

July 9, 2024

To: ALL QUALIFIED FIRMS

Subject: REQUEST FOR EXPRESSIONS OF INTEREST
ORDER FOR PROFESSIONAL SERVICES NO. T4007
DESIGN SERVICES FOR INTERCHANGES 1 TO 4 CAPACITY ENHANCEMENTS PROGRAM,
SECTION 7, MILEPOST 26.2 TO 31.3

Enclosed (See Attachment A) herewith is a Request for Expressions of Interest ("RFEI") by the New Jersey Turnpike Authority (Authority) for professional engineering final design services required for Section 7, Milepost 26.2 to 31.3 of the New Jersey Turnpike Interchanges 1 to 4 Capacity Enhancements Program ("Program"), which will add one (1) lane to the NS (southbound) and SN (northbound) roadways and provide for a 12-foot wide right shoulder and 26-foot wide median. 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 RFEI, a Firm must be prequalified in the following Profile Codes:

| Profile Codes | Descriptions |
|---------------|-------------------------------------|
| A090 | Bridges: New |
| A091 | Bridges: Widening and Modifications |
| A250 | Fully Controlled Access Highways |

A Qualified Firm, eligible to submit an EOI for this RFEI 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 B5). *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 RFEI (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 RFEI. See Attachment "C", Subsection C12, "Small Business Enterprise/Disabled Veteran-Owned Business Programs".

All submittals required pursuant to N.J.S.A. 19:44A-20.13 to 20.25 (P.L. 2005, c.51), N.J.S.A. 19:44A-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.

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

- ATTACHMENT A – Expression of Interest Submission Requirements (A1).
- ATTACHMENT B - Standard Information (B1 through B5).
- ATTACHMENT C - Standard Supplemental Information and Forms (C1 through C13(k)).
- ATTACHMENT D - N.J.A.C. 19:9-2.8 Procedure for Prequalification and Award of Contracts for Architectural, Engineering and Land Surveying Services.

Staff Qualifications

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

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

Project Description

The Program has been developed to evaluate the New Jersey Turnpike from Milepost 0.0 to Milepost 36.5. The Program corridor runs through four (4) counties which includes 18 municipalities: Carney's Point, Oldmans, Pennsville, Pilesgrove, Deptford, East Greenwich, West Deptford, Woodbury Heights, Woolwich, Harrison, Cherry Hill, Haddonfield, Runnemede, Lawnside, Tavistock, Barrington, Bellmawr, and Mt. Laurel. 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 work to be performed by the Successful Qualified Firm under this OPS consists of professional engineering final design services for Section 7, Milepost 26.2 to 31.3 of the Program, which will add one (1) lane to the NS (southbound) and SN (northbound) roadways and provide for a 12-foot-wide right shoulder and 26-foot wide median.

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 RFEOI will be made available for review in the "*Reference Materials*" folder.

If there are any questions or issues related to Kiteworks, please contact Jennifer Romero via e-mail at jromero@njta.com. The subject line should read "OPS No. T4007, Kiteworks Information".

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 AM on Wednesday, July 31, 2024** as follows: **One (1)** PDF copy uploaded to the "EOI" folder on **Kiteworks** in accordance with the following naming convention: "OPS No. T4007_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. T4007**", 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
Maynard Abuan, P.E., Senior Project Engineer

U.S. Mail

New Jersey Turnpike Authority
P.O. Box 5042
Woodbridge, NJ 07095-5042
Attn: Engineering Department, Highway Design
Maynard Abuan, P.E., Senior Project Engineer

Inquiries

Inquiries pertaining to this RFEI are to be directed in writing to Maynard Abuan, via e-mail mabuan@njta.com with a copy to Dawn Margolis at margolis@njta.com. The subject line should read "OPS No. T4007, EOI Inquiry". **The deadline for inquiries is 10:00 AM on Friday, July 19, 2024.** 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 Wednesday, July 24, 2024.**

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

Selection of Qualified Firm

Upon receipt of the EOs for this solicitation, 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 EOs that are incomplete. The Authority shall notify all Firms whose EOs are determined to be incomplete in writing.

Once the EOs have been evaluated for completeness, the Authority will create a list of 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 EOs 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 EOs 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, and Reasonableness of Staffing Estimate | 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 and its relevance to the proposed assignment. It shall identify the Qualified Firm's 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 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. Information concerning their education, credentials and work experience should be provided along with contact/reference information. The Qualified Firm shall discuss the individuals proposed for the assignment and identify how their education, credentials and work experience are applicable to their role on the assignment. At a minimum, the Qualified Firm shall identify Key Personnel for the following roles on this assignment:

- Deputy Project Manager, if proposed by the Qualified Firm
- Lead Highway Engineer
- Lead Structural Engineer
- Lead Stormwater Management/Drainage Engineer
- Environmental/Permitting Lead
- Constructability Lead

The resumes of Key Personnel 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 at least one contact name and phone number for each project).

4. Understanding of the Project and the Authority's Needs, and Reasonableness of Staffing Estimates

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 specific first-hand 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.

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 RFEOI. 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.

Reasonableness of Staffing Estimate

The Qualified Firm shall demonstrate through an attached Staffing Estimate the workhours required for this assignment, including any work anticipated to be performed by subconsultants. The staffing schedule shall follow the guidelines set forth herein and sample in Attachment B, Subsection B3.

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 for Complex projects (which is available on the Authority's website: www.njta.com under *(Doing Business, Engineering Professional Services, PS Supplemental Forms)*).

Very truly yours,

ORIGINAL SIGNED BY

Daniel L. Hesslein
Acting Chief Engineer

DLH:MAA:dmm
Attachments

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

ATTACHMENT A

Expressions of Interest Submission Requirements

Subsection No. and Title

A1. Expressions of Interest Submission Requirements

Subsection A1
Expression of Interest Submission Requirements

The EOI submission is limited to a total of nineteen (19) pages. This page limitation does not include the documents listed in Items 2 and 4-8 below.

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 five (5) 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.

2. An **organizational chart** showing key project team members for all primary tasks, including subconsultants. Provide all team members' names, titles, and reporting relationships for all staff presented on the organizational chart. A maximum of one (1) 11x17-inch foldout sheet is permitted.
3. **Resumes for the Project Manager and each Key Personnel and supporting staff (7) maximum resumes**, detailing relevant experience and professional/technical qualifications. Include resumes of proposed subconsultants as deemed necessary. Each resume can be up to two (2) pages, single-sided.
4. A **detailed staffing estimate** per task and by ASCE Grade/ Classification, along with an estimate of total hours, to provide the work described herein.
5. A **Project Schedule** for this solicitation that addresses the various tasks defined by the scope of services for this assignment. A maximum of two (2) 11 x 17-inch foldout sheets are permitted.
6. 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.
7. A completed **Certification of Staff Availability** form, wherein the Qualified Firm shall certify that the staff proposed in the EOI shall be used in the performance of the project. This form is available 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 to be used by the Authority in evaluating EOIs if the Authority is giving serious consideration to more than one EOI.

*The aforementioned page limitation shall be increased to a maximum of twenty-seven (27) pages if the Qualified Firms must exercise option *7C above. The additional eight (8) single-sided letter-sized pages shall include information for alternate staffing as follows:

- I. 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).
- II. One (1) page, single-sided resume for up to seven (7) alternative key project personnel stating relevant experience including dates of assignments and professional qualifications.

- III. 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 *7C. 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.

8. Completed Standard Supplemental Forms as set 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. OPS Procurement and Anticipated OPS Schedule

B2. Scope of Services

B3. Staffing Estimate

B4. Compensation Basis

B5. Qualified and Eligible Firms

Subsection B1
OPS Procurement and Project Schedule

Procurement Schedule

| | |
|--|--------------------|
| Request for Expressions of Interest Posted | July 9, 2024 |
| Deadline for Written Inquiries | July 19, 2024 |
| Posted Responses to Inquiries | July 24, 2024 |
| Deadline for Submittal of Expressions of Interest | July 31, 2024 |
| Request for Technical and Sealed Fee Proposals Issued | August 26, 2024 |
| Deadline for Submittal of Technical Proposals and Sealed Fee Proposals | September 18, 2024 |
| Notice of Scheduled Oral Presentations | October 7, 2024 |
| Oral Presentation, If Required | October 11, 2024 |
| Recommendation to Award OPS | November 2024 |

Anticipated OPS Schedule

| | |
|---|--------------|
| Notice to Proceed | January 2025 |
| Anticipated Phase D Submission | March 2027 |
| Anticipated Start of Construction | June 2027 |
| Administration Project Closeout | August 2032 |

Subsection B2

Scope of Services

INTRODUCTION

OPS No. T4007 is for professional engineering final design services for Section 7, Milepost 26.2 to 31.3 of the New Jersey Turnpike Interchanges 1 to 4 Capacity Enhancements Program (Program), which will add one (1) lane to the NS (southbound) and SN (northbound) roadways and provide for a 12-foot-wide right shoulder and 26-foot wide median. The Successful Qualified Firm shall advance the design of Section 7, Milepost 26.2 to 31.3 and produce complete and final construction contract documents as deliverables. The Qualified Firm shall account for Section 7, Milepost 26.2 to 31.3 project needs in their EOI. Qualified Firms are expected to submit EOI's based on the information presented herein, available reference material, and sound professional engineering judgement and experience.

Program Background

The Program corridor covers 36.5 miles of the New Jersey Turnpike (Turnpike) from its southern terminus at Milepost 0.0 (Route 49 over the Turnpike) to north of Interchange 4, Milepost 36.5 and includes Section 7, Milepost 26.2 to 31.3, the subject of this assignment. This 36.5-mile segment of the Turnpike has the same travel lane configuration as it did when it was opened to traffic over 70 years ago in 1951: two (2) lanes on both the NS (southbound) and SN (northbound) roadways. The Program corridor runs through Salem County, Gloucester County, Camden County, and Burlington County which includes 18 municipalities, namely, from south to north: Pennsville Township, Carneys Point Township, Oldmans Township, Pilesgrove Township, Woolwich Township, Harrison Township, East Greenwich Township, West Deptford Township, Woodbury Heights Borough, Deptford Township, Runnemede Borough, Bellmawr Borough, Runnemede Borough (again), Bellmawr Borough (again), Barrington Borough, Lawnside Borough, Tavistock Borough, Haddonfield Borough, Cherry Hill Township, and Mount Laurel Township.

In 2021, the Authority engaged AECOM Technical Services, Inc. to provide the Authority with professional services for the Program Management, Conceptual and Preliminary Design, and Environmental Services of the Interchanges 1 to 4 Capacity Enhancements Program (PM Team). Through the PM Team's traffic analyses, conceptual design, and preliminary design efforts it was confirmed that the Program will provide an additional travel lane in each direction within the Program corridor, as well as address geometric and operational needs for all ramps at interchanges, toll plazas, and service areas within the Program limits.

The PM Team has completed the following major tasks:

- Collected aerial mapping and reviewed and approved a GNSS Control Report dated March 17, 2021, prepared by GEOD Corporation
- Established mainline existing best fit center line
- Performed a detailed Traffic Analyses
- Developed an Initially Preferred Alternative for each Design Section, which is intended to be progressed to final design
- Prepared an Environmental Screening/Limited Preliminary Assessment
- Prepared the Program Preliminary Environmental and Land Use Constraints Report
- Developed preliminary typical sections, preliminary major utility relocations, preliminary profiles, and preliminary cross sections
- Developed Preliminary Design Program CADD Standards

The objective of the PM Team's preliminary design study was to identify and compare reasonable alternatives and strategies that address the Program purpose to accommodate existing and foreseeable future traffic demand on the Turnpike mainline, from the southern terminus to Interchange 4 and Program need to address operational capacity, maintenance requirements and safety needs. The Draft Preliminary Design (PD) Report (provided as a reference material) presents the results of the alternatives analysis, evaluation methods, and recommendations for advancing various alternatives to final design.

The PM Team will continue to obtain agency approvals associated with the capacity enhancements, bridge rehabilitations/replacements, clearing and grading to provide a clear zone free of obstructions. Potential environmental permitting activities that the PM Team will continue to obtain with support from the Successful Qualified Firm for Section 7, Milepost 26.2 to 31.3 (Design Section), may include:

- Wetlands Delineation
- New Jersey Department of Environmental Protection (NJDEP) General or Individual Freshwater Wetland Permit and/or Transition Area Waiver
- NJDEP Flood Hazard Area Permit
- Soil Erosion and Sediment Control Plan
- Stormwater Management Design
- No Net Loss Reforestation
- Agriculture Retention and Development Act

Limits of this Scope of Services

The limits of work extend from approximately Milepost 26.2 to Milepost 31.3. 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.

Preliminary engineering design has been performed by the PM Team as discussed in this RFEOI. It should be expressly understood that the concept of these documents, to the degree that they are complete, have been accepted by the Authority. The Successful Qualified Firm shall advance these designs and produce complete and final construction contract documents as deliverables. Qualified Firms shall account for project needs in their EOI and are expected to submit EOI's based on the information presented herein, available reference material and sound professional engineering judgement and experience.

Qualified Firms shall be cognizant and fully informed as to the degree of completeness and design complexity presented by the preliminary plans and documents. During the development of Phase A plans, the Successful Qualified Firm shall verify in all respects the accuracy of the preliminary design, offer optimization modifications as necessary and complete the design in all respects, including performing cost benefit analyses where such is required and was not performed during preliminary design (as for example, determining economic solutions comparing the cost of retaining walls versus property impacts or wetlands damage, or various stormwater management practices).

If during the development of final documents, the Successful Qualified Firm determines that the preliminary design work product contains errors of omission or commission, the Successful Qualified Firm shall inform the Authority before proceeding to implement changes. The Successful Qualified Firm shall recommend and upon approval of the Authority, the Successful Qualified Firm shall modify the design as directed.

It will be the Successful Qualified Firm's responsibility to bring to the attention of the Authority during the RFEOI process, or at the time during the submission of the EOI, Technical Proposal, or Fee Proposals, any errors, omissions, or non-compliance discovered in the RFEOI or subsequent Request for Proposals. By neglecting to do so, the Successful Qualified Firm will be responsible to make any resulting changes without additional compensation.

The scope of work associated with the final design effort for the Design Section includes but is not limited to:

- Coordinate with the PM Team and other Successful Qualified Firms within the Program.
- Prepare and update design schedules and status spreadsheets.
- Prepare final contract documents for Section 7, Milepost 26.2 to 31.3 including plans, specifications, and construction cost estimates.
- Prepare Utility Orders and Utility Work Orders for utilities.

- Prepare right-of-way documents for properties to be acquired, if required.
- Adhere to environmental regulations and conditions determined by the regulatory agencies. Support the Program Team (PM Team) in coordinating & preparing permit application documents, as required.

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. Current Program-specific criteria ("Program Directives") are included in the Reference Materials for this solicitation. Any updates or additions to the Program Directives will be made available to the Successful Qualified Firm through the Program's Internet Program Management Site (IPMS).

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.

1. Preliminary Design Review

The Successful Qualified Firm shall review the PD Report and evaluate the recommended roadway and structures alternatives for the Design Section. The Successful Qualified Firm shall confirm that the preferred alternatives discussed in the PD Report for the Design Section meets the purpose and need of the Program. The Successful Qualified Firm shall identify design elements that can be optimized and recommend for advancement to final design. The optimized alternatives must be feasible from a constructability and permitability perspective. The Successful Qualified Firm shall develop an alternatives analysis matrix of optimized elements to identify the operational and capacity characteristics; horizontal and vertical alignments; stormwater management characteristics; environmental concerns; and impacts to existing site constraints; and impacts to state, county, and local roadways. Tentative maintenance and protection of traffic schemes shall be listed, approximate right-of-way impacts shall be identified, order of magnitude costs and project schedules (design and construction durations) shall also be prepared as necessary to assist the Authority in assessing the optimized alternatives.

The Successful Qualified Firm shall also take into consideration ongoing construction contracts in the vicinity of the Program area to determine conflicts and estimate construction duration. An "Preliminary Design Review Report" shall be submitted for the Authority's review detailing the process undertaken by the Successful Qualified Firm to expand and optimize the preferred alternatives that were presented in the PD Report for consideration. The Successful Qualified Firm shall address the Authority's comments and make recommendations regarding the alternatives best meeting the needs of the Authority prior to advancing to Phase A submission.

Prior to Phase A submission, as described in the Authority's Procedures Manual, the Successful Qualified Firm shall attend up to four (4) review meetings involving Authority personnel, to review the design alternatives, and progress. The meetings shall be held at the Authority's Headquarters Building. The Successful Qualified Firm shall coordinate with the PM Team to develop the agenda and format for the meetings. The Successful Qualified Firm shall obtain Authority comments and feedback and shall review stakeholder needs/expectations. The Successful Qualified Firm shall prepare meeting minutes, and a separate Comment Resolution Document to memorialize the meetings, decisions, and questions raised.

Prior to the development of Phase A plans, the Successful Qualified Firm shall verify in all respects the accuracy of the preliminary design, offer optimization modifications as necessary and complete the design in all respects, including performing cost benefit analyses where such is required and was not performed during preliminary design (as for example, determining economic solutions comparing the cost of retaining walls versus property acquisition or wetlands impacts; investigating and comparing various stormwater management practices and management plans). After the Authority's approval of the Preliminary Design Review Report and recommended alternative, the Successful Qualified Firm shall commence the final design phase (See Final Design requirements below).

Mainline Profile Review- The Program Preliminary Design includes the raising of the Turnpike Mainline profile in the vicinity of Structure No. 29.35 (Turnpike NS/SN over PATCO & NJ TRANSIT AC Line), in part to maintain the existing vertical clearance for the PATCO and NJ Transit lines under this structure. As part of the Preliminary Design Review, the Successful Qualified Firm shall investigate the feasibility of reducing the extent of this reprofiling and the resulting change to impacts and Project cost. This analysis may include, but is not limited to, the use of alternative materials or layouts to reduce girder depth, considering the use of a multi-span structure, consideration of the vertical clearance provided by upstream and downstream structures for the underpassing rail lines, and the governing requirements of all applicable stakeholders. Note that the mainline profile increase shown also addresses the existing substandard vertical crest curves at this location. Refer to the Reference Documents for background on Turnpike mainline reprofiling, including the Preliminary Design Report Appendix A (Structures), the memorandum, Str. No. 29.35, and Mainline Reprofiting for Str. No. 29.18 (T3839_AEM_TPK_096_MEM_CT_2) and Appendix N (Preliminary Design Correspondence - Meeting with DRPA on March 24, 2022). Additional stakeholder coordination on this subject is currently underway. Additional information on this subject will be provided to the Successful Qualified Firm at the kick-off meeting.

Traffic Analyses- If required based on the Preliminary Design Review, Successful Qualified Firm shall obtain any additional traffic data and analyses which may be required to analyze work zone and staging needs on the Turnpike mainline or ramps and local roadways; or traffic signalization needs for local roadways within the Design Section impacted by the Program.

2. 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 Procedures Manuals and as supplemented by the Program:

a. Survey/Mapping

The Successful Qualified Firm will supplement the base mapping for the Design Section with field surveys as required in order to obtain the required coverage and accuracy for design and preparation of contract documents, in accordance with the latest Authority's Procedures Manual and CADD Standards and supplemented by Program CADD Standards. Such supplemental surveys may include, but are not necessarily limited to: determine existing rights-of-way and property boundaries necessary for the development of right-of-way acquisition documents, establish proposed monumentation, establishment of supplemental control points; 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 design efforts.

The PM Team will furnish the Successful Qualified Firm with digitized mapping of the Program Corridor in Microstation format and a survey control report. The mapping was compiled at a 1" = 30' scale accuracy including a digital terrain model. The survey files for the limits of the Program will be provided at the kickoff meeting.

b. Right-of-Way – Design Section 7

The proposed right-of-way impacts are summarized in the PD Report and is provided as reference material. Refer to the PD Report for more information. 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 within the Design Section, if 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, utility relocations 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 Program within the Design Section, 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 evaluate right-of-way acquisitions and potential schedule impacts.

The Successful Qualified Firm shall accelerate the preparation of right-of-way documents for the Design Section in the early stages of design to the extent possible in coordination with the PM Team and the Authority's right-of-way acquisition team (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.

c. Right-of-Way – Other Design Sections

The Successful Qualified Firm shall prepare right-of-way acquisition documents for specific parcels, as identified by the Authority, in future Design Sections 2, 3, 4, 5 and 6 (Milepost 3.5 to 26.2). The effort is anticipated to include review of the Preliminary Design Plans and Profiles (see the PD Report and Appendices E and F) specific to the assigned parcels in order to verify the right-of-way impacts; additional Preliminary Design if needed to refine the impacts; and preparation of all required right-of-way acquisition documents. The PD Report anticipates right-of-way impacts to 91 parcels in Sections 2-6. It is not anticipated that all of these parcel acquisitions will be advanced by the Successful Qualified Firm as part of this effort; selection of those parcels to advance will be made in coordination with the Authority's Right-of-Way Team and the PM Team. It is anticipated that the right-of-way effort for Sections 2-6 will commence upon completion of Section 7 Design (submission of Phase D documents). For the purpose of the Staffing Estimate, the Successful Qualified Firm shall separately estimate the right-of-way effort for Sections 2-6, assuming 91 parcels across 24 locations (i.e., crossing roads).

All documents 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, utility relocations 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). Management of all right-of-way documentation shall be completed through the Authority's PAECETrak System. Due to the timeline associated with an extensive right-of-way acquisition process, the improvements should be developed to evaluate right-of-way acquisitions and potential schedule impacts.

d. Maintenance and Protection of Traffic (MPT) and Traffic Engineering

MPT shall be designed in accordance with the criteria outlined in the Authority's Design Manual latest MPT Standard Drawings, and latest Lane Closing Tables under the Lane Closing Application except that no daytime lane closings are allowed south of Interchange 4. Preliminary traffic protection plans, and cross sections shall be developed for each construction stage showing placement of traffic protection devices, temporary lane configurations, and line striping changes. All final Maintenance and Protection of Traffic plans and specifications must meet the approval of the Authority's Operations Department. Modifications to toll collection operations in order to implement MPT plans are to be coordinated with the Tolls and Operations Departments.

A 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. Refer to Standard 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.

The Successful Qualified Firm shall review 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. The Successful Qualified Firm shall review proposed bridge framing design for future deck rehabilitation constructability and future MPT capacity. It is the Authority's intention to ensure that future deck rehabilitation can occur without the need to detour traffic to the extent practical.

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 contract documents shall define the availability of lane closing times, including allowable lane closing hours during the week and over weekends, starting and ending point locations for lane detours, lane closings and line striping tapers for each construction stage and work zone as deemed permissible by the Authority's Operations Department, New Jersey Department of Transportation (NJDOT), or the impacted County or municipality, during the design process, so that the Contractor is made fully aware of access restrictions for this project. The minimum desirable temporary lane width shall be 11'-0". MPT and construction staging shall be coordinated with any concurrent contracts in the project area. Roadway closures of non-State highways not under Authority jurisdiction in excess of 48 hours require certification reports to be submitted by the Successful Qualified Firm on behalf of the Authority and approved by the NJDOT in accordance with N.J.A.C. 16:27-4.2(f).

The Successful Qualified Firm shall develop "Smart Work Zone" plans and specifications as required by the Authority's Operations Department in various MPT schemes where advance patron notification and alternate route advisories are required.

Shoulder Pavement Evaluation - The PM Team has performed pavement evaluations within the Program limits based on as-built construction plans for Construction Contract No. T200.250, although this evaluation did not extend north of Milepost 29.18. The PM Team has also obtained pavement cores between MP 20.8 to 28.1. This document is provided as a reference material.

The Successful Qualified Firm shall conduct and manage a shoulder pavement evaluation program where traffic is shifted to the shoulder during construction. To accommodate temporary traffic during construction, at locations with an existing pavement structure section less than 12 inches, the Turnpike Mainline left shoulder shall be reconstructed to provide the Turnpike Pavement section (2 ½" of Surface Course over 3 ½" of Base Course over 6" of Aggregate Base Course). **The Successful Qualified Firm shall provide for \$100,000 in the subsequent Fee Proposal to propose, conduct and manage a competitive bid shoulder pavement assessment program consisting of Ground Penetrating Radar. If additional pavement cores within the Program limits are required, the Successful Qualified Firm will coordinate with the PM Team who will obtain the additional pavement cores under the Phase 2 boring program during final design. Work shall not commence without approval by the Authority.**

e. Structural Design

The Successful Qualified Firm shall prepare final structural design plans for the Design Section as specified in the current edition of Authority's Design and Procedures Manuals. Replacement structures shall be designed in accordance with criteria outlined in the current Authority's Design Manual for new bridges, including seismic design requirements and staged construction/demolition. The following table lists the structures in this Design Section and replacement recommendation.

Table No. 1- Design Section 7 Structures

| Feature Name | Feature Type | Structure No. | Bridge Initial Recommendation |
|---|--------------|---------------|---|
| NJ Route 41 (Clements Bridge Road) over Turnpike NS/SN | Local Over | 26.98R | To Remain |
| Shreve Avenue over Turnpike NS/SN | Local Over | 27.28 | Full Bridge Replacement |
| Turnpike NS/SN over Conrail "Clementon Branch" & Atlantic Avenue (CR 727) | Railroad | 27.71 | Full Bridge Replacement |
| Turnpike NS/SN over US Route 30 (Whitehorse Pike) | Underpass | 27.95 | Full Bridge Replacement |
| Warwick Road (CR 669) over Turnpike NS/SN | Local Over | 28.19 | Full Bridge Replacement |
| Turnpike NS/SN over Essex Road (I-295 Ramps to PATCO Woodcrest Station) | Underpass | 29.18 | Superstructure Replacement/ Substructure Rehabilitation |
| Turnpike NS/SN over Cooper Creek | Waterbody | 29.24 | Full Bridge Replacement |
| Turnpike NS/SN over PATCO & NJ TRANSIT (AC Line) | Railroad | 29.35 | Full Bridge Replacement |
| Berlin Road (CR 561) over Turnpike NS/SN | Local Over | 29.84 | Full Bridge Replacement |
| Kresson Road (CR 671) over Turnpike NS/SN | Local Over | 30.75R | To Remain |
| Feature Name | Feature Type | Milepost | Recommendation |
| Turnpike NS/SN over Beaver Brook | Culvert | 26.29 | Rehabilitate and Add Header Wall Rehabilitate and Lengthen Culvert |
| Turnpike NS/SN/SA3S Ramp SAS over Tindall Run | Culvert | 30.25 | Rehabilitate and Add Header Wall |

Every effort shall be made to keep a constant depth girder section to simplify the structural steel design, fabrication, and construction. At the Phase A submission, the Successful Qualified Firm shall discuss the effect of using two TP-16 tandems on the girder design. As such, the effort shall optimize the girder depth to minimize the impact on the profile and discuss ways to reduce the girder section depth.

The Successful Qualified Firm shall consider the location of required longitudinal construction joints and how they are joined together with each stage of work. Load rating calculations using the LRFR methodology shall be performed in accordance with the following requirements and guidelines: American Association of State Highway and Transportation Officials (AASHTO) Manual for Bridge Evaluation, 3rd Edition, 2018, including Interims; New Jersey Turnpike Authority LRFR Load Rating Manual, Version 9.7, January 2022, or latest edition.

The Successful Qualified Firm shall review commercially available deck systems, including but not limited to Exodermic, Inverset, Precast Panels, including Lafarge Ductal Joint System, Precast and Cast-in-Place Grids, Cast-in-Place Concrete; all using HPC Concrete. Review of alternate deck systems shall take into account access, MPT requirements, durations of activities, useful service life factors and life cycle costs.

The Successful Qualified Firm shall, at a minimum, evaluate each of the structures listed for constructability, construction access, staging, and Accelerated Bridge Construction (ABC) methods in accordance with the NJTA Design Manual Section 3.2.1.6.

The Successful Qualified Firm shall perform consultation and coordination with Railroad agencies through the oversight of the PM Team, including but not limited to and as directed by the Authority, for schedule and outage constraints, bridge and roadway vertical and horizontal clearance requirements, temporary shielding, collision impact and crashwalls, and barriers and fencing over electrified railroads.

The Successful Qualified Firm shall perform a Seismic Vulnerability and Retrofit Design for Str. No. 29.18 (superstructure replacement and substructure rehabilitation) in accordance with the NJTA Design Manual Section 3.2.6.

The Successful Qualified Firm shall coordinate with the Designer for Contract No. T100.723 for the construction of new U-Turn roadway underneath Str. No. 29.18.

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

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

Routine Deck Repairs and Emergency Deck Repairs – The Successful Qualified Firm shall design repairs necessary for the maintenance of the existing bridge decks for their entirety, throughout the duration of the respective construction contracts. Provisions shall be included in the contract documents for such repairs to be performed before and during the actual staged construction. 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.

Temporary Shielding/Catch Protection – The Successful Qualified Firm shall include specific contract requirements to protect all structures, roadways, 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 and railroads 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.

Staging, Demolition and Disposal Operations – The Successful Qualified Firm shall evaluate and specify allowable equipment, means and methods for the superstructure removal operations, in order to eliminate those which may damage the existing substructure. 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.

Noise Barriers – A detailed air quality and traffic noise assessment is being conducted by the PM Team and noise walls are anticipated. The air quality and traffic noise assessment will be provided to the Successful Qualified Firm after award. Noise barriers are currently being evaluated at 10 potential locations, with a total length of approximately 18,500 LF and heights ranging from 15-18'. During Final Design, the Successful Qualified Firm will be responsible to design potential noise barriers in accordance with the findings of the traffic noise study. For those potential noise barriers that meet the conditions of NJTA's current Policy, which is available on the Authority's website at https://www.njta.com/media/8025/njta-noise_barrier_policy_may-2023.pdf, the Successful Qualified Firm will be responsible to administer the survey of owners and residents of those properties benefitted by the noise barrier, as outlined in Section IV, Public Involvement, in coordination with the Program Manager.

f. Roadway Design

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 construction contract documents for the continued operation of Turnpike 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.

Signing – The Successful Qualified Firm shall prepare, in consultation with the PM Team, a preliminary Signing Plan at 1" = 100' scale that provides a schematic of each existing and proposed guide sign within the Design Section, including their locations and legends, and shall show the recommended improvements of the existing guide sign. The proposed or modified signing shall be prepared in accordance with the current editions of the Authority's Design Manual, Standard Drawings and the "Manual on Uniform Traffic Control Devices" (MUTCD), as applicable.

The PM Team will approve signing schemes for the Design Section and submit them for the Authority's review. Upon the Operations Department's approval, the Successful Qualified Firm shall prepare final signing plans for the Phase B Submission and subsequent submissions.

It is anticipated that the Authority's Supplemental Sign Policy as it relates to Specific Service Signs for Lodging will be updated to incorporate additional guidance provided in the Manual on Uniform Traffic Control Devices (MUTCD), 11th Edition, December 2023 (https://mutcd.fhwa.dot.gov/kno_11th_Edition.htm). A copy of the current Supplemental Sign Policy (2009) is included in the Reference Materials for this solicitation. The Successful Qualified Firm shall coordinate with the Operations Department and local businesses (Lodging) at interchanges in obtaining information/materials required (logo or logo sign panels, etc.) for the Operations Department to update the Specific Service Signs (Lodging).

g. Stormwater Management (SWM)

Refer to the PD Report for the PM Team's evaluations, findings, and recommendations relating to the SWM impacts to the Program. The Program is considered a "major development", thus triggering the need for SWM Best Management Practices (BMPs), specifically, bio-retention basins. The SWM design shall follow the NJDEP SWM regulations, and the water quality needs within the respective stream crossing watersheds. A typical basin size was determined in the concept development phase utilizing the Modified Rational Method to determine the largest storage volume needed to achieve the allowable post-construction peak flow rate for a one-mile section of mainline (See the PD Report and Appendix B for more information).

Prepare a final project drainage design in accordance with the Authority's Design Manual and NJDEP's current stormwater management rules and Flood Hazard Area Rules. If deemed necessary by the PD Report, provide preliminary locations and sizes for Green Infrastructure Best Management Practices (detention, retention and/or water quality basins) to comply with the current stormwater management 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.

Drainage Improvements – The Authority has completed an advanced Pipe Cleaning and Video Inspection contract (Construction Contract No. T200.666) to inspect pipes (less than 60" diam./5-ft. span) within the limits of the Program. The Successful Qualified Firm shall review the contract findings and identify repairs that will be incorporated into the Phase A submittal for the Design Section.

The Successful Qualified Firm shall clean and video inspect non-NBIS culverts (culverts 5-ft/60" diam. To 20-ft span length) listed in Table No. 1 – Design Section 7 Structures. The Successful Qualified Firm shall provide recommendations for structural rehabilitation and shall design for the approved work accordingly.

The Successful Qualified Firm shall develop drainage studies and final designs, including the investigation of the condition of the major drainage relief structures as noted. 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.

h. Geotechnical Engineering

Based on the information provided in Subsurface Investigation by the PM Team and other information deemed necessary by the Successful Qualified Firm, the Successful Qualified Firm shall develop and submit to the PM Team for review a geotechnical report for the Design Section presenting recommendations for embankment construction, ground improvement techniques (if necessary) and structure foundations.

A geotechnical report shall be submitted as part of the Phase B Submission and shall be incorporated into the Construction Contract Documents. As part of the design calculations, foundation loads for piers, abutments, culverts, retaining walls, sign structures, and noise barriers shall be determined and analyzed for all applicable AASHTO Limit States (service, strength, and extreme).

Subsurface Investigation - The PM Team has performed the Phase 1 geotechnical subsurface investigation program (Phase 1 investigation) to support the design of the Program. The Phase 1 investigation consisted of the drilling of test borings, installation of observation wells, and collecting pavement cores. The Phase 1 investigation has been completed.

The PM Team will perform a Phase 2 investigation to fill in gaps where soil information was not collected in order to complete the design requirements of the Authority's Design Manual Section 6.3.2.3. Phase 2, which is anticipated to take place during the Final Design phase, will proceed with additional test borings and field tests. The boring locations plans will be revised prior to the start of Phase 2 to include input from the Successful Qualified Firm to define their Phase 2 subsurface investigation needs and refine the locations of the percolation test (PT's), and Cone Penetration Test (CPT's). Phase 2 will be administered and overseen by the PM Team and is anticipated to take approximately four (4) months to complete, however this could change based on the design. It is anticipated that the borings will be conducted during the months of January-April to allow for the Seasonal High Groundwater Levels to be determined, however this is subject to change.

This geotechnical program will supplement the historical soil information provided by the Authority. Representative soil and rock samples collected from the test borings will be sent to a geotechnical laboratory for testing to determine index and strength properties of the in-situ soils along the proposed widening alignment. Refer to the PD Report for Phase 1 Boring location plans (See PD Report and Appendix I for more information).

The substructure investigation data will be provided to the Successful Qualified Firm at the kick-off meeting. If during the design, supplemental borings are required, the Successful Qualified Firm shall coordinate with the PM Team. The PM Team will obtain necessary borings to support the final design effort.

i. Lighting Design

Lighting Design shall be performed in accordance with the requirements of the current edition of the Authority's Design Manual which specifies criteria, limits, and equipment.

j. Utility Relocations/Protection

It is anticipated that the PM Team will continue to coordinate with the major longitudinal utility companies throughout the completion of Preliminary and Final Design and will be responsible for the relocation design of these major longitudinal utilities through coordination with the utility companies and with the assistance and design input of the Successful Qualified Firm.

The Successful Qualified Firm shall identify conflicts within the Design Section limits and be responsible for the coordination and design of all other transverse utility relocations, the PM Team will provide oversight for this process and attend meetings with the transverse utility companies as necessary. 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. 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 respective utility companies for the preliminary engineering fees, if requested and prepare the Utility Order for execution by the Authority.

The summary of anticipated utility impacts is provided as reference materials. Refer to the PD Report which presents the PM Team's findings with regards to the identification of existing utilities, the efforts made to document these, and the potential costs associated with the major longitudinal utility relocations related to the Program (see the PD Report and Appendix O for more information). Record plans of major underground utility facilities were obtained from owners to approximate the location of underground utilities. Aerial facilities were identified from the photo mosaics, record drawings and field reconnaissance.

Prepare Utility Orders and Utility Work Orders for utilities within project limits. Utility relocation work shall be designed in accordance with NJTA Procedures Manual Section 7. 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 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 subsequent fee proposal as a direct expense.

k. Executive Order No. 215 (1989 Kean) and Environmental Permitting

The PM Team will lead and manage all environmental aspects for the duration of the Program, including all phases of final design (Phase A thru D) and during construction to monitor that permit requirements are being adhered to. The PM Team will be responsible for the handling and coordination of the environmental issues for the Program with support from the Successful Qualified Firm and other firms retained by the Authority for the Program. The PM Team will perform a variety of tasks to address various environmental issues, permit conditions and processing of program-wide permits. The Successful Qualified Firm will be required to prepare necessary designs, calculations, reports, plans, etc. and provide to the PM Team in a timely fashion to support the application of and receipt of Program permits. It is anticipated that public hearings and public information centers will be held to support the Executive Order No. 215 (1989 Kean), and Environmental Permitting efforts. The EO-215 document has been prepared by the Program Manager and is currently in draft form; it is anticipated that the document will be under New Jersey Department of Environmental Protection review upon award. It is not anticipated that the Successful Qualified Firm will be required to support the preparation of the EO-215 document effort. The EO-215 covers the Program Corridor from MP 3.5 – MP 36.5.

In addition, the Successful Qualified Firm shall attend in coordination with the PM Team, all required meetings with the regulatory agencies, including a pre-application meeting, and prepare all permit applications required for the project. The Successful Qualified Firm shall include all engineering effort necessary to develop mitigation for impacts to archaeological sites, historic resources, freshwater wetlands, threatened and endangered species, and secondary impacts, if applicable. Due to the timeline associated with an extensive Environmental Permitting process, every effort possible shall be taken during development of the improvements to minimize the overall permitting effort.

The summary of anticipated environmental impacts and list of permits is provided as reference materials. Refer to the PD Report which presents the PM Team's findings with regards to the identification of existing wetlands; special status species; soil suitability; streams, rivers, and floodplains; groundwater; air quality and noise; contaminated materials and hazardous waste; historic architecture and archaeology; preserved farmlands; community facilities, public open space, and parkland; environmental justice; major utilities; and proposed and approved developments (see the PD Report and Appendix J for more information).

With respect to flood hazard permitting, where a proposed project increases the 100-year Base Flood Elevation (BFE) more than 0.0 foot, a Conditional Letter of Map Revision (CLOMR) is required. To the extent possible, the existing BFE shall be maintained due to the duration required to obtain a CLOMR.

The PM Team has prepared a permitting strategy and considerations for the Program. This document will be shared with the Successful Qualified Firm at the kickoff meeting. The PM Team will provide oversight to the Successfully Qualified Firm and will be responsible for submitting permit applications for the Design Section. The Successfully Qualified Firm will be responsible for the preparation of drawings/plans and supporting documentation required for the permit applications.

Other Permits - The Successful Qualified Firm shall investigate all applicable permits for the project and prepare documents for the permits. The preparation of such other permit applications and any additional design required by such other permits (as listed in reference materials) will not be regarded as extra work. Permit application fees will be paid by the Authority.

l. Executive Order No. 172 (Kean) and New Jersey No Net Loss Reforestation Act

The Successful Qualified Firm will be responsible for supporting the Authority's efforts in complying with Executive Order No. 172 (Kean) (E.O.172), which requires that transportation agencies solicit public input regarding proposed transportation projects. Additionally, a Public Hearing is also required for the New Jersey No Net Loss Reforestation Act. In this regard, the Authority is planning to hold two (2) Public Hearings, one in Burlington County and one in Camden County. The Successful Qualified Firm's services for the E.O.172 and No Net Loss Reforestation Act Public Hearings shall include, but not be limited to, arrangements for the facilities, preparing all necessary exhibits and newsletters, virtual accommodations if deemed appropriate, assisting the Authority's personnel and the PM Team with the oral presentation of the project at the hearings, preparing the Final Hearing Reports and assisting the Authority in satisfying all E.O.172 and No Net Loss Reforestation Act requirements. This effort shall be performed in close coordination with the PM Team. No contact shall be made with the public or municipal, county or state officials unless authorized in advance by the Authority.

m. Constructability Review

The Successful Qualified Firm shall perform a Constructability Review by qualified construction personnel and prepare a Constructability Report following the NJTA Procedures Manual Section 3.5. The Preliminary Constructability Review Report shall be submitted with Phase B. The Final Constructability Review Report shall be submitted with the Phase C submission.

The Successful Qualified Firm shall develop detailed MPT plans and Supplementary Specifications. These plans in some cases may reference the Standard Drawings but, in most cases, must show the limits of line striping obliteration, temporary striping, placement and limits of concrete construction barrier, locations of lane closing tapers specified by mile post, lane shifts, signing and traffic device placement for each construction stage. The Successful Qualified Firm shall provide in the contract for the contractor to furnish and maintain an appropriate number of variable message signs and trucks with mounted attenuator. Pre- and post- lane closing MPT plans will be required in merge or other unusual traffic pattern locations in order to convey the proper switching and installation sequence. The traffic staging shall take into account the traffic requirement that short-term lane reductions will be permitted in accordance with the latest Lane Closing Tables under the Lane Closing Application.

MPT on local roadways shall follow NJDOT, County and/or municipal details and specifications dependent on jurisdiction.

Constructability Review Report -The Successful Qualified Firm shall identify, investigate, and address constructability requirements as part of the design process. Bridge Study, feasibility, design recommendations and final design details shall encompass constructability issues including current construction techniques, scheduling, economic factors, permit conditions, maintenance and protection of traffic, access, production rates. Construction Cost Estimates and construction schedule shall be provided with each Phase Submission. A preliminary Construction Schedule with backup computations and 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 Report shall be performed by a qualified Construction Engineer, not a member of the design team.

n. 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). It is specifically noted that the Successful Qualified Firm shall be responsible for review of shop drawings and responding to requests 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.

PROJECT COORDINATION

1. Coordination and Contacts

- a. The PM Team shall act as an extension of the Authority and will provide coordination/guidance for this Design Section and all other Design Sections within the Program. Coordination/guidance will involve monthly design section status meetings, constructability issues, schedule coordination, operational constraints due to MPT requirements of adjacent contracts, design issues impacting adjacent projects or Design Sections and technical reviews.
- b. The Successful Qualified Firm is responsible to coordinate, through the PM Team, their design activities that may affect the other sections of the Program. The Successful Qualified Firm shall cooperate and provide services in harmony with any and all entities that have been and may be retained by the Authority for this project and the Program.
- c. An Internet Program Management Site (IPMS) will be utilized for the Program. The Successful Qualified Firms shall provide information as required, 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 Firms. The Successful Qualified Firms shall at a minimum perform the following tasks using the IPMS: 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 Firms shall fully commit to the use of this site.
- d. 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 will give adequate notification of all meetings to the Authority through the PM Team when required. High level meetings will be attended by the Authority as required.
- e. It is anticipated that two (2) project status meetings per month from Notice to Proceed up through the Phase D Submission will be necessary. One meeting shall typically occur at the Authority's Headquarters Building, while the other meeting can be a Conference Call/WebEx meeting using the Authority's WebEx, or equivalent, system. The Successful Qualified Firm shall lead the status meetings. Other meetings may be scheduled based on project needs. The Successful Qualified Firm will prepare all memoranda of meetings attended with copies to the Authority, and others as appropriate within five (5) working days of the meeting.
- f. The Successful Qualified Firm is responsible for the preparation of all necessary displays, exhibits and like material as needed for the meetings.
- g. The Authority reserves the right to, at any time and without notice, audit the Successful Qualified Firm or their subconsultants. All agreements and/or contracts between the Successful Qualified Firm and their subconsultants shall include specific language that provides the Authority the ability to audit the subconsultant at any time and without notice.

2. Other Agency Coordination

The Successful Qualified Firm shall engage the public and communicate Project information as required in coordination with the PM Team. The Successful Qualified Firm will be required to use all available resources to communicate Project information including, but not limited to, digital and print materials, and variable message signs. The Successful Qualified Firm, working closely with the PM Team, will perform public involvement and communications and shall prepare all materials,

presentations, and any other media required for communicating Project information to all interested persons, groups, and government organizations.

The Successful Qualified Firm shall be responsible for confirming with railroad owners with all third-party stakeholders within the project limits that all necessary project approvals or permits are obtained, and all necessary project requirements are satisfied before advertising. The PM Team will set-up all necessary Agreements and Escrow Accounts, where required under each railroad owners jurisdictional protocols. The Successful Qualified Firm is expected to coordinate and consult with the railroad owners through the oversight of the PM Team.

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 consulted and copied on the comment responses. The Successful Qualified Firm shall anticipate four (4) meetings with each railroad owner during the Final Design phase.

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 other emergency response providers, school officials and municipal Mayors and/or administrators, depending upon the complexity of the MPT or detour.

It is anticipated that the PM Team will continue to coordinate with the major longitudinal utility companies throughout the completion of Preliminary and Final Design and will be responsible for the relocation design of these utilities through coordination with the Utility Companies and with the assistance of the Successful Qualified Firm. The Successful Qualified Firm shall be responsible for the coordination and design of all other utility relocations, the PM Team will provide oversight for this process and attend meetings with the utility companies as necessary.

ADMINISTRATIVE

1. Management Requirements – The Successful Qualified Firm's Project Manager shall possess a valid New Jersey Professional Engineer's license and shall not be removed from the OPS and replaced with another Project Manager 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.

2. 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.

3. Invoicing Requirements – All invoices shall be consecutively numbered and shall contain the words, "Order for Professional Services No. T4007 Design Services for Interchanges 1 to 4 Capacity Enhancements Program, Section 7, Milepost 26.2 to 31.3". 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) 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 billing projections for two years from the billing date 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 A(A2), "Fee Proposal Submission Requirements."

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.

DELIVERABLES

1. Due to the nature of the Interchanges 1 to 4 Capacity Enhancements Program, it is understood that the strict implementation and adherence to Authority Standards may unnecessarily complicate and expand the intent of this project for this design section. Any additional deviations and/or exceptions to these Standards, for whatever reason, which the Consultant would like to recommend shall be presented to the Authority for consideration at the Kickoff Meeting.

2. 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, 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, in coordination with the PM Team is to recommend the actual number of individual construction contracts required to complete these improvements prior to the Phase "B" submission, if applicable. For the purpose of the Staffing Estimate, the Successful Qualified Firm shall anticipate two (2) construction contracts as indicated in the Preliminary Design Report, Appendix D, although the Successful Qualified Firm shall review and make recommendations on separating construction contracts no later than the Phase B submission, once preliminary MPT schemes are established, and sum total of impacts are identified. The Consultants shall be prepared to advance two separate submission packages starting at the final MPT submission.

3. Project 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. The design shall generally follow the Authority's standard four-phase (Phases A thru D) design process utilizing the Authority's standards as noted in the Design Manual, Design Standards, Standard Drawings, Standard Specifications and Standard Supplemental Specifications. This delivery process may be modified during the project if deemed necessary.

Deliverables for items such as agreements and utility orders, if required, will likely 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 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.**

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 IPMS established by the PM Team and will participate in comment resolution through the IPMS.

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

Phase review documents, as outlined in the Authority's Procedures Manual, and approved by the PM Team, shall be prepared by the Successful Qualified Firm. All reports and submissions shall be bound and shall also be submitted electronically through the IPMS. Submission Distribution Matrices for each Phase Submission, including number of hard and electronic copies, will be prepared, and submitted to the PM Team for approval prior to any printing. Additional sets may be requested if deemed necessary to review specific design elements. The submission requirements will be reviewed by the Authority prior to submittal.

The final submission shall follow the Phase "D" submission requirements found in the Authority 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 Phase submission reviews will culminate with a Comment Resolution Document that will approve completion of that Phase and authorize work to proceed. The Successful Qualified Firm may need to advance portions of the design prior to receiving full comment resolution concurrence. Should the Successful Qualified Firm choose to proceed in this manner, they shall notify the PM Team accordingly and obtain concurrence prior to proceeding on the work. If notification is not provided and concurrence is not received, then the Successful Qualified Firm are proceeding at their own risk and any rework shall be at no cost to the Authority. The Successful Qualified Firm are advised to take a conservative approach, and to advance work which has a low risk of modification/revision.

Review comments from the Authority, and/or other Agencies, will be provided to the Successful Qualified Firm for compilation and response. The Successful Qualified Firm shall utilize the IPMS for the comment resolution process. For any provided hard copy markups, the Successful Qualified Firm shall follow the NJTA Procedures Manual for appropriate comment response formats.

The Successful Qualified Firm shall allow for a minimum four (4) week review period by the Authority for each submission. The Successful Qualified Firm may, at their own discretion, proceed during the Authority's review period on selected areas of the project. However, any delays caused by the Authority's review process shall not be sufficient reason for additional compensation.

Prior to all phase reviews 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 two (2) weeks prior to each phase submission for advanced review and authorization to submit the phase review materials.

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.

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. Failure to comply may result in rejection and resubmission of the entire phase review materials. Comment resolution of prior submissions must be complete prior to the next phase submission.

It will be the Successful Qualified Firm's responsibility to bring to the attention of the Authority, in the Expression of Interest, or during preparation of the Expression of Interest, or at the time of the submission of the Technical or Fee Proposal, any errors, omissions or non-compliance discovered in this "Scope of Services" section. By neglecting to do so the Consultant will be responsible to make any resulting design changes without additional compensation.

4. 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.

REFERENCE 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 RFP notification process. If there are any questions or issues related to the Secure File Sharing Site, please contact Maynard Abuan, P.E., via e-mail at mabuan@njta.com and Prayag Sayani, P.E., via e-mail at sayani@njta.com. The subject line should read, "OPS No. T4007 Secure File Sharing Site Information". The following reference material is available for review:

a) As-built plans

- Section 2 Paving of Turnpike & Interchanges, Woodbury Heights to Hartford in Gloucester, Camden & Burlington Counties, Contract No. 60 and Contract No. 7 (1955)
- Contract No. R-346 Resurfacing Mile 29 to Mile 34 (1971)
- Contract No. R-427 Resurfacing Mile 7 to Mile 35 (1973)
- Contract No. R-483 Resurfacing Mile 0 to Mile 36 (1975)
- Contract No. R-571 Resurfacing Mile 0 to Mile 34 (1978)
- Contract No. R-935 Median Barrier Improvements Milepost 29 to Milepost 35 (1986)
- Contract No. R-998 Median Barrier Improvements Milepost 25 to Milepost 29 (1988)
- Contract No. R-1037 Median Barrier Improvements Milepost 9 to Milepost 72 (1989)
- Contract No. SBL-101 Southern Bridge Lengthening Project Milepost 3.7 to Milepost 27 (2003)
- Contract No. A300.110 Toll Plaza Rehabilitation (2009)
- Contract No. T100.514 Bridge Deck Reconstruction and Lengthening Structure No. 30.75R (2020)
- Contract No. T100.514-COP 1 Change of Plans #1 sheet 66/121 (2020)
- Contract No. T200.114 Median Inlet Repairs Milepost 0 to 83 (2009)
- Contract No. T200.206 Median Inlet Repairs Milepost 0 to 83 – Phase 2 (2010)
- Contract No. T200.250 NJTA Left Shoulder Restoration Milepost 0.0 to Milepost 28.0 (2011)
- Contract No. T200.509 Roadway Lighting Repairs (2020)
- Contract No. T200.632 Roadway Resurfacing Milepost 0 to 83 (2022) (Phase C Plans)
- Contract No. T200.633 Roadway Resurfacing Milepost 0 to 83 Section 3 (2022)
- Contract No. T200.723 Roadway Resurfacing Milepost 0 to 83 Section 4 (2023)
- Contract No. T500.437 Turnpike Interchange 2 & 5 Generator Replacement (2017)
- Contract No. STR 29.18 NJTA Structure No. 29.18 (1979)
- Contract No. STR 29.24 NJTA over Cooper River, Structure No. 29.24 (1979)

b) Bridge and Culvert Inspection Reports

- Bridge (Overpass) Str. No. 26.98R Cycle 9 (2/21/2022)
- Bridge (Overpass) Str. No. 27.28 Cycle 22 (2/24/2022)
- Bridge (Mainline) Str. No. 27.71 Cycle 19 (3/29/2022)
- Bridge (Mainline) Str. No. 27.95 Cycle 23 (3/14/2022)
- Bridge (Overpass) Str. No. 28.19 Cycle 21 (3/3/2022)
- Bridge (Mainline) Str. No. 29.18 Cycle 21 (3/29/2022)
- Bridge (Mainline) Str. No. 29.24 Cycle 22 (3/25/2022)
- Bridge (Mainline) Str. No. 29.35 Cycle 21 (3/14/2022)
- Bridge (Overpass) Str. No. 29.84 Cycle 22 (2/28/2022)
- Bridge (Overpass) Str. No. 30.75R (none available)
- Culvert Str. No. 26.29 (7/18/2017)
- Culvert Str. No. 30.25 (7/18/2017)
- Phase I Bridge Scour Evaluation Report Str. No. 29.24 (6/3/2021)

- c) Record Right of Way Plans
 - New Jersey Turnpike Section 1
 - New Jersey Turnpike Section 2
- d) Geotechnical Results (Phase 1)
 - Geotechnical Soils Data Report
 - Geotechnical Soils Data Report Appendices
- e) Shoulder Pavement Evaluation Memo (Rev 4)
- f) Draft Preliminary Design Report, MP 3.5 to 36.5, including update dated 5/22/24
- g) Contract No. T200.666 Turnpike Drainage Video Inspection and Cleaning, MP 0.0 to MP 36.5
 - Video Reports
 - As-Built Plans (1/24/24)
- h) Program Directives
 - Design Management Plan
 - Program Directive No. 1: [Not Used]
 - Program Directive No. 2: Grade Separated U-Turns (Rev 1)
 - Program Directive No. 3: Concrete Median Barrier
 - Program Directive No. 4: Accommodations for Utility Crossings (Rev 1)
 - Program Directive No. 5: Mainline Design Speed
 - Program Directive No. 6: Reconstruction of Left Shoulder Pavement (Rev 1)
 - Program Directive No. 7: Temporary Construction Barrier Limits (Rev 1)
 - Program Directive No. 8: Allowable Lane Closure Hours
 - Program Directive No. 9: Radar Pad Layout
 - Program Directive No. 10: Emergency Access Gate
 - Program Directive No. 11: Fiber Optic Relocation
 - Program Directive No. 12: [Not Used]
 - Program Directive No. 13: License to Cross (LTC) – Documentation or Application for Existing Utility Crossings (Rev 1)
 - Program Directive No. 14: [Not Used]
 - Program Directive No. 15: Culvert Lengthening (Rev 2)
 - Program Directive No. 16: [Not Used]
 - Program Directive No. 17: VMS Details
 - Program Directive No. 18: Nomenclature List
 - Program Directive No. 19: Overpassing ID and Miscellaneous Signing Guidance
 - Program Directive No. 20: [Not Used]
 - Program Directive No. 21: Program Administration
 - Program Directive No. 22: Stormwater Management Facility Design – Borings
 - Program Directive No. 23: Preliminary Design Cost Estimating Guidance (Rev 3)
 - Program Directive No. 24: [Not Used]
 - Program Directive No. 25: Maintenance and Protection of Traffic General Notes
 - Program Directive No. 26: Slide Slopes (Rev 1)
- i) Other Items
 - Memorandum: Str No. 29.35 and Mainline Reprofitting for Str. No. 29.18 (Rev 5)
 - New Jersey Transit Guidelines for Working Within or in Vicinity of NJ Transit's Right-of-Way
 - OPS No. T4007 Items for Further Analysis
 - New Jersey Turnpike Authority Supplemental Sign Policy (2009)

Subsection B3
Staffing Estimate

| Classification (ASCE-Grade) | Hours/Tasks | | | | | | | | | | | | | | | | |
|--------------------------------|--|--|----------------|------------------------------------|---|--------------------------------|-------------------|----------------|--------------------------------|-----------------------------|-----------------|------------------------------------|-----------------------|---|-------------------------|----------------------|-------------|
| | Project Coordination and Administration | Preliminary Design Review (Pre-Phase A) | Survey/Mapping | Right-of-Way – Design Section 7 | Right-of-Way – Other Design Sections | MPT and Traffic Engineering | Structural Design | Roadway Design | Stormwater Management (SWM) | Geotechnical Engineering | Lighting Design | Utility Relocation / Protection | EO 215 and Permitting | EO 172 & No-Net Loss Reforestation Act | Constructability Review | Post Design Services | Total Hours |
| Project Manager (VII) | | | | | | | | | | | | | | | | | |
| Project Engineer (VI) | | | | | | | | | | | | | | | | | |
| Senior Engineer (V) | | | | | | | | | | | | | | | | | |
| Engineer (IV) | | | | | | | | | | | | | | | | | |
| Junior Engineer (II or III) | | | | | | | | | | | | | | | | | |
| Drafter/Tech. (ET-4, ET-5) | | | | | | | | | | | | | | | | | |
| Clerical | | | | | | | | | | | | | | | | | |
| Other-Specify () | | | | | | | | | | | | | | | | | |
| Total Hours | | | | | | | | | | | | | | | | | |

Unanticipated Services – The Qualified Firm shall make an allowance of 10% contingency of the burdened labor fee in the Fee Proposal.

Note: The above chart is intended as a guide. The Qualified Firm shall modify and expand classifications and tasks as required to meet project needs.

Subsection B4 **Compensation Basis**

Following a review of the submitted EOIs, the Authority will request Technical and Fee Proposal(s) 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 2.80 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 2.80.

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 EOI 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, awarded pursuant to this RFEOI, provided such change is reflected in the Qualified Firms' Fee Proposal. Except for overtime worked on construction supervision during permissible contract working hours, overtime must be approved by the Authority. The Fee Proposal shall follow and reflect the staffing estimate as shown in Attachment B3.

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 is 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, mylar's, final plans in .PDF format, and meeting displays/exhibits. Mileage will be paid at the prevailing federal mileage rates (www.irs.gov). Mileage will be reimbursed for travel between the 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. Any change to this rate is subject to the approval of the New Jersey Turnpike Authority. 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. 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.

Subsection B5
Qualified and Eligible Firms

1. Arora and Associates, P.C.
2. AtkinsRéalis USA Inc.
3. Boswell Engineering
4. Buchart-Horn, Inc.
5. CDM Smith Inc.
6. Dewberry Engineers Inc.
7. French & Parrello Associates, P.A.
8. Gannett Fleming, Inc.
9. Greenman-Pedersen, Inc.
10. Hardesty & Hanover, LLC
11. HDR Engineering, Inc.
12. IH Engineers, P.C.
13. Infra Tech Engineering, LLC
14. Jacobs Engineering Group Inc.
15. Johnson, Mirmiran & Thompson, Inc.
16. KC Engineering and Land Surveying, P.C.
17. Kimley-Horn and Associates, Inc.
18. KS Engineers, P.C.
19. Malick & Scherer, P.C.
20. McCormick Taylor, Inc.
21. Michael Baker International, Inc.
22. Mott MacDonald LLC
23. MP Engineers, P.C.
24. NAIK Consulting Group, P.C.
25. NAIK Consulting Group, PC and KS Engineers, PC
26. NV5, Inc.
27. Parsons Transportation Group, Inc.
28. Remington & Vernick Engineers
29. SJH Engineering, P.C.
30. Stantec Consulting Services, Inc.
31. STV Incorporated
32. T.Y. Lin International
33. Taylor, Wiseman & Taylor
34. Traffic Planning and Design, Inc.
35. TranSystems Corporation
36. Urban Engineers, Inc.
37. Van Cleef Engineering Associates, LLC
38. WSP USA Inc.

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, *N.J.S.A. 19:44A-20.13 to 20.25 (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)*
- 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
 - (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
 - (k) Recent Authority Project Experience

Subsection C1

Administrative and Agreement Information

Professional Corporation

Incorporated Firms that have not filed a copy of a Certificate of Authorization in accordance with N.J.S.A. 45:8-56, with the Authority must include a copy of the Certificate of Authorization 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, Technical Proposal (if applicable) 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, as described herein.

Acceptance and Rejection of EOIs and Fee Proposals (if applicable)

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 (if applicable) 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 (if applicable) 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 RFEOI, and any response to the RFEOI or RFP, including an EOI, Technical Proposal and Fee Proposal submitted by a firm in response to the RFEOI or RFP, 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 RFEOI or RFP 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 Successful Qualified Firm accordingly. The Authority will not honor any attempt by a Successful Qualified Firm to designate its entire EOI, Technical Proposal (if applicable), and/or Fee Proposal as proprietary or confidential and will not honor a claim of copyright protection for an entire EOI, Technical Proposal (if applicable), and/or Fee Proposal. In the event of any challenge to the Successful Qualified Firm/Qualified Firm's assertion of confidentiality with which the Authority does not concur, the Successful Qualified Firm/Qualified Firm's 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 expression, 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, col-or, 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).

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 request-ed 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 McGreevey),
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 the 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

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 or 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 RFEI. 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 RFEI, 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 RFEI 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 RFEI. 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 RFEI, 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 RFEI 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

All payments pursuant to this contract shall be made in accordance with N.J.S.A. 2A:30A-1 et seq. 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.

Any dispute resolution will adhere to the provisions of N.J.S.A 2A:30A-2(f).

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 RFP, 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 RFP 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 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) (the "Act") states that prior to contract award, the awardee must certify that neither the awardee, nor any of its parents, subsidiaries, or affiliates engaged in prohibited activities in Russia or Belarus. However, the enforceability of N.J.S.A. 52:32-60.1 et seq. was challenged in the United States District Court for the District of New Jersey. On December 22, 2023, a company obtained a permanent injunction from the United States District Court, which enjoined the State from enforcing N.J.S.A. 52:32-60.1 on the ground that it would conflict with the existing federal sanctions regime and the United States Constitution's Supremacy Clause.

N.J.S.A. 52:32-60.4 provides that the Act "shall not apply in circumstances when its application would violate federal law." Accordingly, to enforce the Act in a manner consistent with the District Court's decision and federal law, New Jersey deems its list of persons and entities engaging in prohibited activities in Russia or Belarus to consist of all persons and entities appearing on the list of Specially Designated Nationals and Blocked Persons promulgated by the United States Department of Treasury, Office of Foreign Assets Control (OFAC), on account of activity relating to Russia or Belarus. A searchable database of OFAC-listed persons and entities is available here: <https://sanctionssearch.ofac.treas.gov/>.

Consistent with the District Court's decision, the New Jersey Turnpike Authority is revising its *Certification of Non-Involvement In Prohibited Activities in Russia or Belarus* form. Accordingly, prior to entering into any Agreement(s) hereunder, Successful Proposer(s) shall be required to complete and submit to NJTA the revised *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.
- c)

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 Proposal.

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 RFEI 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 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 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 outstanding work with the Authority with their Expression of Interest.

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.

ATTACHMENT D**N.J.A.C. 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.

"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:

- (a) 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, 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.
- (b) 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 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 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.

N.J. Admin. Code § 19:9-2.8

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