

RESOLUTION NO. 2025-097

**RESOLUTION OF THE TOWNSHIP OF LITTLE
EGG HARBOR, COUNTY OF OCEAN, STATE OF
NEW JERSEY, ADOPTING PROCEDURE FOR
ADMINISTRATION AND INSPECTION OF
FEDERAL AID HIGHWAY PROJECTS FOR THE
BICYCLE AND PEDESTRIAN SAFETY
IMPROVMENTS TO RADIO ROAD**

WHEREAS, the Federal Highway Administration (FHWA) provides opportunities for Local Public Agencies (LPA), such as the Township of Little Egg Harbor (hereinafter "Township"), to receive Federal Aid Highway Program (FAHP or federal-aid) funds through New Jersey Department of Transportation (NJDOT); and

WHEREAS, the Township is presently the recipient of federal-aid funds through a project awarded under the FY2024 Community Project Funding for the Bicycle and Pedestrian Safety Improvements to Radio Road; and

WHEREAS, the Township as an LPA, is responsible for administering federal-aid funded projects in compliance with all federal-aid requirements established by the FHWA; and

WHEREAS, the NJDOT, through its Stewardship Agreement with FHWA, is responsible for ensuring that the Township is adequately staffed and suitably equipped to undertake federal-aid projects, and ensure that federal requirements are met; and

WHEREAS, the Township, as required by the NJDOT, has developed a Policy outlining the required procedures for the Administration of Federally Funded Transportation Projects administered through the NJDOT.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey as follows:

r|m|s|h|c

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Township of Little Egg Harbor

Procedure for Administration and Inspection of Federal Aid Projects

April 2024

Abbreviations

ADA – American with Disabilities Act
CFR- Code of Federal Regulations
CO – Change Order
DBE – Disadvantaged Business Enterprise
ESBE-Emerging Small Business Enterprise
FAA – Federal Aid Agreement
FAR – Federal Acquisition Regulation
FAHP – Federal Aid Highway Program
FHWA -- Federal Highway Administration
MPO – Metropolitan Planning Organizational
NEPA – National Environmental Policy Act
NJDOT – New Jersey Department of Transportation
NJDOT-BEPR -New Jersey Department of
Transportation – Bureau of Environmental
Program Resources
LPA – Local Public Agency
NJDOT – BLA- New Jersey Department of
Transportation – Bureau of Local Aid
PS&E – Plans, Specifications & Engineer’s Estimate
QA/QC – Quality Assurance/Quality Control
RC/PM – Responsible Charge/Project Manager
RE – Resident Engineer
RFP – Request for Proposals
ROW – Right of Way
SOW – Scope of Work
Specifications – 2019 New Jersey Department of Transportation Standard Specifications for
Road and Bridge Construction
U.S.C. – United States Codes
Voucher – State of New Jersey Payment Voucher
NJDOT - BLA – New Jersey Department of Transportation - Bureau of Local Aid

- a. Administers project activities, regarding cost, time, adherence to contract requirements, design and construction quality and scope.
- b. is aware of the qualifications, assignments and on the job performance of agency and consultant staff at all stages of the project.
- c. Reviews financial processes, transactions, and documentation to ensure that safeguards are in place to eliminate the possibility of fraud, waste and abuse.
- d. Either by Little Egg Harbor Township staff or with the support of a consulting engineering firm, NJDOT-BLA and NJDOT Bureau of Environmental Program Resources (NJDOT-BEPR), prepares and/or administers the disbursement of National Environmental Policy Act (NEPA) documents and permits, and coordinates with the correspondent agency, state or federal, involved in the preparation and filing of such documents.
- e. Provides review, comments, and final acceptance of all design documents.
- f. Oversees Right-of-Way availability and acquisition during the design phase. Verifies that any ROW acquisition follows approved NJDOT Right-Of-Way procedures and is reviewed by Little Egg Harbor Township Council. Little Egg Harbor Township must use Right-Of-Way procedures that are in conformance with the Uniform Act of 1970 and have been reviewed and approved by NJDOT Right-Of-Way.
- g. Provides coordination with all public and private utilities.
- h. Reviews and concurs with the consultant's construction bid review, analysis, and recommendation. Requests further evaluation from consultant if the recommendation is deemed incomplete.
- i. Verifies that the Form CR-266, CR-272, CR-273, and CR-274 have been submitted to and approved by NJDOT Civil Rights prior to Award of Contract.
- j. Prepares and submits a recommendation of award for approval and resolution of award by Little Egg Harbor Township's Governing Body or performs this task in accordance with NJDOT BLA approved Little Egg Harbor Township procedures.
- k. Works with Little Egg Harbor Township Legal Counsel to request Contractor submittal of all legal forms and documents for the preparation of the contract from the contractor for approval and resolution of award by Little Egg Harbor Township's Governing Body Agenda or performs this task in accordance with NJDOT BLA approved Little Egg Harbor Township Procedures.
- l. The pre-construction meeting is scheduled, in coordination with NJDOT-BLA and Little Egg Harbor Township, after the contract has been signed.
- m. Notice to Proceed is issued after the pre-construction meeting specifying the start date, the duration of the project as per the specifications and the completion date.

- x. Ensures that prime contractor is not executing pay items designated for DBE Subcontractor, as approved by NJDOT Civil Rights.
- y. Follows NJDOT Civil Rights process for changing, replacing, substituting, and omitting a DBE from the Project.
- z. Along with the Resident Engineer, monitors and/or completes necessary forms to comply with Wage Rate Compliance and DBE/ training goals set for the project.
- aa. Along with the Resident Engineer, oversees and verifies the ADA compliance requirements of the project.
- bb. Along with the RE, reviews payments requested by contractor. Submits invoices for reimbursement to NJDOT-BLA as per the project agreement.
- cc. Notifies NJDOT-BLA when construction is complete and arranges a final inspection.
- dd. Reviews and submits all documents required for final payment and project closeout
- ee. Monitors and rates the performance of the design and/or inspection consultants. Submits rating to NJDOT-BLA.

An Organizational Chart showing Little Egg Harbor Township's personnel associated with Federal Aid Project administration, along with their duties, is included in this document (See Appendix A).

3.0 Procurement of Professional Services – Consultant Selection (For Design & Construction Management/Construction Inspection)

This section covers the procurement and administration of professional services and consultant selection for federally funded projects. Little Egg Harbor Township retains consultant services to provide the following tasks, including but not limited to environmental, surveying, engineering design, right-of-way, geotechnical, landscape design, construction management and inspection services, and material testing.

Consultant services funded wholly or partially with FHWA funds are procured and administered by Little Egg Harbor Township in accordance with 49 CFR – Part 18 – Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. All contracts for engineering and design services related to construction projects will comply with the requirements of 23 U.S.C 112-Letting of Contracts and 23 CFR 172 – Procurement, Management and Administration of Engineering and Design Related Services.

Little Egg Harbor Township must follow the requirements defined by the Brooks Act (40 U.S.C.), for competitive negotiation/qualification-based Consultant selections as per the procedure listed below:

- The Cost-plus Fixed Fee Method of payment reimburses the Consultant for its direct and indirect costs (salary, overhead, direct expenses) in addition to a negotiated amount as a fixed fee. The fixed fee rate will be calculated in accordance with NJDOT methodology.
 - Allowable costs include those directly associated with the specific contract as well as overhead costs, also known as their indirect cost rate.
 - Federally funded projects require that consultant contracts be compliant with 48 CFR part 31 – Contract Cost Principles Under the Federal Acquisition Regulations (FAR). This federally funded project has NJDOT oversight, and to ensure the consultant contract is compliant with FAR cost principles when using federal-aid funds, only NJDOT approved overhead rates will be used. Consultants that do not have approved NJDOT overhead rates must be approved in accordance with NJDOT Procurement policies.
 - The fixed fee calculated using NJDOT format and procedure will be used for the purpose of developing the cost estimate, negotiating and making payment on the contract.
7. Creation of a Proposal Submittal Checklist including but not limited to:
- Copies of DBE certifications
 - Proof of NJDOT approved overhead rates
 - New Jersey Business Registration
 - Statement of Ownership
 - Non-Collusion Affidavit
 - Acknowledgment of Receipt of Addendum -if required
 - Checklist Signature Page
 - Iran form (DC-16)
 - Russia Belarus form
 - Byrd anti-lobbying certification-(contracts over \$100,000.00)
8. Project Cost and Work Hour Estimate
- Little Egg Harbor Township will create a cost estimate based on tasks and work hours. The tasks listed in this form must match the tasks described in the SOW.
 - This estimate shall be used to negotiate costs
9. Rating and Evaluation
- Little Egg Harbor Township will create a rating form and rating criteria to be used to evaluate proposals. These documents will be submitted to NJDOT-BLA for review and approval. Little Egg Harbor Township will form a rating team of at least three individuals who will use the approved rating forma and criteria to perform a quality-based selection. (See below for full rating process)

Note: this section outlines the tasks and deliverables for three phases of the NJDOT design

environmental process and prepare final design submission, execute public involvement plan.

Deliverables

- Design communication report
- Environmental reevaluation and permits
- Acquisition of ROW
- Construction contract documents

The construction support services tasks, if included, are but not limited to, the following:

- Bidding process and award of contract
- Attending pre-construction meeting
- Shop and/or working drawings reviews and approvals.

Note: The Design Consultant may be retained to perform construction support services during the construction phase if the scope for these services is included in the design solicitation.

Construction Management & Inspection (CM/CI)

Little Egg Harbor Township will administer and oversee the procurement of Construction Management and Inspection services by preparing an RFP which outlines the tasks and deliverables for the Construction Management/Inspection contract including but not limited to the following:

- Detailed Scope of Work
- Construction Schedule
- Key Staff/Inspector Qualifications Requirements/Responsibilities
- Prior Similar Work Experience
- Deliverables
- Method of Contract Payment.
- Proposal Evaluation Criteria

Note: Additional CM/CI RFP requirements are included in Section 5 of this document.

3.2 Proposal Evaluation Process (Design & CM/CI)

Little Egg Harbor Township will do the following:

- Prepare a **rating form** (Appendix C) that includes a list of the evaluation factors and their importance. This form will be provided in the RFP package and includes criteria such as: experience of the Design or Resident Engineer and key staff,

reason, as well as because of language in the New Jersey's Annual Appropriations Act, refusal to disclose campaign contributions otherwise required by N.J.S.A. 19:44A-20.3 et seq. and 19:44A-20.25 et seq., will not adversely affect your consideration for award.”

Evaluation of the Proposals and Consultant Selection

Little Egg Harbor Township receives the **proposals** at the designated time and place. A separate sealed cost proposal is submitted as part of the proposal.

Proposals are evaluated and ranked independently by members of the Consultant Selection Committee. The Consultant Selection Committee shall consist of at least three individuals including representatives of Little Egg Harbor Township.

All submitted proposals must be evaluated and ranked according to the evaluation criteria and scoring process outline in the RFP. (Proposal Rating Guide is in Appendix C of this document)

The members of the Consultant Selection Committee meet to discuss the rankings and, if necessary, ask the top ranked Consultants to make an oral presentation.

The top ranked Consultant is selected, their cost proposal is opened, and negotiations take place to ensure an acceptable project cost is reached.

Little Egg Harbor Township negotiates the Workhours with the selected Consultant using Little Egg Harbor Township’s previously prepared cost estimate.. This is used as the basis for the negotiation to arrive at a fair and reasonable compensation for the solicited services. Only work included in the original advertised scope of services is incorporated into the contract. The allowable costs include the direct costs associated with the specifics of the contract, the fixed fee as well as overhead costs. Only NJDOT approved overhead rates can be used.

If a satisfactory negotiation cannot be reached with the number one ranked Firm, then cost proposal of the number two Firm will be opened.

- b. Sub - consultants
- c. Project schedule
- d. ESBE/DBE compliance
- e. Specifications, requirements, and guidelines
- f. NEPA/Environmental process
- g. Change orders
- h. Payment procedures
- i. Affected agencies

The RC/PM schedules monthly progress meetings with the consultant to discuss the project progress and any Little Egg Harbor Township comments on the progress plans and specifications.

The RC/PM reviews the monthly payments submitted by the consultant to ensure the costs are consistent with the contract terms and progress of the consultant's work.

The RC/PM reviews ESBE/DBE goal compliance along with the consultant progress schedule and makes monthly payments to the consultant based upon approved invoices submitted.

The RC/PM submits invoices for reimbursements to NJDOT-BLA monthly or at minimum quarterly or as requested. The invoice package includes:

- a. Copies of the consultant invoices
- b. Proof of payments
- c. Project progress schedule and description

Narrative description of work performed during the payment period and any difficulties or delays encountered include:

Design Consultant:

- 1) comparison of actual accomplishments to the goals established for the payment period;
- 2) comparison, by tasks, of costs incurred with amounts budgeted, and;

Design or CM/CI Consultant:

- 3) comparison, by task, of work performed compared to the schedule, including a percentage of the total work completed. This requirement can be met by including a bar chart showing schedule timing and actual progress.
- 4) Copies of contract compliance documents as completed for the voucher payment period by the Resident Engineer that is designated by Little Egg Harbor Township, a complete set of which shall be furnished by the State at kickoff and/or preconstruction meetings

DESIGN PHASE

The consultant, under the supervision of the RC/PM, prepares documents for the appropriate design phase. This may include such documents as information for the environmental document,

*Any need for right-of-way, as determined by the design consultant, will be processed in accordance with NJDOT-BLA and NJDOT Right-Of-Way Guidelines for Federally Funded Projects procedure and the Uniform Act. A right-of-way approval must be obtained from NJDOT Right-Of-Way Office to be included in the construction authorization package along with the ROW certification from Little Egg Harbor Township. Little Egg Harbor Township's ROW procedure must be approved by NJDOT ROW before any ROW work is done.

For projects with estimated construction costs of \$12.5 million or more, Little Egg Harbor Township in accordance with N.J.S.A. 52:15C-10, notifies the Office of the State Comptroller as early as practicable, but not later than 30 days before advertisement.

Little Egg Harbor Township will receive a letter from NJDOT-BLA approving the Final PS&E submission. Once the project is authorized by FHWA and NJDOT, Little Egg Harbor Township receives a written authorization to advertise for construction along with the funding agreement from NJDOT-BLA.

3.6 Consultant Evaluation

Little Egg Harbor Township evaluates the Consultant's performance at the completion of the contracts for design services, construction support services, and construction inspection services. The evaluation also evaluates the overall project design.

Little Egg Harbor Township evaluates the Consultants on:

- a. Adherence to schedule,
- b. Quality of work and
- c. Project Management.

Little Egg Harbor Township evaluates the consultant performance once each contract is completed. (The Consultant Evaluation Form is included in Appendix D). Little Egg Harbor Township holds the consultant liable for any errors and omissions resulting in construction increased cost.

The Consultant evaluation is recorded on forms prepared by Little Egg Harbor Township team under the supervision of the RC. The forms include the evaluation categories, the weight of each category, and the eligible rating for each category. Guidelines are prepared for rating of each of

working days after the last date of advertisement prior to receiving bids. Copies of all advertisements and a certification from the newspaper must be submitted to the NJDOT-BLA.

The start date, number of days to complete the project and a completion date will be specified in the project specifications with provisions for liquidated damages as per NJDOT 2019 Standard Specifications for Road and Bridge Construction section 108.20.

A pre-bid Conference may be scheduled by Little Egg Harbor Township to answer questions about the construction of the project.

Note: if bidders are to be pre-qualified by Little Egg Harbor Township, Little Egg Harbor Township will follow the requirements of NJSA 40:11-25

Little Egg Harbor Township will place the following language into the construction bid solicitation:

- **“Proposals are being solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.3, et seq., and as such, contractors are exempt from the limitations on making political contributions under that law. Further, for that reason, as well as because of a language in the New Jersey’s Annual Appropriations Act, refusal to disclose campaign contributions otherwise required by N.J.S.A. 19:44A-20.3 et seq. and 19:44A-20.25 et seq., will not adversely affect your consideration for award.”**
- The Disadvantaged Business Enterprise goal is ___%. These requirements are indicated in Federal Attachment No. 1 in the bid specifications.
- The number of Training Positions will be ‘___’ where feasible consisting of at least ‘___’ Apprentices and ‘___’ Trainees (Total Trainees Hours = ___). These requirements are In Federal Attachment No. 2 in the bid specifications.

Please note the bid documents must include wage rates from the US Department of Labor and NJ Prevailing Wage rates.

- The prevailing wage rates determined by the United States Secretary of Labor and the New Jersey Department of Labor must be used unless the prevailing wage rate prescribed for any craft by the United States Secretary of Labor is not the same as the prevailing wage rate prescribed for that craft by the New Jersey Department of Labor, pay the higher rate.
- General wage determinations issued under Davis-Bacon and related acts, published by US Department of Labor, may be obtained from the Wage Determinations online website at <https://sam.gov/search/?index=dba&sort> Select state, Little Egg Harbor Township and construction type heading: HIGHWAY where the Project is to be performed then click Search.
- State wage rates may be obtained from the New Jersey Department of Labor & Workforce Development (Telephone: 609-292-2259) or by accessing the Department of Labor & Workforce Development’s website at https://www.nj.gov/labor/wagehour/wagerate/prevailing_wage_determinations

each DBE firm of willingness to participate on the Contract, confirming the kind and amount of work that was provided on the Contractor's CR-266. This form must be completed in its entirety and signed by each DBE firm.

- A completed and signed DBE/ESBE/SBE Regular Dealer/Supplier Verification (Form CR-272) for all Regular Dealers/Suppliers listed on the CR-266 form, if applicable. This form must be completed in its entirety and signed by each DBE firm.
- A completed and signed DBE/ESBE/SBE Trucking Verification (Form CR-274) for all DBE trucking firms listed on the CR-266, if applicable. This form must be completed in its entirety and signed by each DBE firm.
- Documented evidence of good faith efforts if the bidder's commitment shown on the CR-266 fails to equal or exceed the contract DBE goal.

Immediately after the five day Civil Rights document submittal period following the bid opening, Little Egg Harbor Township will verify that all forms have been submitted and email to the Local Aid project manager as well as cc. DOT-CR.Verifications@dot.nj.gov the following:

- The above noted forms submitted by each bidder.
- A list of all responsive bidders as determined by Little Egg Harbor Township's Legal Department in the order of lowest bidder to highest bidder.

Note - If the Department (NJDOT) determines that the apparent lowest responsive Bidder has failed to commit to meet the Contract DBE Goal and made adequate good faith efforts to do so, Little Egg Harbor Township must, before awarding the Contract, provide the Bidder an opportunity for Administrative Reconsideration. Little Egg Harbor Township, in conjunction with the NJDOT, will start the process of Administrative Reconsideration. Administrative Reconsideration will follow the process shown in the 2019 Standard Specifications Section 102.13.01(3) Bidders Pre-Award Requirements.

Firms listed on the CR-266 will not be counted toward the Contract DBE goal unless completed and signed CR-273 form(s), and applicable CR-272 and CR-274 form(s) are submitted to Little Egg Harbor Township within the 5 days after bid opening.

NJDOT- Civil Rights will review the submitted forms and if the apparent lowest responsive bidder meets the Contract DBE goal, will issue an approval to the NJDOT-BLA Project Manager. Little Egg Harbor Township will then be notified that they can proceed with the award of this project.

Little Egg Harbor Township MAY NOT AWARD A CONTRACT PRIOR TO THE DEPARTMENT'S APPROVAL AS PER SECTION 102.15 "DISQUALIFICATION OF BIDDERS" IN THE PROJECT SPECIFICATIONS CONSISTENT WITH THE FOLLOWING:

- Failure to submit CR-266 completed and signed with CR-273, applicable CR-272 and CR-274 signed and completed at the time of bid or within 5 days after bid opening will be considered as non responsive bid, and bid will be rejected. No corrections or editing will be allowed after the forms are submitted.
- If the submitted CR-266 form does not meet the contract DBE goal, the bidder must submit at the time of bid or within 5 days after bid opening documentation of "good

responsible bidder after Little Egg Harbor Township receives a letter of concurrence of award from the NJDOT-BLA.

A copy of the contract between Little Egg Harbor Township and the contractor must be submitted to NJDOT-BLA prior to the pre-construction meeting.

For sub-contracts between the prime contractor and any sub-contractors the DC-18 – Sub-Contractor Agreement -must be submitted by the prime contractor to Little Egg Harbor Township at least 20 days before the anticipated start of work by the sub-contractor. DC-18's must be submitted to NJDOT-BLA at least 10 days before the start of any anticipated work. NJDOT-BLA must approve the DC-18 before any sub-contracting work can be done.

4.3 Federal Agreement - Construction

NJDOT-BLA will provide the Federal Project Agreement to Little Egg Harbor Township at the time of Construction Authorization (under separate cover letter)

Little Egg Harbor Township will provide the following to NJDOT-BLA;

- Within 45 days of receiving the agreement, Little Egg Harbor Township will provide Four (4) original signed and sealed copies of the Agreement along with Four (4) signed/sealed Resolutions for execution by the NJDOT.

NOTE: No reimburseable work can be performed until the project agreement is executed by the NJDOT. Little Egg Harbor Township understands that failure to follow all Federal requirements may result in the loss of Federal reimbursement.

5.0 Construction Project Management

Title 23 CFR 635.105 specifies oversight requirements for locally administrated federal aid construction projects, which mandates a full-time employee to be in responsible charge of Federal-Aid construction projects. The RC may work in conjunction with a consulting company providing Construction Management and Construction Inspection Services outlined by the RFP as described in Section 2 of this document.

In accordance with 23 CFR 635.105, a full-time Little Egg Harbor Township employee will be designated to be the “Responsible Charge” for each federally funded project. This protocol will be

- p. Trainee Goals & Requirements
- q. Civil Rights, Title VI and Sexual Harassment Policies (Posters)
- r. Source documents for verifying and documenting all work
- s. Invoicing
- t. All other federal guidelines and requirements
- u. Final inspections

A NJDOT-BLA and a NJDOT-Civil Rights representative will discuss the Federal Project Requirements and will describe their role in checking for compliance with all requirements, additional federal forms will be provided to Contractor, the Resident Engineer and the RC.

[Forms, Civil Rights/Affirmative Action, Doing Business \(state.nj.us\)](https://www.state.nj.us/forms/civilrights/affirmativeaction/doingbusiness)

No construction work shall be allowed on the project before the Federal Aid agreement is executed between the NJDOT and Little Egg Harbor Township, a pre-construction meeting is held, the progress schedule is approved, the field office has been established (if required), and the right-of-way limits, limits of the construction, environmentally restricted areas have been laid out and all environmental agencies that issued permits have been notified. The Resident Engineer under the supervision of RC/PM, will schedule, create agenda, maintains notes and records related to progress meetings. Progress meetings will be arranged as often as necessary.

The Resident Engineer and RC/PM reviews all the items submitted by the Contractor such as but not limited to material questionnaire (DC-2891), list of Sub-contractors, affirmative action plan, list of DBE Firms and other subcontractors, project work schedule, list of the emergency contact telephone number, material certifications, list of suppliers and mix design reports.

Little Egg Harbor Township, in executing the inspection of the project, will use the 2019 NJDOT Standard Specifications, the approved project Supplementary Specifications, NJDOT Standard Roadway Construction, Traffic Control and Bridge Construction Details, the MUTCD and the project plans. The field inspection team will accurately maintain records during construction including daily inspection reports, engineer's diary, material delivery tickets, material certifications, material questionnaires DBE requirements, material testing results and Buy America/Build America Certification.

All activities on the project are documented in the daily inspection reports using NJDOT Daily Inspectors Report Form (DC-29, DC-144 or approved equal) and an Item Summary Sheet. The inspections report is supplemented with field notes that includes measurements (length, width, depth, slope), calculations (area, volume, weights), sketches, a statement of compliance with the plans and specifications, any field changes, comments, delivery tickets that must be received and initialed by the inspector before placement. The RE will ensure that testing of materials is properly conducted and documented in the project files and referenced in the daily reports. The inspection reports are signed and dated and reviewed and initialed by the RE. (see Section 5.2 for more detail).

The Resident Engineer will use the summary of pay items (DC-70 or equal) to verify and negotiate the contractor's payment request and to develop the monthly payments and submit them for

assurance that the quantities of completed work will be determined accurately and on uniform basis. All related source documents upon which payment is based must be matter of record, as basis for the determination of acceptable pay quantities and monthly payments to the Contractor. The means and methods consisting of notes and/or daily reports for the documentation of length, width, depth and slope, calculations of area, volume, weights, sketches must be presented by the Resident Engineer, assigned to the project to protect the public interest and to ensure that the number, size, and characteristics of what being delivered match the plans/specs. The following is a list of the documents and procedures normally accepted as proper source of documentation:

- a. Delivery tickets are received initialed by inspector prior placement of materials
- b. Testing of materials is documented in the project files and referenced in daily inspection reports.
- c. Form DC-29 (or DC-144 or approved equal) is used for daily inspection reports and all instructions on the DC-29 are followed. Inspection reports are supplemented with field notes, pay quantity summaries and photographs that tie the work being done to the plans, specifications and related contract documents <http://www.state.nj.us/transportation/business/localaid/documents/DC29>
- d. Inspection reports are signed and dated by the inspectors.
- e. The Resident Engineer reviews and initials the daily inspection reports.
- f. The Resident Engineer prepares a summary of pay quantities based on the daily inspection reports
- g. The Resident Engineer uses the summary of pay items to develop periodic pay estimates for the RC/PM. The summary of pay items must be used for comparison and negotiation of the Contractor payment request. The RC/PM must ensure proper payments are being made in accordance with the contract provisions. Upon acceptance of the negotiated Contractor payment, a voucher request will be forwarded to Little Egg Harbor Township for Contractor payment as per Little Egg Harbor Township process.
- h. The Resident Engineer reviews and verifies that all prevailing wage rate requirements have been met and are documented in the project files.
- i. NEPA and all environmental commitments and/or permit requirements must be met and documented in the daily inspection reports.
- j. All pedestrian facilities must be constructed or reconstructed in accordance with the American with Disabilities Act (ADA) of 1990; Section 504 of the Rehabilitation Act of 1973; 28 CFR 35.151 (i) and NJDOT Standard Construction Details.
- k. DBE and trainee requirements are monitored and enforced to ensure compliance with 49 CFR 26; the contract plans, specifications and related contract documents. (see Section 5.4)
- l. Buy America/Build America certifications are received by the inspector at the time of delivery (see Section 5.3)

5.3 Buy America/Build America

Buy America

No. 117-58, which includes the Build America, Buy America Act (“the Act”), Pub. L. No. 117-58, §§ 70901-52 as specified in Section 106.03. When a Certification of Compliance is submitted, ensure that the Certification of Compliance contains a statement that the construction materials used complies with the Infrastructure Investment and Jobs Act (“IIJA”), Pub. L. No. 117-58, which includes the Build America, Buy America Act (“the Act”), Pub. L. No. 117-58, §§ 70901-52 as specified in Section 106.03.

5.4 DBE/Trainee Compliance

The RC/PM and the Resident Engineer must continuously monitor DBE and Trainee participation to verify compliance with the approved DC-266. The RC and RE also monitor and perform Commercial Useful Function reviews as the project progresses and are responsible for ensuring the DBE contract goals will be met at the time of project completion. Under the supervision of the RC/PM, the Resident Engineer is responsible and maintains a separate file for:

- a. Verification of Recommendation to Award memorandum and the schedule of Participation DBE Form CR-266, to determine status of Sub-contractors to monitor for compliance.
- b. During the Contract, monitors true participation by comparing DBE goal commitments against Request for Approval to Submit Form DC-18; also, cross check the daily reports with each affected Form DC-18, the Recommendation to Award and the Utilization of DBE/SBE Monthly Report Form CR-267.
- c. Ensures all DBEs are performing Commercial Useful Function (CUF).
- d. Uses the Daily Inspection Report (DC-29, DC-144 or equal) to document on-site monitoring of stipulated DBE work items and Contractor performing the work under to ensure compliance.
- e. Notifies the RC/PM and the Contractor in writing of any violations and will direct the Contractor to comply with the requirements. Revisions to the approved DBE program can be made only upon the Contractor submittal of the revised Form CR-266. The Resident Engineer must follow-up promptly to ensure timely solution.
- f. For any DBE/ESBE goal commitments, outlined in the Specifications, which may not be fulfilled, as soon as it is known the goal will not be met the contractor must promptly submit supporting adequate Good Faith Effort with Form CR-267, this will be reviewed by RC/PM and recommended documentation for approval and sent to NJDOT-BLA Office. Changes to DBE compliance must be approved by NJDOT - Civil Rights.
- g. DC-18's – along with Executed sub-contracts
- h. Cancelled checks showing payment to sub-contractors – copies of front and back of check to be provided.
- i. Monitors Trainee goal requirements (If Trainees are Required) through on-site monitoring (DC-29A Daily Inspector's Report/or DC-144 or Approved Equal Local Form will be used to monitor the performance of the Trainees). Evidence of Contractor's Trainee compliance must be maintained throughout contract.
- j. Little Egg Harbor Township will have Contractor provide and maintain Apprentice/Trainee Approval Memorandum Part "A", Biweekly Training Reports, Contractor's 1409 Quarterly Training Reports, and Training

delay the Contractor. Upon the written authorization of the NJDOT-BLA, the Contractor will be instructed by field order and Little Egg Harbor Township will proceed with the approval of the time extension change order at the next available Little Egg Harbor Township Governing Body meeting.

- Changes of 20% or more to the contract will require approval in accordance with NJAC 5:30-11.3 and 11.9.
- Changes to the contract may require revision of DBE goals. NJDOT-Civil Rights will review changes to determine if the goal is to be revised or if changes to the CR-266 are required.

5.7 Field Orders (see Appendix E)

The RC/PM will notify NJDOT-BLA, if during construction, an inherent job condition should arise, and said condition, if not immediately corrected or changed, would unduly delay the project completion. The Contractor will provide to the Resident Engineer and RC/PM a detailed cost proposal (materials, labor, equipment, overhead) for extra (new work). Upon approval by NJDOT-BLA, the Contractor will be instructed by Field Order to proceed with the work. Little Egg Harbor Township will use the negotiated cost to develop the formal change order and will submit the DC-173A along with backup documentation once approved and signed by Little Egg Harbor Township.

Field Orders

- The contractor shall immediately notify the Resident Engineering that there is a need for a Field Order.
- The Resident Engineer shall set up a meeting in the field to include the Contractor and the RC/PM to discuss the needed change, potential cost impacts and potential changes to the Progress Schedule.
- Once the change has been agreed upon by all parties, the Resident Engineer shall issue, after the meeting, a written description of the change using Little Egg Harbor Township's field order form (Appendix E), including the reason for the immediate need for the change, impacts to the scope of work, changes to the contract time and the anticipated cost.
- The RC/PM will evaluate the Field Order request and, if acceptable, immediately notify the NJDOT-BLA by e-mail. Upon written approval from NJDOT-BLA, the Resident Engineer shall then issue a verbal approval to the contractor. The contractor can then proceed with the Field Order. The Resident Engineer will immediately prepare a written approval of the Field Order after verbal approval is given. The Resident Engineer shall record and verify all work and quantities related to the Field Order and immediately notify the RC/PM if the estimated work for the change should differ significantly from what was discussed. If there are significant differences, RC/PM shall decide whether a revised field change order is required.
- The RC/PM will proceed with inclusion of the Field Order in a Change Order at the next available Little Egg Harbor Township Governing Body meeting and submit to NJDOT-BLA for formal approval by use of a Federal Aid Change Order (Form DC-173A) as outlined above (Section 5.5).

5.8 Change Order Protests/Disputed Work

Information regarding Liquidated Damages is included in the Contract Special Provisions – Time of Completion and Liquidated Damages. The 2019 NJDOT Standard Specification, Section 108.20, will be followed which defines the daily amount set forth in the contract to be deducted from the contract price to cover the additional cost incurred by Little Egg Harbor Township because of the Contractor's failure to complete work within the specified Contract Time. The Contractor must be advised by the Resident Engineer that Liquidated Damages will be assessed at each time that the progress schedule is not been met.

Liquidated Damages or any other penalties proposed will be assessed from the original grant amount shown in the agreement.

Progress Schedules

The RC/PM with the assistance of the Resident Engineer reviews progress schedule and monitors the contract progress to evaluate impacts to contract time in accordance with Section 153 of NJDOT Standard Specifications. Progress payments are compensation for value of work performed during a covered period as specified in Title 23 CFR 635.123. The RC/PM monitors and documents the project's progress, Contractor payments and contract completion to ensure compliance to the approved project schedule and contract time. The RC will notify NJDOT-BLA of any changes to the progress schedule as soon as changes are known.

6.1 Final Inspection

Requests for final inspection and acceptance to NJDOT-BLA shall be made by Little Egg Harbor Township no later than 30 days following Substantial Completion of construction.

The RC/PM notifies NJDOT-BLA in writing that the project is substantial completed, once all the pay items have been completed, giving the date the last item was completed.

The Resident Engineer, the Design Consultant (if retained), and the RC/PM in the presence of the Contractor will perform the pre-final inspection once all the pay items of the project have been completed. The Resident Engineer will provide the Contractor with a punch list of items to be corrected.

The RC will schedule an inspection with NJDOT-BLA. NJDOT-BLA will inspect the project site along with the RC/PM and Resident Engineer/Inspector and inform Little Egg Harbor Township of any necessary corrective action required in writing.

The RC/PM will notify the NJDOT-BLA in writing after the Contractor has corrected the work included in the punch list and the corrective action list developed by the Resident Engineer/inspector and NJDOT-BLA.

NJDOT-BLA, the RC and RE will perform the final inspection and if Little Egg Harbor Township and NJDOT-BLA deem all the work acceptable, and once the final inspection letter has been received from NJDOT-BLA, the RC/PM will begin preparing the final change order (if required), final payment, as-built quantities and all other documentation required for final payment and closeout.

NJDOT will not provide payment for any IMPROPER PAYMENTS made by Little Egg Harbor Township including but not limited to following:

- The item summary sheet and source document are mismatched.
- The Steel or Iron items installed missing Buy America Certification .
- Construction materials installed missing Build America Certification
- The prime contractor executed pay items which were designated for DBE Subcontractor as approved by Civil Rights.
- When the Federal Project is INACTIVE.
- In the case of non-compliance of Federal Regulations.
- The CUF (commercially useful function) is not performed by DBE.
- Any penalty imposed by Civil Rights for lack of CUF, Shortfall in DBE goal achievement, Minimum Wage Requirement or other associated issues.

For Professional Services: The consultant sends a certified invoice with progress schedule to the RC/PM; the RC/PM reviews the invoice to ensure there are no discrepancies. If the invoice has no discrepancies, the RC/PM makes recommendation for payment per Little Egg Harbor Township procedures.

For Construction Services: The contractor sends the invoice to the Resident Engineer who reviews the invoice to ensure there are no discrepancies. If the invoice has no discrepancies, the RE recommends payment to the RC/PM; the RC/PM reviews the invoice to ensure conformance. If the invoice conforms, the RC/PM recommends payment to Contractor per Little Egg Harbor Township Procedures for an invoice to be processed by NJDOT:

- Payee has originally signed and dated the invoice form PV-C in the payee declaration box.
- Progress report shall accompany the invoice, in accordance with Section 7.5.4 of the Federal Aid Agreement. (see 7.1 below)
- Evidence of costs incurred to date in the form of payroll certifications or receipts of contractor payments.
- Federal contract compliance documents in accordance with Section 7.5.4.5 of the Federal Aid Agreement have been submitted and verified during the billing period.
- Change Orders if applicable (prior approval required)
- Cost incurred dates for all submissions are within the appropriate timeframe and the contract completion time including modifications. .

- c. Engineer's Certification for Project Completion
- d. Federal Aid Change Order (Form DC-173A)
- e. List of As-built quantities
- f. DC-17LA Buy America form
- g. Build America Certifications – construction materials
- h. Evidence of Contractors and sub-contractors Payroll compliance
- i. Form DC-123- Contractors Final Certificate of Compliance
- j. Form DC-126- Wage Rate Inspections- not previously submitted
- k. Form DC-127- Monthly Summary-not previously submitted
- l. Form CR-268- Final DBE/ESBE Report
- m. Form 347-2 Statement of Compliance
- n. DL-72 Contractor Certification of Payment to Subcontractors and Suppliers – if not previously submitted
- o. Evidence of Contractor's EEO compliance
- p. Form CC-257- Monthly Employment Utilization Report (electronically)- documentation of submittal to on-line portal
- q. Final Training Certification – if required
- r. DC-29's (or DC-144 or approved equal)-not previously submitted
- s. DC-70's (or approved equal) (electronically) – not previously submitted
- t. Material test results
- u. Calculations for asphalt and fuel price adjustments
- v. Calculations for steel price adjustment - if required
- w. Release Statement from Agreement for Federal Aid
- x. Letter certifying all corrective work has been completed
- y. and any other forms and/or documentation deemed necessary

The NJDOT-BLA will process the final invoice for payment to Little Egg Harbor Township and close out the federal aid agreement.

8.0 Records Retention

As per State of New Jersey Requirements, "All documents and records, from Consultant Selection through completion of Construction, up to and including payment of the final invoices and vouchers, will be retained for a minimum of 7 (seven) years following payment of final invoice and closeout of the project. Warranty item documents will be retained for a minimum of 3 (three) years from the end of the warranty period."

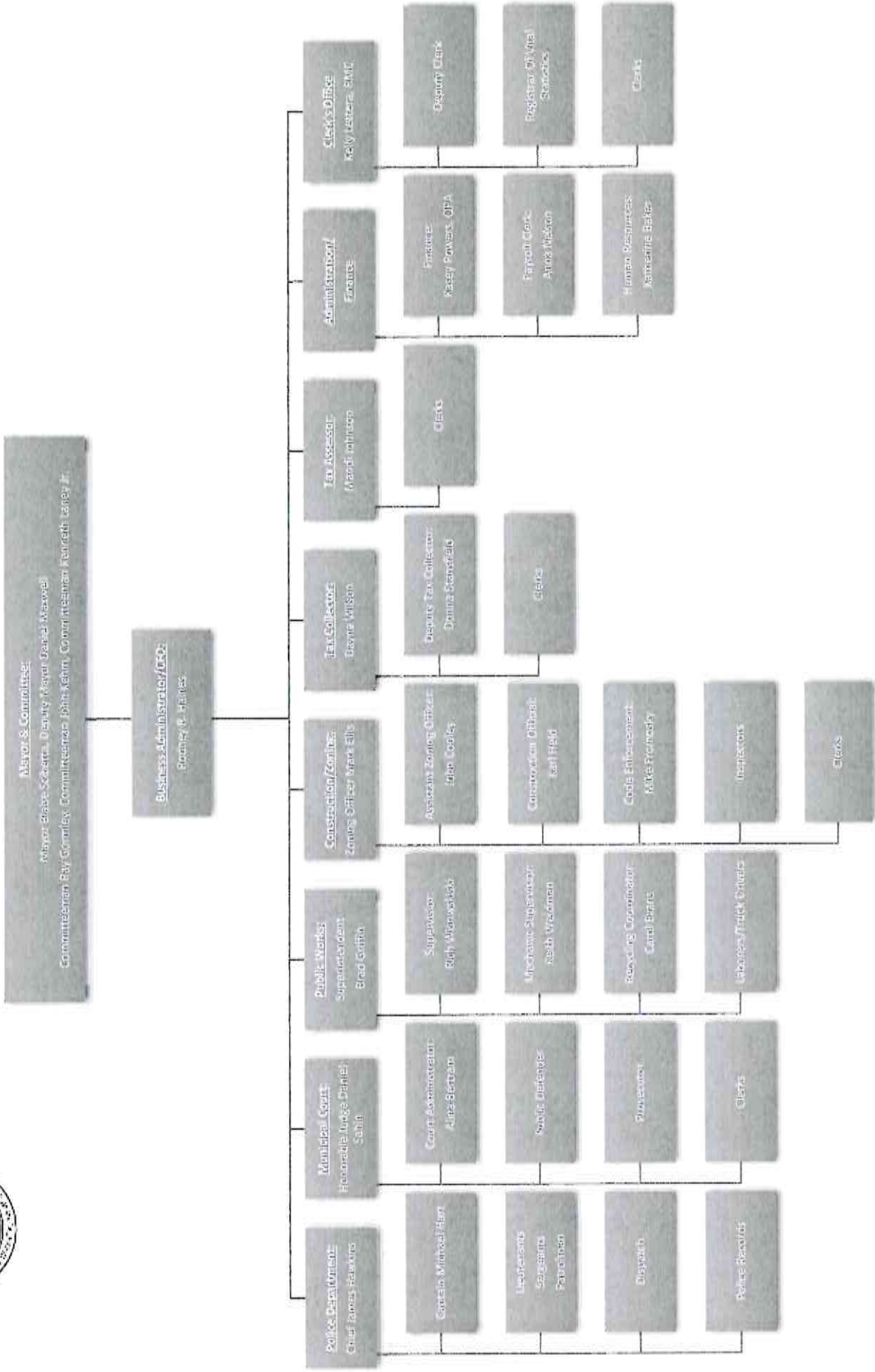
Little Egg Harbor Township is solely responsible for producing any documents required by FHWA or NJDOT during the project lifecycle during and after the project is closed out throughout the record retention period.

APPENDIX A

ORGANIZATIONAL CHARTS



Little Egg Harbor Township Organization Chart



Sample RFP - APPENDIX B

**TOWNSHIP OF LITTLE EGG HARBOR
REQUEST FOR PROPOSAL**

For

**CONSULTING
CONSTRUCTION ENGINEERING
AND
INSPECTION SERVICES**

Associated with:

**XXX of
XXX, Route XXX
Section XXX
From XXX to XXX (Route XXX)
Federal Project Number: XXX**

CONTACT PERSON: _____, Director
Office of Budget & Purchasing

MAILING ADDRESS: TOWNSHIP OF LITTLE EGG HARBOR
Division of Purchasing
ADDRESS

PROPOSAL DUE: Time on Date **XXX**

**REQUEST FOR PROPOSAL
TABLE OF CONTENTS**

<u>DESCRIPTION:</u>	<u>NO. OF PAGES:</u>
GENERAL INFORMATION	7
R.F.P. REQUIREMENTS	7
SCOPE OF SERVICES	9
SAMPLE TOWNSHIP OF LITTLE EGG HARBOR CONTRACT (PURCHASING OR RISK MANAGER ADD "SAMPLE" INSURANCE REQUIREMENTS)	12

Proposals mailed or delivered to the TOWNSHIP OF LITTLE EGG HARBOR shall be in sealed envelopes and clearly labeled as follows:

**DO NOT OPEN
REQUEST FOR PROPOSAL (RFP)
CONSULTING ENGINEERING SERVICES
For Construction Engineering & Inspection Services
For the XXX CR XXX**

The TOWNSHIP OF LITTLE EGG HARBOR reserves the right to reject any proposal received after the deadline. The TOWNSHIP OF LITTLE EGG HARBOR shall not be responsible for timeliness of mail or messenger delivery.

This proposal is irrevocable by the subscriber or by his, their or its personal or legal representatives. Any subsequent award by the TOWNSHIP OF LITTLE EGG HARBOR to the subscriber shall bind the subscriber and his, their or its heirs, executors, administrators, successors or assigns.

PART II - GENERAL CONDITIONS

Instructions:

All questions must be answered.

Each proposal shall include a Letter of Transmittal which bears the original signature of an authorized representative of the vendor and which also includes the name of individuals authorized to negotiate with the TOWNSHIP OF LITTLE EGG HARBOR of .

Each proposal shall include a full explanation of the services that will be provided.

Proposals shall be in sufficient detail to determine and evaluate the services provided.

One (1) original, five (5) copy, and one (1) electronic .pdf file of the completed proposal must be delivered by TIME/DATE XXX to the TOWNSHIP OF LITTLE EGG HARBOR ADDRESS, PHONE #. Late proposals will not be eligible for review.

Failure or inability to meet any of the requirements set forth in this RFP will be sufficient reason to disqualify prepares.

The TOWNSHIP OF LITTLE EGG HARBOR reserves the right not to consider any proposal that is incomplete or that does not meet the specification requirements.

Statutory Requirements:

This project involves Federal funding participation. The TOWNSHIP OF LITTLE EGG HARBOR will conform to the procurement requirements by "Competitive Proposal Method" under the Brooks Act and Federal Policy Guide 23 CFR 172A. The selection of a consultant must result from negotiations that utilize a qualification based selection process. The

Limitation Of Liability:

The TOWNSHIP OF LITTLE EGG HARBOR assumes no liability for any cost incurred by Proposers in responding to this RFP or in responding to any further requests for interviews, additional information, etc. prior to the issuance of the contract document.

TOWNSHIP OF LITTLE EGG HARBOR's Responsibilities:

The TOWNSHIP OF LITTLE EGG HARBOR shall do the following:

Designate the following person to act as the TOWNSHIP OF LITTLE EGG HARBOR's representative with respect to the services to be rendered under the contract. Such person shall have complete authority to transmit instructions, receive information, interpret and define TOWNSHIP OF LITTLE EGG HARBOR's policies and decisions with respect to the Engineer's services for the project.

_____, TOWNSHIP OF LITTLE EGG HARBOR Engineer
TOWNSHIP OF LITTLE EGG HARBOR Division of Engineering
ADDRESS

Furnish to the Engineer, subject to availability and applicability the following information:

Existing Plans and Specifications for the project;

Furnish a typical sample of the appropriate TOWNSHIP OF LITTLE EGG HARBOR "boiler plate" forms and documents as may be required during the project.

Arrange for access to and make provisions for the Engineer to enter upon public property owned by the TOWNSHIP OF LITTLE EGG HARBOR.

Conduct the pre-construction conference.

Attend construction progress and other job related meetings and substantial completion inspections and final payment inspections.

Through the TOWNSHIP OF LITTLE EGG HARBOR Engineer, issue a certificate of substantial completion and certify that the construction work has reached final completion and is ready for final payment.

Periods Of Service:

Pursuant to NJSA 40A:11-15(9), the Engineer's obligation to render services shall begin at the notice to proceed and start with attendance at the pre-construction conference and extend through the utility relocation phase, construction, punch-list work, final payment authorization, and final close-out of the project in accordance with the construction project schedule. Any modifications must be approved by the TOWNSHIP OF LITTLE EGG HARBOR.

Payments To Consultant:

Method of Payment for Consulting Engineering Services. The TOWNSHIP OF LITTLE EGG HARBOR shall pay the Engineer on a cost basis in accordance with the schedule approved by NJDOT for Cost Basis.

Payment Schedule. The Consultant may submit statements for consulting engineering services rendered. The statements shall be based upon the detailed daily statements for construction engineering and inspection services rendered and actually completed at the time of billing. Each statement shall be signed by the Engineer. The TOWNSHIP OF LITTLE EGG HARBOR retains the right to withhold payment until the product defined on the Scope of Services has been delivered and approved by the TOWNSHIP OF LITTLE EGG HARBOR.

Payment Due to Termination. In the event of termination by the TOWNSHIP OF LITTLE EGG HARBOR under the terms of this contract, progress payments due to the Engineer for consulting engineering services rendered through the termination shall constitute total payment for such services.

Mediation Provisions for Construction Contracts:

Notwithstanding any other provisions or terms set forth elsewhere in this RFP or other Contract Documents, for any construction contract to which N.J.S.A. 40A:11-50 is applicable, either party to the contract may demand that a dispute concerning whether a party has failed to make payments pursuant to the provisions of N.J.S.A. 2A:30A-1 et. seq., or perform Work as required by the Contract Document be submitted to Alternative Dispute Resolution through non-binding mediation. If mediation is demanded, it shall be subject to the provisions set forth below.

Mediation shall not be available with regard to disputes concerning solicitation of bids, the award process or the formation of contracts or subcontracts entered into pursuant to the New Jersey Local Public Contracts Law. In addition, Mediation shall not prevent either party from pursuing any other remedy, including but not limited to injunctive relief or an action for specific performance, in the event that emergent circumstances exist or when necessary to protect the health, safety or welfare of the public.

The TOWNSHIP OF LITTLE EGG HARBOR's Alternative Dispute Resolution procedures for non-binding mediation are as follows:

- A. **Controversies and Claims Subject to Mediation.** Except as specified above, If a dispute between TOWNSHIP OF LITTLE EGG HARBOR and Consultant arises during the course of the contract, the parties will make a good faith effort to resolve the dispute through non-binding mediation prior to resorting to litigation,
- B. **Contract Performance Pending Mediation.** During mediation proceedings, Consultant shall continue to perform, and TOWNSHIP OF LITTLE EGG HARBOR shall continue to make payments pursuant to the terms of the contract.
- C. **When Mediation May be Demanded.** Prior to either party demanding mediation, the aggrieved party shall attempt to resolve the problem directly with the other party.

- G. **Failure of Mediation.** If a good faith effort to resolve the dispute through mediation is unsuccessful within 60 days after the initial request for mediation, then either party may terminate the mediation by written notice to the mediator and to the other party. Upon the expiration of the said 60 days (or any extension thereof that has been mutually agreed to by the parties) either party may submit the dispute to the Superior Court of New Jersey, TOWNSHIP OF LITTLE EGG HARBOR, for adjudication, which court shall have exclusive original jurisdiction over the dispute.
- H. **Binding Process.** Participation in the mediation process is voluntary, however the parties expressly understand and agree that if they reach any agreements as a result of mediation, such agreements will be binding to the full extent permitted by law.
- I. **Confidentiality.** As part of the mediation, the parties will be required to comply with the mediator's instructions regarding submissions and exchanges of records, statements, and other materials necessary for mediation to proceed. The parties recognize that mediation proceedings are settlement negotiations, and that all offers, promises and statements, whether written or oral, made in the course of the proceedings, are inadmissible in any arbitration or court proceeding, to the full extent allowed by applicable state and Federal laws. The parties agree to not subpoena or otherwise require the mediator to testify or produce records, notes or work product exchanged during mediation in any future proceedings, and to keep all submissions, records, notes, statements and any other materials prepared or exchanged in connection with the mediation confidential, to the fullest extent permitted by law. No recording or stenographic record will be made of mediation sessions. Mediation sessions are intended to settle claims, and the discussions that occur during mediation shall remain confidential, unless the parties mutually agree to authorize disclosures. In the event the parties do reach a settlement agreement, the terms of that settlement will be admissible in any court or arbitration proceedings required to enforce it, and will be available for public inspection to extent required by applicable state or Federal laws. All evidence that is otherwise admissible or discoverable shall not be rendered inadmissible or non-discoverable as a result of its use in mediation proceedings.

Local Public Agency: TOWNSHIP OF LITTLE EGG HARBOR Government
Request for Proposals No. X
Posting Date: Month XX, 202X

Request for Proposal Requirements

Project Title: *Construction Engineering and Inspection Services Associated with XXX of XXX, TOWNSHIP OF LITTLE EGG HARBOR Route XXX Section XXX*
Project Location: *XXX Section XXX From XXX to XXX (CR XXX)*
Federal Project Number: *XXX*
Response Due Date and Time: *XX/XX/XX and no later than Time XXX Eastern Time*

This Request for Proposals (RFP) is official notification of needed professional services. This RFP is being issued to solicit a letter of Interest (LOI) and other documents from firms qualified to perform engineering work on federal aid projects. A submittal does not guarantee that the firm will be contracted to perform any services but only serves notice that that firm desires to be considered.

Contact for Questions: INSERT NAME OF AND ADDRESS/PHONE # OF Director
Office of Budget & Purchasing

Submittal requirements:

1. Letter of Interest – 5 copies (required content and instructions follow)
2. One (1) signed Affirmative Action Certification and associated
 - i. required documents for all items with Disadvantaged Business Enterprise
 - ii. (DBE) goals (sample form follows).

Submit To: TOWNSHIP OF LITTLE EGG HARBOR Government

Division of Budget & Purchasing
c/o TOWNSHIP OF LITTLE EGG HARBOR Purchasing Agent
ADDRESS

Selection Procedures:

This project involves Federal funding participation. The TOWNSHIP OF LITTLE EGG HARBOR will conform to the procurement requirements by “Competitive Proposal Method” under the Brooks Act and Federal Policy Guide 23 CFR 172A. The selection of a consultant must result from negotiations that utilize a qualification based selection process. The process and any resulting contract must first be reviewed by the Department of Transportation prior to use or execution.

Consultants will be selected for work items further described herein, based on the evaluation of the Letter of Interest (LOI) and other required documents. A sample Consultant Selection Rating Form that will be used to evaluate and score the submittals is included for your reference.

- b. Describe the capacity of your staff and their ability to perform the work in a timely manner relative to present workload and the availability of the assigned staff.

Work item details:

Local Public Agency: TOWNSHIP OF LITTLE EGG HARBOR, NJ

Project Location: XXX Section XXX
From XXX to XXX (XXX)

Federal Project Number: XXX

Project Phases Included: Construction Engineering/Inspection

Project Description: *****

Edit the Following as needed The TOWNSHIP OF LITTLE EGG HARBOR's proposed work will begin XXX of XXX (Station XXX) and the XXX terminus of the project is XXX of XXX (Station XXX).

Estimated Construction Amount: \$ XXX

Funding: Federal Funding involved for X% Construction and Civil Engineering/Inspection

Term of Contract: INSERT DATE

DBE goal: XX.X%

Required NJDOT Cost Basis Approval: Construction Engineering and Inspection
(prior to negotiations) (Prime Consultant and each Sub-Consultant)

Request for Proposal No. _____
Item No. _____

AFFIRMATIVE ACTION CERTIFICATION

I do hereby certify that it is the intention of my company to affirmatively seek out and consider DBEs certified in the State of New Jersey, to participate as part of this proposal. (For listing of DBE certified firms see <http://www.njucep.net/>)
I understand and agree that all sub consulting in connection with this proposal, whether undertaken prior to or subsequent to the notice to proceed, shall be in accordance with the requirements for the Disadvantaged Business Enterprise Program, included elsewhere in this RFP. I understand and agree that no subcontracting shall be approved or commenced until the Department of Transportation has reviewed and approved the affirmative actions taken by my company or me.
I understand that utilization of certified DBEs is in addition to all other equal employment requirements of this RFP.
I acknowledge that this certification is to be made an integral part of this proposal.
I understand and agree that the submission of a blank certification may cause the proposal to be rejected.
I hereby certify that contact has been made with the certified DBEs listed in this certification, and that, if my company becomes the CONSULTANT, the certified DBEs have tentatively agreed to perform the services listed below.
I understand that neither my company nor I will be penalized for amounts achieved over or under the amount shown for voluntary DBE utilization that exceeds the goal.

ESTIMATED SCHEDULE FOR PERFORMANCE AND DELIVERY OF SERVICES
(sample insert project specific schedule !!!)

limitations of the duties, responsibilities and authority of the Engineer shall be set forth in the TOWNSHIP OF LITTLE EGG HARBOR's contract.

Visits to Site and Inspection of Construction: In connection with inspection of the work of the Contractor while the work is in progress:

The Engineer shall make visits to the site at intervals appropriate to the various stages of construction in order to inspect as an experienced and qualified design professional the progress and quality of the various aspects of the contractor's work. In addition, if required in the proposal, the Engineer shall provide more continuous inspection of the work. Based on information obtained during such visits and on such inspections, the Engineer shall determine if such work is proceeding in accordance with the contract documents, and the Engineer shall keep the TOWNSHIP OF LITTLE EGG HARBOR informed of the progress of the work.

The Resident Engineer and any inspectors will be the Engineer's agents or employees and shall be under the Engineer's supervision. The detailed duties and responsibilities of the Resident Engineer and other Inspectors are generally described herein, and will be finalized in the negotiated contract.

The purpose of the Engineer's and Resident Engineer's inspection is to insure construction in accordance with the design plans and specifications.

However, the Engineer shall not, during such visits or as a result of such inspections of the Contractor's work in progress, supervise, direct or have control over the Contractor's work nor shall the Engineer have authority over or responsibility for the means, methods, techniques, sequences or procedures of construction selected by the Contractor, or safety precautions and programs incidental to the work of the Contractor or for any failure of the Contractor to comply with laws, rules, regulations, ordinances, codes or orders applicable to the Contractor furnishing and performing the work.

Defective Work: The Engineer during construction inspection may disapprove of or reject the Contractor's work if the Engineer believes that the work does not conform to the contract documents or design integrity of the project.

Interpretations, Clarifications, Work Directive Changes, and Change Orders: The Engineer may issue interpretations and clarifications of the contract documents as required. The Engineer shall be responsible for preparing Work Directive Changes and Change Orders with supporting documentation and data for the approval by the GOVERNING BODY and execution by the TOWNSHIP OF LITTLE EGG HARBOR Executive in accordance with the TOWNSHIP OF LITTLE EGG HARBOR's contract.

Shop Drawings: The Engineer shall review and approve shop drawings and other data which the contractor is required to submit, for conformance with the design concept of the project and compliance with the information given in the contract documents.

Substitutes: The Engineer shall evaluate and determine the acceptability of substitute materials and equipment proposed by the Contractor to determine the equivalency of the substitute materials and equipment under the terms and conditions of the contract specifications.

Additional Inspections and Tests: When the Engineer deems it necessary or advisable for implementing the intent of the construction contract documents, the Engineer will have the

CONSTRUCTION ENGINEERING PHASE:

The Engineer shall furnish a qualified Resident Engineer (RE) with the appropriate experience and Highway Construction Inspector (NICET Level III minimum or Qualified Other - Highway Construction) with appropriate experience, and other qualified field staff as circumstances require to assist the Engineer in inspecting the work by the contractor (i.e. Additional Inspector required during paving operations).

The Resident Engineer will protect the TOWNSHIP OF LITTLE EGG HARBOR from any defects in materials or workmanship by the construction Contractor. This is to be accomplished through full time on site inspection of the project site. The Engineer is not responsible for nor in control of the means, methods, techniques, sequences or procedures for construction of the project. The Construction contractor is responsible for these items.

The duties and responsibilities of the Resident Engineer are limited to those of the Engineer as will be further delineated in the negotiated contract for Consulting Engineering Services and are further limited and described as follows:

General - The Resident Engineer is the Engineer's agent at the site and shall act as directed under the supervision of the Engineer. The RE's dealing in construction matters pertaining to the on-site work shall in general be with the Engineer and Contractor. The RE's dealings with subcontractors shall only be through or with the full knowledge and approval of the contractor. The RE shall communicate with the TOWNSHIP OF LITTLE EGG HARBOR with the knowledge of and under the direction of the Engineer.

Duties and Responsibilities of RE:

Source Documentation - All related source documents upon which payment is based must be a matter of record. Additionally, all source documents pertaining to the determination of pay quantities must be retained for three years after final payment and project close-out pursuant to 49 CFR 18.36(J)(11).

Source documents consist of notes/documentation of counts; measurements (length, width, depth, and slope); calculations of area, volume, weights; sketches, a statement of compliance with contract plans, and specifications; field changes; comments; and delivery tickets collected and initiated by the inspector at the point of unloading.

Source documentation must specify the following at a minimum:

- **Delivery tickets are received before placement of materials**
- **Testing of materials is documented in the project files and referenced in daily inspection reports**
- **Form DC-29's are used for daily inspection reports and the instructions included on the DC-29's are followed. DC-29's are supplemented with field notes and photographs that tie the work being done to the plans, specifications and related contract documents.**

Title 49 CFR 26 requires that Disadvantaged Business Enterprises (DBE's) have an equal opportunity to receive and participated in federal-aid assisted construction contracts. TOWNSHIP OF LITTLE EGG HARBOR will award federal-aid contracts to only those bidders who make a good faith effort to meet the DBE goals established by NJDOT's Civil Rights Contract Compliance Unit. TOWNSHIP OF LITTLE EGG HARBOR will continuously monitor DBE participation as the project progresses and is responsible for ensuring the contract goals will be met at the time of project completion. TOWNSHIP OF LITTLE EGG HARBOR's responsibilities include:

1. Verification of Recommendation to Award memorandum and For CR-266F, "Schedule of DBE/ESBE Participation (former "Form A") to determine status of the subcontractors to monitor DBE/ESBE compliance.
2. Monitor participation by comparing contracts DBE/ESBE/SBE goal commitments against each Form DC-18 "Request for Approval to sublet". Cross check the Daily Work Reports with each affected Form-18, the Recommendation to Award, and the Form CR-267, Monthly Report of Utilization of ESBE/DBE or SBE.
3. Utilize Daily Work Report to document on-site monitoring of stipulated DBE work items and contractor performing the work to insure compliance.
4. The person in responsible charge must be made aware of non-compliance issues and direct the contractor in writing to comply with these requirements. Revisions can only be made to the approved DBE/ESBE/SBE program upon submission of a review Form CR 266 by the contractor and review and approval by NJDOT.
5. Any DBE/ESBE/SBE goal commitments not fulfilled must be supported by Good Faith Effort documentation and reviewed and approved by NJDOT based on the guidance set forth in 49 CFR 26 Appendix A.

Schedules - Review the progress schedule prepared by the contractor and consult with Engineer concerning acceptability.

Meetings - Attend meetings with the contractor such as preconstruction conferences, progress meetings, job conferences and other project related meetings, and prepare and circulate the minutes thereof.

Liaison - The RE shall serve as the Engineer's liaison with the contractor working principally with the contractor's superintendent and the RE shall assist in understanding the contract documents. The RE shall also assist the Engineer in serving as the TOWNSHIP OF LITTLE EGG HARBOR's liaison with the contractor. In addition, the RE shall assist in obtaining additional details or information from the TOWNSHIP OF LITTLE EGG HARBOR when required for proper execution of the work.

Existing Conditions DVD Movie - The RE is to direct the contractor to immediately, and before any construction work begins, have made a professional Pre-construction DVD movie of the entire existing conditions of the work area and the immediate area along the sides of the project work area. This DVD is to be a record of conditions before construction. When the contractor has finished recording the existing conditions, the RE is to immediately review this movie for content, and if found to be clear, properly done, and adequate, the RE shall immediately record the date of receipt and provide a copy to the TOWNSHIP OF LITTLE EGG HARBOR Engineer's Office before the construction begins.

The RE shall report immediately to both the Engineer and TOWNSHIP OF LITTLE EGG HARBOR upon the occurrence of any accident.

Payment Requests - The RE shall review applications for payment with the contractor for compliance with the contract and shall forward the recommendations to the Engineer,

Completion - Before the Engineer recommends a certificate of substantial completion to the TOWNSHIP OF LITTLE EGG HARBOR Engineer, the RE shall submit to the contractor a list of observed items requiring completion or correction. The RE shall also conduct a final inspection in the company of the Engineer, TOWNSHIP OF LITTLE EGG HARBOR and contractor and shall then prepare a final punch list of items to be completed or corrected. Prior to making recommendation for final payment to the Engineer, the RE shall assure that all items on the final punch list have been completed or corrected by the contractor.

Communication and Emergencies - The RE shall have a cell phone in his or her possession at all times in case the TOWNSHIP OF LITTLE EGG HARBOR Engineer requires any communication with the site. In addition, the RE shall supply the TOWNSHIP OF LITTLE EGG HARBOR with a twenty-four hour phone number to be used in case of emergency. Emergencies include but are not limited to accidents involving property damage, bodily injury, hazardous waste spills or unearthing hazardous waste, or damage to existing utility infrastructure.

As-Built Plans - The RE shall prepare a set of as built plans in accordance with requirements listed on page 3

Limitations of Authority of The RE:

Shall not authorize any deviation from the contract plans or specifications or substitute any materials or equipment not authorized by the Engineer;

Shall not exceed limitations of Engineer's authority as set forth in the General Conditions or the Contract;

Shall not undertake any of the responsibilities of contractor, subcontractor or contractor's superintendent;

Shall not advise on, issue directions relative to or assume control of any aspect of the means, methods, techniques, sequences or procedures of construction without prior approval of the Engineer and TOWNSHIP OF LITTLE EGG HARBOR Engineer

Shall not advise on, issue directions regarding or assume control over safety precautions and safety programs in connection with the work;

Shall not accept shop drawings from anyone other than the contractor;

Shall not participate in specialized field or laboratory tests or inspections conducted by others

Construction Inspection / Construction Services Individuals

- At least one full-time NICET (or equivalent) inspector shall be on site during all construction activities.

The New Jersey Licensed Engineer is responsible for submitting all deliverable work products on or before the construction project close-out date. As appropriate for the type of work ordered, the deliverables shall include all of the following or such other items as may be directed in the RFP:

- a. Change Orders and related explanations & documents.
- b. NJDOT required documents.
- c. Punchlist Work, Punchlist completion and Project Completion Certification.
- d. Original Pre-construction DVD movie of entire existing conditions for the work area and the immediate area along the sides of the project work area.
- e. All project related notes and documents, including as-built plans
- f. Red Line As-Built drawings, and similar documents.

TOWNSHIP OF LITTLE EGG HARBOR
Appendix C1 – Design Proposal Evaluation Guide & Form

Introduction

These guidelines are provided to assist you in the evaluation of proposals received in response to a Request for Proposals (RFP). As a member of the Evaluation Committee, you represent LITTLE EGG HARBOR TOWNSHIP and your reviews of the proposals must be conducted individually and professionally. Evaluation Committee members must follow the established evaluation format and be able to evaluate all proposals objectively and without bias. One of the most important elements in the evaluation process is the assurance that each Offeror is treated fairly and equally.

Evaluation Guidelines

The proposals will be evaluated in two stages.

First, the submitted proposals are reviewed for responsiveness to determine if they are in compliance with the submission requirements as outlined in the RFP. The proposals will then be scored based upon the criteria presented on the RFP Evaluation Form which should be consistent the requirements of the RFP. Each proposal must be scored by multiplying the rating you determine it deserves by the weighted value of the RFP criterion on the Proposal Evaluation Form.

Pricing

The pricing is not included in this evaluation and will be negotiated once the highest scored proposal is determined.

Rating

TEN (10) BEING EXCELLENT AND ZERO (0) BEING UNSATISFACTORY. You should give considerable thought to the rating you award. The evaluation process is designed to value the judgment and assessment of each individual evaluator. As an evaluator, your scores must reflect your individual judgment based on the selection criteria. You must complete your evaluation and score each proposal prior to attending the Evaluation Committee meeting. Discussion among the evaluators is encouraged to ensure the best value for LITTLE EGG HARBOR TOWNSHIP is achieved. The scores will then be tabulated.

The highest scoring offeror(s) may be required to be interviewed by the Evaluation Committee. The interview/presentation is the second stage of the process. It is not mandatory; however, it is a good tool for the Evaluation Committee to use in its evaluation. It provides an opportunity to meet the key personnel. It is subjective and is not scored. You will be asked to rank the firms interviewed after all the interviews are completed. At the end of the interviews, the Evaluation Committee will have a discussion and do a final ranking of the proposals.

RFP Title: _____

Consultant: _____ Technical proposals will be evaluated on based on the evaluation criteria as stated below. The cost proposal will not be part of this evaluation. After the review committee evaluates all of the proposals and qualifications points are awarded, the cost proposal for the highest ranked technical proposal will be opened. A 10-point scale will be used to create the final evaluation recommendation. When assessing points, utilize a 1-10 scale which will then be multiplied by the weight assigned.

TOWNSHIP OF LITTLE EGG HARBOR
APPENDIX C2
CM/CI PROPOSAL RATING GUIDE & SHEET

PROJECT NAME: _____

CONSULTANT TEAM: _____

REVIEWER: _____

CRITERIA	WEIGHT	MULTIPLIER POINTS	MAXIMUM TOTAL POINTS	REVIEWER POINTS	TOTAL
UNDERSTANDING OF THE PROJECT	25	1 - 3	75		
EXPERIENCE OF THE PROJECT MANAGER	20	1 - 4	80		
EXPERIENCE WITH SIMILAR PROJECTS	20	1 - 5	100		
LOCATION (PROXIMITY TO PROJECT SITE)	10	1 - 5	50		
EXPERIENCE OF RESIDENT ENGINEER/INSPECTOR	25	1 - 4	100		
TOTAL SCORE (MAX) REVIEWER'S SCORE	100		405		

APPENDIX C2
CM/CI PROPOSAL RATING GUIDE

<u>LOCATION - CRITERIA</u>	<u>SCORE</u>
Consultant's office located within 10 Miles from Project Site	5
Consultant's office located more than 10 miles but less than 20 miles from Project Site	4
Consultant's office located more than 20 miles but less than 30 miles from Project Site	3
Consultant's office located more than 30 miles but less than 40 miles from Project Site	2
Consultant's office located more than 40 miles from Project Site	1

EXPERIENCE OF RESIDENT ENGINEER / INSPECTOR

<u>CRITERIA</u>	<u>SCORE</u> (1 if yes, 0 if no)
Served as an Inspector on similar projects with Local Government and/or Counties	1
Served as an Inspector on projects different than this RFP	1
Served as an Inspector on similar projects for more than 5 years	1
Possesses relevant technical skills	1

TOWNSHIP OF Little Egg Harbor
Design Consultant Performance Evaluation Form Engineering Division
STAFF & PERSONNEL(B)

		SCORE
1	Knowledge of LPA standards, policies, and procedures: Did	
2	Staff attempt to learn the LPA standards, policies, and procedures:	
3	Initiative in identifying important design or construction issues and developing alternative solutions:	
4	Did staff make a recommendation when alternate solutions were to be developed:	
5	In proposing alternatives, was sound engineering used in original design:	
6	Were the most qualified staff used to develop plans:	
7	Was the designated staff contact person completely knowledgeable and able to discuss plans and design or construction issues:	
8	Extent LPA staff was used to develop acceptable product:	
9	Extent of personnel changes during life of contract:	
10	How staff conduct itself in meetings and in the public:	
11	Responsive and thorough in making revisions:	
COMMENTS:		
Total		0
Staff & Personnel (B) Score		0.00%

TOWNSHIP OF Little Egg Harbor

Design Consultant Performance Evaluation Form

Engineering Division

PRODUCT EVALUATION (D)		SCORE
1	Drafting quality, plan organization and clarity:	
2	Extent of corrections and re-submittals:	
3	Quality of QA/QC performed to expectations:	
COMMENTS:		
Total		0
Product Evaluation		0.00%

**Little Egg Harbor Township Appendix D-2
CONSULTANT CM/CI PERFORMANCE EVALUATION FORM**

Consultant: CM/CI CONSULTANT.
 Agreement: TBD
 Project: TBD
 Rating Period: _____

Quality Rater: _____
 Quality Reviewer: _____

			weight	Enter 1-5	Enter "X" if N/A
A. GENERAL					
1	Team is able to work independently and are self directed		3	3	
2	Team communicates effectively with Contractor and township personnel		3	3	
3	Team is prepared for assignments (has appropriate plans, specifications and Standard Details when performing inspections)		1	3	
4	Reports are issues promptly, are reliable and duties are performed diligently		2	3	
5	Team is familiar with township Construction Procedures and executes assignments in compliance with township requirements		2	3	
B. INSPECTION					
6	Demonstrates technical knowledge of construction inspection standards/requirements		4	3	
7	Familiar with assignment compliance requirements (standard specification/special provision/ working drawing requirements)		2	3	
8	Inspects, monitors and coordinates the enforcement of traffic control/safety compliance standards. In addition, inspects, monitors and coordinates the enforcement of lane restrictions/follows notification procedures for unanticipated lane closures/delays.		3	3	
9	Confirms contractor used only approved materials sources and verifies materials certifications are received.		2	3	
C. ADMINISTRATION					
10	Staff completes Inspection Reports in an accurate and detailed manner.		3	3	
11	Staff submits reports in a timely manner		2	3	
12	Maintains office records (data entries/office filing/As-built plans)		1	3	
13	Prepare/ submits monthly payment Estimates promptly/accurately		1	3	
14	Completes As-built quantity calculations in accordance with township guides		1		X
15	Completes As-builts in a timely manner		1		X
SUPERVISOR/RE					
16	Monitors the Contractor's progress schedule		1	3	
17	Exercises oversight/ organizes inspection team to ensure activities are monitored		3	3	
18	Responds to RFI's promptly and coordinates resolution of field condition changes		3	3	
19	Prepares Change Orders in accordance with the Contract in a timely manner		2	3	
20	Responds to claims promptly. Ensures supporting documentation is recorded		2	3	
21	Completes project closeout in a timely manner		2		X

Overall Quality Rating

3.00

APPENDIX E Change Directive (Field Work Order) Form

LITTLE EGG HARBOR TOWNSHIP

To _____

Field Work Order No. _____

Project No. _____

Project Name _____

Basis of Field Work Order

- | | |
|--|---|
| <input type="checkbox"/> Error / Omission | <input type="checkbox"/> Differing Site Condition |
| <input type="checkbox"/> Owner Request | <input type="checkbox"/> Field Resolution |
| <input type="checkbox"/> Value Engineering | <input type="checkbox"/> _____ |

Project Location _____

Contract Price (indicate if zero cost)

Add: \$ _____ Deduct: \$ _____

Contract Time

No Change ___ Days Added ___ Days Deducted

Cost Basis (check all that apply)

- | | |
|--|--------------------------------------|
| <input type="checkbox"/> Time and Material Not to Exceed | <input type="checkbox"/> Fixed Price |
| <input type="checkbox"/> Allowance (described below) | <input type="checkbox"/> Unit Price |

Your company is authorized and directed to proceed with the following (attach additional sheets if needed):

Justification:

Special Notice: This Field Work Order identifies satisfaction of all compensation and time adjustments related to this change to the Work.

Construction Manager (CM) Recommendation (if applicable)

Name: _____

Signature _____ Date _____

Architect / Engineer (A / E) Recommendation

Name _____

Signature _____ Date _____

Contractor Concurrence

Name _____

Signature _____ Date _____

LITTLE EGG HARBOR TOWNSHIP
 Department of Public Works
 Division of Engineering

Project Manager/Responsible Charge Approval

Name _____

Signature _____ Date _____

APPENDIX F

PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT ("Agreement"), made this ____ day of _____, 202x by and between:

LITTLE EGG HARBOR TOWNSHIP

A municipal corporation of the State of New Jersey with offices located at
INSERT ADDRESS

("LITTLE EGG HARBOR Township")

and:

NAME
ADDRESS
ADDRESS

("_____")

(Collectively, "Parties")

WITNESSETH:

WHEREAS, the Mayor and Board of Aldermen of the LITTLE EGG HARBOR Township wish to retain the services of _____ to provide professional planning services, per _____'s proposal dated _____, 202X; and

WHEREAS, N.J.S.A. 40A:11-1 et. seq. requires that all contracts be in writing; and

WHEREAS, the LITTLE EGG HARBOR Township wishes to enter into a written contract with _____.

NOW, THEREFORE, IN CONSIDERATION OF the mutual covenants and agreements herein contained, the Parties agree as follows:

which exceed this amount, the LITTLE EGG HARBOR Township is under no obligation to provide compensation for such services.

5. During the term of this Agreement, the Parties hereto agree to comply with the Affirmative Action requirements set forth in N.J.A.C. 17:27, and hereby incorporate by reference the mandatory Affirmative Action language set forth in "Exhibit B," which is attached hereto and made a part hereof.

6. This Agreement has been awarded to _____, whose office is located at _____, based upon its merits and abilities to provide the services as described herein. This Agreement was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that _____, its subsidiaries, assigns or principals, controlling in excess of 10% of the firm has neither made a contribution in the one (1) year period preceding the award of this Agreement that is reportable to the New Jersey Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44-16 so as to affect its eligibility to perform this Agreement, nor will it make a reportable contribution during the term of this Agreement to any political party committee in the LITTLE EGG HARBOR Township if a member of that political party is serving in an elective public office of the LITTLE EGG HARBOR Township when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the LITTLE EGG HARBOR Township when the contract is awarded.

7. _____ is advised of the responsibility to file an annual statement on 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 §3) if _____

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 afford equal employment opportunities to minority and women workers consistent with good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2 or good faith efforts to meet targeted 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 personal testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, 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 subcontractor shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance 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 Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

TOWNSHIP OF LITTLE EGG HARBOR
Office of Affirmative Action

April 3, 2023

Title VI Nondiscrimination Policy Statement

It is the policy of the Township of Little Egg Harbor, New Jersey to abide by Title VI of the Civil Rights Act of 1964, the Uniform Relocation and Real Property Acquisition Policies Act of 1970, Executive Order 12898 for Environmental Justice, Executive Order 13166 for Limited English Proficiency, 42 U.S.C. 4601, 23 U.S.C. Section 324, Sections 503 and 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, the Civil Rights Restoration Act of 1987, Executive Order 11246 for Equal Employment Opportunity, the Vietnam Era Veterans Readjustment Assistance Act of 1972, N.J.S.A. 52:32-31.1 et. seq., New Jersey Law Against Discrimination N.J.S.A. 10:5-1 et. seq. and implementing regulations at N.J.A.C. 17:27 et. seq., and other related nondiscrimination laws, statutes, Executive Orders, or policies.

No person in the United States shall, on the grounds of race, creed, color, national origin, age, ancestry, nationality, marital/domestic partnership/civil union status, gender, disability, religion, affectional or sexual orientation, gender identity or expression, family status, atypical cellular or blood trait, genetic information, military services, veterans status, income level or ability to read, write or speak English, be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any program or activity which is administered by a Little Egg Harbor Township program, activity or service regardless of funding source.

Any person who believes that because of his or her race, creed, color, national origin, age, ancestry, nationality, marital/domestic partnership/civil union status, gender, disability, religion, affectional or sexual orientation, gender identity or expression, family status, atypical cellular or blood trait, genetic information, military service, veterans status, income level or ability to read, write or speak English, he or she has been excluded from participation in any program or activity which is administered by the Township of Little Egg Harbor, or who believes that he or she has been denied any benefits provided by such program or activity, or believe he or she has been unfairly treated in connection with such program or activity, should contact the following office within 180 days from the date of occurrence of any violation of this policy:

Rodney Haines, Township Administrator/CFO
Township of Little Egg Harbor
665 Radio Road
Little Egg Harbor, New Jersey, 08087
Office: 609-296-7241
Fax: 609-296-5352



Rodney Haines, Township Administrator/CFO

4/5/2023
Dated