

**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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**PART I**

**Instructions To Vendors**

**Please be sure to read each and every page, including, without limitation, all attachments.**

**Please note: the terms “firm”, “provider”, “contractor”, “proposer”, “vendor” and “respondent” may be used interchangeably throughout this document.**

**1.0 PURPOSE**

The intent of this Request For Proposals (“RFP”) and resulting contract is to obtain professional services for a federally funded project including but not limited to the construction management and inspection services for the Township of Egg Harbor (“Township”).

Firms responding to this RFP should have extensive experience and a knowledgeable background and qualifications in the provision of the services described herein.

Despite any language contained herein to the contrary, this RFP does not constitute a bid and is intended solely to obtain competitive proposals from which the Township of Egg Harbor may choose a professional service that best meets the Township’s needs. It is the Township’s intent that no statutory, regulatory, or common law bidding requirements apply to this RFP. The Township of Egg Harbor intends to award this contract pursuant to federal requirements.

Official Township RFP documents are available from the Township of Egg Harbor as described herein at no cost to the vendor. Potential proposers are cautioned that they are proposing at their own risk if a third party supplied the RFP document that may or may not be complete. The Township of Egg Harbor is not responsible for third party supplied RFP documents.

**2.0 BACKGROUND INFORMATION**

The Township of Egg Harbor undertakes a variety of construction projects using federal funds, each of which may require the procurement of professional services for engineering design, construction management, and construction inspections related services.

**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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The specific extent and character of the professional services to be performed shall be subject to the general control and approval of the Township of Egg Harbor.

**3.0 COMPLIANCE WITH LAWS**

The successful firm(s) shall comply with all applicable Federal, State and Local statutes, rules and regulations. In addition to any other Federal requirements that apply, including specific and/or additional Buy America and Davis Bacon Act Prevailing Wage requirements or other specific requirements that apply under Title 23 and Title 49 of the Code of Federal Regulations, performance by the professional services firm providing Construction Management/Construction Inspection to the Township of Egg Harbor shall be governed by and in compliance with the following requirements as applicable to the type of organization of the recipient and any applicable sub-recipients:

- 3.1** The awarding of contract for professional engineering services as defined in 23 U.S.C. § 112 (b) (2) (A) and 23 C.F.R. §172 include program management, construction management or other professional engineering related services, or incidental services that may be performed by a professional engineer, or individuals working under their direction, who may logically or justifiably perform these services.

In accordance with Federal Highway Administration (FHWA) policy, an indirect cost rate proposal will not be accepted by the Township of Egg Harbor from a construction management firm and no agreement will be made between the Township of Egg Harbor and any professional construction management firm establishing final indirect cost rates, unless the costs have been certified by an official of the construction management firm as being allowable in accordance with the applicable FAR cost principals of 48CFR, part 31, and approved by a cognizant government agency.

**In accordance with FHWA policy, a percentage of cost and percentage of construction cost method of compensation will not be accepted by the Township of Egg Harbor.**

- 3.2** Section 902 of the Recovery Act, requiring that each contract awarded using Recovery Act funds must include a provision that provides the U.S. Comptroller General and his representatives with the authority to:
1. Examine any records of the contractor or any of its subcontractors or any government agency administering such contract, that directly pertain to, and involve transactions relating to, the contract or subcontract and,

**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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2. Interview any officer or employee of the contractor or any of its subcontractors, or of any government agency administering the contract, regarding such transactions.
- 3.3 Section 1515 of the Recovery Act, authorizing the DOT Office of the Inspector general to:
  1. Examine any records of the contractor or any of its subcontractors or any government agency administering such contract, that directly pertain to, and involve transactions relating to, the contract or subcontract and,
  2. Interview any officer or employee of the contractor or any of its subcontractors, or of any government agency administering the contract, regarding such transactions.
- 3.4 Buy America Provision under 23 U.S.C. § 313 and 23 C.F.R. §635.410.
- 3.5 Section 1606 of the Recovery Act (Davis Bacon Act Wage rate requirements (regulations at 2C.F.R. part 176.190)) to the extent that the Township of Egg Harbor uses federal funds for construction, alteration, maintenance or repair work.
- 3.6 Section 1604 of the Recovery Act, which prohibits the Township of Egg Harbor from expending funds under the Federal Grant agreement on any casino, or other gambling establishment, aquarium, zoo, golf course or swimming pool.
- 3.7 Section 1553 of the Recovery Act, which requires the Township of Egg Harbor to provide Whistleblower protections. As a non-federal employer, the Township is required to post a notice of the rights and remedies provided under this section. The whistleblower program requirements and poster are available at the following web sites  
  
<http://www.recovery.gov/Contact/ReportFraud/Pages/WhistleBlowerInformation.aspx>  
<http://www.recovery.gov/Contact/ReportFraud/Documents/Whistleblower%20Poster.pdf>
- 3.8 Section 49 C.F.R. Part 20 entitled “New Restrictions on Lobbying” found at <http://www.dot.gov/ost/m60/grant/49cfr20.htm#20.100>

**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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**4.0 PROCEDURE FOR RESPONDING TO REQUEST FOR PROPOSALS**

**4.1 SUBMISSION OF PROPOSALS**

Three (3) copies of the Proposal, each consisting of the technical proposal and the related price proposal, **INCLUSIVE OF ALL INFORMATION** required in Part II, Proposal Requirements should be provided. Proposals must be provided to:

Attn: Chief Financial Officer/Purchasing Agent  
Township of Egg Harbor  
3515 Bargaintown Road  
Egg Harbor Township, NJ 08234

Proposals are scheduled to be opened on **Wednesday, June 26, 2019** at 10 am. Any proposals received after said opening whether by mail or otherwise, will be returned unopened. No proposals will be accepted after the above referenced date. Proposals must be submitted in sealed envelopes, **with the technical and related price proposal in separate and sealed envelopes**, and with the title of the RFP clearly marked on the outside of the envelope. Proposals may not be emailed, faxed or transmitted over the telephone.

It is recommended that each proposal package be hand delivered to the Chief Financial Officer. The Township assumes no responsibility for delays in any form of carrier, mail, or delivery service causing the proposal to be received at the Chief Financial Officer's office after the above-referenced due date and time. Submission by fax, telephone, or e-mail is **NOT PERMITTED**.

Final selection of firm(s) shall be made by the Governing Body of the Township of Egg Harbor by formal resolution. Contract(s) for services will be provided by the Township.

**4.2 QUESTIONS REGARDING REQUEST FOR PROPOSALS**

Any questions regarding this Request For Proposals must be made in writing to:

**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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Peter J. Miller  
Township Administrator  
3515 Bargaintown Road  
Egg Harbor Township, NJ 08234  
Phone: 609-926-4027  
Email: [pmiller@ehtgov.org](mailto:pmiller@ehtgov.org)

Please Reference: Centerline Rumble Strip - Job Number 5508329 and Federal Project Number: HSIP-D00S (217)

**4.3 ADDENDA/REVISIONS TO REQUEST FOR PROPOSALS**

Addenda/revisions to this Request For Proposals shall be provided to all firms who have received this Request For Proposals.

**4.4 ACCEPTANCE OF OFFER**

The signed proposal shall be considered an offer on the part of the offeror. Such offer shall be deemed accepted upon execution of a signed contract.

**5.0 INSURANCE**

Prior to commencing work under contract, the successful firm shall furnish the Township with a certificate of insurance as evidence that it has procured the insurance coverage required herein. This coverage must be provided by a carrier approved by the Township and rated appropriately through A.M. Best. Firms must give the Township a sixty (60) day notice of cancellation, non-renewal or change in insurance coverage.

The successful firm shall provide and maintain the following minimum limits of insurance coverage during the period of performance required under the contract resulting from this Request For Proposals:

**5.1 PROFESSIONAL LIABILITY**

\$1,000,000.00 errors and omissions/malpractice for occurrence.

**5.2 WORKERS COMPENSATION AND EMPLOYERS' LIABILITY**

Statutory coverage for New Jersey;

**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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\$500,000.00 Employer's Liability;  
Broad Form All-States Endorsement.

**5.3 GENERAL LIABILITY**

\$1,000,000.00 per occurrence/\$3,000,000.00 aggregate for bodily injury and property damage. The Township shall be named as additional insured with respect to general liability.

**5.4 AUTO LIABILITY**

\$1,000,000.00 per occurrence. This coverage is required if the operation of any vehicle is required in the performance of the services detailed herein (including but not limited to the use of a vehicle to make any on-site visits).

**6.0 INDEMNIFICATION**

The selected firm shall defend, indemnify and hold harmless the Township of Egg Harbor, its officers, agents and employees from any and all claims, suits, actions, damages or costs, of any nature whatsoever, whether for personal injury, property damage or other liability, arising out of or in any way connected with the selected firm's acts or omissions in connection with this agreement.

**7.0 MISCELLANEOUS REQUIREMENTS**

**7.1** The Township of Egg Harbor will not be responsible for any expenses incurred by any firm in preparing or submitting a proposal. All proposals shall provide a straightforward, concise delineation of the firm's capabilities to satisfy the requirements of this Request For Proposals. Emphasis should be on completeness and clarity of content.

**7.2** The contents of the proposal submitted by the successful firm and this Request For Proposals may become part of the contract for these services. The successful firm will be expected to execute said contract with the Township of Egg Harbor.

**7.3** Proposals shall be signed in ink by the individual or authorized principal of the responding party. Proposals submitted shall be valid for a minimum of sixty (60) days from the date of opening.

**7.4** The Township of Egg Harbor reserves the right to reject any and all proposals received by reason of this Request For Proposals, or to negotiate separately in any

**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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manner necessary to serve the best interests of the Township. Firms whose proposals are not accepted will be notified in writing.

**7.5** Any selected firm is prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this agreement or its rights, title, or interest therein or its power to execute such agreement to any other person, company or corporation without the prior written consent of the Governing Body of the Township of Egg Harbor.

**7.6** The selected firm and subcontractors shall be required to comply with the requirements of P.L. 1975, c. 127 (see attached affirmative action language) and submit an employee information report or certificate of employee information report approval. This requirement will be addressed upon execution of agreement.

This project is federally funded and as such, goals related to the Disadvantaged Business Enterprise (DBE) program, as defined in 49CFR, Part 26, Subpart B and FTA Circular 4716.1A are required. The current DBE goal provided by NJDOT Civil Right's Unit is 12.49% for professional services contracts.

Proof of DBE prime or sub-consultant Commerce registration will be required upon submission of the technical proposal. Firms can register as a DBE or can check if a firm is registered as a DBE in the State of New Jersey Unified Certification Program Business Directory at the website link: <https://njucp.dbesystem.com/>.

**7.7** The selected firm and subcontractors shall be required to complete the Certification Regarding the Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions (See attached certification) prior to the commencement of services. Debarred Contractors or Consultants, Prime or Sub are not Eligible to work on a public project. This requirement will be addressed upon execution of agreement.

**7.8** All responses to this Request For Proposals shall be subject to public scrutiny in accordance with New Jersey statutes, rules, and regulations.

**7.9** Any contract for services shall be subject to the availability and appropriation of sufficient funds for this purpose annually.

**7.10** Contracts awarded pursuant to this Request For Proposals may be amended to

**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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provide for closely related services, the need for which may arise or become apparent after the original contract award. Any contract amendment for closely related services must be approved by resolution of the Governing Body of the Township of Egg Harbor.

**7.11** All Firms are advised that, pursuant to N.J.S.A. 19:44A-20.13, it is their responsibility to file an annual disclosure statement with the New Jersey Election Law Enforcement Commission (“ELEC”) if, during the calendar year, they receive a contract(s) in excess of \$50,000 from public entities, including the Township of Egg Harbor. It is the firm’s responsibility to determine if such filing is necessary. Additional information on this requirement is available from ELEC at 1-888-313-3532.

**7.12** All Firms are further advised that effective September 1, 2004, c. 7 expands the State Contractor Business Registration Program to contracting units as defined in the Local Public Contracts Law. Effective January 18, 2010, P.L. 2009, c.315 revises the State Contractor Business Registration requirement and permits filing a BRC prior to award of contracts if not filed with bid or RFP. **ALL BIDDERS (AND THEIR SUBCONTRACTORS) COMPETING FOR TOWNSHIP CONTRACTS MUST PROVIDE A COPY OF THEIR BUSINESS REGISTRATION CERTIFICATE BY THE DATE THE BID OR RFP IS AWARDED. FAILURE TO DO SO WILL RESULT IN A REJECTION OF YOUR BID OR PROPOSAL. (See also Part II, Section I, herein).**

**7.13 APPROVAL AND CERTIFICATION OF BILLING STATEMENT:** Authorization for payment of periodic billing, final payments or retainage monies requires approval and certification by formal resolution of the Township Committee. Meetings are typically held on the first and third Wednesday of each month, excluding June, July, August and December when meetings are held the third Wednesday. Bills must be turned in to the finance office by the preceding Monday.

**7.14** Regardless of any language to the contrary, the Township of Egg Harbor shall not be responsible for the payment of any interest or late fees.

**7.15** It is assumed that the Township of Egg Harbor RFP Selection Committee will need four (4) to six (6) weeks to review, negotiate, select, and approve through the Governing Body of the Township of Egg Harbor the professional services through federal funds. Therefore all project schedules should start four (4) to six (6)



**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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weeks from the date of proposal submission and in conformance with the construction project schedules contained in this RFP.

**7.16** Following receipt of proposals, some consultants may be invited to an interview for the purpose of clarification, verification of evaluations, review of personnel, or other reasons. Upon a decision to interview consultants, the Selection Committee may ask the consultants being interviewed to include specific personnel from their staff to attend. The decision to conduct interviews of either individual consultants, all consultants, or no consultants is at the sole discretion of the Selection Committee. If selected for an interview, consultants will be contacted to schedule the date and time of the interview.

**7.17** The Selection Committee will negotiate with the consultant having the highest ranked proposal in order to procure the professional consulting services at a fair and reasonable cost. If negotiations are unsuccessful, negotiations will be terminated and started with the second ranked consultant and so on until a contract for professional services is successfully negotiated.

**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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**8.0 CRITERIA FOR EVALUATION OF PROPOSALS**

The RFP Selection Committee will independently evaluate each submission and selection will be made upon the basis of the criteria listed below. Price will **NOT** be included in the criteria for evaluation. The use of sub-consultants to relieve the prime of the duties and responsibilities define herein may affect a firm’s evaluation, where it’s expected to have one (1) firm in responsible charge of the construction management and inspection under the direction of the Township of Egg Harbor.

Sect.	Criteria	POINTS	PERCENT
8.1	<u>Senior Project Manager</u> Project Specific Qualifications Experience in Key Components Past Performance on Similar Project(s)	4 3 3	10%
8.2	<u>Key Staff</u> Construction Manager Qualifications Inspector Qualifications Administrative Requirements Experience	12 12 6	30%
8.3	<u>Overall Organization</u> Organization Chart	2	2%
8.4	<u>Overall Experience</u> FHWA, DOT, County of Atlantic Referrals Experience with Similar Projects CM/CI	5 5 10	20%
8.5	<u>Team Availability and Commitment</u> Location of Office Availability of Personnel	2	2%
8.6	<u>Project Approach</u> Project Understanding Completeness and Clarity of Submission Key Issues and Critical Problems Project Delivery to CERTIFIED AGENCY Project Control Method Construction Quality Assurance Program	8 8 6 5 4 5	36%
8.7	Firm’s Capability / Performance	100	100%

**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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The following definitions apply to this specific project:

**Senior Project Manager** – A Senior Project Manager is the individual who is a firm’s direct representative to the Township of Egg Harbor. The Senior Project Manager duties include providing appropriate Construction Management/Construction Inspection personnel, oversight of the entire project scope, oversight of the budget and quality of the work provided by the firm. **The Senior Project Manager should be a Professional Engineer licensed in the State of New Jersey.**

**Construction Manager** – The Construction Manager is the individual who is the City’s on-site representative with the Contractor. The Construction Manager’s duties include performing quality assurance oversight of work in progress and ensuring that project(s) are constructed in accordance with the plans and specifications for the owner, the Construction Manager coordinates meetings and completes all field documentation. **The Construction Manager should be a Professional Engineer licensed in the State of New Jersey, or NICET level III or better. The Construction Manager must have a minimum of eight (8) years documented experience in construction administration services including preparation of change orders and payment certificates.**

**Project Inspector(s)** – Inspector(s) are individuals with material inspection certifications in the testing of HMA, concrete, and soils aggregate in order to be the Township’s on-site representatives for inspection during the installation of concrete sidewalks, road restoration, utility relocations within roadways, bulkhead construction and other material inspections required during the course of construction. Inspection certifications and levels should be documented. **The Project Inspector(s) should be NICET level II or better or an Engineer In Training (EIT). The Project Inspector must have a minimum of six (6) years of documented construction/inspection related experience.**

**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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**PART II**  
**PROPOSAL REQUIREMENTS**

Vendors are requested to propose Professional Services for the Township of Egg Harbor, New Jersey.

**FORMAT**

To assure consistency, responses must conform to the following format:

- A. Scope of Services
- B. Resume
- C. Facilities
- D. Conflict of Interest
- E. Fees
- F. Form of Contract
- G. Other Information
- H. MBE/WBE Tracking Information
- I. State Contractor Business Registration Program
- J. Mandatory Equal Employment Opportunity Language
- K. Certification of Debarment

All sections are to be addressed and specifically referenced.

The following explains what we expect in each of the major sections.

**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

**SECTION A - SCOPE OF SERVICES**

The Township is constructing one hundred eighty six thousand, two hundred and thirteen (186,213) linear feet of rumble strips in the Township. See below Road Sections:

Road Section	Total length of section(s) to have rumble strips (LF)	Mile Marker	Lane Widths	Roadway
Asbury (Pine Ave to Zion Road)	9,770	0.0 - 1.9	>10 feet	Local
School House (Somers Point to English Creek Ave)	8,250	0.0 - 1.6	>10 feet	Local
Alder (Ocean Hieghts to Dogwood)	5,200	0.0 - 1.0	>10 feet	Local
Old Zion (S. Mt. Airy to Bargaintown Road)	11,044	0.0 - 2.1	>10 feet	Local
Delaware (Mill Road to Old Zion)	12,481	0.0 - 2.4	>10 feet	Local
S Mt. Airy (Zion to Old Zion)	6,250	0.0 - 1.2	>10 feet	Local
Fernwood (Black Horse Pike to Reega Ave)	7,483	0.0 - 1.4	>10 feet	Local
Pine Avenue (Asbury to Hamilton Town Line)	14,445	0.0 - 2.7	>10 feet	Local
Robert Best Road (Steelmanville Road to Zion)	11,000	0.0 - 2.1	>10 feet	Collector
Winnipeg Avenue (Dogwood to Ocean Heights Ave)	5,639	0.0 - 1.01	>10 feet	Local
Dogwood (Pine Ave to English Creek Ave)	6,840	0.0 - 1.3	>10 feet	Local
Ivins (Reega to Black Horse Pike)	4,953	0.0 - 1.0	>10 feet	Collector
Doughty (Pleasantville to Delilah)	5,453	0.0 - 1.0	>10 feet	Collector
Reega (Cates to Fernwood)	10,533	0.88-2.88	>10 feet	Local
Ridge (Full Road- Leap to Delilah)	25,210	0.0 - 4.8	>10 feet	Collector
Tremont (Full Road- Delaware to Delilah)	20,519	0.0 - 3.9	>10 feet	Collector
West Jersey Ave (Full Road- Shore Mall to Hamilton Township)	21,143	0.0 - 4.0	>10 feet	Collector
Total (LF)	186,213			
Miles	35.3			

The proposed improvement work will be in-kind within the existing Right-of-Way and will consist of constructing rumble strips in currently paved roads within the Township. Project plans and specifications for the rumble strips will be available for review during regular business hours of the Township which are Monday– Friday 8:30AM – 4:30 PM beginning on June 5, 2019. For this project the Township of Egg Harbor is requesting the following professional services:

**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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**CONSTRUCTION MANAGEMENT/INSPECTION**

The Township of Egg Harbor is requesting construction management/construction inspection services for the federal project Centerline Rumble Strip, Twp. of Egg Harbor, Atlantic County, CED, 11-29-2018, Patel - Job Number 5508329 and Federal Project Number: HSIP-D00S (217). The professional services firm selected will assist the Township with advertisement for construction bids, review of bids, bid analysis, preparation of bid summary, recommendation of award, and other bid related services as required. The professional services firm selected will provide all of the services necessary during construction to meet Federal grant requirements, inspection requirements, from the pre-construction meeting through final inspection.

**GRANT ADMINISTRATION**

The professional services firm selected will be required to administer FEDERAL Grant funds and construction projects in accordance with the terms and conditions as set by NJDOT/FHWA.

**PROGRESS REPORTS**

Provide the Township of Egg Harbor and project stakeholders with a written Project Progress report detailing the status on each of the FEDERALLY FUNDED Centerline Rumble Strip, Twp. of Egg Harbor, Atlantic County, CED, 11-29-2018, Patel - Job Number 5508329 and Federal Project Number: HSIP-D00S (217) at the start of every month via email. Provide original of Project Progress Report to NJDOT via United States Postal Service or hand delivery.

**MEETINGS AND SITE VISITS**

Coordinate monthly progress meeting on site with project stakeholders. The Project partners may include Township of Egg Harbor, New Jersey Department of Transportation, the Egg Harbor Township Committee, and others. A site visit at each project location with the NJDOT Engineer will be required prior to the monthly progress meeting.

**PROJECT OVERSIGHT**

The professional services firm must provide a system to track project progress, including

## **REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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project budgets. Copies of all documentation must be provided to NJDOT. The project oversight system must:

- Monitor project budgets to ensure that all projects expend funds in accordance with all Federal policies and regulations.
- Coordinate administrative details of FEDERALLY FUNDED Centerline Rumble Strip, Twp. of Egg Harbor, Atlantic County, CED, 11-29-2018, Patel - Job Number 5508329 and Federal Project Number: HSIP-D00S (217) project to include budget, billing, and documentation required for federal construction project for any contractors and subcontractors performing construction on the projects.
- Maintain records and documentation as required for federally funded projects.
- Close out construction projects in accordance with federal requirements.

The general tasks for the chosen professional shall include but not be limited to the following:

1. Coordinate, schedule, attend, document, etc. all necessary construction meetings.
2. Manage and oversee the construction of each project, including daily interface with the contractor and weekly meetings to ensure that the work is progressing as specified and is on-time.
3. Verify that all services are provided in accordance with applicable federal, state, local codes, rules and requirements.
4. Maintain data and records of activity performed by contractor and subcontractor(s).
5. Ensure compliance with applicable requirements including Affirmative Action, prevailing wage, and fair hiring practices.
6. Track for the Township all Requests For Information (RFI) and subsequent actions as a result of RFI's submitted during the course of construction. Review and evaluate for the Township RFI's that are not overly technical and sent technical RFI to the design firm for information.
7. Review and evaluate for the Township all change order requests made of additional work, for extension of time, or for any other matter during the course of construction.
8. Review and make recommendation to the Township of Egg Harbor on all request for payment submitted during construction. Document all quantities constructed. Provide material tickets and certifications from construction.
9. Ensure the project meets federal quality control standards.
10. Coordinate with the Township of Egg Harbor to minimize impact to major recreation

## **REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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events and business community.

11. Ensure that construction schedules are maintained.
12. The consultant will be responsible for the coordination of third party testing of materials such as asphalt and concrete testing. The consultant will also be responsible for the review of the core reports and coordination of any penalty assessments if applicable.
13. Review and approve As-Built drawings prepared by the contractor.

### Construction Management and Inspection Tasks:

1. Provide documentation that the project has been completed in reasonably close conformity with approved plans and specs including authorized changes and extra work including time extensions.
2. Provide a basis for acceptance and reimbursement of project costs with federal funds.
3. Acquire information on construction changes.
4. Provide documentation of solutions to problems or commitments.
5. Offer technical and procedural advice.
6. Recommend improved construction techniques and engineering supervision.
7. Communicate with project staff.
8. Monitor and evaluate progress of work.
9. Follow-up on previous inspection findings

### Construction Inspection Reports Expectations:

#### Purpose:

1. Provide permanent file evidence that inspections are being made as required by federal regulations.
2. Provide a basis for acceptance of completed work.
3. Document field conditions and contractor performance.
4. Document inspection measurement / calculations, observations, findings, resolution of identified problems, claims, and any other topic of interest.



## **REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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Inspection reports are subject to Freedom of Information Act, so reports should only contain facts, observations, and professional recommendations and may be used in evaluating or refuting contract claims.

### Reports need to be comprehensive and coherent and cover these areas:

1. Activities taking place on project during the inspection.
2. Observations and actions taken regarding quality and progress of work.
3. Adequacy of addressing traffic control, safety, and environmental commitments.
4. Documentation of change or extra work including proper justification for the work and adequacy of supporting documentation.
5. Must be signed and dated.
6. Prepare to develop inspection diaries, daily reports, progress reports, and other documentation to facilitate project control.
7. Prepared to begin a complete audit trail for work performed, measured, and paid.
8. Assess the prime contractor's general administration of subcontractor work.
9. Document that DBE subcontractors are performing a commercially useful function (if a DBE goal is included as part of the project).  
Provide verification documentation that staking and survey work is correct.
10. Document coordination of work between the contractor and a railroad / utility company, the supervision and inspection by the proper personnel, and efficiency and economy of work being performed.
11. Document erosion control implementation techniques and quantities.
12. Examine and comment on the compliance with contract requirements.
13. Review and comment on waterway, ditches, and drainage structures, including proper elevations / slopes.
14. Document and verify compliance with approved storm water management plan.
15. Observe construction of rumble strips to ensure proper controls.
16. Document methods used for placing and finishing concrete and/or asphalt.
17. Document and identify the location of road section and the total length of rumble strips.
18. Follow-ups from previous reports.

### Recommended Inspection Techniques:

1. Verify that the items reviewed were measured in the units called for in the contract provisions and that the methods of measurements prescribed in the contract and in authorized instructions were followed.
2. Examine project records to insure that all materials measured for payment were delivered and incorporated into the project.
3. When payment is based on weight or mass, verify the accuracy of the

## **REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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measurements; consider the calibration of scales, checking of truck tare weights, and weighing of haul trucks.

4. Where payment is based on loads delivered to the project, either on a weight or volume basis, verify the procedures followed for assuring validity in receipt of haul tickets.
5. Where area methods of measurement are specified, make dimension checks to the extent necessary to verify the actual work performed. Ensure measurements were made at the proper time and prior to the subsequent placement of other courses of materials.
6. Where final quantities are determined by volume computations, verify the method of measurement and documentation of calculations.
7. Write it all down.

### **COMPLIANCE**

The professional services firm must ensure that Township of Egg Harbor meets all applicable laws, statutes, funding guidelines and deadlines for the construction project.

### **SCHEDULE**

The construction project schedule for the Centerline Rumble Strip, Twp. of Egg Harbor, Atlantic County, CED, 11-29-2018, Patel - Job Number 5508329 and Federal Project Number: HSIP-D00S (217) will be set upon contract award.

### **SECTION B - RESUME**

This section shall address areas as outlined:

1. Name and address of your firm and the corporate officer authorized to execute agreements.
2. Briefly describe your firm's history, ownership, organizational structure, location of its management, and licenses to do business in the State of New Jersey.
3. Describe in general your firm's regional, statewide, and local service capabilities.
4. Provide and identify the names, experience, qualifications, and applicable licenses held by the individual primarily responsible for servicing the Township and any other person(s), whether as employees or subcontractors, with specialized skills that would be assigned to service the Township.

**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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5. Provide a listing of local governmental clients with which you have similar contracts; include the name, address and telephone number of the contact person.
6. Provide a statement that your firm will comply with the insurance coverage requirement as set forth in Part I, Section 5 of this RFP.
7. Provide a statement of assurance to the effect that your firm is not currently in violation of any regulatory rules and regulations that may have an impact on your firm's operations.

**SECTION C - FACILITIES**

This section should address areas as outlined:

**1. OFFICE LOCATIONS**

- a. For your firm's facilities which are located closest to the Township of Egg Harbor (County of Atlantic), New Jersey, provide:
  1. The location.
  2. Firm personnel assigned to this location.
  3. The activities of the firm performed at this location.

For those facilities and activities located elsewhere, please explain the activities performed elsewhere and why these are best performed at a different office. Firms where all activities are performed at one location should leave this paragraph blank.

**SECTION D - CONFLICT OF INTEREST**

This section should disclose any potential conflicts of interest that the firm may have in performing these services for the Township of Egg Harbor, including but not limited to conflicts as defined in 23 CFR 1.33. The firm that designed a project cannot perform construction inspection of the same project due to conflict of interest.

**SECTION E - FEES**

This section should address the fee schedule.

**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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**SECTION F - FORM OF CONTRACT**

The Township Clerk will supply the form of contract. If your firm has a proposed form of contract, please supply a copy with your proposal.

**SECTION G - OTHER INFORMATION**

This section is for any further pertinent data and information not included elsewhere in the RFP and found necessary by your firm.

**Important Note:** Please complete the following section and return it along with your response to this Request For Proposals.

**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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**SECTION H - MBE/WBE TRACKING INFORMATION**

Definitions:

A **Minority Business Enterprise (MBE)** is defined as "a business which is independently owned and operated and is at least 51% owned and controlled by minority group members". Minority group members are defined in the New Jersey Affirmative Action Plan as "persons who are Black, Hispanic, Portuguese, Asian-American, American Indian or Alaskan Natives".

A **Women Business Enterprise (WBE)** is defined as "a business which is independently owned and operated and is at least 51% owned and controlled by women".

Using the definitions above, please check the following space which best describes your firm:

\_\_\_            **Minority Business Enterprise (MBE)**

\_\_\_            **Women Business Enterprise (WBE)**

\_\_\_            **Neither**

**NAME OF FIRM:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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**SECTION I– STATE CONTRACTOR BUSINESS REGISTRATION PROGRAM**

Effective September 1, 2004, P.L. 2004, c. 57 expands the State Contractor Business Registration Program to contracting units as defined in the Local Public Contracts Law. (see attached sample Business Registration Certificate). Effective January 18, 2010, P.L. 2009, c.315 revises the State Contractor Business Registration requirement and permits filing a BRC prior to award of contracts if not filed with bid or RFP. **ALL BIDDERS (AND THEIR SUBCONTRACTORS) COMPETING FOR TOWNSHIP CONTRACTS MUST PROVIDE A COPY OF THEIR BUSINESS REGISTRATION CERTIFICATE BY THE DATE THE BID OR RFP IS AWARDED. FAILURE TO DO SO WILL RESULT IN A REJECTION OF YOUR BID OR RFP.** Questions regarding this law may be directed to the New Jersey Department of Taxation. To obtain a Business Registration Certificate go to: [www.state.nj.us/treasury/revenue](http://www.state.nj.us/treasury/revenue) Click on: Business Registration & Formation. Click on: Obtain a certificate of registration. Click on: Obtain a certificate online.

**The Township of Egg Harbor strongly recommends that all vendors provide their BRC (and BRC's for each subcontractor) with submission of bids or RFP's. Sample Attached.**

**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE FOR STATE AGENCY AND CASINO SERVICE CONTRACTORS		DEPARTMENT OF TREASURY DIVISION OF REVENUE PO BOX 252 TRENTON, N.J. 08646-0252
TAXPAYER NAME: <b>TAX REGISTRATION TEST ACCOUNT</b>	TRADE NAME: <b>CLIENT REGISTRATION</b>	 <small>Acting Director</small>
TAXPAYER IDENTIFICATION#: <b>970-097-382/500</b>	SEQUENCE NUMBER: <b>0107330</b>	
ADDRESS: <b>847 ROEBLING AVE TRENTON NJ 08611</b>	ISSUANCE DATE: <b>07/14/04</b>	
EFFECTIVE DATE: <b>01/01/01</b>		
FORM-BRC(08-01)		
<small>This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.</small>		

 <b>STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE</b>	
<b>Taxpayer Name:</b>	TAX REG TEST ACCOUNT
<b>Trade Name:</b>	
<b>Address:</b>	847 ROEBLING AVE TRENTON, NJ 08611
<b>Certificate Number:</b>	1093907
<b>Date of Issuance:</b>	October 14, 2004
<b>For Office Use Only:</b>	
20041014112823533	

**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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**SECTION J**

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

**GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS**

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

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will 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, affectional 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, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

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

The contractor or subcontractor 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 contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations



**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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

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

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

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

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, 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 contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one (1) of the following three (3) documents:

1. Letter of Federal Affirmative Action Plan Approval; or
2. Certificate of Employee Information Report; or
3. Employee Information Report Form AA302 (electronically provided by the Division and distributed to the public agency through the Division's website at [www.state.nj.us/treasury/contract\\_compliance](http://www.state.nj.us/treasury/contract_compliance))

**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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

**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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**AMERICANS WITH DISABILITIES ACT  
Mandatory Language**

Equal Opportunity for Individuals with Disabilities.

The Contractor and the Township do hereby agree that the provisions of Title II of the Americans With Disabilities Act of 1990 (the “Act”) (42 U.S.C. s12101 *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 thereunto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the Township of Egg Harbor pursuant to this contract, the Contractor agrees that the performance shall be in strict compliance with the Act. In the event that the Contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the Contractor shall defend the Township in any action or administrative proceeding commenced pursuant to this Act. The Contractor shall indemnify, protect, and save harmless the Township, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The Contractor shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the Township’s grievance procedure, the Contractor agrees to abide by any decision of the Township, which is rendered pursuant to, said grievance procedure. If any action or administrative proceeding results in an award of damages against the Township of Egg Harbor or if the Township incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the Contractor shall satisfy and discharge the same at its own expense.

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

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

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

**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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**SECTION K – CERTIFICATION OF DEBARMENT**

**CERTIFICATION REGARDING THE DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION – LOWER TIER COVERED TRANSACTIONS**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, titled Participants' Responsibilities. The Regulations were published as Part VII of the May 26, 1988 Federal Register (pages 19160-19211)

**I am** \_\_\_\_\_ **of the firm** \_\_\_\_\_  
(Your Title) (Name of Your Organization)

\_\_\_\_\_  
(Address of Your Organization)

**CHOOSE THE FOLLOWING**

- ( ) A. I hereby certify on behalf of \_\_\_\_\_  
(Name of Your Organization) that neither it nor its principals are debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
- ( ) B. I am unable to certify to any of the statements set forth in this certification. I have attached an explanation to this form.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Name & Title

Date: \_\_\_\_\_

**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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**INSTRUCTIONS FOR CERTIFICATION**

1. By signing and submitting this proposal, the prospective recipient of Federal assistance funds is providing the certification as set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective recipient of Federal assistance funds knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the Department of Labor (USDOL) may pursue available remedies, including suspension and/or debarment.
3. The prospective recipient of Federal assistance funds shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective recipient of Federal funds learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms “covered transaction”, “debarred”, “suspended”, “ineligible”, “lower tier covered transaction”, “participant”, “person”, “primary covered transaction”, “principal” “proposal”, and “voluntary excluded”, as used in this clause, have the meanings as set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective recipient of Federal assistance funds agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction unless authorized by the USDOL.
6. The prospective recipient of Federal assistance funds further agrees by submitting this proposal that it will include the clause titled “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions” without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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7. A participant in a covered transaction may rely upon a certification of a prospective participants in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may, but is not required to check the List of Parties Excluded from Procurement or Nonprocurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the USDOL may pursue available remedies, including suspension and/or debarment.

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**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES USING FEDERAL FUNDS FOR PROJECTS FOR THE TOWNSHIP OF EGG HARBOR**

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**NOTICE**

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Notice is hereby given that the Governing Body of the Township of Egg Harbor, County of Atlantic, New Jersey, is requesting proposals for **Professional Services Using Federal Funds**. Copies of the Federally Funded Request For Proposals are available in the Office of the Administrator, Egg Harbor Township Municipal Building, 3515 Bargaintown Road, Egg Harbor Township, NJ 08234 **during regular business hours**.

Proposals must be submitted to the Office of the Chief Financial Officer, Egg Harbor Township Municipal Building, 3515 Bargaintown Road, Egg Harbor Township, NJ 08234. Proposals are scheduled to be opened on **Wednesday, June 26, 2019 at 10am**. Any proposals received after said opening, whether by mail or otherwise will be returned unopened. No proposals will be accepted after the above referenced date. Proposals must be submitted in sealed envelopes with the name of the RFP clearly marked on the outside of the envelope. Proposals may **not** be e-mailed, faxed or transmitted over the telephone.

It is recommended that each proposal be hand delivered to the Office of the Chief Financial Officer. The Township assumes no responsibility for delays in any form of carrier, mail or delivery service causing the proposal to be received at the Office of the Chief Financial Officer later than the above-referenced scheduled opening.

Nothing herein is intended to exclude any responsible firm or in any way restrain or restrict competition. All responsible firms are encouraged to submit proposals.

The Governing Body of the Township of Egg Harbor reserves the right to accept or reject any or all proposals submitted in the best interest of the Township and the Governing Body further reserves the right to waive any defect or informality in any proposal should it be in the best interest of the Township.

Proposers are required to comply with the requirements of P.L. 1975, c. 127 (N.J.A.C. 17:27) and N.J.S.A. 10:5-31.

**This Federally Funded Request For Proposals does not constitute a bid and is intended solely to obtain competitive proposals from which the Township may choose contractor(s) that best meet(s) the Township's needs. It is the Township's intent that no statutory, regulatory, or common law bidding requirement apply to this Federally Funded Request For Proposals. The Township intends to award any contract(s) for these services pursuant to N.J.S.A. 40A:11-5(1)(c).**

*Proposals are being solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.2, et seq., and as such, contractors are exempt from the limitations on making political contributions under that law. Further, for that reason, as well as because of a language in the New Jersey's Annual Appropriations Act, refusal to disclose campaign contributions otherwise required by N.J.S.A. 19:44A-20.2 et seq. and 19:44-20.25 et seq., will not adversely affect your consideration for award.*