

CITY OF PERTH AMBOY

**REQUEST FOR QUALIFICATIONS
FOR PROFESSIONAL ENGINEERING SERVICES FOR 2024
FOR
TRAFFIC ENGINEERING SERVICES**

SUBMISSION DEADLINE:

October 18, 2023

10:00 A.M.

ADDRESS ALL QUALIFICATIONS TO:

**CITY OF PERTH AMBOY – PURCHASING DEPARTMENT
260 HIGH STREET
PERTH AMBOY, NEW JERSEY 08861**

ATTN: MARIA J. RIVERA, RPPS, QPA, PURCHASING AGENT

CITY OF PERTH AMBOY
NOTICE OF REQUEST FOR QUALIFICATIONS FOR
PROFESSIONAL ENGINEERING SERVICES

Notice is hereby given that the City of Perth Amboy (the “City”), 260 High Street, Perth Amboy, New Jersey 08861, will receive sealed submissions from on **October 18, 2023 at 10:00 a.m.** in response to its Request for Qualifications for Professional Engineering Services (RFQ), as described below, at which time the submissions will be opened in public:

TRAFFIC ENGINEERING SERVICES

The RFQ is issued in accordance with Section 98.21 et seq. of the Code of the City of Perth Amboy (City Code), which requires that the City utilize a fair and open procurement process in selecting professional services, including engineering services. The RFQ also satisfies the requirements of a fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq. Professional services are exempt from bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i).

The RFQ documents may be obtained from the Division of Purchasing, 260 High Street, Perth Amboy, New Jersey 08861 between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, or can be downloaded from the City’s website: www.perthamboynj.org.

An **original copy** of the submission must be submitted in a sealed envelope, clearly marked on the outside with the word, “Confidential,” and indicate the engineering service(s) for which the RFQ is submitted (e.g., “Response to RFQ for City Engineering Services”). In addition, Respondents must provide **a copy of their submission on a clearly identified (name and services), flash drive in Word or PDF format.** RFQ ’s must be addressed to: Division of Purchasing, City of Perth Amboy, 260 High Street, Perth Amboy, New Jersey 08861 to be received no later **than 10:00 a.m. prevailing time on October 18, 2023.**

Respondents are required to comply with the requirements of P.L. 1975, c.127 (Affirmative Action Program, Equal Employment Opportunity).

The City reserves the right to consider submitted RFQ’s for sixty (60) days after receipt, and further reserves the right to reject any and all submissions, waive informalities, and make an award or take any other action as may be in the best interest of the City, consistent with applicable law.

Maria J. Rivera, RPPS, QPA
Purchasing Agent
260 High Street
Perth Amboy, NJ 08861
mrivera@perthamboynj.org
(732) 826-0290 Ext. 4010
(732) 826-1160 Fax

CITY OF PERTH AMBOY
REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL ENGINEERING SERVICES

GLOSSARY

The following definitions shall apply to and are used in this Request for Responses:

“City” – refers to the City of Perth Amboy.

“Response” – refers to a complete response to this RFQ submitted by a Respondent.

“Respondent” or “Respondents” – refers to the interested professionals who submit a response to the RFQ.

“RFQ” – refers to the Request for Responses for Professional Engineering Services for City Engineering Services and Special Projects Engineering Services, and any amendments or supplements thereto.

CITY OF PERTH AMBOY
REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL ENGINEERING SERVICES

SECTION 1
INTRODUCTION AND GENERAL INFORMATION

1.1 INTRODUCTION AND PURPOSE

The City of Perth Amboy (“City”) is a municipal government entity. The City was founded in 1683, chartered in 1718, and operates pursuant to N.J.S.A. 40A:69A-31 et seq.

The City’s population is approximately 55,436 and it occupies approximately 4.7 square miles of area. The City employs over 412 people in approximately 18 departments and agencies. It owns various municipal buildings, parks and recreation facilities.

The City’s operating and utility budget is approximately \$100,000,000. It provides significant and diverse services to its residents, including those in the senior, disabled, veterans and other communities.

The City is soliciting Responses for Professional Engineering Services as follows:

TRAFFIC ENGINEERING SERVICES

Through this RFQ process, firms interested in providing the requested services must prepare and submit a Response in accordance with the procedure and schedule in this RFQ. The City will review only those Responses that include all the information required to be submitted as described herein (in the sole judgment of the City). The City intends to award a contract to qualified Respondents whose Responses are in the best interest of the City, as determined by the City in accordance with law.

1.2 PROCUREMENT PROCESS AND SCHEDULE

This RFQ is issued in accordance with Section 98.21 et seq. of the City Code (Attachment to Appendix F), which requires that the City utilize a fair and open procurement process when soliciting professional services, including engineering services. This RFQ also satisfies the requirements of a fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq. Professional services are exempt from bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i).

The City has structured a procurement process that seeks to obtain the desired results described above, while establishing a competitive process to assure that each firm is provided an opportunity to submit a Response to the RFQ. Responses will be evaluated by an evaluation committee in accordance with the criteria set forth in Section 4 of this RFQ, which will be applied in the same manner to each Response received. Under no circumstances will a member of the evaluation committee review Responses if they have a personal or financial interest in any of the Respondents.

Based upon the totality of the information contained in the Responses, the City will select a Successful Respondent(s) whose Response, in the City’s sole judgment, best serves the interests of the City, in accordance with law. The timetable for award of any contract hereunder is set forth in Section 1.8 hereof. The City reserves the right to, among other things, amend, modify or alter the Procurement Schedule upon notice to all potential Respondents.

Designated Contact Person:

Maria J. Rivera, RPPS, QPA, Purchasing Agent
mriviera@perthamboynj.org

Through issuance of addenda, or as otherwise deemed necessary or appropriate by the City, the City may modify, supplement or amend the provisions of the RFQ in order to respond to inquiries received from prospective Respondents.

1.3 SUBMISSION DEADLINE

An **original copy** of the response must be submitted in a sealed envelope, clearly marked on the outside with the word, “Confidential,” and indicate the engineering service(s) for which the Response is submitted (e.g., “Response to RFQ for City Engineering Services”). In addition, Respondents must provide **a copy of their submission on a clearly identified (name and services), flash drive in Word or PDF format.** Responses must be addressed to:

**Division of Purchasing, City of Perth Amboy,
260 High Street, Perth Amboy, New Jersey 08861**

Responses must be **received by the City, via United States mail or hand delivery, on or before 10:00 a.m. prevailing time on October 18, 2023. Responses not received at that time and place will not be accepted but will be returned unopened. Responses will not be accepted by facsimile transmission or email.**

1.4 CONDITIONS APPLICABLE TO RFQ

Upon submission of a Response, the Respondent acknowledges and consents to the following conditions relative to the submission, review and consideration of its Response:

- All costs incurred by the Respondent in connection with responding to this RFQ shall be borne solely by the Respondent.
- The City reserves the right (in its sole judgment) to reject for any reason, consistent with law, any and all Responses.
- The City reserves the right (in its sole judgment) to reject any Respondent that submits an incomplete Response or whose submission does not comply with the requirements of this RFQ.
- The City reserves the right, without prior notice, to supplement, amend, or otherwise modify this RFQ, or otherwise request additional information.
- All shall become the property of the City and will not be returned.
- All Responses will be made available to the public in accordance with law.
- The City may request that Respondents’ representatives meet with the City for interviews.
- Neither the City, nor its staff or consultants, shall be liable for any claims or damages resulting from the solicitation or preparation of a Response, nor will the City reimburse Respondents for the cost of preparing and submitting a Response or for participating in this procurement process.
- Respondents are advised of the responsibility to file an annual disclosure statement of political contributions with the New Jersey Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-20.13 (P.L. 2005, c.271, s.3) if the Respondent receives contracts in excess of \$50,000 from public entities in a calendar year. It is the Respondent’s responsibility to determine if filing is necessary. Additional information on this requirement is available from ELEC at (888) 313-3532 or at www.elec.state.nj.us.

1.5 **RIGHTS OF THE CITY**

The City reserves, holds and may exercise, at its sole discretion, the following rights and options with regard to this RFQ and the procurement process in accordance with the provisions of applicable law:

- To determine that any Response received complies or fails to comply with the terms of this RFQ.
- To supplement, amend or otherwise modify the RFQ through issuance of addenda to all prospective Respondents who have received a copy of this RFQ.
- To waive any technical non-conformance with the terms of this RFQ.
- To change or alter the schedule for any events called for in this RFQ upon the issuance of notice to all prospective Respondents who have received a copy of this RFQ.
- To conduct investigations of any or all of the Respondents, as the City deems necessary or convenient, to clarify the information provided as part of the Response, and to request additional information to support the information included in any Response.
- To suspend, abandon or terminate the procurement process described in this RFQ at any time. If abandoned or terminated, the City may determine to commence a new procurement process or exercise any other rights provided under applicable law without any obligation to the Respondents.
- The City shall be under no obligation to complete all or any portion of the procurement process described in this RFQ.

CITY OF PERTH AMBOY
REQUEST FOR QUALIFICATIONS FOR TRAFFIC ENGINEERING SERVICES

SECTION 2
SCOPE OF SERVICES

2.1 DESCRIPTION OF PROFESSIONAL SERVICES NEEDED

It is the City's intent to solicit Qualifications from Respondents that have expertise in the provision of the required engineering services that are the subject of this RFQ. Firms responding to this RFQ shall be able to demonstrate that they have the continuing capabilities to perform the specific engineering services for which a Response is submitted, and that they possess the necessary professional license to do so. Respondents may submit Qualifications for any or all services.

2.1.1 QUALIFICATIONS

Interested consultants should possess competency in the following areas of expertise and documents:

- General traffic engineering and provide a project manager that possesses certification as a
- Traffic Engineer from the NJ Board for Professional Engineers, Land Surveyors and Geologists.
- Traffic Signal design (per NJDOT and City standards)
- MUTCD Manual on Uniform Traffic Control Devices latest Edition
- ITE Traffic Control Devices Handbook
- ASSHTO Roadside Design Guide
- Familiarity with NJDOT Standards

2.1.2 PRELIMINARY SCOPE OF SERVICES

The scope of work will vary as need arises and will be at the discretion of the City. Provide Traffic Engineering services for various projects at the request of city staff. The request for services may include:

- Conduct or review traffic engineering, traffic analysis, and transportation planning studies or project specific traffic related issues analysis;
- Provide comprehensive analyses of existing and projected traffic conditions; roundabout analysis and design, intersection design, speed humps, and traffic data collection services;
- Provide electronic traffic control device studies and design (signs, signals, pavement markings, and school zone flashers);
- Perform pedestrian and bicycle studies including those to provide safe routes to school;
- Review subdivision or new development projects involving traffic impact analyses, transportation modeling, area-wide transportation studies and road impact fee analyses;
- Traffic signal design including plans, specifications, engineer's cost estimate and contract bid documents (for projects that are bid) for new permanent signal installation; modifications to existing signals and flashing beacon;
- Speed data analysis, intersection control studies including multi way stop control and traffic signal or alternatives, safety studies, and miscellaneous traffic engineering services.
- Transportation, roadway, and Complete Streets design including construction drawings or plans, specifications, engineer's cost estimate and contract bid documents.
- Construction management and inspection support for roadway improvement and transportation projects.
- Assist and provide technical assistance in identification and preparation of various traffic and roadway improvement grant opportunities and applications.
- The consultant will not be allowed to provide services when the City determines a potential conflict of interest may exist.

2.2 CONTRACT TERMS

The term of any contract awarded under this RFQ shall be for one (1) year, ending on December 31, 2024. The successful Respondent shall be required to execute the City's form contract, which includes, among other things, indemnification, insurance, termination and licensing provisions. At the time of contract award, the successful Respondent shall be required to provide the City with evidence of Professional Liability Insurance coverage in the minimum amount of \$500,000, which shall be maintained in full force during the life of the contract.

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SECTION 3
QUALIFICATIONS AND CRITERIA FOR AWARD

3.1 MINIMUM QUALIFICATIONS FOR THE TRAFFIC ENGINEERING POSITION

- a. Licensed New Jersey Professional Engineer (PE);
- b. Minimum of five (5) years of substantial professional experience in the areas that are the subject of this RFQ , with a minimum of three (3) years of providing such services to government entities comparable in size to Perth Amboy.
- c. No record of disciplinary sanctions or professional malpractice judgments in the last seven (7) years.

3.2 SELECTION CRITERIA

The City's objective in soliciting Qualifications is to enable it to select a firm or firms that will provide high quality and cost effective services to the citizens of Perth Amboy. The City will consider Responses only from firms that, in the City's judgment, have demonstrated the capability and willingness to provide high quality services in the manner described in this RFQ. Responses will be evaluated by the City on the basis of the most advantageous, all relevant factors considered. The following factors will be taken into consideration and weighed by the City as the basis for selecting qualified engineers to provide professional services under terms most advantageous to the City:

1. Experience, credentials and reputation in the specific professional engineering services for which a Response is being submitted;
2. References and record of success in the applicable professional engineering services;
3. Interview (if conducted at the City's option) and/or demonstrated ability to competently handle the matters;
4. Educational background, awards and honors;
5. Knowledge of the City and the subject matter, and any prior successful representation of the City of Perth Amboy.
6. Availability to accommodate required meetings of the City.
7. Other factors demonstrated to be in the best interest of the City.

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SECTION 4
SUBMISSION REQUIREMENTS

4.1 GENERAL REQUIREMENTS

Responses submitted by Respondents must meet or exceed the professional and administrative qualifications set forth in the RFQ. In addition to the information required herein, Respondent may submit supplemental information that it feels may be useful in evaluating its Response. Respondents are encouraged to be clear, factual and concise in their presentation of information.

No Respondent shall influence, or attempt to influence, or cause to be influenced, any City officer or employee to use his/her official capacity in any manner which might tend to impair the objectivity or independence of judgment of said officer or employee. No Respondent shall cause or influence, or attempt to cause or influence, any City officer or employee to use his/her official capacity to secure unwarranted privileges or advantages for the Respondent or any other person.

By submission of the Response, Respondent certifies that the services to be furnished will not infringe upon any valid patent, trademark or copyright, and the successful Proposer shall, at its expense, defend any and all actions or suits charging such infringement, and will save the City harmless in any case of any such infringement.

4.2 RESPONSE CONTENT

4.2.1 LETTER OF TRANSMITTAL

Respondents shall submit a letter of transmittal signed by the individual who is authorized to commit the firm to the Scope of Services for which the Response is being submitted. The letter of transmittal must incorporate the following:

- An acknowledgment that all conditions contained in this RFQ may be incorporated into any resulting contract.
- A narrative statement of the Respondent's understanding of the City's needs and goals.
- A statement acknowledging that all information contained in the Response is factual and accurate.
- A statement that the Respondent is in compliance with all applicable affirmative action regulations.
- A statement acknowledging that the individual signing the letter of transmittal has the authority to commit the firm to all the provisions contained in this RFQ and in the firm's Response.

4.2.2. QUALIFICATION STATEMENT

In addition to the letter of transmittal, Respondents shall submit a qualification statement indicating the professional position(s) sought, and providing all pertinent information regarding their qualifications, which shall include, at a MINIMUM the following.

- a) Full name and principal place of business and, if different, the place from where services will be provided;
- b) Identify all professionals who will provide the engineering services for which Respondent is submitted a Response, and describe their roles in the provision of such services and identify supervising engineers;
- c) List all college and graduate degrees, including years awarded, held by all professionals who will provide the engineering services;
- d) Fully describe the firm's and individual engineer's experience in the area(s) of engineering services applied for, and any other information demonstrating the ability to provide quality representation in these areas;
- e) List all clients whom the firm has represented in the past five (5) years in connection with the area(s) of engineering services applied for; include dates of service and contact information; the list should include municipal governments and other levels of government;
- f) Provide the number of New Jersey licensed professionals employed by, or associated with, the firm;
- g) List any relevant professional affiliations or membership in any professional societies or organizations, including any offices or honors held by all professionals who will provide engineering services;
- h) Include the resumes and/or biographies of all professionals who will provide engineering services, and provide the names and qualifications of any other individual(s) who will assist in the performance of the tasks and the amount of their respective participation;

4.2.3 OTHER SUBMISSION REQUIREMENTS

4.2.3.1 COST RESPONSE

Respondent shall submit a cost Response containing the hourly billing rates of individuals or categories of individuals for all services within the Scope of Services for Traffic Engineering. The City does not provide payment for or reimbursement of travel expenses.

4.2.3.2 CERTIFICATION OF NO DISCIPLINARY ACTION

Respondent shall provide a certification attesting to the fact that in the last seven (7) years neither the firm nor any professional associated with the firm has received any professional disciplinary sanction, and further certify that no adverse judgment has been rendered against the firm or its professionals in a professional negligence/malpractice matter. If the applicant cannot so certify, provide a detailed explanation.

4.2.3.3 RESPONSE CHECKLIST ITEMS

Respondent shall provide all items required on the Request for Responses Checklist (Appendix A);

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APPENDIX A
REQUEST FOR RESPONSES CHECKLIST

THIS CHECKLIST MUST BE COMPLETED AND SUBMITTED WITH YOUR SUBMISSION

Please initial below next to each item, indicating that your Response includes the required documents. Failure to provide any of the Checklist items with your submission may be cause for rejection of your Response.

Respondent's Initials

- | | | |
|-----|--|-------|
| 1. | Request for Responses Checklist (Appendix A) | _____ |
| 2. | An original copy, together with flash drive,
of your complete R e s p o n s e | _____ |
| 3. | Authorized signatures on all forms | _____ |
| 4. | Executed Letter of Transmittal (Section 4.2.1) | _____ |
| 5. | Cost Response (Section 4.2.3.1) | _____ |
| 6. | Ownership Disclosure Statement (Appendix B) | _____ |
| 6. | Mandatory EEO Compliance and Contract Language (Appendix C) | _____ |
| 7. | Non-Collusion Affidavit (Appendix D) | _____ |
| 8. | Request for References (Appendix E) | _____ |
| 9. | Certification of Compliance with Perth Amboy's Significant Public Building
Construction Contracts Requirements (Appendix F) | _____ |
| 10. | Professional Services Entity Information Form (Appendix G) | _____ |
| 11. | Certification of No Disciplinary Sanctions or
Professional Negligence (Appendix H) | _____ |
| 12. | NJ Business Registration Certificate (Appendix I)
and current W9 | _____ |
| 13. | Disclosure of Investments Activities in Iran (Appendix J) | _____ |
| 14. | Acknowledgement of Receipt of Addenda (Appendix K) | _____ |

THE UNDERSIGNED HEREBY ACKNOWLEDGES THE ABOVE LISTED REQUIREMENTS.

Name of Respondent: _____

By: _____
(Signature of Authorized Representative) (Title)

(Print Name of Authorized Representative)

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APPENDIX B
OWNERSHIP DISCLOSURE CERTIFICATION

Name of Respondent: _____

I certify that the list below contains the names and home addresses of all stockholders holding 10% or more of the issued and outstanding stock of the undersigned.

OR

I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business organization:

- Partnership Corporation Sole Proprietorship
 Limited Partnership Limited Liability Corporation Limited Liability Partnership
 Subchapter S Corporation

If a corporation owns all or part of the stock of the corporation or partnership submitting the bid, then the statement shall include a list of the stockholders who own 10% or more of the stock of any class of that owning corporation. If no one owns 10% or more stock, attest to that.

Sign and notarize the form below, and, if necessary, complete the stockholder list below.

Stockholders:

Name: _____

Name: _____

Home Address: _____

Home Address: _____

Name: _____

Name: _____

Home Address: _____

Home Address: _____

Name: _____

Name: _____

Home Address: _____

Home Address: _____

Subscribed and sworn before me this ____ day of _____, 20 __.

(Affiant)

(Notary Public)

(Print name & title of affiant)

My Commission expires:

(Corporate Seal)

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APPENDIX C
MANDATORY EQUAL EMPLOYMENT OPPORTUNITY NOTICE
(N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.)

GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS

This form is a summary of the successful professional service entity's requirement to comply with the requirements of **N.J.S.A. 10:5-31 et seq.** and **N.J.A.C. 17:27 et seq.**

The successful professional service entity shall submit to the City of Perth Amboy, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

- (a) A photocopy of a valid letter that the vendor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);

OR

- (b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-1.1 et seq.;

OR

- (c) A photocopy of a completed Employee Information Report (Form AA302) provided by the Division of Contract Compliance and completed by the vendor in accordance with N.J.A.C. 17:27-1.1 et seq.

The undersigned professional service entity certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. and agrees to furnish the required forms of evidence.

The undersigned professional service entity further understands that his/her submission shall be rejected as non-responsive if said professional service entity fails to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.

Proposer understands and acknowledges that the attached Exhibit A Mandatory Equal Employment Opportunity Language shall be part of any agreement awarded hereunder.

RESPONDENT: _____

SIGNATURE: _____

PRINT NAME: _____

TITLE: _____ DATE: _____

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

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

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

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

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

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression,

disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

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

In conforming with the applicable employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302

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

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APPENDIX D
NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY)
COUNTY OF _____) ss.:

I, _____, of _____, in the
, State of _____, of full age and being duly sworn according to law on my oath
depose and say:

1. I am _____ (title) of _____, the Respondent, who has submitted a Response to the RFQ in the above matter.
2. I executed the Response with full authority to do so.
3. The Response is genuine, submitted in good faith and not a sham.
4. Neither the Respondent nor any of its employees or agents have, directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive proposing in connection with the above-named RFQ. I further certify that neither the Respondent, nor any of its employees or agents, have directly or indirectly with any other respondent or person colluded to put in a sham bid or refrain from submitting a Response, and have not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference, with any person to fix the prices or to secure any advantage.
5. All statements contained in the Response and in this Affidavit are true and correct and were made with full knowledge that the City of Perth Amboy relies upon the truth of the statements contained in the Response and the truth of the statements contained in this Affidavit, in awarding any contract under the RFQ. I am aware that I am personally subject to the penalties of perjury, as is the Respondent, if statements made herein are untrue.
6. I further warrant that no person or selling agent has been employed or retained to solicit or secure any contract under an agreement or understanding for a commission, percentage, brokerage or contingent fee. If the Respondent engages bona fide employees or a bona fide established commercial or selling agency to perform any similar related acts, the names are set forth as follows (see N.J.S.A. 52:34-15):

(Signature)

(Print name of Affiant/Title)

Subscribed and sworn to before me this ____ day of _____, 2016.

A Notary Public of New Jersey
My Commission Expires:

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APPENDIX E
REQUEST FOR REFERENCES

1. Name _____
Address _____
Telephone _____
Email address _____
Contact Individual _____

2. Name _____
Address _____
Telephone _____
Email address _____
Contact Individual _____

3. Name _____
Address _____
Telephone _____
Email address _____
Contact Individual _____

4. Name _____
Address _____
Telephone _____
E-mail address _____
Contact Individual _____

5. Name _____
Address _____
Telephone _____
E-mail address _____

CITY OF PERTH AMBOY
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APPENDIX F
**CERTIFICATION OF COMPLIANCE WITH THE CITY OF PERTH
AMBOY'S ORDINANCE GOVERNING SIGNIFICANT PUBLIC
BUILDING CONSTRUCTION CONTRACTS REQUIREMENTS**

Name of Respondent

Address

I, _____, of full age, certify as follows:

1. I am an authorized representative of the above named Respondent.

2. On behalf of the above named Respondent, I have read Article IV, Significant Public Building Construction Contracts Requirements, §98.30 et seq., of the Perth Amboy City Code (the "City Significant Contracts Ordinance"), attached hereto, and certify, under penalty of perjury, that:

a) I understand the Requirements set forth in §98.31, and more particularly the contents of the Contractor Responsibility Certification as set forth at Paragraph G of §98.31;

b) Respondent is in compliance with the requirements of §98.31 and more particularly with the statements contained in Paragraph G, Items 1 through 11, thereof on behalf of Respondent.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

Signature

Type or Print Name

Date _____, 2016

Title

ATTACHMENT TO APPENDIX F

ARTICLE IV

Significant Public Building Construction Contracts Requirements

§ 98-30. Preamble.

The City of Perth Amboy (the "City") has experienced considerable difficulties in securing qualified and reliable contractors and project professionals to complete and oversee significant construction projects in a timely and workmanlike manner, consistent with the terms and specification of the publicly awarded contract, thereby resulting in delays and cost overruns that have been detrimental to the residents of the City.

The City recognizes that there is a need to impose greater controls over significant public construction to ensure that the work is performed by responsible, qualified firms that maintain the capacity, expertise, personnel, and other qualifications and resources necessary to successfully perform and oversee public contracts in a timely, reliable and cost-effective manner.

In order to effectuate the purpose of selecting responsible contractors and project professionals for significant public contracts and to protect the City's investments in such contracts, prospective contractors, subcontractors and project professionals should be required to meet pre-established, clearly defined, minimum standards relating to contractor responsibility, including requirements and criteria concerning technical qualifications, competency, subject matter expertise, adequacy of resources, including equipment, financial and personnel, and satisfactory records regarding past project performance of similar magnitude, as well as safety, law compliance and business integrity.

Due to the impact that skilled construction craft labor can have on public works projects, it is advisable to require contractors and subcontractors to participate in established, formal apprenticeship training programs as a condition of bidding, for the purpose of both promoting successful project delivery and encouraging fair business, employment and training practices that can have a positive impact on local communities affected by such contracts.

Due to the impact that Construction and Project Managers, Architects and Engineers ("Project Professionals") can have on the timely, economical and proper completion of significant construction and maintenance contracts, it is advisable to require that such individuals and entities demonstrate the necessary qualifications, experience and financial capacity to competently perform the required contract services.

§ 98-31. Contractor requirements established.

The following shall be required of all contractors bidding and submitting Responses on significant public building construction contracts within the City of Perth Amboy and all project professionals seeking contracts to assist or oversee significant public building contracts:

- A. The City shall require compliance with the provisions of this Article by business entities seeking to provide services to the City as specified herein. The requirements of this Article are intended to supplement, not replace, existing contractor qualifications and performance standards or criteria currently required by law, public policy or contracting documents. In the event of any conflict between this Article, any other laws, public policy or contracting documents, the stricter provisions thereof shall apply, to the extent permitted by law.
- B. All construction contractors and subcontractors ("firm(s)") that perform work on any significant public work project, including building construction, alteration, or renovation, work, shall meet the requirements of this Article. For the purposes of this Article, "significant public work" shall be that which has a contract value of three hundred thousand dollars (\$300,000.) or more.
- C. Any architect, engineer, construction manager or project manager ("project professional") that performs work in connection with any significant public work project, including building construction, alteration or renovation work, shall satisfy the requirements of this Article that relate to project professionals.
- D. All firms and project professionals engaged in contracts covered by this Article shall be qualified, responsible contractors, subcontractors and project professionals that have sufficient

capabilities in all respects to successfully perform the contracts on which they are engaged, including the necessary experience, equipment, technical skills and qualifications, as well as financial, personnel and insurance resources. Firms bidding on public contracts, and project professionals seeking such contracts, shall also be required to have a satisfactory past performance record on projects of similar magnitude and a satisfactory record of legal compliance, integrity and business ethics.

- E. As a condition of performing work on a significant public works contract subject to this Article, a general contractor, construction manager or other lead or prime contractor seeking award of a contract shall submit a contractor responsibility certification at the time it submits its bid for a contract. Any project professional seeking a contract in connection with a significant public works project shall submit a project professional's certification with its Response.
- F. The contractor and project professional responsibility certification shall be completed on a form provided by the City and shall reference the project for which a bid is being submitted by name and contract of project number.
- G. In the contractor responsibility certification, the construction manager, general contractor, or other lead or prime contractor shall confirm the following facts regarding its past performance and work history and its current qualifications and performance capabilities. If the certifying entity or individual cannot confirm the accuracy of each of the following criteria, it may submit a statement of explanation on the City form and the governing body may evaluate those circumstances and, in its sole discretion, waive a particular criterion for good cause shown. The governing body's decision to exercise or not exercise its discretion to waive a criterion of this paragraph shall not be a basis to challenge the decision to award or not award a contract.
 - (1) The firm has all valid, effective licenses, registrations or certificates required by federal, state, county or local law, including but not limited to licenses, registrations or certificates required to do (i) do business in the state; (ii) to do business in the City; and (iii) perform the contract work it seems to perform. These shall include, but not be limited to licenses, registrations or certificates for any type of trade work or specialty work which the firm proposes to self-perform.
 - (2) For construction contractors, the firm meets the bonding requirements for the contract, as required by applicable law or contract specifications and for construction contractors and professionals, the firm meets any insurance requirements, as required by applicable law, services contract or contract specifications as applicable, including, without limitation, general liability insurance, workers' compensation insurance and unemployment insurance requirements.
 - (3) The firm has not been debarred by any federal, state or local government agency or authority in the past seven (7) years.
 - (4) The firm has not defaulted on any project in the past seven (7) years.
 - (5) The firm has not had any type of business, contracting or trade license, registration, or other certification suspended or revoked in the past seven (7) years.
 - (6) The firm has not been cited for a willful violation of federal or state safety laws for the past seven (7) years.
 - (7) The firm and its owners have not been convicted of any crime relating to the contracting business by a final decision of a court or government agency in the past ten (10) years.
 - (8) The firm has not within the past seven (7) years been found in violation of any law applicable to its contracting business, including but not limited to licensing laws, tax laws, prompt payment laws, wage and hour laws, prevailing wage laws, environmental laws or others, where the result of such violation was the payment of a fine, back pay damages or any other type of penalty in the amount of one thousand dollars (\$1,000.) or more.
 - (9) The firm will pay all craft employees that it employs on a project the current wage rates and benefits as required under applicable federal, state or local prevailing wage law under the Act.
 - (10) For a public works project with a contract value of two million dollars (\$2,000,000.) or more, the firm participates in a Class A Apprenticeship Program for each separate trade

or classification in which it employs craft employees and shall continue to participate in such program or programs for the duration of the project. For purposes of this section, Class A Apprenticeship Program is an apprentice-ship program that is currently registered with and approved by the U.S. Department of Labor or the New Jersey Department of Labor and has graduated at least one (1) enrollee in each of the past three (3) years (if the program has been in existence for three (3) years; this requirement shall not apply until the program has been in existence for three (3) years, at which time compliance shall be required.)

- (11) For a public works project with a contract value of two million dollars (\$2,000,000.) or more, the firm will have on site at all times an employee with a minimum of ten (10) hours of OSHA training.
- H. In the project professional responsibility certification, the construction manager, architect and engineer shall confirm its past performance and work history and its current qualifications and performance capabilities in accordance with the requirements of subsection G(1)-(8) of this section and that it has not been adjudged liable for professional malpractice in the prior seven (7) years. If the certifying entity or individual cannot confirm the accuracy of each of the following criteria, it may submit a statement of explanation on the City form and the governing body may evaluate those circumstances and, in its sole discretion, waive a particular criterion for good cause shown. The governing body's decision to exercise or not exercise its discretion to waive a criterion of this subsection shall not be a basis to challenge the decision to award or not award a contract.
 - I. The City may undertake a review process to determine whether the prospective awardee is a qualified, responsible contractor or project professional in accordance with the requirements of this Article, and other applicable laws and regulations and has the resources and capabilities to successfully perform the contract, including bank references of financial stability.
 - J. The City may conduct any additional inquiries to verify that the prospective awardee and its subcontractors have the technical qualifications and performance capabilities necessary to successfully perform the contract and that the firms have a sufficient record of law compliance and business integrity to justify the award of a public contract. In conducting such inquiries, the City may seek relevant information from the firm, its prior clients or customers, its subcontractors or any other relevant source.

CITY OF PERTH AMBOY
REQUEST FOR QUALIFICATIONS FOR TRAFFIC ENGINEERING SERVICES

APPENDIX G
PROFESSIONAL SERVICE ENTITY INFORMATION FORM

If the Professional Service Entity is an *INDIVIDUAL*, sign name and give the following information:

Name: _____

Address: _____

Telephone No.: _____ Tax Identification No.: _____

Fax No.: _____ E-Mail address: _____

If individual has a TRADE NAME, give such trade name:

Trading As: _____ Telephone No.: _____

If the Professional Service Entity is a *PARTNERSHIP*, give the following information:

Name of Partners: _____

Firm Name: _____

Address: _____

Telephone No.: _____ Federal I.D. No.: _____

Fax No.: _____ E-Mail address: _____

Tax Identification No. _____

Signature of authorized agent: _____

If the Professional Service Entity is *INCORPORATED*, give the following information:

State under whose laws incorporated: _____

Location of principal office:

Telephone No.: _____ Federal I.D. No.: _____

Fax No.: _____ E-Mail address: _____

Name of agent in charge of said office upon whom notice may be legally served:

Telephone No.: _____ Name of Corporation: _____

Signature: _____

CITY OF PERTH AMBOY
REQUEST FOR QUALIFICATIONS FOR TRAFFIC ENGINEERING SERVICES

APPENDIX H
AFFIDAVIT OF NO DISCIPLINARY SANCTIONS
OR PROFESSIONAL NEGLIGENCE

I _____ of the _____
in the County of _____ and the State of _____
of full age, being duly sworn according to law on my oath depose and say that:

I am _____, an officer of the
Respondent firm of _____ submitting a Response to the RFQ in
the above matter, and I executed the said RFQ with full authority to do so; Respondent at the time
of making this Response, Respondent is not included on the State of New Jersey, Department of
Treasury, Division of Property Management & Construction List of Debarred, Suspended and
Disqualified bidders and that all statements contained in the Affidavit are true and correct.

The undersigned further warrants that the professional licenses and/or certifications of those
individuals listed in this RFQ are valid and not expired or suspended.

The undersigned further warrants that should the name of the firm making this submission appear
on the Treasurer's List of Debarred, Suspended and Disqualified Bidders at any time prior to, and
during the life of this contract, including any Guarantee Period, that Respondent shall immediately
notify the City. Further, should the professional licenses and/or certification of any individuals
listed in the RFQ be suspended or revoked, Respondent shall immediately notify the City.

Name of the Firm (Print or Type)

Signature of Authorized Representative/ Title

(Type or Print Name of Authorized Representative Affiant)

Subscribed and Sworn to before me this _____ day of _____, 20 _____.

Notary Public of New Jersey

My Commission Expires _____, 2 _____

CITY OF PERTH AMBOY
REQUEST FOR QUALIFICATIONS FOR TRAFFIC ENGINEERING SERVICES

APPENDIX I
NEW JERSEY BUSINESS REGISTRATION REQUIREMENTS

Submit a copy of your Business Registration Certificate with your Response

All Respondents shall comply with P.L. 2009, C315 in accordance with N.J.S.A. 52:32-44 as amended on January 18, 2010. Respondents will be required to be registered as defined in the law at the time of contract. The City of Perth Amboy requests that Respondent submit its Business Registration Certificate (BRC) at the time of submittal of its Response to the RFQ . In no event shall a contract be awarded, unless prior thereto, the City has received the Successful Respondent's BRC.

Respondent shall include proof of its own BRC and the BRC of any subcontractors

N.J.S.A. 52:32-44 imposes the following requirements on contractors and all subcontractors that knowingly provide goods or perform services for a contractor fulfilling this contract: 1) the contractor shall provide written notice to its subcontractors to submit proof of business registration to the contractor; 2) prior to receipt of final payment from a contracting agency, the contractor must submit to the contracting agency an accurate list of all subcontractors or attest that none was used; 3) during the term of this contract, the contractor and its affiliates shall collect and remit, and shall notify all subcontractors and their affiliates that they must collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act, (N.J.S.A. 54:32B-1 et seq.) on all sales of tangible personal property delivered into this State.

A contractor, subcontractor or supplier who fails to provide a BRC or provides false business registration information shall be liable to a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration not properly provided or maintained under a contract with a contracting agency. Information on the law and its requirements is available by calling (609) 292-9292.

Registering a business with the New Jersey Department of the Treasury

Business organizations or individuals doing business in New Jersey are required to register with the department of the treasury, division of revenue. Registration is free and is a one-time action – there are no fees to register. However, you should update your contact and tax eligibility information as needed. Registration is required to conduct most business with any state, County, municipal, local board of education, charter school, County college, authority, or state college or university. The contracting agency may be required to have a copy of the “proof of registration certificate” submitted as part of a public Response or prior to issuing a purchase order.

To register: businesses must complete **form NJ-REG** and submit it to the division of revenue. The form can be filed form online or by mailing a paper form to the division. Online filing is strongly encouraged.

- Register online at <http://www.state.nj.us/treasury/revenue/busregcert.shtml>. Click the “online” link and then select “register for tax and employer purposes.”
- Download the paper form and instructions at www.state.nj.us/treasury/revenue/revprnt.shtml.
- Call the division at 609-292-1730 to have a form mailed to you.

Write to the division at: Client Registration Bureau, Po Box 252, Trenton, NJ 08646-0252

CITY OF PERTH AMBOY
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APPENDIX J
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

RESPONDENT'S NAME: _____

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or Response or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that the person or entity, or one of the person or entity's parents, subsidiaries, or affiliates, is not identified on a list created and maintained by the Department of the Treasury as a person or entity engaging in investment activities in Iran. If the Director finds a person or entity to be in violation of the principles which are the subject of this law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the person or entity.

I certify, pursuant to Public Law 2012, c. 25, that the person or entity listed above for which I am authorized to bid/renew: (Please check all statements that are true)

is not providing goods or services of \$20,000,000 or more in the energy sector of Iran, including a person or entity that provides oil or liquefied natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas, for the energy sector of Iran, **AND**

is not a financial institution that extends \$20,000,000 or more in credit to another person or entity, for 45 days or more, if that person or entity will use the credit to provide goods or services in the energy sector in Iran.

In the event that a person or entity is unable to make the above certification because it or one of its parents, subsidiaries, or affiliates has engaged in the above-referenced activities, a detailed, accurate and precise description of the activities must be provided in part 2 below to the Division of Purchase under penalty of perjury. Failure to provide such will result in the Response being rendered as non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.

PART 2: PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN

You must provide, accurate and precise description of the activities of the bidding person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below.

Name: _____

Relationship to Bidder _____

Description of Activities _____

Duration of Engagement _____ Anticipated Cessation Date: _____

Bidder Contact Name _____ Contact Phone Number _____

Certification: I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the above-referenced person or entity. I acknowledge that the City of Perth Amboy is relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the City to notify the City of Perth Amboy in writing of any changes to the answers of information contained

herein. I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with the City of Perth Amboy, New Jersey and that the City at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print) _____

Signature: _____

Title _____

Date: _____

CITY OF PERTH AMBOY
REQUEST FOR QUALIFICATIONS FOR TRAFFIC ENGINEERING SERVICES

APPENDIX K
ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA

The undersigned Respondent hereby acknowledges its receipt of the below-listed notice(s) of revisions, clarifications and/or addenda to the RFQ. By indicating the date of receipt, the Respondent hereby acknowledges that its submitted Response takes into account all of the provisions contained in such listed notices of revisions, clarifications and/or addenda. The Respondent hereby acknowledges and agrees that the City's record of notices of revisions, clarifications and/or addenda shall take precedence over the Respondent's accounting of such notices. The Respondent further acknowledges and agrees that any failure of the Respondent to include and specifically reference its receipt of any such notices of revisions, clarifications and/or addenda on this document as part of its Response, may be cause for rejection of the Response.

City of Perth Amboy Revision/Addenda Title/Number	Method of Receipt (Mail, Fax, Delivery)	Date Received
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

CHECK HERE IF NONE.

RESPONDENT'S ACKNOWLEDGEMENT:

Respondent' Name: _____

Authorized Representative: _____,

(print name)

(print title)

Signature: _____

Date: _____