



Jerramiah T. Healy, Mayor  
City of Jersey City

**Housing, Economic Development  
And Commerce Department  
Division of City Planning**

**30 Montgomery Street Suite 1400  
Jersey City, N.J. 07302-3821  
Phone: 201.547.5010  
Fax: 201.547.4323**

October 18, 2007

Dear Interested Party,

Enclosed is the Request for Proposals (RFP) for the Circulation Element of the Jersey City Master Plan.

The purpose of this project will be to prepare a new Circulation Element of the Jersey City Master Plan that describes an action-oriented plan for a citywide, multi-modal transportation network through the year 2050 for the movement of people and goods, which also strengthens the link between land use and transportation. The transportation network shall be pedestrian-friendly, traffic-calmed, congestion-mitigated, and provide frequent and reliable mass transit service between home, workplace, school, recreation, and shopping for the regional commuter as well as for the Jersey City resident. The efficient transport and delivery of goods to and from industrial areas and commercial establishments must also be considered.

As outlined in the attached RFP, the scope of work includes the following major tasks: data collection, the establishment of Jersey City's vision, goals, and objectives, alternatives identification and analysis, the creation of recommendations and implementation strategy, the preparation of draft and final Circulation Elements, public outreach, and partnerships with a Technical Advisory Committee and a Stakeholders Group. It is anticipated that the selected consultant team will begin work on the project in January 2008. **All work on this study must be complete by May 29, 2009.**

The North Jersey Transportation Planning Authority and the City of Jersey City have allocated a total of \$220,000 for the services of a consultant. This project has a Disadvantaged Business Enterprise/Emerging Small Business Enterprise requirement of 15.1%.

Submissions should be divided into separate technical and cost proposals. The technical proposal must consist of ten (10) copies separately bound and sealed. Proposers must submit one (1) cost proposal in a separate sealed envelope labeled "Cost Proposal for Circulation Element of Jersey City Master Plan."

All proposals must be submitted by **Tuesday, November 20, 2007 at 11 AM** to:

**Mr. Peter Folgado, RPPS, Director  
Jersey City Division of Purchasing  
1 Journal Square Plaza  
Jersey City, NJ 07306**

The Division of City Planning reserves Friday, November 30, 2007 from 10 AM to 2 PM for

interviews with prospective consultant firms, if necessary. If the selection committee is unable to reach a decision based on the proposals alone, the highest-ranked proposers will be invited to make presentations to the selection committee. Please see page 15 of the RFP for more details. The lead contact of the consultant team will be contacted by telephone by 3 PM on Tuesday, November 27, 2007 to schedule the interview.

Please direct any questions regarding this RFP via fax, e-mail, or U.S. mail to:

Naomi Hsu, AICP, Senior Planner - Transportation  
Jersey City Division of City Planning  
30 Montgomery Street, Suite 1400  
Jersey City, NJ 07302  
Tel: (201) 547-5021  
Fax: (201) 547-4323  
E-mail: [hsun@jcnj.org](mailto:hsun@jcnj.org)

All answers will be provided in writing and distributed to all parties who have received a copy of the RFP.

Please be advised that a draft of the RFP was inadvertently provided (by a third party) to a potential bidder, Stantec Consulting Services, Inc, in advance of advertisement.

Thank you for your interest in the Circulation Element of the Jersey City Master Plan.

Sincerely,

Naomi Hsu, AICP  
Senior Planner - Transportation

Enclosure: Circulation Element of the Jersey City Master Plan Request for Proposal

City of Jersey City  
Department of Housing, Economic Development and Commerce  
Division of City Planning



Issued: Thursday, October 18, 2007

## Request for Proposals

### Circulation Element of the Jersey City Master Plan

The City of Jersey City Division of City Planning is seeking the services of a multi-disciplinary consultant team to prepare a new Circulation Element of the Jersey City Master Plan that defines the City's vision for the year 2050, describes the existing conditions of the multi-modal citywide transportation network, and specifies the necessary strategies and actions to realize the City's vision.

**Proposal Deadline: 11 AM on Tuesday, November 20, 2007**

## 1) Purpose

The purpose of this project will be to prepare a new Circulation Element of the Jersey City Master Plan in accordance with N.J.S.A. 40:55 D-1 *et seq* to create an action-oriented plan for a citywide, multi-modal transportation network for the movement of people and goods that also strengthens the link between land use and transportation. The transportation network shall be pedestrian-friendly, traffic-calmed, congestion-mitigated, and provide frequent and reliable mass transit service between home, workplace, school, recreation, and shopping for the regional commuter as well as for the Jersey City resident. The efficient transport and delivery of goods to and from industrial areas and commercial establishments must also be considered.

## 2) Background

Since the current Master Plan's adoption in 2000, several events have occurred in Jersey City that warrant an update of the Circulation Element. These events include the expansion of the Hudson-Bergen Light Rail Transit system, completion of several significant but disconnected transportation studies, and increases in traffic congestion as significant new development has occurred in Jersey City as well as in neighboring Manhattan, Bayonne, and Hoboken. As Jersey City and surrounding areas continue to grow, Jersey City will face greater challenges to meet the accessibility and mobility needs of its residents, commuters, and visitors.

Jersey City is approximately 15 square miles with an estimated population of 246,000. It is arguably the fastest growing municipality in the state and has one of the highest modal splits in the country. It is bound by the Hackensack River and Newark Bay to the west and the Hudson River and Upper New York Bay to the east. It is bordered by Hoboken, Union City, and Secaucus to the north and Bayonne to the south. It is a dense urban environment with a population that is economically, racially, and linguistically diverse and an existing multi-modal transportation system that consists of road, PATH train, Hudson-Bergen Light Rail, ferry, and bicycle and pedestrian accommodations. Jersey City is a regional employment center, with approximately 14 million square feet of Class A office space located in downtown Jersey City. In addition to local traffic, the City experiences a significant amount of through traffic to and from Manhattan, as the Holland Tunnel, a major Hudson River crossing, is located in Jersey City. Furthermore, the City's development regulations are highly complex, with over twenty (20) different land use zones and over seventy (70) separate redevelopment areas, each with its own set of sub-zones that each contain a unique set of development regulations.

## 3) Goals

The goal of this effort is to create an action-oriented Circulation Element that plans for the City's transportation network through the year 2050 and describes the City's vision of becoming a world-class destination with a multi-modal transportation network that accommodates the automobile but emphasizes alternatives to the automobile, as well as

the necessary steps to make that vision a reality. Given the dense, urban fabric of Jersey City, it is not desirable or possible to widen existing local streets. Therefore, existing right-of-ways must accommodate all modes of travel to the greatest extent possible. Furthermore, strategies to reduce the demand for travel by automobile are needed.

The updated Circulation Element will be coordinated with City land use plans and policy. As a significant regional employment center and the second most populous city in the state, the updated Circulation Element will include strategies to improve both access to, and circulation within, Jersey City. The development of the revised Circulation Element will be inclusive and involve input from Jersey City staff, transportation planning professionals, stakeholders, and the general public.

The Circulation Element will plan for all modes of transportation within Jersey City, as well as existing and potential future regional mass transit linkages that may occur outside the municipal boundaries. The Circulation Element will consider county, state, and other regional agency transportation plans where relevant.

The revised Circulation Element should include the following elements:

- **Refined Vision, Goals, and Objectives:**  
The updated circulation element will outline a long-term, comprehensive vision for the City’s transportation network and guide future transportation capital investments and policies. The updated circulation element shall:
  - Consider both the movement of people and freight
  - Consider all modes of transportation but emphasize alternatives to the automobile, including light rail, bus, PATH train, jitney, ferry, and bicycle and pedestrian accommodations
  - Maximize the use of existing streets by all users
  - Include recommendations on parking facilities and policies, including pricing
  - Be coordinated with land use and support continued residential, commercial, office, port, and light industrial development
  - Be environmentally sensitive by reducing congestion, decreasing emissions per passenger mile, and encouraging non-polluting modes of transportation
- **Data and Analysis:**  
The data collected as part of this effort and included in the Circulation Element shall be consistent with N.J.S.A. 40:55D-28 and relevant to the advancement of the City’s vision, goals, and objectives. The Circulation Element will contain both existing data compiled from other sources and new data to be collected by the consultant team.

- **Recommendations for Strategies and Specific Actions**  
With an understanding of Jersey City’s vision, existing conditions, and anticipated future conditions, the consultant will develop a set of recommendations. Recommendations should include physical improvements, service route changes, and policy changes. The consultant should also develop an implementation strategy and identify project cost estimates and potential funding sources.
- **Benchmarks and Self-Assessment Strategy**  
A plan is only successful if it is implemented, and the Circulation Element will include a set of benchmarks that allow Jersey City to monitor its progress in implementing the recommendations outlined in the revised Circulation Element.

#### 4) Project Management and Communication

The selected consultant will work under the direction of the Jersey City Division of City Planning (DCP), a division of the Jersey City Department of Housing, Economic Development and Commerce. Jersey City’s transportation planner will serve as the project manager or “point person” for the city. The DCP will review all draft work products throughout the planning process and will coordinate and facilitate all communication between the consultant, Jersey City staff, the Technical Advisory Committee, Stakeholders Group, and general public.

##### *Technical Advisory Committee*

A Technical Advisory Committee (TAC) has been convened to guide the effort. The TAC consists of professionals from various Jersey City departments, state transportation agencies, and regional planning organizations and will be a resource for the selected consultant. The TAC will assist the consultant team with data collection when applicable and review all consultant task deliverables. The TAC will meet regularly throughout the duration of the project.

##### *Stakeholders Group*

A Stakeholders Group comprised of representatives from neighborhood groups, major employers, the business and development community, recreational facilities, educational facilities, local hospitals, private bus and ferry operators, and Jersey City emergency service providers will be formed to solicit input from their respective organizations with an interest in Jersey City’s transportation network. Jersey City staff will identify the membership of the Stakeholders Group. The Stakeholders Group will assist with the following tasks: the organization of public meetings, the establishment of goals and objectives, the identification of potential alternatives, and the selection of preferred alternatives.

### *Public Meetings and Hearings*

The general public will be invited to participate in the process of updating the Circulation Element. It is anticipated that three meetings of the general public will be held. The first public meeting will be held at the beginning of the effort to hear the public's concerns and needs regarding the transportation network. The second public meeting will be held to solicit feedback on the proposed alternatives. A third public meeting will be held to present the draft Circulation Element prior to formal presentation to the Planning Board.

In addition to the three public meetings, the consultant will present the final Circulation Element to the Planning Board at a Planning Board hearing. It may be necessary for the consultant to make additional presentations at the request of the Planning Board.

### *Progress Update Meetings*

The consultant will meet regularly with Jersey City staff and members of the Technical Advisory Committee and Stakeholders Group as needed to provide progress updates, present work in progress, and discuss project administration.

### 5) Scope of Services and Deliverables

Note: All deliverables must be in a digital, industry-standard format to be approved by Jersey City staff. All consultant work products shall be the property of the City of Jersey City and shall be conveyed to the City prior to final payment.

Note: The tasks and associated task deliverables described in the Scope of Work are a **minimum**. Proposers may include additional tasks and deliverables in the proposals where they deem appropriate.

#### *Task 1: Phase 1 Data Collection - Inventory of Existing Transportation Infrastructure, Policy, Travel Patterns, Anticipated Land Use; Surveys (option)*

Phase 1 Data Collection will allow the consultant to accurately assess the existing citywide transportation network and policies, as well as evaluate proposed projects and policy changes.

In order to understand relevant prior work, the consultant will review, at a minimum, the following documents: the existing Jersey City Master Plan, Jersey City Regional Waterfront Access and Downtown Circulation Study Final Report, Liberty State Park Regional Access Study Final Report, Jersey City Bikeway System Plan, plans for the East Coast Greenway, the Bayside Development Study, the Meadowlands Transportation Master Plan, NJDOT Portway Master Plan, Liberty International Intermodal Corridor Plan, the Comprehensive Port Improvement Program final report, the Hudson County Bus Circulation and Infrastructure Study final report, data from NJ Transit's North Jersey Transportation Planning Model, accident data from the North Jersey Transportation Planning Authority, truck routes, the locations and types of bus stops and routes, and Hudson County's emergency evacuation plan. Also available is a Synchro traffic model

of the downtown Jersey City roadway network. The City shall arrange for the provision of these items.

The Circulation Element will include a description of the existing multi-modal transportation network, including roadways with Federal Highway Administration (FHWA) functional classifications where relevant, mass transit (bus, rail, jitney, ferry), parking facilities, and bicycle and pedestrian accommodations. The consultant will review the existing transportation-related policies of the City of Jersey City and transportation agencies with facilities in Jersey City or that provide access to Jersey City. The consultant will compile planned projects and/or policy changes from City departments and transportation agencies that provide service in Jersey City including NJDOT, NJ Turnpike Authority, NJ Transit, Port Authority of New York and New Jersey, and private ferry and bus operators. Additionally, the consultant will gather quantitative data including but not limited to existing transit ridership and roadway traffic volumes. The consultant will create an inventory of natural and regulatory constraints. The consultant, with the cooperation of City staff and the TAC, will be responsible for gathering the above information.

Jersey City's development regulations are highly complex, with over twenty (20) different land use zones and over seventy (70) separate redevelopment areas, each with its own set of sub-zones that each contain a unique set of development regulations. In order to integrate land use with the update of the Circulation Element, the consultant, with the assistance of Jersey City staff, will prepare a build-out analysis through the year 2050, which will inform the identification of deficiencies in the transportation network and recommendations for improvements to the transportation network, changes to transportation-related policy, and land use policy.

The consultant will review any new reports or studies that may be produced by NJ Transit concurrently with the issuance of this RFP, which shall be provided by the City or NJ Transit. NJ Transit is currently examining potential alignments for the expansion of Hudson-Bergen Light Rail service on the Sixth Street Embankment and through the Bergen Arches. The consultant will be required to coordinate with this ongoing effort, as well as other Jersey City-centric studies.

#### Option (subject to approval of additional funds)

As part of the data collection effort and pending the availability of additional funding from the Urban Enterprise Zone program, the consultant will conduct two surveys:

1. Worker travel data (including origin, home-based work direct trips, home-based work strategic trips, work-based other, and mode choice consistent with data in Enhanced North Jersey Regional Transportation Model)
2. Resident travel data (including home-based work direct trips, home-based work strategic trips, home-based shopping trips, home-based other, work-based other, non-home-non-work trips, airport trips, university trips, and

mode choice consistent with data in Enhanced North Jersey Regional Transportation Model)

Both surveys will target the total worker and resident populations and may be internet-based. The resident survey will be in both English and Spanish.

The consultant will be responsible for the design, implementation, tabulation, and analysis of the surveys. Staff from the Jersey City Economic Development Corporation will assist with the employer outreach effort. These surveys should be designed to pay particular attention to trips during the evening peak.

Products: Technical Memorandum that summarizes the existing conditions for roadway, mass transit, parking, and bicycle and pedestrian accommodations; compilation of planned capital improvements and policy changes; build-out analysis for the year 2050; and results of worker and resident surveys

*Task 2: Establishment of Vision, Goals, and Objectives, Public Meeting 1*

Following preliminary data collection by the consultant, the consultant will present the data collected during Phase 1 to the TAC, Stakeholders Group, and general public and identify current and anticipated needs of the transportation network with input from the TAC, Stakeholders Group, and general public.

To the greatest extent feasible, the Circulation Element will be oriented toward a vision of a congestion-mitigated, transit-oriented, traffic-calmed, pedestrian and bicycle friendly city. A series of measurable goals and objectives that, when fulfilled, implement the vision, shall be developed.

Product: Technical Memorandum that describes the City's refined vision statement, list of goals and objectives, and summary of Public Meeting 1

*Task 3: Phase 2 Data Collection in response to the City's vision, goals, and objectives*

With the City's goals and objectives resulting from meetings of the TAC, Stakeholders Group, and the general public, the consultant will complete data collection. In order to focus the resources available to this effort, the data collected shall be tailored to the goals and inform recommendations. The specific data to be collected will be determined with the TAC after the completion of Task 2.

Product: Technical Memorandum that summarizes all data collected during Phase 2 data collection

*Task 4: Alternatives Identification and Analysis, Public Meeting 2*

The consultant will identify, analyze, and evaluate a set of alternatives that advance the City's goals identified in Task 2.

The consultant, with input from City staff, the TAC, Stakeholder Group, and the public, will identify current and future system deficiencies and potential alternatives to address those deficiencies.

The consultant will provide comprehensive analysis of all data sources, which will include analysis of the Master Plan Land Use Element and anticipated land use policy changes, transportation demands to be created by development at build-out, attractions within the study area, and external traffic inputs. Analysis will also be performed to determine how planned future development will affect regional multi-modal access to and circulation within Jersey City with consideration of through traffic to and from Manhattan. This section will include any transportation modeling. Through the analysis of data, transportation infrastructure and policy, existing land uses and planned development; the study will identify specific transportation alternatives to realize the City's vision for its transportation network.

The alternatives analysis will give particular emphasis to mass transit and pedestrian and bicycle modes with due consideration of transit levels of service and ridership. The analysis may also include the identification of potential new rail and bus rapid transit lines and the right-of-ways in need of preservation, potential shuttle service to mass transit stations, potential new stations on existing PATH and/or light rail lines, potential location(s) for bus terminal/layover, potential mechanisms to improve connectivity between existing and planned rail systems within the City, and strategies to reduce the demand for travel by automobile. The analysis will include the examination of the impacts of traffic calming on traffic congestion. The analysis will examine the extent to which the provision of parking impacts traffic congestion.

A second public meeting will be held as part of Task 4. The purpose of this meeting will be to solicit input from the public on proposed alternatives. It is anticipated that input from the public will inform the evaluation and ranking of alternatives. The format of the second public meeting should maximize participation and input from the general public.

The consultant will devise a system to evaluate proposed alternatives and evaluate alternatives with that system.

Products: Summary of the methodology and results of the analysis and evaluation of alternatives

*Task 5: Recommendations (Identification of Improvements, Implementation Strategy, and Progress Evaluation Methodology)*

The consultant will develop a set of recommendations for specific strategies and actions based on anticipated transportation needs to make the City's vision a reality. The recommendations shall address projects and policy, including land use policy. Recommendations shall include short-term, medium-term, and long-term strategies that

coincide with Jersey City's short-term, medium-term, and long-term needs. Recommendations shall include an implementation strategy with an identification of priority projects as well as a method to monitor and evaluate the progress of implementation. Project cost estimates, potential funding sources, and agency responsibility will be identified for each recommendation.

Product: Draft of recommendations, implementation strategy, method to monitor and evaluate implementation progress

*Task 6: Draft Circulation Element, Public Meeting 3*

The consultant will prepare a draft of the final Circulation Element for review and comment by City staff, the TAC, and Stakeholders Group. The consultant will hold a public meeting to present the draft Circulation Element to the public for comment, followed by a public comment period, prior to official submission to the Jersey City Planning Board. Public comments shall be submitted to Jersey City's project manager, who will forward comments to the consultant team project manager. Public comments shall be recorded in a separate written supplement to the minutes of the public meeting.

The draft Circulation Element shall include at least the following:

- A statement of the City's transportation vision
- Goal, objectives, strategies, and actions
- Detailed maps and description of the existing multi-modal transportation network of the entire City
- Description of FHWA functional classification for the City roadway system
- Maps and descriptions of approved, pending, and anticipated transportation system improvements, enhancements, and policy changes for all modes
- An improvement plan that includes maps, drawings, and descriptions of improvements to roadways, mass transit, bicycle routes, truck routes, pedestrian facilities, parking facilities, and identification of potential location(s) for bus terminal/layover
- Project cost estimates, identification of potential funding source, and identification of lead agencies for project implementation
- Recommendations for alignments for new right-of-way for mass transit and streets for an Official Map in accordance with N.J.S.A. 40:55D-32
- A method to monitor and evaluate the City's progress in the attainment of its goals
- Report on the methodology used
- Report on the data collected and the findings of the data analysis
- A street regulating plan that illustrates the location and form of all streets with an illustrated hierarchy of streets ranging from pathways to residential streets to boulevards
- Recommendations for mechanisms to ensure adequate sidewalk maintenance and cleaning

- A traffic calming plan that provides template designs of traffic calming devices that are suitable for the geometry of Jersey City streets and guidelines or decision rules for the application of traffic calming citywide

Product: Draft circulation element and separate transcript of public comments from Public Meeting 3

*Task 7: Final Circulation Element and Presentation to Jersey City Planning Board*

The consultant team will prepare the final proposed Circulation Element and distribute paper copies to City staff, the TAC, and the Stakeholders Group. A digital copy of the Circulation Element will also be provided to the City of Jersey City in a format that City staff are able to edit and modify, if necessary. The project manager/licensed professional planner for the consultant team will present the final version of the proposed Circulation Element to the Jersey City Planning Board for consideration of formal adoption. The consultant will also be prepared to attend a second, follow-up Planning Board meeting, if necessary.

This effort will result in a proposed update to the Circulation Element of the Jersey City Master Plan in accordance with N.J.S.A. 40:55D-28, which will be presented to the Jersey City Planning Board for formal adoption as an amendment to the official Jersey City Master Plan.

Product: Final proposed Circulation Element in accordance with N.J.S.A. 40:55D-28 in a format that is suitable for formal adoption by the Jersey City Planning Board that has been presented to the Planning Board for consideration of adoption and that can be edited by Jersey City staff in the event of subsequent amendments

*Concurrent Tasks*

In addition to Tasks 1-7, the consultant will perform the following tasks throughout the duration of the effort.

*Public Outreach*

Public outreach shall be two-pronged. It shall include a representative Stakeholders Group that meets regularly throughout the course of the project and a set of three well-advertised meetings of the general public. Meetings of the TAC and Progress Update Meetings will not constitute public meetings. All public meetings shall include a PowerPoint presentation and supplemental handouts, if necessary. When appropriate, meeting materials will be made available to the attendees in advance of the meeting.

For the three meetings of the general public, the consultant will prepare meeting materials in both English and Spanish. The consultant should also have Spanish-speaking staff on hand for the three meetings of the general public. Efforts shall be made to reach the widest audience possible. Innovative and effective ways to engage the public will be

encouraged. The public will be given ample opportunity to share their vision for the transportation network in Jersey City and review and provide feedback on consultant work products. Therefore, meetings of the general public will be followed by a public comment period during which the public may submit written comments to Jersey City's project manager, who will forward comments to the consultant team project manager at the close of the public comment period.

The City's project manager will be responsible for reserving locations for public meetings, respond to public inquiries, and assist in the advertisement of public meetings.

### *Quality Control*

The selected consultant should have a procedure in place to ensure the quality, accuracy, and timeliness of their work and task deliverables. These procedures should be described in the Technical Proposal.

### *Web Site*

To facilitate the dissemination of information, the consultant will create a Web site that will remain active for the duration of the effort. Content of the Web site should include project background, meeting announcements, meeting minutes and handouts, draft and final work products, and contact information. The Web site should be interactive and include a forum that allows users to post comments and questions. Key components of the Web site should be in English and Spanish. The Web site must be online by the completion of Task 1 and shall be maintained and updated for the duration of the project.

## 6) Desired Project Timeline

It is expected that the selected consultant will begin work on the project in January 2008. Below is the desired timeline:

Months 1-2: Task 1 – Phase 1 Data Collection, Web site

Months 3-4: Task 2 – Establishment of Vision, Goals, and Objectives, Public Meeting 1

Months 5-7: Task 3 – Phase 2 Data Collection

Months 8-10: Task 4 – Alternatives Identification and Analysis, Public Meeting 2

Months 11-13: Task 5 – Recommendations

Months 14-16: Task 6 – Draft Circulation Element, Public Meeting 3

Month 17: Task 7 – Final Circulation Element and Presentation to Planning Board

The project schedule must allot ample time for the review of deliverables by Jersey City staff, TAC, the Stakeholders Group, and/or general public.

**All work on this effort (including final invoicing) must be complete by May 29, 2009.**

However, a compressed timeline that accomplishes, at a minimum, all tasks described in this RFP is preferred.

7) Budget and Disadvantaged Business Enterprise and Emerging Small Business Enterprise Requirement

The total budget for this study is \$220,000, excluding additional funding that may be available for the option described in Task 1. The North Jersey Transportation Planning Authority (NJTPA) and the City of Jersey City will provide the funding for this effort. The NJTPA requires the use of Disadvantaged Business Enterprises and/or Emerging Small Businesses Enterprises at a minimum of **15.1%** of the total contract amount.

8) Monthly Reports and Invoices

The consultant must submit a progress report and invoice at the end of each month. Invoices must include the hourly rate, hours billed per task, and total invoiced amounts for each employee that works on the project. Time sheets or certified payroll will serve as proof of hours charged to invoices, and receipts must be provided as proof of direct expenses. Invoices must be submitted in the specified format for payment. The final invoice must be submitted by May 29, 2009.

9) Consultant Selection Criteria

The selected consultant team should have expertise in the following areas:

- public outreach and visioning
- modeling of mass transit AND vehicular traffic
- parking analysis
- pedestrian master planning
- bicycle master planning
- survey design and implementation
- proficiency in spoken and written English and Spanish

At the core of the consultant team should be expertise in all anticipated modes to be studied.

**The day-to-day project manager for the consultant team must have both New Jersey Professional Planner license and AICP certification.**

A consultant-selection committee will evaluate all proposals based on the following criteria and weights:

<b>Evaluation Criteria</b>	<b>Points</b>
Cost Proposal	25
Consultant Team Qualifications (including but not limited to organizational capacity, project management ability, qualifications of assigned staff, past projects of assigned staff)	25
Technical Approach	20
Understanding of Scope of Work (including but not limited to familiarity with Jersey City)	15
Creativity and Innovative Ideas	10
Schedule and Deliverables	5
Total	100

#### 10) Content of Technical Proposal

Proposers must submit a technical proposal that must include the following sections in the order shown below.

a) **Summary Statement**

The proposal shall contain an opening statement of no more than two pages that summarizes how the consultant or consultant team will accomplish the goals of the study and the roles and qualifications of the consultant firm and the members of the consultant team.

b) **Statement of Qualifications**

The proposal must include the general qualifications and experience relevant to this study for each organization on the consultant team. Jersey City recommends that prospective consultant firms partner with other firms in order to meet the needs of this project. The proposal must identify all organizations and individuals within the organizations who will participate on the consultant team and include the qualifications of both the consultant firm(s) and resumes of all assigned staff. Samples of prior work may only be provided that is the work product of the specific proposed team members. Generic firm project descriptions by professionals not proposed to be part of the project team are unacceptable. The proposal must describe the tasks to be performed by each individual on the consultant team and the amount of time that each person will contribute to the total time spent on the study. Any requests for substitutions to the assigned staff must be placed in writing and will be subject to approval by Jersey City of Jersey City's Project Manager for the study. In addition, this section of the proposal should include:

- An organization chart showing the reporting and reviewing relationships of all participants in the consultant team
  - The name of the Disadvantaged Business Enterprise(s) and/or Emerging Small Business Enterprise(s), the firm's DBE or ESBE certification, participating staff from the DBE and/or ESBE, and specific tasks to be performed by the DBE and/or ESBE
  - The contact information, including name, title, street and mailing addresses, telephone, fax, and e-mail and Web site addresses for the lead members of each firm or organization of the consultant team
  - The name and contact information for a consultant team manager/principal contact with a description of a plan for day-to-day communications between consultant team project manager and Jersey City project manager
  - A description of the consultant team's Quality Control/Quality Assurance procedures
  - Certification of the availability of professional and technical staff during the life of the project
- c) **Scope of Work/Project Approach and Timeline**  
 The proposal must include a Scope of Work and project timeline that shows major milestones, no longer than 10 pages, detailing how, at a minimum, the tasks described in the Scope of Work section of this RFP are to be completed. The project timeline should indicate major milestones and the percentage of time each task represents.
- d) **Proposed Schedule of Deliverables (Work must be complete by May 29, 2009.)**  
 The proposal must include a table that defines and describes the deliverable(s) (work products) associated with each task and subtask and the anticipated date of submission of each task deliverable in terms of weeks from project initiation. All final products must be submitted in electronic and hard copy versions. The proposal must state the specific formats for each task deliverable. (Microsoft formats, Adobe PDFs, and ArcView are preferred.) Jersey City staff will approve the format for all deliverables. All modeling and GIS data shall be to City standards, shall be the property of the City of Jersey City, and shall be provided to the City. All final deliverables must be submitted by May 29, 2009.
- e) **Proposed Schedule of Meetings**  
 The proposal must include a table that shows all progress update meetings and meetings of the TAC, Stakeholders Group, and general public. This section should also include details on the format of Public Meeting 2, which is anticipated to be a public session to solicit feedback on alternatives.
- f) **Jersey City Responsibilities**  
 The proposal must include discussion of the consultant's assumptions of the responsibilities of the City of Jersey City. This section should describe in detail what Jersey City should accomplish in order for this effort to succeed.

- g) Assumptions and Qualifications  
In this section, list other assumptions or qualifying statements that relate to the proposal or project.
- h) References  
Please provide the contact information for three references, outside Jersey City staff, associated with prior relevant work by the consultant team or its lead members. At least one reference should be from the public sector.
- i) Business Registration Certificate  
Pursuant to N.J.S.A. 52:32-44, Consultant shall submit with its proposal a copy of its Business Registration Certificate issued by the State of New Jersey Department of Treasury.
- j) Equal Employment Opportunity and Affirmative Action Requirements  
Consultants are required to comply with N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27. Questions in reference to EEO/AA Requirements for Goods, Professional Services, and General Service Contracts should be directed to:

Ms. Jeana F. Abuan  
Affirmative Action Officer, Public Agency Compliance Officer  
Department of Administration  
Office of Equal Opportunity/Affirmative Action  
280 Grove Street, Room 103  
Jersey City, NJ 07302  
Tel: (201) 547-4533  
Fax: (201) 547-5088  
E-mail Address: abuanJ@jcnj.org

**The attached EEO/AA forms must be completed and submitted with proposals.**

#### 11) Content of Cost Proposal

The City of Jersey City is seeking a cost plus fixed fee proposal with a cap of \$220,000 for the Scope of Services, excluding the option described in Task 1. The cost proposal must include a separate proposed budget for the surveys of Jersey City workers and residents described in Task 1. (The availability and amount of funding for the surveys are yet to be determined.) Proposers must submit a cost proposal itemized by each major task in the Scope of Services, which is inclusive of all expenses.

The proposer must submit a cost proposal that is separate from the technical proposal. The maximum consultant budget for this study is \$220,000, excluding the budget for the option described in Task 1. **Please see the sample budget attached to this RFP.** The consultant must submit the following:

- a list of all personnel working on the study, including subconsultants, with job titles
- the hours per task for each employee
- the hourly wage rate for each employee with the effective date of hourly wage rates
- identification of DBE/ESBE firm(s) on the consultant team (a minimum of 15.1% of total budget must be allocated to the DBE/ESBE firm(s))
- overhead
- other direct expenses
- fee
- the length of time that the cost appraisal is considered valid

## 12) Interview Format (if applicable)

If necessary, interviews with the highest-ranked firms or teams may be scheduled on Friday, November 30, 2007 from 10 AM to 2 PM at the Jersey City Department of Housing, Economic Development, and Commerce at 30 Montgomery Street, in the large conference room on the 14<sup>th</sup> Floor, in downtown Jersey City. The meeting will be an opportunity for the selection committee to ask for clarification of proposers' proposals and qualifications. Interviews will last approximately one hour each and will be scheduled consecutively. At least one member of each firm or organization on the prospective consultant team must attend the interview. The consultant team manager must make a presentation of no more than 10 minutes. To assist in the selection process, the City of Jersey City reserves the right to request additional information to supplement the original proposal. The Jersey City Project Manager will notify the principal contact of the consultant team by telephone by 3 PM on Tuesday, November 27, 2007 if an interview is necessary.

Note: All items contained within this RFP shall be part of the contract, unless a written waiver is provided by the City of Jersey City.

## 13) Instructions for Submission

Submissions should be divided into separate technical and cost proposals. The technical proposal must consist of ten (10) copies separately bound. Proposers must submit one (1) cost proposal in a separate sealed envelope labeled "Cost Proposal for Circulation Element of the Jersey City Master Plan."

**Proposals must be submitted by 11 AM on Tuesday, November 20, 2007 to:**

**Mr. Peter Folgado, RPPS, Director  
Jersey City Division of Purchasing  
1 Journal Square Plaza  
Jersey City, NJ 07306**

Consultant's proposal is prepared at its own cost and expense. The City will not be responsible for paying any of the costs or expenses associated with the preparation or submission of a proposal.

Pursuant to N.J.S.A. 52:32-44, Consultant shall submit with its proposal a copy of its Business Registration Certificate issued by the State of New Jersey Department of Treasury.

CONSULTANT IS REQUIRED TO COMPLY WITH THE REQUIREMENTS OF N.J.S.A. 10:5-31 ET SEQ. AND N.J.A.C. 17:27 (SEE MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE FOR GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS). CONSULTANT FOR GOODS AND SERVICES, THAT ARE NOT SUBJECT TO A FEDERALLY APPROVED OR SANCTIONED AFFIRMATIVE ACTION PROGRAM 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:

- i. Appropriate evidence that the contractor is operating under an existing federally approved or a sanctioned affirmative action program; or
- ii. A certificate of employee information report approval, issued in accordance with N.J.A.C. 17:27-4; or
- iii. An employee information report (Form AA 302) provided by the Division and distributed to the public agency to be completed by the contractor, in accordance with N.J.A.C. 17:27-4.

ALSO ATTACHED TO THE REQUEST FOR PROPOSALS ARE ADDITIONAL EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION REQUIREMENTS.

CONSULTANT IS ALSO REQUIRED TO COMPLY WITH THE REQUIREMENTS OF P.L. 2004, C. 57 WHICH INCLUDES THE REQUIREMENT THAT CONTRACTORS PROVIDE COPIES OF THEIR BUSINESS REGISTRATION CERTIFICATES ISSUED BY THE NEW JERSEY DEPARTMENT OF THE TREASURY.

A party responding to the RFP must indicate what type of business organization it is e.g., corporation, partnership, sole proprietorship, or non-profit organization. If a party is a subsidiary or direct or indirect affiliate of any other organization, it must indicate in its proposal the name of the related organization and the relationship. If a party responding to this RFP is a partnership, it shall list the names of all partners. If a party responding to this RFP is a corporation, it shall list the names of those stockholders holding 10% or more of the outstanding stock.

This RFP constitutes an invitation to submit proposals to the City. The City reserves the right in protection of the best interests of the City to waive any technical error, to reject any proposal, or any part thereof, for any reason whatsoever or to reject all proposals for any reason whatsoever.

*Time for Submitting Proposals*

All proposals must be in writing and must be delivered to Peter Folgado, RPPS, Director of the Jersey City Division of Purchasing, no later than **11 AM on Tuesday, November 20, 2007**. Any proposals received after this time will be rejected. Proposals may be submitted in person, or may be sent by U.S. certified mail return receipt requested, or may be sent by private courier service. Mail proposals to: Mr. Peter Folgado, RPPS, Director, Jersey City Division of Purchasing, 1 Journal Square Plaza, Jersey City, New Jersey 07306. Proposals sent by mail must be received by the purchasing agent no later than 4:00 PM of the last business day before the proposal due date. Proposals sent by courier service must be delivered to the purchasing agent no later 11:00 AM on Tuesday, November 20, 2007. The City shall not be responsible for the loss, non-delivery or physical condition of proposals sent by mail or courier service.

*Award of Contract*

Proposals will be reviewed for compliance with the terms and conditions of the RFP. Any proposals not responsive to the RFP will be rejected. The contract will be awarded as an extraordinary unspecifiable services contract pursuant to N.J.S.A. 40A:11-5(l)(a)(ii). The Municipal Council will vote to accept the proposal of a Consultant within 60 days of the receipt of proposals, except that the proposals of any Consultants who consent thereto, may, at the request of the city, be held for consideration for such longer period as may be agreed. Within twenty (20) days of contract award by the City Council, the Consultant shall execute an agreement with the City containing all the terms and conditions of this RFP. In the event that this deadline is missed, the parties may agree in writing to an extension of this time limit.

Name of Consultant: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone Number: \_\_\_\_\_

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

Insurance

1. The selected consultant shall purchase and maintain the following insurance throughout the term of the study.

- A. Comprehensive General Liability: including Premises Operations, Products Completed Operations, and Independent Contractor Coverages – covering as insured the Consultant with not less than ONE MILLION (\$1,000,000) DOLLARS. The City of Jersey City, its agents, servants shall be named as additional insured.

- B. Automobile Liability Coverage: covering as insured the Consultant with not less than ONE MILLION (\$1,000,000) DOLLARS combined single limit for Bodily Injury and Property Damage Liability, including non-owned Automobile Liability Coverage.
- C. Workers' Compensation Insurance: benefit securing compensation for the benefit of the employees of the Consultant in the sum of ONE HUNDRED THOUSAND (\$100,000) DOLLARS (Statutory).
- D. Professional Liability Insurance: covering as insured the Consultant with not less than ONE MILLION (\$1,000,000) DOLLARS limit of liability.

2. The selected consultant agrees to procure and maintain insurance of the kinds and in the amounts herein above provided in insurance companies authorized to do business in the State of New Jersey, as rated in the Best Key Rating Guide for Property and Casualty covering all operation specified in the contract. Before commencing the work, the Consultant shall furnish the City of Jersey City certificates of insurance upon execution of the contract. Certificates for coverage in Subsection A and B, Section 1, page 17 shall name the City of Jersey City as an additional insured.

3. The insurance policies described above shall be kept in force for the period specified below:

- A. Comprehensive General Liability, Automobile Liability Coverage, and Workers' Compensation Insurance shall be kept in force until submission of the Consultant's final invoice.
- B. Professional Liability Insurance should be kept in force until at least one (1) year after completion of the contract.

The selected consultant will be required to indemnify the City of Jersey City in connection with the contracted work.

#### Project Manager

The Jersey City Division of City Planning will manage this study. The project manager is:

Naomi Hsu, AICP  
Senior Planner - Transportation  
Jersey City Division of City Planning  
30 Montgomery Street, Suite 1400  
Jersey City, NJ 07302  
Tel: (201) 547-5021  
Fax: (201) 547-4323  
E-mail: [hsun@jcnj.org](mailto:hsun@jcnj.org)

All inquiries about this RFP must be submitted to the Project Manger in writing via fax, e-mail, or U.S. mail. The Project Manager will provide all responses in writing to all recipients of the RFP.

Prospective proposers may not engage in contact or communication on any aspect of this notification with any member of the Technical Advisory Committee, its constituent members, the City of Jersey City, or the North Jersey Transportation Planning Authority, except by the process described herein.

Consultant Selection Timeline

<b>Activity</b>	<b>Date</b>
RFP Issued	Thursday, October 18, 2007
Proposals Due	11 AM on Tuesday, November 20, 2007
Consultant Interviews	Friday, November 30, 2007, 10 AM - 2 PM
Consultant Selection and Mailing of Decision Letters	Week of December 10, 2007
Kick-off Meeting with Consultant and Technical Advisory Committee	Early January 2008

## **DISADVANTAGED BUSINESS ENTERPRISE (DBE) AND EMERGING SMALL BUSINESS ENTERPRISE (ESBE) PARTICIPATION**

### **Disadvantaged Business Enterprise (DBE):**

A federal requirement that must be addressed is the mandated Disadvantaged Business Enterprise (DBE) participation. A Disadvantaged Business Enterprise (DBE) is defined in 49 CFR Part 26 and FTA C 4716.1A, as "a small business concern (from Section 3 of the Small Business Act), which is:

1. at least 51 percent owned by one or more 'socially and economically disadvantaged' individuals, or in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more 'socially and economically disadvantaged' individuals: and
2. whose management and daily business operations are controlled by one or more of the 'socially and economically disadvantaged' individuals who own it.

'Socially and economically disadvantaged' is defined as individuals who are citizens of the United States (or lawfully permanent residents) and who are:

"Black Americans," "Hispanic Americans", "Native Americans," "Asian-Pacific Americans", "Asian-Indian Americans", "Women" (regardless of race, ethnicity, or origin); or "Other" (disadvantaged pursuant to Section 8 of the Small Business Act).

### **Emerging Small Business Enterprise:**

The Emerging Small Business Enterprise (ESBE) referred to herein is defined as a firm that has met the following criteria and obtained **small business certification as an ESBE by The State of New Jersey Department of Transportation:**

1. A firm must meet the criteria for a small business as defined by the Small Business Administration in 13 CFR Part 121, which includes annual receipts from all revenues, including affiliate receipts which equates to the annual arithmetic average over the last 3 completed tax years, or by the number of employees.
2. The small business must be owned by individuals who do not exceed the personal net worth criteria established in 49 CFR Part 26 which is \$750,000.

All appropriately certified DBEs fall into this definition due to their size.

---

---

## **DOCUMENTATION BY CONSULTANT:**

---

---

The NJTPA has a long-standing commitment to maximize business opportunities available to disadvantaged and emerging small business enterprises (DBE/ESBE). The consultant's contract is subject to all federal, state, and local laws, rules, and regulations, including but not limited to, non-discrimination in employment and affirmative action for equal employment opportunity. The consultant's contract obligates the consultant to aggressively pursue Disadvantaged Business Enterprises (DBEs) and Emerging Small Businesses (ESBEs) for participation in the performance of contracts and subcontracts financed in whole or in part with Federal funds. The consultant cannot discriminate on the basis of race, color, national origin, or sex in the award and performance of federally assisted contracts.. The prime consultant must document, in writing, all of the steps that led to any selection of the DBE/ESBE firm/(s). Prior to the award of a consultant contract, the consultant must demonstrate sufficient reasonable efforts to utilize DBE/ESBE firms. **For studies drawing on federal funding under an NJTPA grant, the ESBE goal shall be at minimum 15.1%.**

If, at any time you intend to subcontract or modify any portion of the work already under contract, or intend to purchase material or lease equipment not contemplated during the original preparation of your cost proposal, you must notify the NJTPA in writing. If, as a result of any subcontract, modification, purchase order, or lease, the actual DBE/ESBE participation rate for the consultant's contract is in danger of falling below the agreed upon DBE/ESBE participation, then a request must be made for a DBE/ESBE Goal Exemption Modification through the Program Manager.

### **Good Faith Efforts:**

To demonstrate sufficient reasonable efforts to meet the DBE or ESBE contract goals, a contractor shall document the steps it has taken to obtain DBE or ESBE participation, including but not limited to the following:

1. Attendance at an information meeting, if any, to inform the DBEs or ESBEs of prime contracting and subcontracting opportunities under a given solicitation.
2. Advertisement in general circulation media, trade association publications, and small business publications for at least 20 days before proposals are due. If 20 days are not available, publication for a shorter reasonable time is acceptable.
3. Written notification to DBEs or ESBEs that their interest in the contract is solicited;
4. Efforts made to select portions of work proposed to be performed by DBEs or ESBEs in order to increase the likelihood of achieving the stated goal;

5. Efforts made to negotiate with DBEs or ESBEs for specific proposals including at a minimum:
  - A. The names, addresses and telephone numbers of DBEs or ESBEs that were contacted;
  - B. A description of the information provided to DBEs or ESBEs regarding the scope of work for the specified solicitation; and
  - C. A statement of why additional agreements with DBEs or ESBEs were not reached;
6. Information regarding each DBE or ESBE the contractor contacted and rejected as unqualified and the reasons for the contractor's conclusion;
7. Efforts made to assist the DBE or ESBE in obtaining bonding or insurance required by the contractor.

**NOTE:** If the NJTPA determines that the apparent successful contractor has failed to meet the requirements of this section, the contractor will be afforded the opportunity for an administrative reconsideration of that determination prior to the award or rejection of the contract. As part of the administrative reconsideration process, the contractor will have the opportunity to provide written documentation or argument concerning the issue of whether it met the goal or made adequate good faith efforts to do so. NJTPA will send the contractor a written decision on reconsideration, explaining the basis for the finding that the contractor did or did not meet the goal or make adequate good faith efforts to do so.



**CITY OF JERSEY CITY**

**PROJECT:** \_\_\_\_\_

**RESPONDENT:** \_\_\_\_\_

**RESPONDENT'S CHECKLIST**

<b>Item</b>	<b>Respondent Initials</b>	<b>Purchasing Review</b>
A. Non-Collusion Affidavit properly notarized		
B. Public Disclosure Statement		
C. Mandatory Affirmative Action Language		
D. Americans with Disabilities Act		
E. MWBE Questionnaire		
F. Affirmative Action Compliance Notice		
G. Employee Information Report		
H. Business Registration Certificate		
I. Original signature(s) on all required forms.		

**NON COLLUSION AFFIDAVIT**  
STATE OF NEW JERSEY  
CITY OF JERSEY CITY ss:

I certify that I am \_\_\_\_\_

of the firm of \_\_\_\_\_

the bidder making the proposal for the above named project, and that I executed the said proposal with full authority so to do; that said bidder has not, directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above named project; and that all statements contained in said proposal and in this affidavit are true and correct, and made with full knowledge that the City of Jersey City relies upon the truth of the statements contained in said proposal and in the statements contained in this affidavit in awarding the contract for the said project.

I further warrant that no person or selling agency has been employed to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by (N.J.S.A.52: 34-25)

(Signature of respondent) \_\_\_\_\_

SUBSCRIBED AND SWORN TO  
BEFORE ME THIS DAY \_\_\_\_\_ OF 20 \_\_\_\_\_

(TYPE OR PRINT NAME OF AFFIANT UNDER SIGNATURE)

NOTARY PUBLIC OF  
MY COMMISSION EXPIRES: 20 .

**(NOTE: THIS FORM MUST BE COMPLETED, NOTARIZED AND RETURNED WITH THIS PROPOSAL).**

**PUBLIC DISCLOSURE INFORMATION**

Chapter 33 of the Public Laws of 1977 provides that no Corporation or Partnership shall be awarded any State, City, Municipal or Schools District contracts for the performance of any work or the furnishing of any materials or supplies, unless prior to the receipt of the bid or accompanying the bid of said corporation or partnership there is submitted a public disclosure information statement. The statement shall set forth the names and addresses of all stockholders in the corporation or partnership who own ten percent (10%) or more of its stock of any class, or of all individual partners in the partnership who own a ten percent (10%) or greater interest therein.

**STOCKHOLDERS:**

Name	Address	% owned

SIGNATURE : \_\_\_\_\_

TITLE: \_\_\_\_\_

SUBSCRIBED AND SWORN TO  
BEFORE ME THIS DAY \_\_\_\_\_ OF 20 \_\_\_\_\_

(TYPE OR PRINT NAME OF AFFIANT UNDER SIGNATURE)

NOTARY PUBLIC OF  
MY COMMISSION EXPIRES: 20 .

**(NOTE: THIS FORM MUST BE COMPLETED, NOTARIZED AND RETURNED WITH THIS PROPOSAL).**

**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE**  
**N.J.S.A. 10:5-31 and N.J.A.C. 17:27**

**Goods, Professional Services and General Service Contracts**  
**(Mandatory Affirmative Action Language)**

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 or sex. Except with respect to affectional or sexual orientation, 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 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 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 or sex, and that it will discontinue the

**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE  
N.J.S.A. 10:5-31 and N.J.A.C. 17:27 (continued)**

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

**The undersigned vendor certifies that he/she received, read, and is aware of the commitment to comply with:**

**N.J.S.A. 10:5-31 and N.J.A.C. 17:27**

**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE  
Goods, Professional Services and General Service Contracts  
(Mandatory Affirmative Action Language)**

**The undersigned vendor further agrees to furnish the required forms of evidence and understands that his/her bid shall be rejected as non-responsive if said contractor fails to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27 .**

**Representative's Name/Title (Print):** \_\_\_\_\_

**Representative's Signature:** \_\_\_\_\_

**Name of Company:** \_\_\_\_\_

**Tel. No.:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**AMERICANS WITH DISABILITIES ACT OF 1990**  
**Equal Opportunity for Individuals with Disability**

The contractor and the \_\_\_\_\_ of \_\_\_\_\_, (hereafter "owner") do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") (*42 U.S.C. 5121 01 et seq.*), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant there unto, are made a part of this contract.

In providing any aid, benefit, or service on behalf of the owner pursuant to this contract, the contractor agrees that the performance shall be in strict compliance with the Act.

In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the owner in any action or administrative proceeding commenced pursuant to this Act.

The contractor shall indemnify, protect, and save harmless the owner, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation.

The contractor shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the owner's grievance procedure, the contractor agrees to abide by any decision of the owner which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the owner, or if the owner incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the contractor shall satisfy and discharge the same at its own expense.

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

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

It is further agreed and understood that the owner assumes no obligation to indemnify or save harmless the contractor, its agents, servants, employees and subcontractors for any claim which may arise out of their performance of this Agreement.

**AMERICANS WITH DISABILITIES ACT OF 1990**  
**Equal Opportunity for Individuals with Disability (continued)**

Furthermore, the contractor expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the contractor's obligations assumed in this Agreement, nor shall they be construed to relieve the contractor from any liability, nor preclude the owner from taking any other actions available to it under any other provisions of the Agreement or otherwise at law.

**Representative's Name/Title Print):** \_\_\_\_\_

**Representative's Signature:** \_\_\_\_\_

**Name of Company:** \_\_\_\_\_

**Tel. No.:** \_\_\_\_\_ **Date:** \_\_\_\_\_.

**MINORITY/WOMAN BUSINESS ENTERPRISE (MWBE)  
Questionnaire for Bidders**

Jersey City Ordinance C-829 establishes a goal of awarding 20% of the dollar amount of total city procurement to minority and woman owned business enterprises.  
To assist us in monitoring our achievement of this goal, please indicate below whether your company is or is not a minority owned and/or woman owned business, and return this form with your bid proposal.

Business Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Please check applicable category :

\_\_\_\_\_ Minority Owned

\_\_\_\_\_ Minority & Woman Owned

\_\_\_\_\_ Woman Owned

\_\_\_\_\_ Neither

**Definition of Minority Business Enterprise**

Minority Business Enterprise means a business which is a sole proprietorship, partnership or corporation at least 51% of which is owned and controlled by persons who are African American, Hispanic, Asian American, American Indian or Alaskan native, defined as follows:

**African American:** a person having origins in any of the black racial groups of Africa

**Hispanic:** a person of Mexican, Puerto Rican, Central or South American or other non-European Spanish culture or origin regardless of race.

**Asian:** a person having origins in any of the original peoples of the Far East, South East Asia, Indian subcontinent, Hawaii or the Pacific Islands.

**American Indian or Alaskan Native:** a person having origins in any of the original peoples of North America and who maintains cultural identification through tribal affiliation or community recognition.

**Woman Business Enterprise**

Woman Business Enterprise means a business which is a sole proprietorship, partnership or corporation at least 51% of which is owned and controlled by a woman or women.

**AFFIRMATIVE ACTION COMPLIANCE NOTICE**

**N.J.S.A. 10:5-31 and N.J.A.C. 17:27**

**GOODS AND SERVICES CONTRACTS  
(INCLUDING PROFESSIONAL SERVICES)**

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

The successful bidder shall submit to the public agency, 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 contractor 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. 17:27-4;

OR

(c) A photocopy of an Employee Information Report (Form AA302) provided by the Division and distributed to the public agency to be completed by the contractor in accordance with N.J.A.C. 17:27-4.

The successful vendor may obtain the Affirmative Action Employee Information Report (AA302) from the contracting unit during normal business hours.

The successful vendor(s) must submit the copies of the AA302 Report to the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (Division). The Public Agency copy is submitted to the public agency, and the vendor copy is retained by the vendor.

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

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

COMPANY: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

PRINT

NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_

**AFFIRMATIVE ACTION COMPLIANCE (SAMPLE DOCUMENTS)**

Vendor must submit one of the following 3 documents:

- Letter of Federal Affirmative Action Plan Approval
- Certificate of Employee Information Report
- Employee Information Report Form AA302 (submitted to NJ State Dept of Treasury)

U.S. Department of Labor	Employment Standards Administration Office of Federal Contract Compliance Program	
	Newark Area Office 134 Evergreen Place, Fourth Floor East Orange, NJ 07018	
February 27, 19__	Reply to the attention of:	
President		
Dear		
Our recent compliance review of your establishment's equal employment opportunity policies and practices was completed on February 27, 19__.		
We found no apparent deficiencies or violations of Executive Order 11246, as amended, Section 503 of the Rehabilitation Act of 1973 or of 38 USC 2012 (the Vietnam Era Veterans' Readjustment Assistance Act). Accordingly, your establishment is deemed to be in compliance with these laws based on the material reviewed.		
The Office of Federal Contract Compliance Progress sincerely appreciated the cooperation and courtesies extended by you and your staff during the conduct of the compliance review.		
Sincerely,		
Area Office Director		

Certification \_\_\_\_\_

**CERTIFICATE OF EMPLOYEE INFORMATION REPORT**

**VOID**

This is to certify that the contractor Robert DeLoe has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of \_\_\_\_\_.

**VOID**



State Treasurer

## **INSTRUCTIONS FOR COMPLETING THE EMPLOYEE INFORMATION REPORT (FORM AA302)**

### **IMPORTANT:**

Read the following instructions carefully before completing the form. Print or type all information. Failure to properly complete the entire form may delay issuance of your certificate.

**If you have a current certificate of employee information report, do not complete this form. Send copy of current certificate to the public agency. Do not complete this form for construction contract awards.**

**ITEM 1** - Enter the Federal Identification Number assigned by the Internal Revenue Service, or if a Federal Employer Identification Number has been applied for, or if your business is such that you have not or will not receive a Federal Employer Identification Number, enter the Social Security Number of the owner or of one partner, in the case of a partnership.

**ITEM 2** - Check the box appropriate to your TYPE OF BUSINESS. If you are engaged in more than one type of business check the predominate one. If you are a manufacturer deriving more than 50% of your receipts from your own retail outlets, check "Retail".

**ITEM 3** - Enter the total "number" of employees in the entire company, including part-time employees. This number shall include all facilities in the entire firm or corporation.

**ITEM 4** - Enter the name by which the company is identified. If there is more than one company name, enter the predominant one.

**ITEM 5** - Enter the physical location of the company. Include City, County, State and Zip Code.

**ITEM 6** - Enter the name of any parent or affiliated company including the City, County, State and Zip Code. If there is none, so indicate by entering "None" or N/A.

**ITEM 7** - Check the box appropriate to your type of company establishment. "Single-establishment Employer" shall include an employer whose business is conducted at only one physical location. "Multi-establishment Employer" shall include an employer whose business is conducted at more than one location.

**ITEM 8** - If "Multi-establishment" was entered in item 8, enter the number of establishments within the State of New Jersey.

**ITEM 9** - Enter the total number of employees at the establishment being awarded the contract.

**ITEM 10** - Enter the name of the Public Agency awarding the contract. Include City, County, State and Zip Code.

**ITEM 11** - Enter the appropriate figures on all lines and in all columns.

THIS SHALL ONLY INCLUDE EMPLOYMENT DATA FROM THE FACILITY THAT IS BEING AWARDED THE CONTRACT.

DO NOT list the same employee in more than one job category.

DO NOT attach an EEO-1 Report.

**Racial/Ethnic Groups will be defined:**

**Black:** Not of Hispanic origin. Persons having origin in any of the Black racial groups of Africa.

**Hispanic:** Persons of Mexican, Puerto Rican, Cuban, or Central or South American or other Spanish culture or origin, regardless of race.

**American Indian or Alaskan Native:** Persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

**Asian or Pacific Islander:** Persons having origin in any of the original peoples of the Far East, Southeast Asia, the Indian Sub-continent or the Pacific Islands. This area includes for example, China, Japan, Korea, the Phillipine Islands and Samoa.

**Non-Minority:** Any Persons not identified in any of the aforementioned Racial/Ethnic Groups.

**ITEM 12** - Check the appropriate box. If the race or ethnic group information was not obtained by 1 or 2, specify by what other means this was done in 3.

**ITEM 13** - Enter the dates of the payroll period used to prepare the employment data presented in Item 12.

**ITEM 14** - If this is the first time an Employee Information Report has been submitted for this company, check block "Yes".

**ITEM 15** - If the answer to Item 15 is "No", enter the date when the last Employee Information Report was submitted by this company.

**ITEM 16** - Print or type the name of the person completing the form. Include the signature, title and date.

**ITEM 17** - Enter the physical location where the form is being completed. Include City, State, Zip Code and Phone Number.

**TYPE OR PRINT IN SHARP BALL POINT PEN**

The vendor is to complete the employee information report form (AA302) and retain copy for the vendor's own files. The vendor is to submit a copy to the public agency awarding the contract and forward a copy to:

**NJ Department of the Treasury  
Division of Contract Compliance & Equal Employment Opportunity  
P.O. Box 209  
Trenton, New Jersey 08625-0209 Telephone No. (609) 292-5475**

Form: [http://nj.gov/treasury/contract\\_compliance/pdf/aa302.pdf](http://nj.gov/treasury/contract_compliance/pdf/aa302.pdf)

Instructions: [http://nj.gov/treasury/contract\\_compliance/pdf/aa302ins.pdf](http://nj.gov/treasury/contract_compliance/pdf/aa302ins.pdf)

Note that the sample form shown on the following page is for illustrative purposes only and should not be submitted. Use the state website links above to obtain the actual form.

If you have any questions on EEO/AA forms and/or requirements, please contact:

Jeana F. Abuan, Affirmative Action Officer, Public Agency Compliance Officer  
Department of Administration, Office of Equal Opportunity/Affirmative Action  
280 Grove Street Room-103  
Jersey City NJ 07302

Tel. #201-547- 4533

Fax# 201-547-5088

E-mail Address: [abuanJ@jcnj.org](mailto:abuanJ@jcnj.org)

**STATE OF NEW JERSEY**  
Division of Contract Compliance & Equal Employment Opportunity

**EMPLOYEE INFORMATION REPORT**

For instructions on completing the form, go to: [http://www.state.nj.us/treasury/contract\\_compliance/pdf/aa302ins.pdf](http://www.state.nj.us/treasury/contract_compliance/pdf/aa302ins.pdf)

**SECTION A - COMPANY IDENTIFICATION**

1. FID. NO. OR SOCIAL SECURITY	2. TYPE OF BUSINESS <input type="checkbox"/> 1. MFG <input type="checkbox"/> 2. SERVICE <input type="checkbox"/> 3. WHOLESALE <input type="checkbox"/> 4. RETAIL <input type="checkbox"/> 5. OTHER	3. TOTAL NO. EMPLOYEES IN THE ENTIRE COMPANY
4. COMPANY NAME		
5. STREET	CITY	COUNTY STATE ZIP CODE
6. NAME OF PARENT OR AFFILIATED COMPANY (IF NONE, SO INDICATE)		CITY STATE ZIP CODE
7. CHECK ONE: IS THE COMPANY: <input type="checkbox"/> SINGLE-ESTABLISHMENT EMPLOYER <input type="checkbox"/> MULT-ESTABLISHMENT EMPLOYER		
8. IF MULTI-ESTABLISHMENT EMPLOYER, STATE THE NUMBER OF ESTABLISHMENTS IN NJ		
9. TOTAL NUMBER OF EMPLOYEES AT ESTABLISHMENT WHICH HAS BEEN AWARDED THE CONTRACT		
10. PUBLIC AGENCY AWARDED CONTRACT		
Official Use Only	DATE RECEIVED	INAUG. DATE
		ASSIGNED CERTIFICATION NUMBER

**SECTION B - EMPLOYMENT DATA**

11. Report all permanent, temporary and part-time employees ON YOUR OWN PAYROLL. Enter the appropriate figures on all lines and in all columns. Where there are no employees in a particular category, enter a zero. Include ALL employees, not just those in minority/non-minority categories, in columns 1, 2, & 3. **DO NOT SUBMIT AN EEO-1 REPORT.**

JOB CATEGORIES	ALL EMPLOYEES			PERMANENT MINORITY/NON-MINORITY EMPLOYEE BREAKDOWN										
	COL. 1 TOTAL (Cols 2 & 3)	COL. 2 MALE	COL. 3 FEMALE	***** MALE *****					***** FEMALE *****					
				BLACK	HISPANIC	AMER. INDIAN	ASIAN	NON MIN.	BLACK	HISPANIC	AMER. INDIAN	ASIAN	NON MIN.	
Officials/Managers														
Professionals														
Technicians														
Sales Workers														
Office & Clerical														
Craftworkers (skilled)														
Operatives (Semi-skilled)														
Laborers (Unskilled)														
Service Workers														
TOTAL														
Total employment from previous report (if any)														
Temporary & Part-Time Employees														

The data below shall NOT be included in the figures for the appropriate categories above.

12. HOW WAS INFORMATION AS TO RACE OR ETHNIC GROUP IN SECTION B OBTAINED? <input type="checkbox"/> 1. Visual Survey <input type="checkbox"/> 2. Employment Record <input type="checkbox"/> 3. Other (Specify)	14. IS THIS THE FIRST Employee Information Report Submitted? 1. YES <input type="checkbox"/> 2. NO <input type="checkbox"/>	15. IF NO, DATE LAST REPORT SUBMITTED MO. DAY YEAR
13. DATES OF PAYROLL PERIOD USED From: _____ To: _____		

**SECTION C - SIGNATURE AND IDENTIFICATION**

16. NAME OF PERSON COMPLETING FORM (Print or Type)	SIGNATURE	TITLE	DATE MO   DAY   YEAR
17. ADDRESS NO. & STREET	CITY	COUNTY	STATE ZIP CODE PHONE (AREA CODE, NO. EXTENSION)

## BUSINESS REGISTRATION LANGUAGE AND SAMPLE BRC

Refer to <http://www.state.nj.us/treasury/revenue/busregcert.htm>)

**P.L. 2004, c. 57 (N.J.S.A. 52:32-44)**

### MANDATORY BUSINESS REGISTRATION LANGUAGE

#### Non Construction Contracts

P.L. 2004, c. 57 (Chapter 57) amends and supplements the business registration provisions of N.J.S.A. 52:32-44 which impose certain requirements upon a business competing for, or entering into a contract with a local contracting agency whose contracting activities are subject to the requirements of the Local Public Contracts Law (N.J.S.A. 40A:11-2).

#### “New Jersey Business Registration Requirements”

The contractor shall provide written notice to its subcontractors of the responsibility to submit proof of business registration to the contractor.

Before final payment on the contract is made by the contracting agency, the contractor shall submit an accurate list and the proof of business registration of each subcontractor or supplier used in the fulfillment of the contract, or shall attest that no subcontractors were used.

**For the term of the contract, the contractor and each of its affiliates and a subcontractor and each of its affiliates [N.J.S.A. 52:32-44(g)(3)] shall collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act on all sales of tangible personal property delivered into this State, regardless of whether the tangible personal property is intended for a contract with a contracting agency.**

A business organization that fails to provide a copy of a business registration as required pursuant to section of P.L.2001, c.134 (C.52:32-44 et al.) or subsection e. or f. of section 92 of P.L.1977, c.110 (C.5:12-92), or that provides false business registration information under the requirements of either of those sections, shall be liable for a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration copy not properly provided under a contract with a contracting agency.”

STATE OF NEW JERSEY  
BUSINESS REGISTRATION CERTIFICATE  
FOR STATE AGENCY AND CASINO SERVICE CONTRACTORS

DEPARTMENT OF TREASURY  
DIVISION OF REVENUE  
PO BOX 282  
TRENTON, NJ 08646-0282

TAXPAYER NAME:  
TAX REGISTRATION TEST ACCOUNT

TAXPAYER IDENTIFICATION#:  
970-097-382/500

ADDRESS:  
847 ROEBLING AVE  
TRENTON NJ 08611  
EFFECTIVE DATE:  
01/01/01

FORM-BRC(08-01)

TRADE NAME:  
CLIENT REGISTRATION

SEQUENCE NUMBER:  
0107230

ISSUANCE DATE:  
07/14/04

ALL FORMS  
This Certificate is NOT assignable or transferrable. It must be conspicuously displayed at above address.

STATE OF NEW JERSEY  
BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name: TAX REG TEST ACCOUNT

Trade Name: CLIENT REGISTRATION

Address: 847 ROEBLING AVE  
TRENTON, NJ 08611

Certificate Number: 1092907

Date of Issuance: October 14, 2004

For Office Use Only:  
20041014112823533