

**NOTICE POSTED: November 29, 2023**

**DUE DATE: December 11, 2023 @ 10:00 a.m. prevailing time.**

**PUBLIC READING:** All proposals/responses will be opened at the City Council Chambers on **December 11, 2023 @ 12:00 p.m. prevailing time.**

**TAKE NOTICE:** The City of Bayonne, 630 Avenue C, Rm. 15, Bayonne, NJ 07002 (hereinafter referred to in this notice and the various submission documents as the "Client/Owner," "City of Bayonne" and/or "City") is seeking Qualifications and/or Proposals for Professional/Consulting/Extraordinary Unspecifiable Services Providers (hereinafter referred to in this notice and the various submission documents as the "respondent," "provider," "contractor," "submitting party," "applicant," "vendor," "service provider," and/or "professional service provider") for the following professional/consulting/extraordinary unspecifiable services in accordance with a "fair and open" contracting process as defined in the New Jersey Local Unit Pay to Play Law (N.J.S.A. 19:44-20.4 et seq.):

The CITY OF BAYONNE is soliciting responses/proposals to the City's Request for Qualifications/Request for Proposals (RFQ/RFP) for the provision of the following professional/consulting/extraordinary unspecifiable services:

**PROFESSIONAL/CONSULTING/EXTRAORDINARY UNSPECIFIABLE SERVICE - TITLE SOUGHT:**

**THE FOLLOWING PROFESSIONAL ENGINEERING SERVICES:**

- A. GENERAL/IN-HOUSE ENGINEER(S)**
- B. SPECIAL PROJECT ENGINEER(S)**
- C. ON CALL ENGINEER(S)**
- D. TRAFFIC ENGINEER(S)**

**RESPONSE TO THIS RFQ/RFP MUST INDICATE EACH OF THE FOLLOWING PROFESSIONAL ENGINEERING SERVICES FOR WHICH YOUR FIRM IS PROVIDING A RESPONSE.**

The CITY OF BAYONNE desires to appoint a firm or firms to provide consulting engineering services to the CITY OF BAYONNE for particular projects and in the following areas:

- Land Surveying Services
- Site/Civil Engineering
- Municipal Engineering
- Professional Testimony
- Construction Administration, Inspection & Management
- Environmental Engineering
- Regulatory Compliance for NJDEP issued NFA/CNS letters and CERCLA Covenants issued by United States

- Environmental Impact Statements
- Cost Estimating
- Geotechnical Engineering
- Site Safety & Quality Assurance
- Traffic and Transportation

**CONTRACT TERM:**

The contract time period will be for a period not to exceed one (1) year commencing from the contract date.

**GENERAL REQUIREMENTS:**

AT A MINIMUM, THE RESPONDING FIRM OR ENTITY:

1. Must be certified to provide engineering services in the State of New Jersey;
2. Must have a minimum of ten (10) years experience in providing consulting services to municipalities of over 60,000 people including demonstrated experience with improvement projects, road programs, utility upgrades and replacement, public building improvement programs, recreational facilities, land surveying, and mapping projects;
3. Must be experienced in obtaining permits and approvals from various state, county, and local regulatory agencies;
4. Must maintain a staff of New Jersey licensed or certified professionals sufficient to service the CITY OF BAYONNE including, but not limited to: civil engineers, land surveyors, planners, environmental consultants, and construction administrators;
5. Must maintain a principal office location in close proximity to the CITY OF BAYONNE so as to be able to respond to emergent matters promptly;
6. Must be experienced in the preparation of grant applications;
7. Must have project managers with at least ten (10) years of municipal experience;
8. Must be able to provide professional planning services;
9. Must list past and present municipalities served as Consulting Engineer.

**INSURANCE AND INDEMNIFICATION:**

The Contractor shall be required to have the following insurance coverage. Said coverage or certification of ability to obtain said coverage immediately upon contract award, shall be applicable to this proposal and be made a part of the proposal documents:

## **INSURANCE REQUIREMENTS:**

### **Worker's Compensation Insurance**

Workers Compensation Insurance shall be maintained in full force during the life of the contract, covering all employees engaged in performance of the contract pursuant to N.J.S.A. 34:15-12(a) and N.J.A.C. 12:235-1.6.

### **General Liability Insurance**

The contractor shall furnish evidence to the City prior to commencement of the work that he/she or any of his/her subcontractors perform and will provide Standard Liability for any operations to be performed by contractor or subcontractors as follows:

General liability insurance shall be provided with limits of not less than \$2,000,000 per occurrence / \$5,000,000 aggregate to be amended based upon the specific work and values involved.

### **Automotive Liability Insurance**

Automotive liability insurance covering the contractor for claims arising from owned, hired and non-owned vehicles with limits of not less than \$1,000,000 for any one occurrence and \$2,000,000 aggregate for bodily injury and property damage. Coverage shall be maintained in full force during the life of the contract.

### **Professional Liability Insurance**

Professional liability insurance covering contractor for claims arising from its representation of the municipality with limits of not less than \$1,000,000 for any one occurrence, which shall be claim based, and coverage shall be maintained in full force and effect during the life of the contract.

### **Environmental Liability**

Environmental liability insurance for liability and property damage in an amount of \$2,000,000 per occurrence / \$5,000,000 aggregate.

**The preceding insurance requirements may be amended before the issuance of the final contract at the sole and absolute discretion of the City on a case-by-case basis.**

## **CERTIFICATES OF THE REQUIRED INSURANCE**

Certificates of Insurance for those policies required shall be with an insurance company authorized to do business in the State of New Jersey and shall name the City as an additional insured.

## **INDEMNIFICATION**

The contractor shall indemnify, defend, and save harmless the City, at the contractor's own cost and expense, from and against all losses and all claims, demands, payments, suits, actions, recoveries and judgments of every nature and description brought or recovered against him, by reason of any act or omission of the said contractor, his agents or employees, in the delivery of goods or services, execution of the work, or in the guarding of it.

## **WORK PRODUCT/DELIVERABLES:**

All documents and writings necessary to render advice to the City and to represent the CITY OF BAYONNE in connection with engineering matters.

## **OPRA COMPLIANCE:**

Records received, retained, retrieved, or transmitted under the terms of this contract and as a result of the "work" performed by Vendor(s)/Contractor(s) for or on behalf of the City may constitute public records as defined in N.J.S.A. 47.3-16, and are legal property of the City. The Vendor(s)/Contractor(s) named in this contract must agree to administer and dispose of such records in compliance with the State's public record laws and associated administrative rules.

In the event a claim is filed against the City with the Government Records Counsel or, in the Superior Court of New Jersey, or otherwise arising out of documents that were requested of the City or its Vendor(s)/Contractor(s) under the Open Public Records Act or Common Law and the Vendor(s)/Contractor(s) failed to provide the documents, the Vendor(s)/Contractor(s) shall be responsible to defend, indemnify and hold the City harmless with respect to any such claims, fines or penalties imposed.

## **FEE SCHEDULE:**

Provide a cost proposal consisting of information on your fee structure(s) based on the scope of services indicated herein, including anticipated reimbursable costs.

**PROVIDE SEPARATE FEE SCHEDULES FOR EACH PROFESSIONAL ENGINEERING SERVICE FOR WHICH YOUR FIRM IS PROVIDING A RESPONSE AS FOLLOWS:**

**A. GENERAL/IN-HOUSE ENGINEER(S)**

- 1) ON BEHALF OF CITY
- 2) IN CONNECTION WITH DEVELOPERS AND REDEVELOPERS

**B. SPECIAL PROJECT ENGINEER(S)**

- 1) ON BEHALF OF CITY
- 2) IN CONNECTION WITH DEVELOPERS

**C. ON CALL ENGINEER(S)**

- 1) ON BEHALF OF CITY
- 2) IN CONNECTION WITH DEVELOPERS AND REDEVELOPERS

**D. TRAFFIC ENGINEER(S)**

- 1) ON BEHALF OF CITY
- 2) IN CONNECTION WITH DEVELOPERS AND REDEVELOPERS

**EVALUATION PROCESS:**

An evaluation team will review all responses/proposals. The team will determine if the responses/proposals satisfy the Requirements, determine if a response/proposal should be rejected and then evaluate the responses/proposals based upon the Evaluation Criteria. The highest-ranking respondent will then be recommended to the governing body for award of contract, based on price and other factors. **In specific areas, multiple contracts may be awarded.** Listed below are the criteria that the CITY OF BAYONNE will consider in the evaluation of each response/proposal. The arrangement of the criteria does not imply order of importance in the selection process. All criteria will be used to select the successful respondent.

**1. Requirements**

Possess the general requirements stated herein.

**2. Understanding of the Requested Work**

The responses/proposals will be evaluated for general compliance with instructions and requests issued in the RFQ/RFP. Non-compliance with significant instructions shall be grounds for disqualification of responses/proposals.

**3. Knowledge and Technical Competence**

This includes the ability of the respondent to perform all of the tasks and fulfill adequately the stated requirements.

#### **4. Management, Experience and Personnel Qualifications**

Expertise of the respondent shall be demonstrated by past contract successes providing government agencies with similar services. The respondent will be evaluated on knowledge, experience, prior collaboration and successful completion of projects/services similar to those requested in this RFQ/RFP. In addition to relevant experience, respondents shall provide personnel qualifications in the Response/Proposal.

#### **5. Ability to Complete the Services in a Timely Manner**

This is based on the estimated duration of the tasks and the respondent's ability to accomplish these tasks as stated.

#### **6. Cost**

Price shall be based on rates set forth in the RFQ or where a cost proposal is required (RFP), as submitted in the cost proposal. Prices are firm for twelve (12) months. Any services not included as part of any resulting contract scope of services or cost proposal must be approved and authorized by the CITY OF BAYONNE before such work is initiated. The CITY OF BAYONNE shall pay for such approved services, at the rate or cost agreed upon between the CITY OF BAYONNE and contractor. The contractor is aware that the services provided to the CITY OF BAYONNE will be paid 1) directly by the CITY OF BAYONNE, and 2) escrow accounts established by third parties pursuant to N.J.S.A. 40:50D-53.2 et seq. The CITY OF BAYONNE and the contractor shall have separate contracts for 1) the CITY OF BAYONNE's services, and 2) costs that are related to third party escrow accounts established by third parties pursuant to N.J.S.A. 40:50D-53.2 et seq.

**BE ADVISED THAT** absent an express written notice to the contrary in the detailed requirements, all responses:

1. Are to be submitted on "The Standardized Professional/Consulting/Extraordinary Unspecifiable Service RFQ/RFP SUBMISSION FORMS," **AND**
2. Are Subject to the Standardized "General Instructions, Submission and Selection Criteria for Professional/Consulting/Extraordinary Unspecifiable Service Contracts".

The above mentioned standardized documents are available on the City of Bayonne Website (<http://www.BayonneNJ.org>) under the heading "RFQ/ RFP – Requests for Qualifications/Proposals" by clicking on the link "Requirements for Submission," "Click here to view Requirements." and clicking on the links under Paragraphs No. 1 and No. 2. Should you be unable to obtain these from the website, copies of the solicitation package are also available at the office of the City Law Department, 630 Avenue C, 1st Floor, Rm. 15, Bayonne, NJ 07002. The Law Department is open during regular business hours, 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding holidays.

**SEALED RESPONSES/PROPOSALS SHOULD INCLUDE:**

1. The above noted Standardized Professional/Consulting/Extraordinary Unspecifiable Service RFQ/RFP SUBMISSION FORMS which include:
  - a. The "Proposal, Qualifications and Costs Submission Form" signed and dated by the provider and clearly referencing any additional sheets or attachments (such as a submission letter, provider service or experience description, and/or fee schedule).
  - b. A signed and notarized "Non-Collusion Affidavit."
  - c. A signed Disclosure of Ownership form.
2. A signed Professional/Consulting/Extraordinary Unspecifiable Service Entity Information Form.
3. A copy of the vendor's current "NJ Business Registration Certificate." Information on this certificate can be obtained on the web at "<http://www.state.nj.us/treasury/revenue/busregcert.htm>".
4. A copy of State of NJ, Department of the Treasury, Division of Revenue and Enterprise Services, Certificate of Good Standing. Information on this Certificate can be obtained on the web at <https://www.njportal.com/dor/businessrecords/>.
5. Disclosure of Investment Activities in Iran Form
6. Such other documents and materials as may be appropriate to show the qualifications and experience of the provider or to meet the requirements of this RFQ/RFP.

**SUBMISSION DEADLINE AND PUBLIC READING:**

Sealed proposals/responses must be received in the **City Law Department, 630 Avenue C, 1st Floor, Room 15, Bayonne, New Jersey 07002** on or before the date and time ("due date" set forth in this notice (also referred to as the "submission deadline"). The City's Law Director and/or his designated representative will receive submissions up to the submission deadline.

The City reserves the right to extend the submission deadline at any time prior to opening of the sealed submissions, to reject all submissions without the need for cause or prior notice, to reject particular submissions due to defects in mandatory items, to waive non-mandatory items and to accept any submission(s) that in its judgment is/are in the best interest of the City.

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John F. Coffey II, Esq., Law Director, 630 Avenue C, Rm. 15, Bayonne, NJ  
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