REQUEST FOR QUALIFICATIONS AND PROPOSALS

for

CONSTRUCTION MANAGEMENT SERVICES

for

Contract No.: HU-0026-M01

for the

Harry L. Bain Public School No. 6
West New York, NJ

RFQ/RFP Issue Date: October 6, 2015

MANDATORY PRE-BID CONFERENCE & SITE VISIT
October 14, 2015 11:00 AM
Harry L. Bain PS # 6
6200 Broadway, West New York, NJ 07093

Proposal Due Date: November 5, 2015

STATE OF NEW JERSEY
SCHOOLS DEVELOPMENT AUTHORITY
32 East Front Street, P.O. Box 991, Trenton, NJ 08625

CONSTRUCTION MANAGEMENT SERVICES
REQUEST FOR QUALIFICATIONS AND PROPOSALS ("RFQ/RFP")

INTRODUCTION

The New Jersey Schools Development Authority ("SDA") is seeking the services of a Construction Manager ("CM") to manage the Design-Bid-Build Renovation of the Harry L. Bain Public School No. 6 in the West New York School District.

This RFQ/RFP defines the steps needed for participation in the 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 CONSTRUCTION MANAGEMENT SERVICES REQUEST FOR QUALIFICATIONS AND TECHNICAL PROPOSALS consists of the following:

1. Request for Qualifications and Proposals
2. Attachment A: RESPONSE FORMS:
   Firm's Construction Management Experience Form, Firm's Staffing Proposal for the Project Form, Key Team Member Resume Form, Firm's Project Approach Form, SBE Forms B and C, Disclosure of Investment Activities in Iran Form, Ownership Disclosure Form, and NJSDA Price Proposal Form.
3. Attachment B: Construction Management Services Agreement.
4. Attachment C: Design-Bid-Build Information. (Current Document Package to be made available via NJSDA's secure FTP site to NJSDA prequalified Firms that have attended the mandatory pre-proposal conference and site visit.)

The Construction Management Services Agreement (Attachment B to this RFQ/RFP) includes a Project Description as Appendix B.

These documents must be read in their entirety as they define the scope of services and responsibilities of the CM and the NJSDA. A Firm wishing to submit a Proposal for Construction Management Services must review and be thoroughly familiar with all terms and conditions of these documents.

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 October 14, 2015 at Harry L. Bain PS #6, 6200 Broadway, West New York, NJ 07093. 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 2:00 PM Eastern Time on October 21, 2015.

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

Submission of Proposals. Responses to this RFQ/RFP must be received by the NJSDA by 2:00 PM on November 5, 2015. Faxed or e-mailed submissions shall not be accepted.

Any Firm responding to this RFQ/RFP (hereafter "Firm", "Interested Firm" or "Responding Firm") **must be** classified by the Department of Treasury, Division of Property Management and Construction and the NJSDA in the Construction Management (P029) discipline as of the due date for Responses to this RFQ/RFP.

Upon award, the NJSDA shall forward the Form of Construction Management Services Agreement to the successful Firm for immediate execution, **without modification**.

SECTION 1 - PROCUREMENT OVERVIEW

1.1 General. This is a "Price and Other Factors" solicitation for Construction Management Services for the existing Harry L. Bain Public School #6 in West New York, New Jersey. This solicitation seeks responses from Interested Firms in the form of a simultaneous submission of:

1. A Qualifications and Technical Proposal, which provides information regarding the Responding Firm's past experience and qualifications as well as the Responding Firm's overall approach to the project, for evaluation by a Selection Committee charged with evaluation and scoring of the submittals with reference to the non-price "Other Factors" criteria identified in this solicitation; and

2. A sealed Price Proposal, which will remain sealed until completion of the "Other Factors" evaluation and scoring, and which states the Responding Firm's Total Compensation Amount for the services required for the project. The Price Proposal will be subject to scoring in accordance with the terms of this RFQ/RFP.

Responsive Firms will be evaluated and scored by a Selection Committee on the basis of their written Qualifications and Technical Proposal submissions. 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. 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 submission and the interview will be combined into a total "Non-Price Score."

Once the Non-Price Scores for all Responsive Firms has been determined, the sealed Price Proposals will be opened and scored, with the lowest Price Proposal awarded the maximum Price Score, and all other Price Proposals scored accordingly.

The Non-Price Scores will be adjusted by a weighting factor of 60% and the Price Scores will be adjusted by a weighting factor of 40%, before being combined in a "Final Combined Score." The Authority will recommend award of the contract to the Responsive Firm with the highest Final

Combined Score.

1.2 Basis of Award.

The Authority will award a contract to the Firm whose proposal conforms with the terms and conditions of this solicitation and whose qualifications, technical proposal and price are determined to be the most advantageous to the Authority, price and other factors considered, in accordance with the terms of this RFQ/RFP, and the provisions of the NJSDA's authorizing statute at N.J.S.A. 18A:7G-243 and regulations adopted by the Authority at N.J.A.C. 19:38C-1 et seq. Responses from Firms shall be evaluated and scored, and Price shall be considered as 40% of the weighted scoring and all other factors representing 60% of weighted scoring.

The Authority is under no obligation to accept the lowest Price Proposal, as evaluation and scoring of responses shall be in accordance with the terms of the RFQ/RFP and regulations at N.J.A.C. 19:38C-1 et seq.

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.

1.3 Components of Response.

A conforming Response consists of the following components:

- Qualifications and Technical Proposal Forms **(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) required)**:
    - Firm's Construction Management Experience (Case Study) Forms
    - Firm's Staffing Proposal for the Project Form
    - Key Team Member Resume Forms
    - Firm's Project Approach Form
    - SBE Form B
    - SBE Form C
    - NJ Business Registration Certificate
    - Disclosure of Investment Activities in Iran Form
    - Ownership Disclosure Form
- Price Proposal (NJSDA Price Proposal Form)

Any Interested Firm responding to this RFQ/RFP **must be** classified by the Department of Treasury, Division of Property Management and Construction and the NJSDA in the Construction Management (P029) discipline as of the due date for Responses to this RFQ/RFP.

A. Qualifications and Technical Proposal

Responding Firms must submit a Qualifications and Technical Proposal utilizing the Forms provided by the Authority, which provides responses to the non-price "other factors" evaluative criteria requirements of this RFQ/RFP. The Qualifications and Technical Proposals **(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) required) must be received by the NJSDA by **2:00 PM on November 5, 2015**. Faxed or e-mailed Submittals shall not be accepted.

In addition, the Responding Firm **must** submit a Disclosure of Investment Activities in Iran Form on the form provided by the NJSDA. Pursuant to Public Law 2012, c. 23 (codified at N.J.S.A. 52:32-55 et. seq.) (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, and included with the completed Qualifications and Technical Proposal. Failure to submit such Certification will result in the disqualification of the bid and rejection of the Qualifications and Technical Proposal and Price Proposal.

The Responding Firm **must** also submit an Ownership Disclosure Form, pursuant to N.J.S.A. 52:25-24.2, using the form created by the Department of Treasury, Division of Purchase and Property, which form is supplied by NJSDA and is available as an interactive form on the Treasury site at:

http://www.state.nj.us/treasury/purchase/forms/OwnershipFinal12-14.pdf

B. Price Proposal

Responding Firms must submit with the Qualifications and Technical Proposal a sealed "Price Proposal," which contains the Total Compensation Amount the Responding Firm intends to offer for the Construction Management Services as well as other required information. The Total Compensation Amount is based upon a Monthly Fee for the Construction Phase Services of the engagement, plus several Specified Sum Amounts for certain Basic Services not compensated through the Monthly Fee, as well as Insurance costs and an Allowance Amount. The Price Proposal must be submitted on the form provided by the NJSDA, and no modifications or alterations to the wording or the calculation methodology of the Price Proposal Form are permitted.

Note that the Authority requires the Construction Manager to provide opportunities to SBE firms to participate in the performance of the Services, consistent with the Authority's 25% SBE Set-Aside Goals.

The Price Proposals must be separately sealed and submitted with the Qualifications and Technical Proposal and received by the NJSDA by **2:00 PM on November 5, 2015**. Faxed or e-mailed Price Proposals shall not be accepted.

1.4 Evaluation and Scoring Process.

For this procurement, price shall be weighted as 40% of the overall weight, and all non-price factors shall have a combined weight of 60%.

Each Responding Firm's Qualifications and Technical Proposal will be reviewed to determine responsiveness.

The Qualifications and 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) SDA Staff Members. The evaluation will be based upon the information provided by a Responding Firm in response to this RFQ/RFP, and any necessary verification thereof.

The members of the Selection Committee will evaluate each Responsive Firm's Qualifications and 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 Qualifications and Technical Proposal in all of the non-price evaluation categories described in this RFQ/RFP, in accordance with the evaluation criteria described herein. Qualifications and Technical Proposals shall be evaluated in the following categories:

- Responsive Firm's CM Experience on Similarly Sophisticated Projects
- Staffing Proposal
- Key Team Members' Experience on Similarly Sophisticated Projects
- Approach to Project

Each Selection Committee Member will evaluate each Qualifications and 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 RFQ/RFP requirements with no deficiencies.
- Sufficient (5-6): meets RFQ/RFP requirements with no significant deficiencies.
- Minimal (3-4): meets RFQ/RFP requirements but contains some significant deficiencies.
- Marginal (1-2): comprehends intent of RFQ/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 category score as follows:

Qualifications and Technical Proposal Evaluation Category	Weighting Factor (Applied to Raw Score)	Maximum Available Points for Category
Responsive Firm's CM experience on similarly sophisticated projects	2.0	20
Staffing Proposal	3.0	30
Key Team Members' experience on similarly sophisticated projects	3.0	30
Approach to Project	2.0	20
Total Possible Qualifications and Technical Proposal Points:		100

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

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

- Firm's CM Experience on Similarly Sophisticated Projects
- Staffing Proposal
- Key Team Members' Experience on Similarly Sophisticated Projects
- Approach to Project

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 RFQ/RFP requirements with no deficiencies.
- Sufficient (5-6): meets RFQ/RFP requirements with no significant deficiencies.
- Minimal (3-4): meets RFQ/RFP requirements but contains some significant deficiencies.
- Marginal (1-2): comprehends intent of RFQ/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
Firm's CM experience on similarly sophisticated projects	2.0	20
Staffing Proposal	3.0	30
Key Team Members' experience on similarly sophisticated projects	3.0	30
Approach to Project	2.0	20
Total Possible Interview Points:		100

The weighted Interview 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 Qualifications and Technical Proposal Score for such Firm, and the two scores will be averaged to arrive at a Non-Price Score for each Firm. The maximum Non-Price Score is 100.

Once all the Non-Price Scores for all shortlisted Firms have been calculated, the Authority will open the sealed Price Proposals and will review them for responsiveness, and determine a Price Score for each responsive Price Proposal.

The lowest responsive Price Proposal shall be scored by awarding the maximum number of points for the price component, which shall be 100. All other Price Proposals shall be scored by awarding points based on the percentage that each proposal exceeds the lowest Price Proposal. For example, the following table demonstrates the method for calculation of price points:

CALCULATING PRICE POINTS

SAMPLE Price Proposal	SAMPLE Points Calculation
Firm #1: Price = $ **900,000**	Lowest Price = **100 points awarded**
Firm #2: Price = $**1,100,000** Lowest Price - $ 900,000 Price Difference $ 200,000	$200,000 ÷ $900,000 = .22222 x 100 = 22.222 points 100 points – 22.222 points = **77.778** points **awarded**
Firm #3: Price = $**1,200,000** Lowest Price - $ 900,000 Price Difference $ 300,000	$300,000 ÷ $900,000 = .33333 x 100 = 33.333 points 100 points – 33.333 points = **66.667** points **awarded**
Firm #4: Price = $**1,400,000** Lowest Price - $ 900,000 Price Difference $ 500,000	$500,000 ÷ $900,000 = .55555 x 100 = 55.556 points 100 points – 55.556 points = **44.444** points **awarded**
Firm #5: Price = $**1,000,000** Lowest Price - $ 900,000 Price Difference $ 100,000	$100,000 ÷ $900,000 = .11111 x 100 = 11.111 points 100 points – 11.111 points = **88.889** points **awarded**

After the Price Scores are determined for all Responsive Firms, the Price Scores will be adjusted by a weighting factor of 40%. The Final Non-Price Scores for "other factors" criteria will be adjusted by a 60% weighting factor. The Price Score and Non-Price Score for each Responsive Firm will then be added together for a Final Combined Score.

Once all the Responsive Firms' Non-Price Scores and Price Scores are weighted and compiled, the Authority shall prepare a final ranking and determine the Firm with the highest Final Combined Score for price and the non-price "other factors" evaluative criteria, and will recommend that award be made to that Firm.

SECTION 2 – QUALIFICATIONS AND TECHNICAL PROPOSAL EVALUATION CRITERIA

Where applicable, submissions shall be prepared and submitted using the Forms provided by the Authority as specified below. The Qualifications and Technical Proposal shall provide information as indicated below, and each evaluation criteria shall have the maximum score indicated below.

2.1 Responding Firm's Experience on Similarly Sophisticated Projects (20 Points)

Utilizing the Firm's Construction Management Experience Form provided by the Authority, the Responding Firm shall submit at least three, but no more than five, case studies as examples of the Responding Firm's past experience in managing construction projects comparable in size, cost and/or complexity to the Project.

Such projects may include, but are not limited to, any of the following:

- Projects of similar size, cost and/or complexity
- Public sector projects
- Design-Bid-Build projects
- Any combination of the above

The case studies shall describe projects completed within the past seven (7) years, for which the Firm served as the Construction Manager. Case studies representing public-sector projects and/or design-bid-build projects are preferable.

The case studies must concisely set forth the basic background information for the projects offered as comparables (dates and location and the cost and scope of the work). The case studies must describe the effectiveness of the cited projects, and the methodology used to measure such effectiveness (on-time delivery, successful completion of project, effective management of costs).

The case studies shall demonstrate why the cited projects are comparable to the Project that is the subject of this procurement.

Where applicable, the case studies shall demonstrate the Firm's experience working with any Subconsultants named in the Price Proposal.

Case studies demonstrating the Firm's experience working on projects subject to NJDEP and NJDCA jurisdiction (or equivalent entities in other states or the Federal Government) are preferred, and case studies should describe the nature of the interaction with NJDEP/NJDCA (or equivalent entities), in terms of the particular issues encountered and the approach or methodologies employed for interacting with NJDEP/NJDCA (or other equivalent entities), and should describe the effectiveness of the Firm's approach, and the methodology used to measure such effectiveness.

Each case study must identify the name and address of the contracting entity and the name, title and telephone number of a contact person associated with the contracting entity that is familiar with and able to comment on the Firm's performance on each project.

2.2. <u>Staffing Proposal for the Project</u> (30 Points)

As part of the Qualifications and Technical Proposal submission, utilizing the Firm's Staffing Proposal for the Project Form provided by the Authority, Responding Firms shall provide a Project-specific Staffing Proposal that identifies a roster of Key Team Members to fulfill the primary obligations of the engagement and the CM Agreement. The number of Key Team Members in the Staffing Proposal may vary over the phase of the Project, with specific identified individuals being added or removed at different points, dependent upon the nature and level of services required to be provided during the various phases of the Project. The individuals identified as Key Team Members in the Responding Firm's Qualifications and Technical Proposal are expected to perform the primary management services required under this engagement. However certain services or deliverables for the engagement that may be required on an as-needed basis (such as scheduling, estimating or

inspection) may require the use of other resources, such as subconsultants or other employees of the CM Firm, sufficient to fulfill the requirements of the Agreement and this engagement.

The Authority requests that Responding Firms propose a tailored Staffing Proposal that focuses on efficiency of services, and which avoids waste and excess. For these reasons, an efficient yet competent Staffing Proposal, comprised of well-qualified Team Members, is preferred.

Utilizing the Firm's Staffing Proposal for the Project Form provided by the Authority, the Responding Firm shall describe its Staffing Proposal for the Project by identifying the Key Team Member(s) who will have primary responsibility for the Project, describing the roles of such Key Team Member(s) and indicating whether and when such Key Team Members will be on-site full time or part time during the various stages of the Project. The Staffing Proposal may also identify other employees or resources that are proposed to participate in the performance of CM Services under this engagement on an as-needed basis, without the regularity or frequency of a Key Team Member.

In addition to the information provided on the Staffing Proposal Form, the Responding Firm shall provide an Organizational Chart showing the Key Team Members identified for the Project, any other employees or resources that may participate in performance of CM Services under the engagement, and any named Subconsultants included in the Price Proposal. The Organizational Chart shall show the responsibilities, structure, and lines of authority for the persons or entities identified.

2.3 Key Team Members' Experience on Similarly Sophisticated Projects (30 Points)

A. Definition of "Key Team Members"

In this procurement, the Authority has determined not to dictate the number or titles of individuals to be proposed to staff the CM's Team, as the Staffing Proposal is itself an Evaluation Category in this RFQ/RFP. Thus, as used in this procurement, the term "Key Team Members" refers to those Team Members who may be employees or subconsultants of the Responding Firm, who are proposed by the Responding Firm to perform the CM Services under this engagement, and who will have a responsible role in the successful completion of the Project and this engagement, either by providing on-site construction management and oversight services, or by fulfilling a supervisory role managing those on-site. Key Team Members in a non-supervisory, on-site role are expected to spend 20 percent (20%) or more of their available working time on site when providing services pursuant to this engagement. Key Team Members in a supervisory role may spend less than 20 percent of available time on the Project when providing services pursuant to this engagement.

B. Key Team Members' Experience Submission Requirements

Utilizing the Key Team Member Resume Form provided by the Authority, the Responding Firm shall submit resumes of those employees designated as Key Team Members for the Project, and such resumes shall demonstrate the Key Team Members' experience providing similar services on similarly sophisticated projects, and shall demonstrate the Key Team Members' experience working

with the subconsultants proposed for the Project, if any. "Similarly Sophisticated Projects" may include, but are not limited to, any of the following:

- Projects of similar size, cost and/or complexity
- Public sector projects
- Design-Bid-Build projects
- Any combination of the above

For each Key Team Member, the resumes must include, but not be limited to: a description of at least two, but no more than five, projects completed within the last 7 years of similar or larger size and sophistication to this engagement. The resumes should also include governmental experience and experience with NJDEP and NJDCA (or equivalent entities in other states or the Federal Government) that the Team Member completed in a similar role as that proposed. Specifically the resumes shall describe the nature of the interaction with NJDEP/NJDCA (or equivalent entities in other states or the Federal Government), in terms of the particular issues encountered and the approach or methodologies employed for interacting with NJDEP/NJDCA (or equivalent entities in other states or the Federal Government), and should describe the effectiveness of the approach, and the methodology used to measure such effectiveness.

For each project cited in the Key Team Member Resume Form, the Responding Firm must identify the name and address of the contracting entity and the name, title and telephone number of a contact person associated with the contracting entity that is familiar with and able to comment on the Key Member's performance on each project.

The submitted information will be evaluated to determine how well the Firm identifies and demonstrates that its key personnel meet or exceed minimum qualifications necessary to illustrate that the Firm has sufficient previous satisfactory experience with work of equal or greater sophistication. The Selection Committee will evaluate how well the Responding Firm demonstrates that it has the necessary structure and sufficient experienced, qualified personnel within its organization to effectively manage, inspect and administer the Project, and monitor construction operations, quality control and safety programs.

2.4 <u>Approach to the Project</u> (20 Points)

Utilizing the Firm's Project Approach Form provided by the Authority, the Responding Firm shall submit a written statement indicating the Firm's approach and methodology for managing the Project. The narrative shall address topics relevant to the performance and completion of the Project that may include, without limitation, the following:

1. The Firm's understanding of the scope and challenges of the Project;
2. Identification of site logistics concerns and discussion of plan for management of site organization and maintenance;
3. Approach to management of subconsultants, if any;
4. Approach to management of invoicing and verification of Project completion status;

5. Approach to analysis of Contractor's Project Schedule to ensure completeness, proper logic, sequencing and accuracy;
6. Approach to management of quality control and assurance program, including verification that Project is being constructed in accordance with approved construction documents;
7. Approach to coordination of code compliance concerns, special inspection issues, and plan for interaction with code officials;
8. Approach to fulfillment of commissioning requirements;
9. Identification of safety concerns and summary description of plan for managing site safety and/or efforts to reduce workplace injuries;
10. Identification of security concerns and strategies for management of contractor's site security; and
11. Plan or approach for achieving Project close out.

The Selection Committee will evaluate the strengths, weaknesses and any deficiencies in the proposed approach, and will evaluate the Firm's understanding and capability to fulfill the CM Services required under this engagement.

2.5 <u>Small Business Enterprise (SBE) Participation</u> (0 Points – Required Submittal)

The Authority may only recognize firms duly registered with the Department of 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 Responding Firm must submit a completed SBE Form B 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 the Department of Treasury, Division of Revenue in the revenue category specified when the Responding Firm submits its Qualifications and Technical Proposal. All Subconsultants must submit a completed SBE Form C (confirmation statement of SBE status) provided by the Authority, to the Responding Firm for submission with the Qualifications and Technical Proposal.

In the event that a Responding Firm names a Subconsultant for SBE purposes, and the Subconsultant is not registered as an SBE with the Department of 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.

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

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.

2.6 Business Registration Certification (0 Points – Required Submittal)

Pursuant to N.J.S.A. 52:32-44(6), 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 Proposal.

Any subcontracted firm of the Firm selected as a CM must provide the selected Firm with a copy of its business registration, which the selected Firm must forward to the Authority. No Firm selected as a CM 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 Qualifications and Technical Proposal.**

Interested 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 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.

2.7 Disclosure of Investment Activities in Iran Form (0 Points – Required Submittal)

The Responding Firms **must** complete and submit a Disclosure of Investment Activities in Iran Form provided by the Authority, pursuant to Public Law 2012, c. 23 (codified at N.J.S.A. 52:32-55 et. seq.) (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, and included with the completed Qualifications and Technical Proposal. Failure to submit such Certification will result in the disqualification of the bid and rejection of the Qualifications and Technical Proposal and Price Proposal.

2.8 Ownership Disclosure Form (0 Points – Required Submittal)

The Responding Firm **must** submit an Ownership Disclosure Form, pursuant to N.J.S.A. 52:25-24.2, using the form created by the Department of Treasury, Division of Purchase and Property, which form is supplied by NJSDA and is available as an interactive form on the Treasury site at:
http://www.state.nj.us/treasury/purchase/forms/OwnershipFinal12-14.pdf

If the Responding Firm is a corporation, the Ownership Disclosure Form requires the Responding Firm to set forth the names and addresses of all stockholders in the corporation or partnership who own 10% or more of any class of its stock. If the Responding Firm is a type of partnership, the Ownership Disclosure Form requires the names and addresses of all individual partners in the partnership who own a 10% or greater interest therein. If one or more such stockholder or partner in the Responding Firm is itself a corporation or partnership, then the stockholders holding 10% or more of that corporation's stock, or the individual partners owning 10% or greater interest in that partnership, as the case may be, shall also be listed. The disclosure shall be continued until names and addresses of every non-corporate stockholder, and individual partner, exceeding the 10% ownership criteria threshold established by N.J.S.A. 52:25-24.2, have been listed. The completed Ownership Disclosure Form must be submitted and included with the completed Technical Proposal. Failure to submit such Ownership Disclosure Form will result in the disqualification of the bid and rejection of the Responding Firm's Technical and Price Proposals.

2.9 Price Proposal

A. Form of Price Proposal

Utilizing the Price Proposal Form provided by the Authority, the Responding Firm must submit its Price Proposal specifying a Total Compensation Amount based on a Monthly Fee for Construction Phase Services and certain Specified Sum Amounts for Submittal Review Services, FFTE Services and Close-Out Services, which shall compensate CM for all labor and other direct costs associated with the required services. The Total Compensation Amount must include all required onsite and offsite labor, including home office support, and all other direct costs, for the entire Team. The NJSDA Price Proposal Form is included in Attachment A to this RFQ/RFP.

Any alteration, modification or exception to the wording or the calculation formula of the Price Proposal Form shall cause the Price Proposal to be rejected as non-responsive.

The Responding Firm shall fill in all relevant blank spaces in the Price Proposal in ink or by typewriting. The Responding Firm shall show all bid amounts in both words and figures. In the event of a discrepancy between the words and figures, the amount shown in words shall govern.

The Responding Firm must sign the Price Proposal in ink and all signatures **must be original**. If the Responding Firm is a corporation, partnership or sole proprietorship, the legal name of the Responding Firm shall be printed or typed on the line provided. The Price Proposal **must be** signed by an officer, partner or principal of the Bidder, as applicable, witnessed and the Corporate Seal must

be affixed to the signature**.**

B. Sealing and Delivery Of Price Proposal

The Price Proposal (one original only) shall be enclosed in a sealed envelope that is clearly marked with the Responding Firm's Name, Contract Number, Contract Name, School District Name and the date of Price Proposal submission.

The Responding Firm must submit its sealed Price Proposal to the Authority in conjunction with its Qualifications and Technical Proposal.

If the sealed Price Proposal is enclosed in another envelope for the purpose of delivery, the exterior envelope shall be clearly marked as containing a Price Proposal with the Responding Firm's name, Contract Number, Contract Name, School District Name and the date of the Price Proposal submission shown on the envelope.

Any Price Proposal that arrives after the time set for submission will be returned to the Responding Firm unopened.

2.10 Opening of Price Proposals

Following interviews, Price Proposals from all interviewed Responsive Firms, having been submitted on or before the date and time scheduled for submission, will be publicly opened and the Total Compensation Amount prices submitted by the those firms will be read at the time and place indicated in the Bid Advertisement, or such other time and place as may be established by Addendum.

Responding Firms, their authorized agents, and other interested parties are invited to be present.

The public opening and reading of Price Proposals is for informational purposes only and is not to be construed as an acceptance or rejection of any bid submitted.

SECTION 3 – DELIVERY/ MAILING REQUIREMENTS

A Responding Firm must submit 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) of its Qualifications and Technical Proposal, accompanied by one (only) original, signed, sealed Price Proposal no later than **2:00 PM on November 5, 2015** as follows:

If submitting by hand or overnight delivery, at the:

NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY
Procurement
32 East Front Street
Trenton, New Jersey 08625-0991
Attention: Dave Kutch, Senior Procurement Analyst
Subject: Construction Management Services Proposal – HU-0026-M01

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

NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY
Procurement
P.O. Box 991
Trenton, New Jersey 08625-0991
Attention: Dave Kutch, Senior Procurement Analyst
Subject: Construction Management Services Proposal – HU-0026-M01

Submissions received after the date and time listed above will not be forwarded to the Selection Committee for review.

Faxed or e-mailed submissions shall not be accepted.

SECTION 4 - PRE-AWARD REQUIREMENTS (INFORMATIONAL ONLY – DO NOT INCLUDE WITH RFQ/RFP SUBMISSION)

After determination of the highest ranked Firm, the SDA shall request the following information prior to the award of the contract:

a. 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.

b. Political Contributions. P.L. 2005, c. 51 amended and supplemented N.J.S.A. 19:44A-20.1 *et seq.*, and superseded Executive Order 134 (2004), addresses the effect of political contributions on State contracting. 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. Additionally, a selected Firm will be required to comply with Executive Order No. 117, 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"), which limits contributions to certain political candidates and committees by for-profit business entities that are, or seek to become, State government vendors.

Requirements for Selected Firm. The 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 the Authority. Failure to submit these forms in a timely fashion shall be cause for rejection of the Firm.

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, on forms provided by the Authority, any contributions made during the contract term by the Business Entity, at the time it makes the contribution.

c. Political Contributions Disclosure. 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, section 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.

d. 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 NJSDA Procurement Director 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.

e. 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, one of the following three documents:**

(1) Appropriate evidence that the Firm 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 contractor in accordance with N.J.A.C. 17:27-4.2.

***The original of the submitted document shall be provided to the New Jersey**

Department of Treasury. Please see following link for details:
http://www.state.nj.us/treasury/contract_compliance/pdf/aa302ins.pdf

f. Firm's Proposal for SBE Set-Aside Targets (NJSDA SBE Form B). The NJSDA may only recognize firms duly registered with the Department of 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 small business enterprises (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.17:13 et seq.

The Firm must submit a completed SBE Form B, 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 the Department of Treasury, Division of Revenue, in the revenue category specified, when the Responding Firm submits its proposal. All Subconsultants must submit a completed SBE Form C, provided by the Authority, confirmation statement of SBE status, to the Firm for submission to the Authority.

In the event that a Responding Firm names a Subconsultant for SBE purposes, and the Subconsultant is not registered as an SBE with the Department of 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.

A Firm shall not be permitted to remove or substitute any firms listed on the NJSDA SBE Form B without prior written approval from the Authority.

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.

g. Insurance and Indemnification. A successful Firm shall be required to provide evidence of the insurance coverages required in Section 10.1 of the Agreement(Attachment B to this RFQ/RFP) at the time of execution of the Agreement.

h. Additional Information. NJSDA may request additional information as required

under the Agreement, or pursuant to applicable policies, procedures or law.

ATTACHMENT A

RESPONSE FORMS

{Please see attached files}

- 2.1 FIRM'S CONSTRUCTION MANAGEMENT EXPERIENCE FORM
- 2.2 FIRM'S STAFFING PROPOSAL FOR THE PROJECT FORM
- 2.3 KEY TEAM MEMBER RESUME FORM
- 2.4 FIRM'S PROJECT APPROACH FORM
- SBE FORM B
- SBE FORM C
- DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN FORM
- OWNERSHIP DISCLOSURE FORM
- NJSDA PRICE PROPOSAL FORM

ATTACHMENT B

CONSTRUCTION MANAGEMENT SERVICES AGREEMENT

{Please see attached file}