Request for Proposals

Notice is given that the Borough of Hightstown is soliciting a Request for Proposals (RFP) utilizing the "Fair and Open" Process pursuant to N.J.S.A. 19:44-20.4 et seq. in consideration of such process to create a short-list for interviews and eventual selection of a professional Consulting engineer for the Borough’s Wastewater Treatment Facilities. The Borough intends to consider such qualifications and proposals to determine the appointment of a Wastewater Treatment Facilities Consulting Engineer, of the Borough for 2015.

Consulting Engineering Firm Qualifications Statement and Proposal Packages (9 copies) shall be submitted to the attention of Borough Clerk/Purchasing Agent, at the Borough of Hightstown Municipal Building, 156 Bank Street on or before Wednesday, December 17, 2014 at 11:00am.

I. Background

The Borough of Hightstown is a 1.2 square mile municipality in Mercer County, New Jersey, with a population of approximately 5600 residents. The Borough owns and operates a Sewer collection system and an Advanced Waste Water Treatment Plant. There is an on-going program for operation and maintenance of the system. The Borough’s existing infrastructure consists of the following:

Sewer System

The Borough owns and operates the one (1) million gallon per day (MGD) Advanced Waste Water Treatment Plant (AWWTP), which is regulated by the NJDEP under NJPDES Permit No. NJ0029475. The current flow to the Hightstown AWWTP is approximately .65mgd MGD plus 800,000 gals per month septic waste.

The Borough also operates and maintains a sewer collection system consisting of two (2) pumping stations and over 19 miles of sewer line consisting of gravity mains and force mains.

II. Scope of Services

The Water and Sewer Consulting Engineer will be responsible for performance of the following professional engineering services, as requested or directed by the Borough:

1. Sewer System Program

Work tasks may include but are not limited to: 1) general operations and management consulting; 2) inspection and evaluation of facilities; 3) assistance with bids, specifications, and contracts; 4) NJPDES and Air Permit consultations; 5) operating and capital budget consultation; 6) project financing; 7) sludge management consulting; 8) review/comment regarding NJDEP rulemaking; 9) wastewater system planning and development; 10) water quality studies and assessments; 11) Wastewater
Management Planning (WQMP's, WMP's); 12) attendance at Borough Meetings.

The qualified Sewer Consulting Engineer may be requested to perform complex analyses and designs regarding wastewater treatment and conveyance facilities, including technical specifications (bid documents), as well as design oversight reviews and value engineering analyses. The Engineering Consultant should further be capable of performing construction resident engineering and inspection services for sewer related projects.

The Borough’s Consulting Engineering Firm(s) will take direction from the Borough Council, along with the Borough Administrator, Borough Engineer, and Borough Sewer Superintendent. The Consulting Engineering Firm(s) may be further required to coordinate its efforts with the Borough’s other Professionals, including Legal and Special Counsels, Bond Counsels, Auditor, and others as the Borough Council and Staff may direct.

III. Experience

In addition to providing evidence of the requisite staffing of professionals with general engineering knowledge and professional licensures regarding wastewater collection, conveyance, and treatment and operations management, the applicant Consulting Engineering Firm shall demonstrate sufficient experience in the performance of all of the referenced Scope of Work tasks, as well as the potential supplemental performance of Design, Bid Phase, Construction Oversight and Resident Engineering and Inspection Services.

IV. Qualifications

The applicant Consulting Engineering Firm shall provide a narrative of its corporate qualifications and achievements, along with an in-depth statement regarding its financial and professional capabilities to successfully administer and timely complete complex water and/or sewer related projects (per Scope of Work), while remaining fiscally responsible to project and work task budgetary controls and limitations. The applicant Consulting Engineering Firm shall additionally provide a corporate flow chart identifying the proposed organizational structure for performance of the work scope(s).

The applicant Consulting Engineering Firm shall provide a complete summary of its relevant project related sewer engineering consulting experience, specifying and detailing comparable work scopes along with their respective outcomes. The Consulting Engineering Firm shall indicate whether such work was performed in conjunction with the efforts of another firm, and the relative percentage of shared responsibilities for such shared work. For construction projects, the overall project construction and engineering budgets should be noted, along with proposed and actual project schedules. Additionally, please provide a brief discussion of significant Construction Contract change order work, and the overall percentage of change orders compared to each project's construction contract cost. Also, the applicant Consulting Engineering Firm shall provide a statement as to its in-house capabilities with regard to various project design and construction related disciplines, including general civil/site, environmental/sanitary, structural,
electrical, HVAC, and process instrumentation and controls. Should the applicant Consulting Engineering Firm anticipate the need for contracted sub-consultant services for the performance of consulting services of any of the above disciplines, then each relevant discipline should be noted as such, along with a listing of potential sub-consultant(s). The applicant Consulting Engineering Firm shall discuss its knowledge, experience, and interaction regarding NJDEP wastewater and solid waste permits, rules and regulations. The applicant Consulting Engineering Firm should further demonstrate its knowledge and experience relative to project financing alternatives, including bonding, NJEIT and USEPA loan and grant programs.

The applicant Consulting Engineering Firm shall designate and identify an overall Project Manager responsible to oversee the proposed work scope and supervise personnel accordingly. The designated Project Manager shall be the primary point of contact for the Borough, and serve as the Consulting Engineering Firm representative who will attend Borough Meetings as needed and/or directed. The resumes of key staff shall also be provided to demonstrate experience, qualifications and capability relative to the work scope.

V. Technical Discussion RFP Issues

In conjunction with its Proposal, the applicant Consulting Engineering Firm shall provide a brief narrative in response to the following Borough sewer related issues:

1. Sewer Program

The Borough recently received a draft NJPDES/DSW Permit which contains a new effluent monitoring requirement for Bromodichloromethane. The Borough is aware that the NJDEP typically imposes monitoring for parameters that potentially have numerical limits in a future permit. The applicant Consulting Engineer is requested to provide a brief narrative discussion indicating how it would approach the imposition of elimination of Bromodichloromethane at the AWWTP, including the technical basis for evaluation and thought process for providing commentary to NJDEP, along with recommendations regarding further action and/or study for the Borough. The applicant Consulting Engineer’s discussion shall include experience with upgrading facilities to achieve alternates to chlorine use such as UV Treatment.

2. Analysis of Sludge disposal process.


VI. Rate Schedule

The applicant Consulting Engineering Firm shall submit a binding copy of its proposed rate schedule for performance of professional engineering services for the Borough of
Hightstown for 2015, with a cost breakdown of hourly rates by title/position. Qualifications and licensure requirements pertaining to each title/position shall also be provided. The Consulting Engineering Firm shall further provide a narrative to discuss its billing practices, including policies regarding mileage (and rate(s) thereof), reimbursables, overhead costs, multipliers (internal/subcontractual), field/office billing differentials, clerical billing (if applicable), etc.

Cost Proposal

1. Attend Borough Water & Sewer Committee Meetings:

The Borough Water and Sewer Committee has regularly scheduled monthly meetings. Water and Sewer Committee Meetings typically run from 10:30 to 12:00. The applicant Consulting Engineering Firm shall provide a lump sum cost proposal per meeting, which shall include meeting preparation and attendance, travel, and a monthly written status report describing the activities for the preceding month.

2. Remaining Work Tasks:

The remainder of the Scope of Services shall be performed by the Consulting Engineering Firm on a time and materials basis per submitted Consulting Engineering Firm Rate Schedule, as directed by Borough and in accordance with Borough’s Budgets.

VIII. Borough Payment Policies and Procedures

The Borough shall consider payments to the Consulting Engineering Firm which are submitted monthly on Borough vouchers, along with a summary of service times by person/title/position and materials. The Consulting Engineering Firm executed vouchers shall be submitted to the Borough at least one (1) week prior to the Borough meeting for which it is to be considered for payment.

IX. Conflict of Interest

The applicant Consulting Engineering Firm shall fully disclose any such potential conflicts of interest as part of its proposal.

X. Additional Submission Requirements

The submission shall also be accompanied by the following executed forms: (1) a Non-Collusion Affidavit, (2) a Disclosure of Ownership Form (N.J.S.A. 52:25-24.2), (3) an Insurance Requirement Acknowledgement Form, (4) an Equal Employment Opportunity Notice Acknowledgement and Agreement, (5) a Professional Services Entity Information Form, (6) an Acknowledgement of Corrections, Additions or Deletions Form (6) a copy of the applicable Business Registration Certificate.
All professional service contractors are required to comply with the requirements of N.J.S.A. 52:32-44 (Business Registration of Public Contractors), N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. (Contract Compliance and Equal Employment Opportunities in Public Contracts).

Submissions by Corporations and Partnerships shall include a completed Disclosure of Ownership form (N.J.S.A. 52:25-24.2), shall include a completed Non-Collusion Affidavit.

XI. **RFP Selection Process**

Utilizing the "Fair and Open" Process per N.J.S.A. 19:44A-20.4 et. seq. to solicit RFP’s, the subsequent evaluation and selection process will be conducted by the Borough Council, staff, and professionals. During the evaluation process, the Borough may seek additional information concerning applicant Consulting Engineering Firm and its proposal.

As part of the evaluation and selection process, the Borough may invite one or more applicant Consulting Engineering Firm’s to be interviewed and make a presentation. Consideration for final selection shall be based on the following pertinent RFP factors (not necessarily in order of significance):

1. Qualifications
2. Experience
3. Familiarity with Borough
4. Rate Schedule
5. Proposal Document (and supporting documentation)
6. References
7. Prior Performance
8. Conflicts of Interest

XII. **Borough Rights**

The Borough reserves the right, at its sole discretion, to pursue any or all of the following actions related to this RFP, and may:

1. Issue addenda or extend dates of RFP.
2. Request additional information or clarification from any of the applicant Consulting Engineering Firms.
3. Negotiate a contract either on basis of original proposal and/or additional information.
4. Reject all proposals and re-issue RFP.

It is noted that this RFP is not a solicitation and does not obligate the Borough to accept any proposal, negotiate with any Consulting Engineering Firm, award a contract, or proceed with any services or any project proposed under this RFP. The awarding of any contract
shall be subject to prior Borough approval in conformance with all applicable laws and requirements.

XIII. References

The applicant Consulting Engineering Firm shall provide a current listing of its principal clients, along with contact information, for reference purposes. The Borough reserves the right to contact these references and any other person/entity Borough deems appropriate regarding its evaluations in this matter.

XIV. RFP Requirements

Bidders are required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27. If awarded a contract, your company/firm shall be required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27.

XV. RFP Schedule

Consulting Engineering Firm Qualifications Statement and Proposal Packages (9 copies) shall be submitted to the attention of Borough Clerk/Purchasing Agent, at the Borough of Hightstown Municipal Building, 156 Bank Street on or before Wednesday, December 17, 2014 at 11:00am.

The RFP's shall be sealed in an envelope or container, and clearly marked "Borough of Hightstown Request for Qualifications/Request for Proposals — Sewer Consulting Engineer."

You may contact Henry Underhill, Administrator with any questions.
CHECKLIST

The following items, as indicated below (X), shall be provided with the receipt of sealed proposals:

1. Non-Collusion Affidavit .............................................. ___ X ___
2. Disclosure of Ownership Form................................. ___ X ___
3. Insurance Requirement Acknowledgement Form.......... ___ X ___
4. Mandatory Equal Employment Opportunity Notice Acknowledgement and Agreement................................................................. ___ X ___
5. Copy of your Business Registration Certificate as issued by the State of New Jersey, Department of Treasury, Division of Revenue............................... ___ X ___
6. Acknowledgement of Corrections, Additions or Deletions Form _______ X ______
NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY : SS.
COUNTY OF :

I, ______________________________ of the ________________________
of _______________________________________________
in the County of ______________ and the State of New Jersey, of full age, being
duly sworn according to law on my oath depose and say that:

I am _____________________________________________________________
of _____________________________________________________________

the Professional Service Entity making the submission for the above named Service,
and that I executed the said submission with full authority to do so; that said
Professional Service Entity has not, directly or indirectly, entered into any
agreements, participated in any collusion, or otherwise taken any action in restraint
of fair and open competition in connection with the above named Service; and that
all statements contained in said submission and in this affidavit are true and correct,
and made with full knowledge that the HIGHTSTOWN BOROUGH relies upon the
truth of the statements contained in said submission and in the statements contained
in this affidavit in awarding the contract for said Service.

I further warrant that no person or selling agency has been employed or retained to
solicit or secure such contract upon an agreement or understanding for a commission,
percentage, brokerage or contingent fee, except bonafide employees or bonafide
establish, commercial or selling agencies maintained by:

____________________________________________________________________

Name of Professional Service Entity

____________________________________________________________________

(Signature of Professional)

____________________________________________________________________

(Type or Print name of affiant and Title, under signature)

Subscribed and sworn to before me

this ________ day of __________, 20___

____________________________________________________________________

Notary Public, State of __________ My Commission expires__________
DISCLOSURE OF OWNERSHIP FORM

N.J.S.A. 52:25-24.2 reads in part that “no corporation or partnership shall be awarded any contract by the State, County, Municipality or School District, or any subsidiary or agency thereof, unless prior to the receipt of the submission of the corporation or partnership, there is provided to the public contracting unit a statement setting forth the names and addresses of all individual who own 10% or more of the stock or interest in the corporation or partnership”.

1. If the professional service entity is a partnership, then the statement shall set forth the names and addresses of all partners who own a 10% or greater interest in the partnership.

2. If the professional service entity is a corporation, then the statement shall set forth the names and addresses of all stockholders in the corporation who own 10% or more of its stock of any class.

3. If a corporation owns all or part of the stock of the corporation or partnership providing the submission, then the statement shall include a list of the stockholders who own 10% or more of the stock of any class of that corporation.

4. If the professional service entity is other than a corporation or partnership, the contractor shall indicate the form of corporate ownership as listed below.

COMPLETE ONE OF THE FOLLOWING STATEMENTS:

I. Stockholders or Partners owning 10% or more of the company providing the submission:

   NAME: __________________________________________ ADDRESS: __________________________

   __________________________________________

   __________________________________________

   SIGNATURE: ______________________________ DATE: __________________

II. No Stockholder or Partner owns 10% or more of the company providing this submission:

   SIGNATURE: ______________________________ DATE: __________________

III. Submission is being provided by an individual who operates as a sole proprietorship:

   SIGNATURE: ______________________________ DATE: __________________

IV. Submission is being provided by a corporation or partnership that operates as a (check one of the following):

   ______ Limited Partnership
Limited Liability Corporation
Limited Liability Partnership
Subchapter S Corporation

SIGNATURE: ____________________________ DATE: ________________
INSURANCE REQUIREMENT ACKNOWLEDGEMENT FORM

Appropriate Certificate(s) of Insurance shall be filed with the Borough Clerk’s Office prior to award of contract by the Borough Council.

The minimum amount of insurance to be carried by the Professional Service Entity shall be as follows:

PROFESSIONAL LIABILITY INSURANCE

Limits shall be a minimum of $2,000,000.00 for each claim and $2,000,000.00 aggregate each policy period.

Acknowledgement of Insurance Requirement:

___________________________________________________
(Signature)                                           (Date)

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

GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS

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

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

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

OR

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

OR

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

The successful professional service entity may obtain the Employee Information Report (AA302) from the HIGHTSTOWN BOROUGH during normal business hours.

The successful professional service entities must submit the white and canary copies of the AA302 (Employee Information Report) to the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (Division). The pink Public Agency copy is submitted to the HIGHTSTOWN BOROUGH, and the gold Vendor copy is retained by the professional service entity.

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

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

COMPANY: ________________________________________________________________

SIGNATURE: ________________________________________________________________

PRINT NAME: ________________________________________________________________

TITLE: ________________________________________________________________

DATE: ______________________________
EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE
CONTRACTS

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

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

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

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

The contractor or subcontractor 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 meet targeted county employment goals established in accordance with 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, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or
expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

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

In conforming with the 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, race, 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 (electronically provided by the Division and distributed to the public agency through the Division’s website at www.state.nj.us/treasury/contract_compliance)

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

Signed: _____________________________________________________

Print Name:___________________________________________________

Name & Address of Company: ____________________________________

_______________________________________________________________
PROFESSIONAL SERVICE ENTITY INFORMATION FORM

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

Name: ____________________________________________________________

Address: __________________________________________________________

Telephone No.: ________________ Fax No.: ____________________________

E-Mail: ____________________________________________________________

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

Trading As: ______________________________________________________

Telephone _____________________________________

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

Name of Partners: __________________________________________________

Firm Name: _______________________________________________________

Address: _________________________________________________________

Telephone No.: ________________ Federal I.D. No.: ________________

Fax No.: ___________________________
E-Mail: ________________________________

Signature of authorized agent:

____________________________________________________________________

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

State under whose laws incorporated:

______________________________________________

Location of principal office:

____________________________________________________________________

Telephone No.: ___________________ Federal I.D. No.: ________________

Fax No.: ________________________ E-Mail: __________________________

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

____________________________________________________________________

Name of Corporation: ______________________________

Address: __________________________________________

Signature: _________________________________________

Print Name: ______________________________________

Title: ____________________________________________
ACKNOWLEDGEMENT OF CORRECTIONS, ADDITIONS
AND DELETIONS FORM

I, ___________________________________________________ of the firm
____________________________________________
___________________

hereby acknowledge that any corrections, additions and/or deletions have been initialed and
dated in this Submission Package.

_______________________________________________
(Signature)

___________________
(Type or Print name of affiant and Title, under signature)

___________________
(Date)