REQUEST FOR PROPOSALS

for

DESIGN CONSULTANT SERVICES

for

CLEVELAND STREET ELEMENTARY SCHOOL ADDITION-RENOVATION PROJECT

ORANGE PUBLIC SCHOOL DISTRICT
Orange, New Jersey

Package No.: ES-0043-A01

Issue Date: May 11, 2015

Proposal Due Date: June 18, 2015

MANDATORY SITE VISIT

May 20, 2015, 11:00 AM
Cleveland Street ES
355 Cleveland Street Orange, NJ

N.J. SCHOOLS DEVELOPMENT AUTHORITY

32 East Front Street, PO Box 991, Trenton, NJ 08625

REQUEST FOR PROPOSALS
FOR
CLEVELAND STREET ELEMENTARY SCHOOL ADDITION-RENOVATION PROJECT

INTRODUCTION

The New Jersey Schools Development Authority ("NJSDA" or "Authority") is seeking to procure Design Consultant services that will provide viable, cost effective solutions for the Cleveland Street Elementary School Addition-Renovation Project for the Orange Public Schools District in Orange, New Jersey. This Request for Proposals ("RFP") defines the steps needed for participation in this procurement, and is issued pursuant to the Authority's regulations governing the procurement of professional services consultants, N.J.A.C. 19:38C-1 et seq.

This engagement is contemplated to include predesign investigation, design services and construction administration services as further defined in this RFP in relationship to the Project described in this RFP. Firms participating in this procurement must provide services at the hourly rates included as Attachment C to this RFP.

This Design Consultant Services RFP consists of the following:

1. **Request for Proposals**
2. **Attachment A:** (**Technical Proposal Forms**):
   a. Team Design Consultant Experience Summary Form;
   b. Team Design Consultant Experience Case Study Form;
   c. Key Team Member List (NJSDA Form 201);
   d. Key Team Member Resume (NJSDA Form 202);
   e. Team Approach to Predesign Phase Services Form;
   f. Team Approach to Design Phase Services Form;
   g. Team Approach to Construction Phase Services Form;
   h. Team Approach to Minimizing Potential for Change Orders Form;
   i. Team Approach to Achieving LEED Certification Form;
   j. Approach to SBE Participation Form; and
   k. Disclosure of Investment Activities in Iran (NJSDA Form DIAI).
3. **Attachment B:** (**Fee Proposal Forms**):
   a. Fee Proposal Form;
   b. Detailed Predesign Fee Proposal Form; and
   c. NJSDA SBE Form D.
4. **Attachment C: Design Consultant Services Agreement** (Including the following Appendices)
   a. Appendix A: Project Description and Special Conditions with Attachments
   b. Appendix B: Design Consultant's Scope of Predesign Phase Services
   c. Appendix C: Design Consultant's Design and Construction Phase Services (Design-Bid-Build)
   d. Appendix D: Hourly Rate Schedule
   e. Appendix H: Design Manual for Design-Bid-Build Projects

These documents must be read in their entirety as they describe the scope of services and responsibilities of the Design Consultant, as well as define the methodology for responding to this RFP. A firm wishing to submit a response to this RFP must review and be thoroughly familiar with all terms and conditions of these documents.

Prequalification Requirements for Responding Firm and/or Subconsultants in Required Disciplines. Any firm responding to this RFP must be prequalified by the Department of The Treasury, Division of Property Management and Construction ("DPMC") and the NJSDA in the Architecture (P001) discipline with an minimum "$20,000,000" rating as of the due date for responses to this RFP.

In addition, the Responding Firm must itself be prequalified by DPMC and NJSDA in EACH of the following REQUIRED disciplines OR must identify as part of their Team subconsultants that are prequalified by DPMC and NJSDA, as of the due date for this RFP, in EACH of the following REQUIRED disciplines:

REQUIRED DISCIPLINES:

P002 Electrical Engineering
P003 HVAC Engineering
P004 Plumbing Engineering
P005 Civil Engineering
P007 Structural Engineering
P011 Environmental Engineering

The prequalification status for such REQUIRED subconsultants must be valid as of the due date for this RFP. The identified subconsultant(s) shall be engaged by the Responding Firm, as appropriate to the particular scope of services for this engagement, in accordance with the terms and conditions of the Agreement. RFP submissions must include, in the identification of Key Team Members, the names of any subconsultant firms that are proposed to meet the above prequalification criteria.

In the event the Responding Firm engages additional subconsultants within one of the above REQUIRED disciplines, beyond the prequalified subconsultants named in the Technical Proposal to satisfy the REQUIRED discipline participation criteria above, such additional subconsultants need not to be DPMC and NJSDA prequalified UNLESS the contract value for such additional subconsultants in the above disciplines is in an amount equal to or greater than $500,000.

Example: The Responding Firm names in the Technical Proposal an Electrical Engineering subconsultant ("Firm X") that is DPMC and NJSDA prequalified in the (P002) discipline, in order to meet the REQUIRED Electrical Engineering participation requirement above. The Responding Firm also engages, simultaneously or later in the project duration, other Electrical Engineering subconsultants ("Firm Y" and "Firm Z") IN ADDITION TO the prequalified Electrical Engineering subconsultant ("Firm X") identified in the Technical Proposal. Firm Y and Firm Z are NOT REQUIRED to be prequalified UNLESS either firm's subcontract value equals or exceeds $500,000.

Prequalification Requirements for Non-Required Subconsultants with Subcontracts of $500,000 or More. Responding Firms are NOT REQUIRED to be prequalified themselves in the following listed NON-REQUIRED disciplines, nor are Responding Firms required to engage

subconsultants in the following listed NON-REQUIRED disciplines. However, if the Responding Firm chooses to engage a subconsultant in one of the following listed NON-REQUIRED disciplines for a subcontract amount that equals or exceeds $500,000, such subconsultant must be prequalified by DPMC and NJSDA, as of the date of its engagement:

DISCIPLINES REQUIRING PREQUALIFICATION OF SUBCONSULTANTS WITH SUBCONTRACTS OF $500,000 OR MORE:

P015 Land Surveying
P029 Construction Management
P038 Asbestos Safety Control Monitoring
P066 - P103 Materials Testing Laboratories

Mandatory Pre-Bid Conference and Site Visit. Any firm wishing to submit a proposal must attend a Mandatory Pre-Bid Conference and Site Visit at 11:00 AM Eastern Time on May 20, 2015 at Cleveland Street Elementary School, 355 Cleveland Street, Orange, NJ . In the event that the NJSDA determines, at its sole discretion, that additional pre-bid meetings need to be held in order to increase the pool of bidders, it shall schedule subsequent pre-bid meetings.

Questions from Interested Firms. Firms may submit written questions regarding this procurement to the NJSDA by sending them by e-mail to David Kutch at dkutch@njsda.gov no later than 5:00 PM Eastern Time on May 28, 2015.

The questions and NJSDA answers will be provided via an addendum to the RFP to each firm attending the Mandatory Pre-Bid Conference and Site Visit.

Submission of Proposals. Responses to this RFP, consisting of a Technical Proposal (one unbound original, five bound copies and two full cover-to-cover copies in PDF format on electronic media (CD or comparable)), and a Fee Proposal (one unbound original in a separate sealed envelope), must be received by the NJSDA by 4:30 PM Eastern Time on June 18, 2015. Faxed or e-mailed Proposals shall not be accepted.

1.0 PROCUREMENT OVERVIEW

1.1 General. This is a solicitation pursuant to the Authority's regulations at N.J.A.C. 19:38C-1 et seq.

1.2 Selection Process. Responsive Firms will be evaluated and scored by a Selection Committee on the basis of their written Technical Proposal submissions in response to this RFP. The Responsive Firms will be ranked on the basis of such scores, and a shortlist of the six (6) most highly-ranked Responsive Firms will be determined and notified. The shortlisted Responsive Firms will participate in Interviews with the Selection Committee and will be separately scored on the basis of the Interview. The scores for the written Technical Proposal submission and the Interview will be averaged to arrive at a Final Combined Score.

Based on the final ranking of firms using the Final Combined Scores, the Authority will enter into negotiations with the most highly ranked Responsive Firm to arrive at a lump-sum fee

for the engagement consistent with the hourly rates set forth in Attachment C to this RFP. Should the NJSDA be unable to negotiate a satisfactory lump-sum fee with the most highly-ranked Responsive Firm, the NJSDA shall terminate negotiations with the most highly-ranked Responsive Firm and shall then undertake negotiations with the second most highly-ranked Responsive Firm. Failing accord with the second most highly-ranked Responsive Firm, the NJSDA shall terminate negotiations with the second most highly-ranked Responsive Firm and shall then negotiate with the third most highly-ranked Responsive Firm. In the event that the NJSDA is unable to reach a satisfactory accord with any of the three most highly-ranked Responsive Firms, the NJSDA may select additional Responsive Firms in order of their ranking and continue negotiations until an accord is reached or, at its option, the NJSDA may reject all Proposals.

Following successful negotiation of a lump-sum fee, the selected Responsive Firm will be awarded a contract under this procurement, upon satisfactory completion of all specified pre-award requirements (see Section 5.0 below for details). The selected Responsive Firm shall execute the Agreement **without modification**.

The NJSDA has no obligation to make an award and reserves the right to waive any non-material defects, reject any or all responses for any reason in accordance with law, and/or terminate the selection process at any time.

Any bidder attempting to contact government officials (elected or appointed), including Authority Board members, Authority Staff, and Selection Committee members in an effort to influence the selection process may be immediately disqualified.

1.3 **Components of Response.** Firms responding to the RFP shall thoroughly familiarize themselves with the RFP to ensure responsiveness in their submission. A conforming Proposal shall consist of the following components (Required Forms included in Attachment A):

1. Team Design Consultant Experience Summary Form;
2. Team Design Consultant Experience Case Study Forms;
3. Team Organizational Chart;
4. Key Team Member List (NJSDA Form 201);
5. Key Team Member Resume (NJSDA Form 202) for each identified Key Team Member;
6. Team Approach to Predesign Phase Services Form;
7. Team Approach to Design Phase Services Form;
8. Team Approach to Construction Phase Services Form;
9. Team Approach to Minimizing Potential for Change Orders Form;
10. Team Approach to Achieving LEED Certification Form;
11. Approach to SBE Participation Form;
12. Disclosure of Investment Activities in Iran Form; and
13. NJ Business Registration Certificate.

Firms shall also submit a Fee Proposal consisting of the following components in a separate sealed envelope marked "Fee Proposal, Design Consultant Services, Contract No. ES-0043-

A01" (Required Forms included in Attachment B):

1. Fee Proposal Form;
2. Detailed Predesign Fee Proposal Form; and
3. NJSDA SBE Form D.

Fee Proposals will not be opened until after the review and scoring of Technical Proposals and Interviews with selected firms.

All of the above items must be included in the submission, with responses utilizing the Authority's Forms as indicated above.

1.4 **Evaluation and Scoring Process.** Each Firm's Technical Proposal will be reviewed to determine responsiveness.

Technical Proposals will be evaluated by a Selection Committee ("Committee") established for the purpose of evaluating such responses. The Selection Committee shall consist of no fewer than three (3) NJSDA Staff members. The evaluation will be based upon the information provided by a Firm in response to this RFP, and any necessary verification thereof.

The members of the Selection Committee will evaluate each Firm's Technical Proposal, and may confer with each other regarding the content of the submissions before scoring, but each Selection Committee member will independently score each Technical Proposal in all of the evaluation categories described in this RFP, in accordance with the evaluation criteria described herein. Technical Proposals shall be evaluated in the following categories:

- Team Design Consultant Experience
- Key Team Member Qualifications
- Team Approach to Predesign Phase Services
- Team Approach to Design Phase Services
- Team Approach to Construction Phase Services
- Team Approach to Minimizing Potential for Change Orders
- Team Approach to Achieving LEED Certification

Each Selection Committee Member will evaluate each Technical Proposal, assigning a raw score for each category on a scale of 0 to 10 as follows:

- Outstanding (9–10): depth and quality of response offers significant advantages.
- Superior (7-8): exceeds RFP requirements with no deficiencies.
- Sufficient (5-6): meets RFP requirements with no significant deficiencies.
- Minimal (3-4): meets RFP requirements but contains some significant deficiencies.
- Marginal (1-2): comprehends intent of RFP but contains many significant deficiencies.
- Unsatisfactory (0): requirements not addressed and lack of detail precludes adequate evaluation.

Weighting factors will then be applied to each of the Selection Committee Member's raw scores for each category to arrive at a total weighted score as follows:

Technical Proposal Evaluation Category	Weighting Factor (Applied to Raw Score)	Maximum Available Points for Category
Team Design Consultant Experience	2.0	20
Key Team Members Qualifications	2.0	20
Team Approach to Predesign Phase Services	1.5	15
Team Approach to Design Phase Services	1.5	15
Team Approach to Construction Phase Services	1.0	10
Team Approach to Minimizing Potential for Change Orders	1.0	10
Team Approach to Achieving LEED Certification	1.0	10
Total Points Available:		**100**

For each Firm's Technical Proposal, the individual category scores awarded by a particular Selection Committee member will be added together to calculate a score for that Technical Proposal. The maximum Technical Proposal score is 100.

All of the scores awarded by the Selection Committee members to a particular Firm's Technical Proposal will be added together and averaged to arrive at a Final Technical Proposal Score for each Firm. The Responding Firms will be ranked based on their Final Technical Proposal Scores, and a shortlist of the six (6) highest-ranked Firms shall be determined. In the event of a tie in the Final Technical Proposal Scores for the sixth firm to be shortlisted, all firms with the tie Final Technical Proposal Scores will be shortlisted. The shortlisted Firms will be notified to participate in interviews with the Selection Committee. If six or fewer Firms submit valid, responsive Technical Proposals, then all such Responding Firms will be invited to participate in interviews with the Selection Committee.

The Selection Committee will interview each of the shortlisted Firms and evaluate each Firm on Interview Criteria that are the same as those used in the evaluation of the Technical Proposals, as follows:

- Team Design Consultant Experience
- Key Team Member Qualifications
- Team Approach to Predesign Phase Services
- Team Approach to Design Phase Services
- Team Approach to Construction Phase Services
- Team Approach to Minimizing Potential for Change Orders
- Team Approach to Achieving LEED Certification

Each Selection Committee Member will evaluate each Firm's participation in the interview and assign a raw score for each Interview Category on a scale of 0 to 10 as follows:

- Outstanding (9–10): depth and quality of response offers significant advantages.
- Superior (7-8): exceeds RFP requirements with no deficiencies.
- Sufficient (5-6): meets RFP requirements with no significant deficiencies.
- Minimal (3-4): meets RFP requirements but contains some significant deficiencies.
- Marginal (1-2): comprehends intent of RFP but contains many significant deficiencies.
- Unsatisfactory (0): requirements not addressed and lack of detail precludes adequate evaluation.

Weighting factors will then be applied to each of the Selection Committee Member's raw scores for each Interview Category as indicated below:

Interview Evaluation Category	**Weighting Factor (Applied to Raw Score)**	**Maximum Available Points for Category**
Team Design Consultant Experience	2.0	20
Key Team Members Qualifications	2.0	20
Team Approach to Predesign Phase Services	1.5	15
Team Approach to Design Phase Services	1.5	15
Team Approach to Construction Phase Services	1.0	10
Team Approach to Minimizing Potential for Change Orders	1.0	10
Team Approach to Achieving LEED Certification	1.0	10
Total Points Available:		**100**

The individual category scores awarded by a particular Selection Committee member will be added together to calculate an Interview Score for that Firm. The maximum Interview Score is 100.

All of the Interview Scores awarded to a particular Firm by the Selection Committee members will be added together and averaged to arrive at a Final Interview Score for each Firm. The Final Interview Score for each Firm will be added to the Final Technical Proposal Score for such Firm, and the two scores will be averaged to arrive at a Final Combined Score for each Firm. The maximum Final Combined Score is 100.

Once all the Final Combined Scores for all shortlisted Firms have been calculated, the Authority will open the sealed Price Proposals and will review them for responsiveness. Using the Fee Proposals as a guideline, the NJSDA shall negotiate a contract with the most

highly ranked Firm at compensation that the NJSDA determines to be fair and reasonable. Should the NJSDA be unable to negotiate a satisfactory lump-sum fee with the most highly ranked Firm, the NJSDA shall terminate negotiations with the most highly ranked Firm and shall then undertake negotiations with the second most highly ranked Firm. Failing accord with the second most highly ranked Firm, the NJSDA shall terminate negotiations with the second most highly ranked Firm and shall then negotiate with the third most highly ranked Firm. In the event that the NJSDA is unable to reach a satisfactory accord with any of the three most highly ranked Firms, the NJSDA may select additional Firms in order of their ranking and continue negotiations until an accord is reached or, at its option, the NJSDA may reject all Proposals.

Following successful negotiation of a lump-sum fee, and upon satisfactory completion of all required pre-award requirements, the selected Firm will be awarded a contract under this procurement.

2.0 TECHNICAL PROPOSAL EVALUATION CRITERIA AND SUBMISSION REQUIREMENTS

Following are detailed requirements for submission of Technical Proposals. Where applicable, submissions shall be prepared and submitted using the Forms provided by the Authority as specified below. The Technical Proposal shall provide information as indicated below, and each evaluation criteria shall have the maximum score indicated below.

Responding Firms are advised to adhere strictly to these requirements. Any materials which are not required or which exceed the specified submission requirements will not be considered in scoring. **Firms are specifically advised that submission of proposed design solutions to the proposed project is not required**.

As discussed below, submission requirements include demonstration of similar project experience. For purposes of this proposal, similar design experience shall include the scope of services described in the Agreement as modified and supplemented by Appendices A, B, and C. Similar projects may include, but are not limited to, the following:

- Projects of similar size
- Projects of similar complexity
- School Facility Projects
- School Facility Projects of Similar Grade Alignment
- Addition-Renovation Projects

2.1 Project Team Organizational Chart (No Points – Required Submittal)

The Responding Firm shall provide an Organizational Chart illustrating the organizational relationship of the Responding Firm, all identified subconsultants, and all Key Team Members. The Project Team Organizational Chart must identify the firms responsible for

services in all disciplines as required by this RFP as well as all Key Team Members identified in Section 2.3 below.

2.2 Team Design Consultant Experience (20 Points)

Team Design Consultant experience shall be evaluated based on the following submissions:

2.2.1 A brief summary of the Team's general relevant design consultant experience within the last 8 years;
2.2.2 At least two (2), but not more than five (5), specific case studies;

2.2.1 Team Experience Summary. Utilizing the Authority's Team Design Consultant Experience Summary Form (provided in Attachment A), the Responding Firm shall highlight the Team's design consultant experience with projects similar to the project scope described in Appendix A. The summary should describe the experience of the Responding Firm, as well as the subconsultant members of the Team, and should highlight the experience of the Responding Firm's working relationship with the Team subconsultants on projects with a similar scope of services. The experience summary shall be limited to no more than 1,000 words.

2.2.2 Team Experience Case Studies. Utilizing the Authority's Team Design Consultant Experience Case Study Form (provided in Attachment A), the Responding Firm shall identify particular projects as examples (within the past 8 years) of the proposed team's past provision of similar services for projects similar to the project scope described in Appendix A. The case studies must concisely set forth the relevant information called for on the Case Study Form. Case studies may be based on contracts with public or private sector clients. The case study narratives shall describe the experience of the Responding Firm, and/or the experience of the subconsultant members of the Team, preferably in combination with the Responding Firm. The narrative shall describe how the Firm worked with the client to identify, develop, and evaluate alternatives for addressing facility conditions from potential to the most appropriate solution and should describe situations in which the Responding Firm or its Key Team Members performed Predesign investigations of conditions of a type and nature similar to that identified in Appendix A. The narratives shall also describe the effectiveness of each selected design solution, and the methodology used to measure such effectiveness. The Case Study Form must identify the name and address of the contracting entity for the case study project, and the name, title and telephone number of a contact person associated with the contracting entity who is familiar with and able to comment on the Team's performance on each project. The narrative for each case study should be no more than 1,000 words.

2.3 Key Team Member Qualifications (20 Points)

Key Team Member qualifications shall be evaluated based on the following submissions:

2.3.1 The Responding Firm's Key Team Member List; and
2.3.2 Key Team Member Resumes.

2.3.1 Key Team Member List. Firms responding to this RFP must identify the Key Team Members, as defined in the Agreement and as identified below, who will be primarily responsible for performing and/or supervising the design services under the contract. The Key Team Members may include employees of the Responding Firm, subconsultants and/or particular employees of named subconsultants, as applicable. Each Responding Firm must complete and submit the Key Team Member List (NJSDA Form 201, provided in Attachment A), providing all the information requested on the form.

The Key Team Member List shall include the following Key Team Members:

- Project Manager – Individual with overall responsibility for managing and coordinating the work of the Design Consultant Team
- Project Architect – Individual(s) responsible for leading architectural planning and design
- Educational Planner – Individual(s) responsible for leading educational programming, planning, and preparation of educational specifications
- Project Engineers (Civil, Structural, Electrical, HVAC, Plumbing, and Environmental) – Individuals responsible for leading engineering design in each of the listed disciplines

NOTE: Proposing Firms are prohibited from identifying an individual as **Project Manager** or **Project Architect** if that individual:

a. Is currently performing as a Project Manager or Project Architect in an existing SDA project that has not yet reached Substantial Completion; OR

b. Has been identified as a Project Manager or Project Architect in a Proposal in response to any other active SDA procurement for which an award has yet to be made.

Failure to comply with the above Key Team Member identification requirements will result in rejection of the Firm's response to this RFP.

2.3.2 Key Team Member's Resume and Experience. Utilizing the Key Team Member Resume Form (NJSDA Form 202, provided in Attachment A), Firms should provide a summary of each Key Team Member's experience, which must include, but is not limited to: a description of at least 3 projects for which the Team Member in question fulfilled a role similar to that proposed for this contract. The cited projects must be completed within the last 8 years and should be similar to the project scope described in Appendix A.

2.4 Team Approach to Predesign Phase Services (15 Points)

Utilizing the Authority's Approach to Predesign Phase Services Form (provided in Attachment A), the Responding Firm shall submit a narrative description of the Team's

proposed approach to Predesign Phase services. The narrative shall, at a minimum, discuss the following:

2.4.1 The Team's proposed approach to confirming and validating all project requirements.

2.4.2 The Team's proposed approach to investigating the systems and components described in Appendix A including detailed approach and methodology for investigation and documentation of existing conditions and identification of conditions deficiencies.

2.4.3 The Team's proposed approach to identification of alternative solutions to identified conditions deficiencies and the Team's approach to evaluation of potential alternatives including, but not necessarily limited to, consideration of cost, schedule, maintenance, and durability, as well as the age, condition, and ongoing use and occupancy of the facility during construction.

2.4.4 The Team's proposed approach to evaluating and determining code required improvements, including accessibility improvements, which may be triggered by condition deficiency improvements.

2.4.5 The Team's proposed approach to developing and evaluating alternative solutions to addressing educational program requirements in conjunction with conditions deficiencies in order to arrive at an optimal solution to both.

The narrative for the Approach to Predesign Phase Services shall be no more than 1,000 words.

2.5 Team Approach to Design Phase Services (15 Points)

Utilizing the Authority's Approach to Design Phase Services Form (provided in Attachment A), the Responding Firm shall submit a narrative description of the Team's proposed approach to Design Phase services. The narrative shall, at a minimum, discuss the following:

2.5.1 The Team's proposed approach to utilizing NJSDA standards in the design process.

2.5.2 The Team's proposed approach to quality assurance and quality control (QA/QC) throughout the Design Phase.

2.5.3 The Team's proposed approach to guarding against scope creep and ensuring that the design solution is within the approved Construction Cost Estimate (CCE) throughout the Design Phase.

2.5.4 The Team's approach to maintaining the established Design Phase schedule.

The narrative for the approach to Design Phase services shall be no more than 1,000 words.

2.6 Team Approach to Construction Phase Services (10 Points)

Utilizing the Authority's Approach to Construction Phase Services Form (provided in Attachment A), the Responding Firm shall submit a narrative description of the Team's proposed approach to Construction Phase services. The narrative shall, at a minimum, discuss the following:

2.6.1 The Team's proposed approach to ensuring that the built Work conforms to the requirements of the Construction Documents prepared by the Team.

2.6.2 The Team's proposed approach to ensuring that Construction Phase issues are addressed in a timely manner.

The narrative for the Approach to Construction Phase Services shall be no more than 500 words.

2.7 Team Approach to Minimizing Potential for Change Orders (10 Points)

Utilizing the Authority's Approach to Minimizing Potential for Change Orders Form (provided in Attachment A), the Responding Firm shall submit a narrative description of the methods it shall employ during the Predesign, Design, Constructability Review, and Construction Phases of the Project to ensure that the potential for construction change orders is minimized. The narrative for the Approach to Minimizing Potential for Change Orders shall be no more than 500 words.

2.8 Team Approach to Achieving LEED™ Certification (10 Points)

Using the Authority's Approach Achieving to LEED™ Certification form (provided by in Attachment A), the Responding Firm shall submit a narrative describing its proposed approach to achieving LEED™ certification. The narrative shall, at a minimum, describe: 1) the Firm's proposed approach to identifying and evaluating potential LEED™ credits during the Predesign and Design Phases; 2) the Firm's proposed approach to achieving LEED™ certification within the approved CCE; and 3) the Firm's proposed approach to ensuring that LEED™ credits are achieved during the Construction Phase of the project so as to ensure the proposed level of LEED™ certification. The narrative for the Approach to Achieving LEED™ Certification shall be no more than 500 words.

2.9 Small Business Enterprise (SBE) Participation (No Points – Required Submittal)

The Authority may only recognize firms duly registered with the Department of The Treasury, Division of Revenue as SBEs. There are three categories of SBE comparative sizes based upon average annual revenue for purposes of professional service contracts:

Category 1: firms with gross revenue not exceeding $500,000
Category 2: firms with gross revenue not exceeding $5,000,000
Category 3: firms with gross revenue not exceeding $12,000,000

The selected firm shall be required to make good faith efforts to ensure that SBEs have the maximum practicable opportunity to participate in the performance of this engagement. A 25% target has been established pursuant to N.J.A.C.12A:10-1.1.et seq. and Executive Order 71 (2003). Firms shall be required to meet set-aside targets of 5% for Category 1, 5% for Category 2, 5% for Category 3 and the remaining 10% to be allocated among Categories 1, 2 and 3.

Utilizing the Authority's Approach to SBE Participation Form (Provided in Attachment A), and based upon an understanding of the proposed scope of services and project scope, the Responding Firm shall submit a description of the Team's approach to ensuring that the Authority's SBE participation goals will be met. The narrative for the approach to SBE participation shall be no more than 500 words.

In the event that a proposing firm names a subconsultant for SBE purposes, and the subconsultant is not registered as an SBE with the Department of The Treasury, Division of Revenue at the time of proposal, the Responding Firm must disclose that fact and explain how and when the lack of registration shall be cured.

If a firm fails to show that it will meet SBE subcontracting targets, it must document its good faith efforts to meet the targets, in accordance with the provisions of N.J.A.C. 17:13-1.1 et seq.

For more information on statewide listing of firms certified as small, woman and minority owned business enterprises and to learn more about the Standards of Eligibility to become registered as a "Small Business" contact the Business Services Call Center at 1-866-534-7789, or visit New Jersey's business web portal: http://www.nj.gov/njbusiness/contracting.

2.10 Disclosure of Investment Activities in Iran Form (No Points – Required Submittal)

Using the form provided by the NJSDA, the Responding Firm must submit a Disclosure of Investment Activities in Iran Form, pursuant to Public Law 2012. C. 23 (codified at N.J.S.A. 52:32-55 et. seq.) (the "Act"). Pursuant to the Act, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract with the New Jersey Schools Development Authority ("NJSDA") must complete a Certification which states that the person or entity, or one of the persons or entity's parents, subsidiaries, or affiliates, is not identified on a list created and maintained by the New Jersey Department of the Treasury ("Treasury") as a person or entity engaging in investment activities in Iran. Such a Certification must be in the form attached hereto in Attachment A, and included with the firm's Technical Proposal. **Failure to submit such Certification will result in the disqualification of the bid and rejection of the Technical and Fee Proposals.**

2.11 Business Registration Certification (No Points – Required Submittal)

Pursuant to N.J.S.A. 52:32-44(b), as amended by P.L. 2004, c. 57, each proposing firm must provide proof of valid business registration with the Division of Revenue of the New Jersey Department of the Treasury (the "Division of Revenue"), in its submission in response to this RFP.

Any subcontracted firm of the firm selected as a Consultant must provide the selected firm with a copy of its business registration, which the selected firm must forward to the Authority upon request. No firm selected as a Consultant may enter into any subcontract with a firm that has not provided proof of valid business registration to the selected firm, for forwarding to the NJSDA. The NJSDA shall duly file all business registrations with the other procurement documents relating to the contract. Business registrations of proposed subconsultants, if any, are NOT required to be included in a Responding Firm's Proposal. This is a pre-award requirement and will be requested of the selected firm in the Notice of Award issued by the NJSDA.

Firms may obtain New Jersey Business Registration assistance by going on-line to www.state.nj.us/treasury/revenue/gettingregistered.shtml or by calling the New Jersey Department of The Treasury at (609) 292-9292. Please be advised, however, that business registrations are mailed generally within seven to ten days, so firms should plan accordingly.

3.0 FEE PROPOSAL SUBMISSION REQUIREMENTS

A firm must complete and return a Fee Proposal using the Forms provided by the Authority (provided in Attachment B) and shall consist of the following:

3.1 Fee Proposal Form;
3.2 Detailed Predesign Fee Proposal Form; and
3.3 NJSDA SBE Form D.

3.1 Fee Proposal Form – The Responding Firm must provide all required information, including proposed Predesign Services fees for the project which are part of this package and a total lump sum fee proposal including any specified allowances.

3.2 Detailed Predesign Fee Proposal Form – Following the instructions included with the Form, the Responding Firm shall provide a detailed breakdown of proposed fees for Predesign Services for the project included in this package.

3.3 NJSDA SBE Form D - The firm must submit a completed Authority SBE Form D, identifying all SBE firms proposed for use in performance of Predesign Services to meet (or exceed) the set-aside targets. Please note that any firm identified as an SBE must be registered as such with the Department of The Treasury, Division of Revenue when the firm submits its proposal, in the revenue category specified. A Firm shall not be permitted to remove or substitute any firms listed on the Authority's SBE Form D without prior written approval from the Authority.

Fee Proposals will not be opened until after the review and scoring of Technical Proposals and Interviews with selected firms.

All of the above items must be included in the submission, with responses utilizing the Authority's Forms as indicated above.

The original Fee Proposal documents must be submitted in a separately sealed envelope at the same time and location as the firm's Technical Proposal, as prescribed in Section 4.0.

Faxed or e-mailed Fee Proposals shall not be accepted.

4.0 DELIVERY AND MAILING REQUIREMENTS

Proposals must be submitted to and received by the NJSDA by no later than **4:30 PM Eastern Time on June 18, 2015**. The Proposal Package shall be placed in a sealed envelope and shall consist of the following:

4.1 Technical Proposal. One (1) unbound original, five (5) bound copies and two (2) full cover-to-cover copies in PDF format on electronic media (CD or comparable); and

4.2 Fee Proposal. One (1) unbound original placed in a separately sealed envelope labeled "FEE PROPOSAL."

Proposal Packages are to be submitted and delivered as follows:

If submitting by hand or overnight delivery, at the:

NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY
32 East Front Street
Trenton, New Jersey 08625-0991
Attention: David Kutch, Sr. Procurement Analyst
Subject: Design Consultant Services – ES-0043-A01

If submitting by U.S. Mail, address packages to:

NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY
P.O. Box 991
Trenton, New Jersey 08625-0991
Attention: David Kutch, Sr. Procurement Analyst
Subject: Design Consultant Services – ES-0043-A01

Submissions received after the date and time listed above will not be forwarded to the Selection Committee for review. Faxed or e-mailed Proposals shall not be accepted.

5.0 PRE-AWARD REQUIREMENTS

After determination of the selected firm, the NJSDA shall request the following information prior to the award of the contract:

5.1 Subconsultant Business Registration Certification. Proof of valid business registration with the Division of Revenue of the New Jersey Department of the Treasury (the "Division of Revenue") for all subconsultants must be provided to the Authority.

5.2 Campaign Contributions Disclosure and Contracting Ineligibility. The NJSDA and participants in this procurement are subject to the provisions of P.L. 2005, c. 51 (enacting N.J.S.A. 19:44-20.13 to -20.25, and amending and supplementing N.J.S.A.

19:44A-20.1 *et seq.)* which impose restrictions on State agencies and independent authorities to insulate the procurement, negotiation and award of state contracts from the risk or appearance of improper influence in connection with political contributions. Additionally, this procurement is subject to the terms of Executive Order No. 117 (2008), which is designed to enhance New Jersey's efforts to protect the integrity of government contractual decisions and increase the public's confidence in government. The Executive Order builds on the provisions of P.L. 2005, c. 51 ("Chapter 51"), and limits contributions to certain political candidates and committees by for-profit business entities that are, or seek to become, State government vendors.

The provisions of Chapter 51 and Executive Order No. 117 (2008) make political contributors ineligible for award of state contracts for specific periods of time depending on the nature of the contribution. Accordingly, a selected Firm will be required to respond in a timely fashion to certification and disclosure requirements that will be stated in the Notice of Award issued by the NJSDA.

a. Certification and Disclosure Forms. The selected Firm shall receive a Notice of Award that will, among other things, notify the Firm that it must submit a Certification and Disclosure of Political Contributions form and Business Entity Disclosure form as provided by NJSDA. Failure to submit these forms in a timely fashion shall be cause for rejection of the Firm.

b. Firm's Continuing Obligation to Comply with P.L. 2005, c. 51. The Firm shall be required on a continuing basis to disclose and report to NJSDA any contributions made during the contract term by the Business Entity on forms provided by NJSDA, at the time it makes the contribution.

5.3 Annual Political Contributions Disclosure Statement. Firms are advised of their responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Law Enforcement Commission ("ELEC"), pursuant to N.J.S.A. 19:44A-20.18 and 20.19 (P.L. 2005, c. 271, § 3), in the event they receive contracts in excess of $50,000 from a public entity in a calendar year. It is a Firm's responsibility to determine if filing is necessary. Failure to so file can result in the imposition of financial penalties by ELEC. Additional information about this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us.

5.4 Outsourced Services Special Provisions. Under P.L. 2005, c. 92 (formerly Executive Order No. 129 (2004)), the NJSDA shall not award a contract to a bidder that submits a bid proposal to perform services, or to subcontract with a firm to perform services, outside the United States, unless certain conditions are met. If, during the term of the contract, the Firm or subcontracted firm, who had on contract award declared that services would be performed in the United States, proceeds to shift the performance of the services outside of the United States, the Firm shall be deemed in breach of the Agreement, unless the Director of the NJSDA Division of Procurement shall have first determined in writing that extraordinary circumstances require a shift of services or that a failure to shift the services would result in economic hardship to the NJSDA

or the State.

5.5 Anti-Discrimination Requirements. In addition, the Firm shall not discriminate in employment and shall abide by all anti-discrimination laws including those contained within N.J.S.A. 10:5-1 *et seq.* and all rules and regulations issued there under, including N.J.A.C. 17:27-1.1 *et seq.* Accordingly, in a Notice of Award, a Firm shall be required to submit to the NJSDA, with its executed Agreement, a copy of one of the following three documents:

(1) Appropriate evidence that the contractor is operating under an existing Federally approved or sanctioned affirmative action program;

(2) A certificate of employee information report approval issued in accordance with N.J.A.C. 17:27-4.2; or

(3) An initial employee information report (Form AA302*) provided by the Affirmative Action Office and completed by the Firm in accordance with N.J.A.C. 17:27-4.2.

***The original of this document shall be provided to the New Jersey Department of The Treasury. Please see following link for details:** http://www.state.nj.us/treasury/contract_compliance/pdf/aa302ins.pdf

5.6 SBE Targets (SBE Form C and SBE Form D)

The Authority may only recognize firms duly registered with the Department of The Treasury, Division of Revenue as SBEs. There are three categories of SBE comparative sizes based upon average annual revenue for purposes of professional service contracts:

Category 1: firms with gross revenue not exceeding $500,000
Category 2: firms with gross revenue not exceeding $5,000,000
Category 3: firms with gross revenue not exceeding $12,000,000

The selected Firm shall be required to make good faith efforts to ensure that SBEs have the maximum practicable opportunity to participate in the performance of this engagement. A 25% target has been established pursuant to N.J.A.C.12A:10-1.1.et seq. and Executive Order 71 (2003). Firms shall be required to meet set-aside targets of 5% for Category 1, 5% for Category 2, 5% for Category 3 and the remaining 10% to be allocated among Categories 1, 2 and 3.

The selected Firm must submit a completed Authority SBE Form D provided by the Authority, identifying all SBE firms proposed for use on the engagement to meet (or exceed) the set-aside targets. Please note that any firm identified as an SBE must be registered as such with Department of The Treasury, Division of Revenue when the firm submits its proposal, in the revenue category specified. All subconsultants must submit a completed Authority SBE Form C, confirmation statement of SBE status (form provided by the Authority).

In the event that the selected Firm names a subconsultant for SBE purposes, and the subconsultant is not registered as an SBE with the Department of The Treasury, Division of Revenue at the time of proposal, the proposing firm must disclose that fact and explain how and when the lack of registration shall be cured.

If a firm fails to show that it will meet SBE subcontracting targets, it must document its good faith efforts to meet the targets, in accordance with the provisions of N.J.A.C. 17:13-1.1 et seq.

A firm shall not be permitted to remove or substitute any firms listed on the Authority's SBE Form D without prior written approval from the Authority.

For more information on statewide listing of firms certified as small business enterprises and to learn more about the Standards of Eligibility to become registered as a "Small Business" contact the Business Services Call Center at 1-866-534-7789, or visit New Jersey's business web portal: http://www.nj.gov/njbusiness/contracting.

5.7 Insurance and Indemnification**.** A successful Firm shall be required to provide evidence of the insurance coverages required in Section 12.1 of the Agreement, Attachment C to this RFP, at the time of execution of the Agreement.

5.8 Additional Information. NJSDA may request additional information as required under the Agreement, or pursuant to applicable policies, procedures or law.