required to submit the appropriate completed submission checklists along with any other submission documents identified by the Authority's Procedure Manual and as supplemented by Program requirements. Failure to comply may result in rejection and resubmission of the entire deliverable package. Submission Distribution Matrices for each Phase Submission, including number of hard and electronic copies, are also required.

The final submission of the contract documents shall follow the Phase D submission requirements found in the Authority's Design Manual. Included with this submission, the Successful Qualified Firm shall provide to the Authority, at no additional cost, the electronic file(s) of the procurement documents.



All printing of contract bid documents will be performed by the Authority.

Deliverables for items such as agreements and utility orders, if required, will follow the schedule outlined in the Authority's Design Manual, unless noted otherwise herein. Deliverables for right-of-way documents shall be accelerated in the early stages of design to the extent possible in coordination with the PM Team and the Authority's right-of-way Team to facilitate the land acquisition process, if required. The right-of-way strategy will be discussed with the Successful Qualified Firm at the kickoff meeting. All of these items are to be fully negotiated and fully executed prior to advertisement.

Review comments from the PM Team, the Authority, the Independent Reviewer, and/or other Agencies and Stakeholders will be provided to the Successful Qualified Firm for compilation and response. The Successful Qualified Firm shall prepare a comment resolution summary document for submission through the Program collaborative SharePoint site within three (3) weeks of receipt of comments. Once all comments are closed out and approved by the PM Team and the Authority, final design work may proceed to the next phase. The Successful Qualified Firm may need to advance portions of the design prior to receiving full comment resolution concurrence. If the Successful Qualified Firm chooses to proceed in this manner, they shall notify the Authority's Design Liaison and PM Team. The Successful Qualified Firm is proceeding at their own risk and any rework resulting from comments or non-compliance with Program requirements shall be at no cost to the Authority.

In addition to the submission documents specified in the Authority's Procedures Manual, the following submissions and reports are required during final design for the cable-stayed bridges:

- Climatology Report
- Wind Tunnel Testing/Aeroelastic Stability Report
- Seismic Report
- Hydraulic and Hydrological Study
- Vessel Impact Study Report
- Security Report
- Constructability/Erection Engineering Report
- Life Cycle/Service Life Report
- Bridge Maintenance and Inspection Report and Manuals
- Bridge Component Replacement Report

The following Environmental Documents shall also be submitted during final design:

- Soil Erosion and Sediment Control Plan Application

**BACKGROUND MATERIALS:**

The reference materials are available for review electronically through the Authority's Secure File Sharing Site. Access to the secure workspace will be provided to all prequalified and eligible Qualified Firms via e-mail as part of the RFEOI notification process. If there are any questions or issues related to the Secure File Sharing Site, please contact Anne Sinagra via e-mail at [sinagra@njta.com](mailto:sinagra@njta.com). The subject line should read, "OPS No. T3922 Secure File Sharing Site Information.

**Subsection B3**

**Qualified and Eligible Firms**

1. AECOM Technical Services
2. COWI North America
3. Gannett Fleming, Inc.
4. Jacobs Engineering Group Inc.
5. Michael Baker International, Inc.
6. Parsons Transportation Group, Inc.
7. Stantec Consulting Services, Inc.
8. T.Y. Lin International
9. WSP USA Inc.

**Subsection B4**  
**Compensation Basis**

Following a review of the submitted Expressions of Interest, the Authority will request Technical and Fee Proposals from the Firm(s) it deems most qualified.

The Sealed Fee Proposal (if and when requested) shall be submitted as a cost-plus fee based on reimbursement of direct professional and technical salaries times a multiplier, not to exceed 2.8, based on a 10% allowance for profit and an overhead rate of 154.5%, or the individual Qualified Firm's overhead rate as determined by Federal Acquisition Regulations (48 CFR Part 31.105), whichever is less, plus direct expenses, subconsultant services and subcontractor services, at cost. The multiplier shall not be applied to the premium portion of overtime. The multiplier covers all overhead and profit.

Subconsultant and subcontractor services are those required services performed by other firms or contractors at the Successful Qualified Firm's direction.

For general services provided by the Successful Qualified Firm's corporate officers, partners, owners and/or principals in a non-technical capacity, no compensation will be provided. When corporate officers, partners, owners and/or principals are required to provide services in a technical capacity, the salaries for such individuals performing services in a technical capacity shall be reimbursable for direct salaries times a multiplier not to exceed 2.8.

No expenses or costs shall be billed unless specifically included in the Technical Proposal and the Successful Qualified Firm's final negotiated Fee Proposal.

Average rate per classification/grade will not be permitted to determine total labor costs. The Fee Proposal shall detail time (hours) and direct salary data for classifications conforming to the ASCE Professional and Technical Grades, as shown on the Staffing Estimate and as modified by the Qualified Firm to account for all required services. Services shall be billed in accordance with the Successful Qualified Firm's Fee Proposal.

Salary rate increases will be permitted in accordance with the following parameters:

- Salary increases for merit or cost of living will not be permitted for the first 12 months of any OPS Agreement from the date of execution.
- Starting at month 13, all staff, regardless of pay grade / title, will be allowed up to a maximum annual increase of 3%.
- The proposal salary rate increase schedule will apply to the Successful Qualified Firm as well as all subconsultants.
- Salary rate increases as a result of a promotion are not subject to this policy.

**The Qualified Firm's total Fee Proposal for these services shall be rounded to the nearest \$5,000.**

Salaries shall be charged at the Successful Qualified Firms' hourly rates. The Successful Qualified Firm is responsible for managing the assignment, adhering to the number of hours, salary rates and personnel, as proposed in the Technical and Fee Proposal. Individual standard and overtime rates must be approved by the Authority's Chief Engineer or the Chief Engineer's designated representative prior to commencement of services or whenever the Successful Qualified Firms proposes that an individual's rate be changed during the term of this OPS, provided such change does not increase the Successful Qualified Firm's final negotiated Fee Proposal. Except for overtime worked on construction supervision during permissible contract working hours, overtime must be approved by the Authority.

To assist in the Authority's management of its annual spending, the Qualified Firm shall include within the Fee Proposal the projected billings associated with these services, including monthly projections for the first two (2) years and quarterly billing projections for the duration of this assignment.

Given the potential for out-of-scope activities to arise during the performance of this OPS, the Qualified Firm will be directed to include a 10% contingency of the cost-plus fee based on reimbursement of direct professional and technical salaries times the multiplier (burdened labor fee) for "Unanticipated Services" in their Fee Proposal. These contingency monies will be utilized only upon receipt of written notification from the Authority explicitly authorizing the use of these monies.

Direct expenses shall include approved subconsultant services, mileage, test pits, vendor invoiced printing of phase submission documents, final documents, mylars, final plans in .PDF format, meeting displays/exhibits, and permit application fees. Mileage will be paid at the prevailing federal mileage rates ([www.irs.gov](http://www.irs.gov)). Mileage will be reimbursed for travel between the Successful Qualified Firm's local office and the work site, New Jersey Turnpike Authority offices, and meetings required by the Authority or its representatives, including the return trip. The Successful Qualified Firm will be responsible for paying all tolls.

Compensation for lodging and meals will not be reimbursed, unless approved in writing in advance by the Authority. If approved, expenses for lodging and meals will be paid at in accordance with the federal per diem rates which can be found at [www.gsa.gov/perdiem](http://www.gsa.gov/perdiem). This shall apply to the Successful Qualified Firm and its subconsultants and subcontractors.

Overnight delivery charges will be paid by the Authority only if such overnight delivery is specifically requested by the Authority and agreed to in advance. Otherwise, the Successful Qualified Firm will not be reimbursed for overnight delivery charges. This shall also apply to the Successful Qualified Firms' subconsultants and subcontractors.

**ATTACHMENT C**  
**Standard Supplemental Information and Forms**

**Subsection No. and Title**

- C1. Administrative Information
- C2. Mandatory Employment Opportunity Language N.J.S.A. 10:5-31 et seq. (P.L.1975, c.127) and N.J.A.C. 17:27 et seq.
- C3. State Consultant Political Contributions Compliance N.J.S.A. 19:44A-20.13 to 20.25 (P.L. 2005, c.51) superseding Executive Order 134 (2004), "The Elections Transparency Act," P.L. 2023, c.30, and Executive Order 333 (2023 Murphy)
- C4. Right to Audit
- C5. Antidiscrimination Provisions
- C6. Standards Prohibiting Conflicts of Interest Executive Order 189 (1988 - Kean)
- C7. ADA Indemnification Act
- C8. Diane B. Allen Equal Pay Act
- C9. Warranty by Contractor of No Solicitation on Commission or Contingent Fee Basis N.J.S.A. 52:34-15 (P.L. 1954, c48, s.10)
- C10. Prompt Payment Act, N.J.S.A. 2A:30A
- C11. Code of Ethical Standards
- C12. Small Business Enterprise and Disabled Veteran Owned Business Programs
- C13. Standard Supplement Forms to be Submitted
  - (a) Affidavit of Eligibility/Disclosure of Material Litigation
  - (b) Small Business Enterprise/Disabled Veteran Owned Business
  - (c) Disclosure of Investment Activities in Iran\* N.J.S.A. 52:32-58
  - (d) Prohibited Activities in Russia or Belarus
  - (e) Source Disclosure Form
  - (f) Ownership Disclosure
  - (g) Business Registration Act\*\*\*\*
  - (h) Set-Off for State Sales Tax
  - (i) Affidavit of Moral Integrity form
  - (j) Disclosure of Outstanding Work Form
  - (k) Recent Authority Project Experience Form

### Subsection C1

#### Administrative Information

#### **Professional Corporation**

Incorporated Firms that have not filed a copy of a Certificate of Authorization, with the Authority must include a copy of the Certificate with the EOI. Professional service corporations established pursuant to the "Professional Service Corporation Act," N.J.S.A. 14A:17-1 et seq. (P.L. 1969, c. 232), are exempt from this requirement.

#### **Signatures**

Expressions of Interest must be signed by an officer of the Firm authorized to make a binding commitment.

#### **Incurring Costs**

The Authority shall not be liable for any costs incurred by any Firm in the preparation of their Expression of Interest or Fee Proposal.

#### **Addendum to EOI Solicitations**

If, at any time prior to the Authority receiving responses to this RFEOI, it becomes necessary to revise any part of this RFEOI, or if additional information is necessary to enable firms to adequately interpret the provisions of this RFEOI, an addendum to the RFEOI will be made available on the Authority's web-site, [www.njta.com](http://www.njta.com), as described herein.

#### **Acceptance and Rejection of EOIs and Fee Proposals**

Any award of this OPS will be made in accordance with N.J.A.C.19:9-2.8. The issuance of this RFEOI soliciting Expressions of Interest and Fee Proposals does not, in any manner or form, commit the Authority to award any OPS. The contents of the RFEOI, EOI, and a final negotiated Fee Proposal may become a contractual obligation, if an EOI submitted in response to the RFEOI is accepted, and an OPS is entered into with the Authority. Failure of a firm to adhere to and/or honor any or all of obligations of its response to the RFEOI, including its EOI, may result in rescission of any OPS awarded by the Authority. The Authority shall not be obligated at any time to award any OPS. The Authority reserves the right to accept or reject any or all proposals or to negotiate with any proposer, to waive minor noncompliance, amend or supplement the RFEOI, re-advertise the RFEOI, or abandon a procurement, and/or take such other steps deemed necessary and in the best interest of the Authority, in accordance with applicable law.

#### **Errors or Omissions in RFEOI**

It is the firm's responsibility to bring to the attention of the Authority during the RFEOI any errors, omissions, or non-compliance discovered in the RFEOI. By neglecting to do so, the firm will be responsible to make any resulting changes without additional compensation if awarded the OPS.

#### **Dissemination of Information**

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

#### **News Releases**

No news releases pertaining to this RFEOI or the project to which it relates shall be made without Authority approval and then only in coordination with the issuing office and the Authority's Media Relations Coordinator.

### Public Records

This RFEIOI, and any response to the RFEIOI, including an EOI and Fee Proposal submitted by a firm in response to the RFEIOI, shall constitute a public document subject to disclosure in accordance with New Jersey's Open Public Records Act, N.J.S.A. 47:1A-1 et seq. (OPRA). Any firm responding to the RFEIOI may request that the Authority's Director of Law deem certain information contained in its response to be personal, financial, or proprietary information that is exempt from disclosure under OPRA.

The Authority reserves the right to make the determination regarding what is proprietary or confidential and will advise the winning bidder/proposer accordingly. The Authority will not honor any attempt by a winning bidder/proposer to designate its entire proposal as proprietary or confidential and will not honor a claim of copyright protection for an entire proposal. In the event of any challenge to the winning bidder's/proposer's assertion of confidentiality with which the Authority does not concur, the bidder /proposer shall be solely responsible for defending its designation.

### Subsection C2

#### 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 et seq.

#### Goods, General Services, and Professional Services Contracts

The consultant or subconsultant, 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 ex-pression, the consultant will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affection-al or sexual orientation, gender identity or expression, disability, nationality, or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, up-grading, 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 consultant 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 consultant or subconsultant, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the consultant, 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 consultant or subconsultant will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the consultant's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The consultant or subconsultant, 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 consultant or subconsultant agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2.

The consultant or subconsultant agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, 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 consultant or subconsultant 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 targeted employment goals, the consultant or subconsultant agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, 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 consultant 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; or

Employee Information Report Form AA-302 (electronically provided by the Division and distributed to the public agency through the Division's website at: [http://www.state.nj.us/treasury/contract\\_compliance](http://www.state.nj.us/treasury/contract_compliance)).

The consultant and its subconsultants shall furnish such reports or other documents to the Division of Purchase & Property, CCAU, EEO Monitoring Program 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 Division of Purchase & Property, CCAU, EEO Monitoring Program for conducting a compliance investigation pursuant to N.J.A.C. 17:27-1.1 et seq.

### Subsection C3

#### State Consultant Political Contributions Compliance

N.J.S.A. 19:44A-20.25 (P.L. 2005, c.51) superseding Executive Order 134 (2004),  
The Elections Transparency Act," P.L. 2023, c.30,  
and Executive Order 333 (2023 Murphy)

#### Election Transparency Act, P.L. 2023, c. 30; Fair and Open Exception

In accordance with the Elections Transparency Act, P.L. 2023, c. 30 (the "Act"), effective January 1, 2023, all contracts awarded by the Authority pursuant to a fair and open process as defined in the Act are no longer subject to the political contributions proscription that prohibited a contract award if certain reportable contributions were solicited or made by a potential contract awardee. The Authority has determined that this procurement meets the requirements of a fair and open process and, accordingly, any such solicited or reportable contributions made by any proposer submitting a proposal will not prohibit any contract award thereto if such proposer is deemed the successful proposer.



**Annual Report of Contributions to Election Law Enforcement Commission**

All Business entities are advised of their responsibility to file an annual disclosure statement of political contributions with the New Jersey Election Law Enforcement Commission (ELEC) pursuant to N.J.S.A. 19:44A-20.27 if they receive contracts in excess of \$50,000.00 from public entities in a calendar year. Business entities are responsible for determining if filing is necessary. Additional information on this requirement is available from ELEC at 888-313-3532 or at [www.elec.state.nj.us](http://www.elec.state.nj.us)

**Breach of Terms of Government Contract**

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

**Subsection C4**  
**Right to Audit**

Pursuant to N.J.A.C. 17:44-2.2, the New Jersey Office of the State Comptroller (OSC) has the authority to audit or review contract records, as follows:

- a) Relevant records of private vendors or other persons entering into contracts with covered entities, including the Authority, are subject to review by the OSC pursuant to N.J.S.A. 52:15C-14(d).
- b) Any Consultant awarded a contract shall maintain all documentation related to products, transactions or services under this contract for a period of five (5) years from the date of final payment. Such records shall be made available to the OSC upon request.

**Subsection C5**  
**Antidiscrimination Provisions**

In accordance with N.J.S.A. 10:2-1 every contract for or on behalf of the State or any county or municipality or other political subdivision of the State, or any agency of or authority created by any of the foregoing, for the construction, alteration or repair of any public building or public work or for the acquisition of materials, equipment, supplies or services shall contain provisions by which the contractor agrees that:

- a. In the hiring of persons for the performance of work under this contract or any subcontract hereunder, or for the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under this contract, no consultant, nor any person acting on behalf of such consultant or subconsultant, shall, by reason of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex, discriminate against any person who is qualified and available to perform the work to which the employment relates;

- b. No consultant, subconsultant, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee engaged in the performance of work under this contract or any subcontract hereunder, or engaged in the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under such contract, on account of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex;
- c. There may be deducted from the amount payable to the consultant by the contracting public agency, under this contract, a penalty of \$50.00 for each person for each calendar day during which such person is discriminated against or intimidated in violation of the provisions of the contract; and
- d. This contract may be canceled or terminated by the contracting public agency, and all money due or to become due hereunder may be forfeited, for any violation of this attachment of the contract occurring after notice to the consultant from the contracting public agency of any prior violation of this attachment of the contract.

**Subsection C6**  
**Standards Prohibiting Conflicts of Interest**  
**Executive Order 189 (1988 - Kean)**

Pursuant to N.J.S.A.52:34-19 and Executive Order 134 (1976 - Byrne), Executive Order 189 (1988 - Kean) includes the following prohibitions on any vendor which provides or offers or proposes to provide goods or services to or perform any contract for the State of new Jersey or any State agency.

- (a) No vendor shall pay, offer to pay, or agree to pay, either directly or indirectly, any fee, commission, compensation, gift, gratuity, or other thing of value of any kind to any State officer or employee or special State officer or employee, as defined by N.J.S.A. 52:13D-13b. and e., in the Department of the Treasury or any other agency with which such vendor transacts or offers or proposes to transact business, or to any member of the immediate family, as defined by N.J.S.A. 52:13D-13i., of any such officer or employee, or any partnership, Firm, or corporation with which they are employed or associated, or in which such officer or employee has an interest within the meaning of N.J.S.A. 52:13D-13g.
- (b) The solicitation of any fee, commission, compensation, gift, gratuity, or other thing of value by any State officer or employee or special State officer or employee from any State vendor shall be reported in writing forthwith by the vendor to the Attorney General and the Executive Commission on Ethical Standards.
- (c) No vendor may, directly or indirectly, undertake any private business, commercial or entrepreneurial relationship with, whether or not pursuant to employment, contract or other agreement, express or implied, or sell any interest in such vendor to, any State officer or employee or special State officer or employee having any duties or responsibilities in connection with the purchase, acquisition or sale of any property or services by or to any State agency or any instrumentality thereof, or with any person, Qualified Firm or entity with which he is employed or associated or in which he has an interest within the meaning of N.J.S.A. 52:13D-13g. Any relationships subject to this provision shall be reported in writing forthwith to the Executive Commission on Ethical Standards, which may grant a waiver of this restriction upon application of the State officer or employee or special State officer or employee upon a finding that the present or proposed relationship does not present the potential, actuality, or appearance of a conflict of interest.
- (d) No vendor shall influence, or attempt to influence or cause to be influenced, any State officer or employee or special State officer or employee in his official capacity in any manner which might tend to impair the objectivity or independence of judgment of said officer or employee.

- (e) No vendor shall cause or influence, or attempt to cause or influence, any State officer or employee or special State officer or employee to use, or attempt to use, his official position to secure unwarranted privileges or advantages for the vendor or any other person.
- (f) The provisions cited above in paragraph 3a. through 3e. shall not be construed to prohibit a State officer or employee or special State officer or employee from receiving gifts from or contracting with vendors under the same terms and conditions as are offered or made available to members of the general public subject to any guidelines the Executive Commission on Ethical Standards may promulgate under paragraph 3c.

#### Subsection C7

#### ADA Indemnification Act

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, shall be a part of any OPS awarded under pursuant to this RFEOI. In providing any aid, benefit, or service on behalf of the Authority pursuant to any such OPS, the consultant agrees that the performance shall be in strict compliance with the Act. In the event that the consultant, its agents, servants, employees, or subconsultants violate or are alleged to have violated the Act during the performance of any OPS awarded pursuant to this RFEOI, the consultant shall defend the Authority in any action or administrative proceeding commenced pursuant to this Act. The consultant shall indemnify, protect, and save harmless the Authority, its agents, servants, and employees from and against any and all suits, claims, losses demands, or damages, or whatever kind or nature arising out of or claimed to arise out of the alleged violation. The consultant 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 Authority grievance procedure, the consultant agrees to abide by any decision of the Authority that is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the Authority or if the Authority incurs any expense to cure a violation of the Act which has been brought pursuant to its grievance procedure, the consultant shall satisfy and discharge the same at its own expense.

The Authority shall, as soon as practicable after a claim has been made against it, give written notice thereof to the consultant along with full and complete particulars of the claim. If any action or administrative proceedings is brought against the Authority or any of its agents, servants, and employees, the Authority shall expeditiously forward or have forwarded to the consultant every demand, complaint, notice, summons, pleading, or other process received by the Authority or its representatives. It is expressly agreed and understood that any approval by the Authority of the services provided by the consultant pursuant to any contract awarded pursuant to this RFEOI will not relieve the consultant of the obligation to comply with the Act and to defend, indemnify, protect, and save harmless the Authority pursuant to this attachment. It is further agreed and understood that the Authority assumes no obligation to indemnify or save harmless the consultant, its agents, servants, employees and subconsultants for any claim that may arise out of their performance of any OPS awarded pursuant to this RFEOI. Furthermore, the consultant expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the consultant's obligations assumed in any OPS awarded pursuant to this RFEOI, nor shall it be construed to relieve the consultant from any liability, nor preclude the Authority from taking any other actions available to it under any other provisions of any OPS awarded pursuant to this RFEOI or otherwise at law.

**Subsection C8**

**Diane B. Allen Equal Pay Act**

Pursuant to N.J.S.A. 34:11-56.1 et seq. (P.L. 2018, c. 9), also known as the Diane B. Allen Equal Pay Act, which was signed in to law by Governor Phil Murphy on April 24, 2018, a consultant performing “qualifying services” or “public work” to the State or any agency or instrumentality of the State shall provide the Commissioner of Labor and Workforce Development a report regarding the compensation and hours worked by employees categorized by gender, race, ethnicity, and job category. For more information and report templates see <https://nj.gov/labor/equalpay/equalpay.html>

**Subsection C9**

**Warranty of Contractor of No Solicitation on  
Commission or Contingent Fee Basis  
N.J.S.A. 52:34-15 (P.L. 1954, c. 48, § 10)**

Every contract or agreement negotiated, awarded or made pursuant to N.J.S.A. 52:34-15 shall contain a suitable warranty by the contractor 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 the contractor for the purpose of securing business, for the breach or violation of which warranty the State shall have the right to annul such contract without liability or in its discretion to deduct from the contract price or consideration the full amount of such commission, percentage, brokerage or contingent fee.

**Subsection C10**

**Prompt Payment Act, N.J.S.A. 2A:30A**

Pursuant to the New Jersey Prompt Payment Act, N.J.S.A. 2A:30A-1 et seq., payment to the Successful Qualified Firm under any contract awarded pursuant to this RFEI shall be processed and paid as follows:

1. All consultant bills shall be deemed approved and certified for payment 20 days after the receipt unless before the end of the 20 day period a written statement of the amount withheld and the reason for withholding payment is provided. .
2. If the billing is approved, the bill shall be paid in the Authority’s subsequent payment cycle.

**Subsection C11**

**Code of Ethical Standards**

The Authority has promulgated a Code of Ethical Standards pursuant to the laws of the State of New Jersey, a copy of which is available on the State of New Jersey website at <https://www.state.nj.us/ethics/docs/ethics/uniformcode.pdf>. By submitting an Expression of Interest and Fee Proposals, the Successful Firm will be subject to the intent and purpose of said the Code and to the requirements of the State Ethics Commission.

**Subsection C12**

**Small Business Enterprise and Disabled Veteran Owned Business Programs**

**Small Business Enterprise Program**

It is the policy of the New Jersey Turnpike Authority (the "Authority") that Small Business Enterprises ("SBE"), as determined and defined by the Division of Revenue & Enterprise Services ("Division") and the Department of the Treasury ("Treasury") in N.J.A.C. 17:13-1.1, have the opportunity to compete for and participate in the performance of consultant services. The Authority seeks participation of these SBEs in the performance of certain Orders for Professional Services (OPS). At the time of submission of its Technical Proposal, the firm must include either (1) evidence of the use subconsultants who are registered with the Division as an SBE and whose collective participation in performance of subconsultant services meets or exceeds the goal of at least twenty-five percent (25%) of the total value of any OPS awarded pursuant to this RFEOI, or (2) demonstration of a good faith effort to meet the goal of awarding at least twenty-five percent (25%) of the total value of the OPS to subconsultants who are registered with the Division as an SBE.

During this procurement, as part of the fee negotiation process, firms must submit proof of their subconsultants' SBE registration(s). In the event that, prior to the time of award, a firm has not demonstrated to the Authority's satisfaction, that good faith effort was made to accomplish the above stated goal, the Authority is precluded from awarding the firm the OPS in accordance with N.J.A.C. 17:13-4.2.

After award of the OPS, in order for the Authority to monitor and report SBE participation during the course of the OPS pursuant to N.J.A.C. 17:13-1.1 et seq., the selected firm (the "Consultant") shall submit evidence of SBE participation in a form acceptable to the Authority, with each invoice for payment. Invoices for payment submitted without the completed SBE Form will not be processed.

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

A firm submitting a proposal shall take the following action, in accordance with N.J.A.C. 17:13-4.3, in establishing a "good faith effort" to solicit and award subconsultant contracts to eligible SBEs:

1. Firm shall attempt to locate qualified potential SBE subconsultants.
2. Firm shall request a listing of small businesses from the Division and the Authority, if none are known to the firm submitting a proposal.
3. Firm shall keep specific records of its efforts, including the names of businesses contacted and the means and results of such contacts, including receipts from certified mail and telephone records.
4. Firm shall provide all potential SBE subconsultants with detailed information regarding the solicitation, project description and specifications, including proof of advertisements in general circulation media, professional service publications and minority and women focus media.
5. Firm shall attempt, wherever possible, to negotiate lower prices with potential SBE subconsultants that submit higher than acceptable fee estimates.
6. Firm shall provide evidence of efforts made to identify work categories capable of being performed by SBEs; and
7. Firm shall provide evidence of efforts made to use the services of available community organizations, consultant groups, and local, State, and federal agencies that provide assistance in the recruitment and placement of SBEs.

**The Successful Qualified Firm shall maintain adequate records to document its efforts and shall provide same to the Authority upon request.**

Disabled Veteran Owned Business Enterprise Program

It is the policy of the New Jersey Turnpike Authority ("Authority") that Disabled Veteran Owned Business Enterprises (DVOBs), as determined and defined by the Division of Revenue & Enterprise Services ("Division") and the Department of Treasury ("Treasury") in N.J.A.C. 17:14-1.1, have the opportunity to compete for and participate in the performance of consultant services. The Authority seeks participation of these DVOBs in the performance of certain Orders for Professional Services (OPS). The firm's Expression of Interest must include either (1) evidence of the use of subconsultants who are registered with the Division as a DVOB, and whose collective participation in performance of subconsultant services meets or exceeds the goal of at least three per cent (3%) of the total value of any OPS awarded pursuant to this RFEI or (2) demonstration of a good faith effort to meet the goal of awarding at least three per cent (3%) of the total value of the OPS to subconsultants who are registered with the Division as a DVOB.

During the Expression of Interest portion of this procurement, as part of the fee negotiation process, firms must submit proof of their subconsultants DVOB registrations. In the event that, prior to the time of award, a firm has not demonstrated, to the Authority's satisfaction, that a good faith effort was made to accomplish the above stated goal, the Authority is precluded from awarding the firm the OPS in accordance with N.J.A.C. 17:14-4.2.

After award of the OPS, in order for the Authority to monitor and report DVOB participation during the course of the OPS pursuant to N.J.A.C. 17:14-1 et seq., the selected firm (the "Consultant") shall submit evidence of DVOB participation in a form acceptable to the Authority, with each invoice for payment. Invoices for payment submitted without the completed DVOB Form will not be processed.

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

A firm submitting a proposal shall take the following action, in accordance with N.J.A.C. 17:14-4.3, in establishing a "good faith effort" to solicit and award subconsultant contracts to eligible DVOBs:

1. Firm shall attempt to locate qualified potential DVOBs.
2. Firm shall consult the DVOB Database if no DVOBs are known to the firm.
3. Firm shall keep all documentation of its efforts, including the names of businesses contacted and the means and results of such contacts; and
4. Firm shall provide all potential subconsultants with detailed information regarding the specifications.

**The Successful Qualified Firm shall maintain adequate records to document its efforts and shall provide same to the Authority upon request.**

**Subsection C13**

**Standard Supplemental Forms to be Submitted**

Qualified Firms shall submit the following completed, executed forms at the time of submission of their Expression of Interest. The following forms are available at [www.njta.com](http://www.njta.com) under *Doing Business, Engineering Professional Services, PS Supplemental Forms*.

**Subsection C13(a)**

**Affidavit of Eligibility/Disclosure of Materials Litigation**

A completed **Affidavit of Eligibility/Disclosure of Material Litigation** form for review by the Authority's legal counsel shall be submitted by firms at the time of submission of their Expression of Interest for each firm, each member of a joint venture and all subconsultants. Each firm, each member of a joint venture and all subconsultants shall certify that it is not suspended, disbarred, or disqualified from bidding on any state or federal contracts. Furthermore, no litigation shall be pending or brought against the firm that could materially affect its ability to perform the OPS described herein. Each firm shall submit a description of all litigation pending, threatened, or brought against it, including any litigation against its owners and/or principals; and shall also submit a description of any enforcement actions or penalties pending or assessed by any regulatory agency having jurisdiction over permit compliance, worker health and safety, or labor laws.

**Subsection C13(b)**

**Small Business Enterprise/Disabled Veteran Owned Business**

Firms shall submit a Small Business Enterprise/Disabled Veteran Owned Business (SBE/DVOB) Utilization form at the time of submission of their Technical and Fee Proposals In accordance with the Authority's SBE/DVOB Programs.

**Subsection C13(c)**

**Disclosure of Investment Activities in Iran**

**N.J.S.A. 52:32-58**

A State agency shall require a person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract to certify, *prior to the time a contract is awarded* and at the time the contract is renewed, that the person or entity is not identified on the Department of Treasury's List of Persons or Entities Engaging in Prohibited Investment Activities in Iran and that neither is involved in any of the investment activities set forth in N.J.S.A. 52:32-56(f).

The Department of Treasury's Chapter 25 list is found on the State of New Jersey, Department of Treasury, Division of Purchase and Property website at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Proposers must review this list prior to completing the certification. If the Authority finds a person or entity to be in violation of the law, such person or entity 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 party.

**\*Note:** While the Authority acknowledges that, pursuant to N.J.S.A. 52:32-58 et seq. this certification is required prior to award of any contract, the Authority requests that Qualified Firms complete and submit the form entitled "Disclosure of Investment Activities in Iran" at the time of submission of their Expression of Interest.

**Subsection C13(d)**

**Prohibited Activities in Russia or Belarus**

N.J.S.A. 52:32-60.1 et seq. (P.L. 2022, c.3) states that prior to contract award, the awardee must certify that neither the awardee, nor any of its parents, subsidiaries, or affiliates, have engaged in prohibited activities in Russia or Belarus. However, the enforceability of N.J.S.A. 52:32-60.1 et seq. has recently been challenged in the United States District Court for the District of New Jersey. While the State of New Jersey continues to defend the law in court, the certification requirement has been voluntarily suspended pending the outcome of the legal challenge. If the legal challenge is resolved in the State's favor prior to the deadline for submission of EOIs under this procurement, the Authority may issue an addendum requiring submission of a form entitled "Certification of Non-Involvement in Prohibited Activities in Russia or Belarus."

**Subsection C13(e)**

**Source Disclosure Certification**

Pursuant to N.J.S.A. 52:34-13.2 (Executive Order 129 (2004)), the Authority must consider the requirements of New Jersey's contracting laws, the best interests of the State of New Jersey and its citizens, as well as applicable federal and international requirements.

The Authority shall insure that all Firms seeking to enter into any contract in which services are procured on its behalf must disclose:

- a) The location by country where the services under contract will be performed.
- b) Any subcontracting of services under the contract and the location by country where the subcontracted services will be performed.

This information must be disclosed on the Vendor Source Disclosure Form – N.J.S.A. 52:34-13.2 (Executive Order 129 (2004)), which is available on the Authority's website and returned with your Firm's Expression of Interest (EOI).

**Subsection C13(f)**

**Ownership Disclosure Form**

Pursuant to N.J.S.A. 52:25-24.2, prior to the receipt of the proposal or accompanying the proposal, every corporation or partnership or limited liability company submitting a proposal shall submit a statement setting forth the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. If one or more such stockholder or partner or member is itself a corporation or partnership or limited liability company, the stockholders holding 10 percent or more of that corporation's stock, or the individual partners owning 10 percent or greater interest in that partnership, or the members owning 10 percent or greater interest in that limited liability company, as the case may be, shall also be listed. The disclosure shall be continued until names and addresses of every noncorporate stockholder, and individual partner, and member exceeding the 10 percent ownership criteria established in this act, has been listed.

To comply with this section, a bidder with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 percent or greater beneficial



interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest.

Each Qualified Firm shall submit a completed Ownership Disclosure form with the Technical and Fee Proposals

**Subsection C13(g)**  
**Business Registration Act**

Proof of valid business registration with the State of New Jersey Department of the Treasury, Division of Revenue and Enterprise Services, shall be submitted by the Successful Qualified Firm prior to award of any OPS pursuant to this RFEOI in the form of a valid Business Registration Certificate (BRC) in compliance with N.J.S.A. 52:32-44, as amended. No OPS shall be awarded without proof of business registration with the Division of Revenue and Enterprise Services. Proposers who are registered can go to [https://www1.state.nj.us/TYTR\\_BRC/jsp/BRCLoginJsp.jsp](https://www1.state.nj.us/TYTR_BRC/jsp/BRCLoginJsp.jsp) to obtain a copy of their BRC. If a Proposer is not registered, it can obtain information for registering its business with the New Jersey Division of Revenue by visiting the following link: <https://www.state.nj.us/treasury/revenue/busregcert.shtml>. Questions regarding this requirement should be referred to the Division of Revenue hotline @ 609-292- 9292.

A business organization that fails to provide a copy of a business registration as required pursuant to N.J.S.A. 52:32-44 et seq. or that provides false information of business registration, shall be liable for a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration copy not properly provided under a contract with a contracting agency.

**\*\*\*Note:** While the Authority acknowledges that, pursuant to N.J.S.A. 52:32-44 et seq., a BRC is required prior to award of any contract, the Authority requests that Qualified Firms submit their BRCs at the time of submission of their Expression of Interest.

**Subsection C13(h)**  
**Set-Off for State Tax**

Pursuant to P.L. 1995, c. 159, effective January 1, 1996 and codified at N.J.S.A. 59:49-19 and N.J.S.A. 59:49-20, and notwithstanding any provision of 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 and services or construction projects, 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, partner's or shareholder's share of the payment of that indebtedness. The amount set off shall not allow for the deduction of any expenses or other deductions that might be attributable to the taxpayer, partner or shareholder subject to set-off.

The Division of Taxation may initiate procedures to set off the tax debt of a specific vendor upon the expiration of ninety (90) days after either the issuance by the Division of a notice and demand for payment of any state tax owed by the taxpayer or the issuance by the Division of a final determination on any protest filed by the taxpayer against an assessment or final audit determination. A set-off reduces the contract payment due to a vendor by the amount of that vendor's state tax indebtedness or, in the case of a vendor-partnership or vendor-S corporation, by the amount of state tax indebtedness of any member-partner or shareholder of the partnership or S corporation, respectively. N.J.A.C. 18:2-8.3.

The Director of the Division of Taxation shall give notice of the set-off to the taxpayer, partner or shareholder and shall provide an opportunity for a hearing within thirty (30) days of such notice under the procedures for protests established under N.J.S.A. 54:49-18. No requests for conference, protest, or subsequent appeal to the Tax Court from any protest

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permitted under N.J.S.A. 59:49-19 shall stay the collection of the indebtedness. Interest that may be payable by the State to the taxpayer, pursuant to L.1987, c. 184 (N.J.S.A. 52:32-35), shall be stayed.

Qualified firms are requested to complete and submit a State Tax Set-Off form.

**Subsection C13(i)**  
**Affidavit of Moral Integrity**

Firms shall complete, sign, and submit a notarized Affidavit of Moral Integrity form together with submission of their Expression of Interest.

**Subsection C13(j)**  
**Disclosure of Outstanding Work**

Firms shall complete and submit the Disclosure Forms for the prime and all subconsultants indicating all outstanding work with the Authority for both New Jersey Turnpike and Garden State Parkway projects with their Expression of Interest. State "none" on the form if a firm has no outstanding work with the Authority. It is specifically noted that the Authority's Disclosure Form shall be submitted with the EOI. Qualified Firms may separate types of work by category (i.e.: Design Services, Construction Services, Environmental Services, etc.) however, the "Total" amounts stated at the bottom of the page shall be the combined total amounts of all outstanding work with the Authority as identified on the form.

**Subsection C13(k)**  
**Recent Authority Project Experience**

Firms shall complete and submit with their Expression of Interest, the Recent Authority Experience form for the prime Firm and for each subconsultant.

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**ATTACHMENT D**

**N.J.A.C. 19:9-2.8 Procedures for Prequalification and Award of Contracts for  
Architectural, Engineering and Land Surveying Procedures**

## N.J. Admin. Code § 19:9-2.8

Section 19:9-2.8 - Procedure for prequalification and award of contracts for architectural, engineering, and land surveying services

(a) This section shall apply to contracts for architectural, engineering, and land surveying services that are not subject to N.J.A.C. 19:9-2.2(d), 2.3, or 2.5. The Authority may choose to apply this section to contracts below the public bidding threshold as set forth in N.J.S.A. 27:23-6.1.b in its sole discretion. The Authority may use procurement processes other than those prescribed in this section if those processes have been approved by the Federal government or other State statute, rule, or executive order, or if an emergency has been declared by the Executive Director. Where a procurement involves the proposed use of Federal funds, and Federal law, regulations, or guidelines require a procurement procedure other than those prescribed in this section, the Authority shall follow the Federal procedures. All procedures provided for herein that are consistent with Federal requirements shall be followed.

(b) The following words and terms, when used in this section, shall have the following meanings, unless the context clearly indicates otherwise.

"Complex projects" means projects other than "simple projects," and includes most projects involving transportation, planning or complex design, or any project having an estimated fee over \$ 2,000,000.

"Director" means either the Chief Engineer, Director of Operations, or Director of Maintenance, depending on whether the contract emanates from the Engineering Department, Operations Department, or the Maintenance Department.

"EOI" means an expression of interest from firms interested in performing professional architectural, engineering and land surveying services for the Authority.

"Firm" means any individual, firm, partnership, corporation, association, joint venture or other legal entity permitted by law to provide professional architectural, engineering or land surveying services in this State.

"Professional architectural, engineering, and land surveying services" means those services, including, but not limited to, planning, design, environmental, and construction inspection services required for the development and construction of projects, within the scope of the practice of architecture, professional engineering, or professional land surveying as defined by the laws of this State or those services performed by an architect, professional engineer, or professional land surveyor in connection with his or her professional employment practice, and which are subject to N.J.S.A. 52:34-9.1 et seq.

"Review committee" means the committee assigned to review a contract for professional architectural, engineering and land surveying services, which shall include at least three persons designated by the Director and approved by the Executive Director.

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"Simple projects" means projects or other engineering services where the scope can be clearly defined and is not likely to change during the course of the project where the estimated fee is \$ 2,000,000 or less. Simple projects include, but are not limited to, bridge inspection projects, supervision of construction projects and highway and bridge design projects with an estimated fee of \$ 2,000,000 or less.

"Technical Review Committee" means the committee assigned to review a contract for professional architectural, engineering, and land surveying services, which shall include at least three persons designated by the Director and approved by the Executive Director.

**(c)** Professional services prequalification requirements shall be as follows:

**1.** A firm interested in a contract for professional architectural, engineering, or land surveying services shall complete and file a "Professional Service Prequalification Questionnaire" ("PSPQ") with the Authority. Firms qualified for a particular type of project based on the Authority's evaluation of the PSPQs will be eligible for consideration when such projects are being contracted for by the Authority without having to present their qualifications on a project-specific basis.

**2.** For the procurement of general consultants, rather than a project-specific procurement, the procedures relating to prequalification of firms may be modified to address the needs and requirements of the Authority.

**3.** Each firm shall identify on the PSPQ each type of work for which the firm desires prequalification. All PSPQs shall contain the following information:

- i.** Current and past projects undertaken by the firm;
- ii.** The nature of services provided on each project;
- iii.** The qualifications of the professionals employed by the firm; and
- iv.** Other information which the Authority may determine necessary to assess the firm's qualifications.

**4.** A firm shall notify the Authority in writing of any substantial change in the information on its PSPQ when such change occurs. A firm shall have a current PSPQ on file with the Authority on the date of the EOI submittal in order to be considered for a project. For purposes of this section, a current PSPQ is one which has been on file with the Authority for no more than 24 months.

**(d)** Expression of interest (EOI) solicitation and/or advertisement shall be as follows:

**1.** A Request for EOIs (RFEOI) shall be advertised in an appropriate newspaper or journal, having a large circulation in the State and/or advertised on the Authority's website, [www.nj.gov/turnpike](http://www.nj.gov/turnpike), or through other electronic means. Such advertisements shall be published not less than seven calendar days preceding the date upon which the EOIs are to be received. The RFEOI shall identify the scope of services required from the prequalified firms and the evaluation process to be used for the project. When the Authority seeks to engage more than one firm through a single RFEOI, the number of firms that the Authority intends to engage shall be identified in the RFEOI.

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2. When general consultant services are needed, the Authority shall establish a list of criteria that firms must meet in order to be sent an RFEOI for the general consultant contract. Firms that meet such criteria shall be sent an RFEOI.

(e) Evaluation of EOIs shall be as follows:

1. Upon receipt of the EOIs, the Authority shall review the EOIs for completeness and shall reject those EOIs which are incomplete. The Authority shall notify all firms whose EOIs are determined to be incomplete in writing. For all projects, if fewer than three EOIs are deemed complete, the EOI solicitation may be rewritten and/or re-solicited, or the procurement may continue with fewer than three firms, as determined by the Executive Director, in consultation with the Director.

2. For simple projects, the technical evaluation process shall consist of the evaluation of EOIs in accordance with the procedures set forth in this section.

3. For complex projects, the evaluation of EOIs shall serve as a method by which to create a list of firms that shall receive the requests for proposals (RFP) for the project. If only three or four EOIs have been deemed complete by the Authority, these firms shall receive the RFP and the Technical Review Committee will not conduct an evaluation of the EOIs as set forth below. If more than four EOIs have been deemed complete, the EOIs shall be submitted to the Technical Review Committee for review as set forth in (e)4 below.

4. The EOIs shall be ranked by the Technical Review Committee on the basis of numerical scores resulting from weighted rating factors. These factors will be weighted in proportion to their relative importance on a project-by-project basis. The relative weight attributed to each rating factor for a particular project and the ranking methodology shall be set forth in the RFEOI. In ranking the EOIs, the Technical Review Committee may consider criteria contained in the RFEOI, including, but not limited to:

- i. Experience of the firm on similar projects;
- ii. Experience of the Project Manager or Resident Engineer on similar projects;
- iii. Key personnel's qualifications and relevant experience;
- iv. Understanding of the project and the Authority's needs;
- v. Approach to the project;
- vi. Commitment and ability to perform the proposed work and outstanding work with the Authority;
- vii. Commitment to quality management;
- viii. Attainment of Small Business Enterprise goals; and
- ix. Any other factors specified in the Authority's EOI solicitation.

5. For simple projects, once the Technical Review Committee has ranked the EOIs, it shall require the top three or more technically ranked firms, which number of firms shall



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be at the discretion of the Director, to provide their proposed fees in a separate envelope. The firms shall not be told of their ranking position at this time. The selection process shall continue in the manner described in (g) below. If a particular simple project warrants, the Director may elect to issue an RFP and the selection process shall proceed in accordance with the process for complex projects.

6. For complex projects, after the evaluation and ranking of the EOIs, no fewer than the top three ranked firms shall receive an RFP. All firms that are not to receive the RFP shall be notified.

7. When the Authority is seeking to engage more than one firm through a single solicitation of EOIs, following the Technical Review Committee's evaluation of the EOIs, it shall prepare a list of a sufficient number of technically qualified firms to enable the Authority to engage the number of firms identified in the RFEOI. If the Technical Review Committee is unable to prepare a list of technically qualified firms in a sufficient number to negotiate with and engage the number of firms identified in the RFEOI, the Authority shall reduce the number of firms it is seeking to engage through the EOI, and/or reissue the RFEOI in whole or in part. The Technical Review Committee shall negotiate with firms in the same manner as described in (g) below.

(f) Requests for Proposals (RFPs) shall be evaluated as follows:

1. Responses to the RFP shall be comprised of the technical proposal and fee proposal. The firms receiving the RFP shall be directed to submit a detailed fee proposal in a separate sealed envelope at the time of submission of the technical proposal.

2. The Technical Review Committee shall evaluate the technical proposals submitted to the Authority. The Technical Review Committee shall rank the technical proposals on the basis of numerical scores using the rating criteria specified in the RFP. The relative weight attributed to each rating factor and the methodology for ranking firms shall be set forth in the RFP.

3. The Technical Review Committee may require an interview and/or presentation by the firms with the highest ranked proposals. The Director, in his or her discretion, may waive this requirement for a particular project. Subsequent to the interview and/or presentation, the Technical Review Committee shall revisit its technical ranking of the firms, re-score as appropriate and shall thereupon recommend the highest ranked firms to the Director, or the Executive Director if the Director was a member of the Technical Review Committee.

(g) Cost negotiation and final selection shall be as follows:

1. For all projects, upon reviewing the Technical Review Committee's recommendation, the Director or the Executive Director shall either concur with the selections or direct the Technical Review Committee to pursue additional evaluation measures, consistent with the EOI solicitation or RFP, which shall be specified in writing by the Director or the Executive Director.

2. Once the selections are approved, the selected firms' fee proposals will be reviewed by the Technical Review Committee. The Executive Director may add one or more persons

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to the Technical Review Committee to assist in the negotiation process. Using all fee proposals and the engineer's estimate as a guideline, the Technical Review Committee shall negotiate a fair and reasonable fee with the highest technically ranked firm, taking into consideration all relevant factors, including, but not limited to, the estimated value of the services to be rendered and the scope, complexity, and professional nature thereof. If the Technical Review Committee is unable to negotiate a fair and reasonable fee with the highest technically ranked firm, it shall formally terminate negotiations and undertake negotiations with the second highest technically ranked firm. Failing accord with the second highest technically ranked firm, the Technical Review Committee shall formally terminate negotiations and undertake negotiations with the third highest technically ranked firm. If the Technical Review Committee is unable to negotiate successfully with any of the three highest technically ranked firms, it shall select additional professional firms in order of their competence and qualifications and it shall continue negotiations in accordance with the procedure set forth herein until an agreement is reached. The Executive Director, upon consultation with the Director, may direct the Technical Review Committee to re-solicit the contract. Once a final fee is agreed upon, the Technical Review Committee shall make its recommendation to the Director.

**3.** The Technical Review Committee in consultation with the Director shall prepare a written report outlining its recommendations and activities in reviewing, negotiating, and selecting the recommended firm. The Director shall submit the Technical Review Committee's report to the Executive Director.

**4.** If the Executive Director concurs with the recommendation, the Executive Director shall recommend to the Board, in writing, that the firm be issued an Order for Professional Service.

**5.** If the Executive Director is not satisfied with the recommendation, he or she may:

- i.** Instruct the Technical Review Committee to submit further support for its recommendation;
- ii.** Direct the Technical Review Committee to re-negotiate the fee; or
- iii.** Instruct the Director to re-solicit the contract.

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Amended by 49 N.J.R. 3236(b), effective 9/18/2017