



State of New Jersey

THE PINELANDS COMMISSION

PO Box 7

NEW LISBON NJ 08064

(609) 894-7300

RICHARD J. CODEY
Acting Governor

JOHN C. STOKES
Executive Director

July 7, 2005

To Potential Bidders:

In 2002 the New Jersey Pinelands Commission received a planning grant from the Geraldine R. Dodge Foundation. The Commission, in collaboration with state, county and municipal governments and private interests created the "Pinelands Excellence Program", a prototype program to help create "livable" communities. The focus of the program was to assist communities that have experienced significant growth since the designation of the 1 million acre Pinelands over two decades ago. The pace of development has made it difficult for many of the higher density regional growth communities in the Pinelands to effectively plan, particularly for infrastructure and community facilities. While the growth in these communities is largely attributable to the development pressures originating in Atlantic City to the east and Philadelphia to the west, the Pinelands Comprehensive Management Plan and adopted local ordinances specify overall density requirements that support development in these areas. Furthermore, a major goal of the Comprehensive Management Plan is to preserve significant ecological areas and farm land while directing new development to areas that are already disturbed and experiencing growth.

In the initial program round, the Commission selected two of these fast-growth communities to participate in the "Pinelands Excellence Program". Working with the municipalities the Commission engaged the services of planning consultants to help each community develop a strategic vision of its future and prepare proposals for zoning, subdivision, site planning, and infrastructure improvements to achieve that vision. This project received attention from a variety of land use and planning organizations throughout the region. In April, 2004, the New Jersey Planning Officials gave the Pinelands Commission its NJPO Achievement in Planning Award, recognizing the Pinelands Excellence Program as an innovative and effective tool to promote the ideals of sound planning.

In January, 2005, the Commission received a second grant from Geraldine R. Dodge Foundation to continue the *Pinelands Excellence Program*. This current effort is aimed at building on the success of the initial project. For this program round, the Commission will be working with Egg Harbor Township in Atlantic County, one of the Pinelands fastest growing communities. With assistance from a planning and community design consultant, the Commission hopes that the Township will refine, expand and apply a range of community design tools. Once the design strategies are developed, the consultant will work with the Township to identify, formulate and "fit" the strategies to the particular needs of the community. Following identification of the specific community design and development strategies, the consultant may be asked to assist the Township to take those actions deemed necessary for implementation. It is important to note that a critical objective of the project is to generate a high level of community participation and "buy-in" in support of the final plan.



<http://www.nj.gov/pinelands/>

E-mail: info@njpines.state.nj.us

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The Pinelands Commission staff has worked with Egg Harbor Township on the initial stages of organizing this project and developing the attached Request for Proposals. The community's project team has been assembled. The planning process can begin as soon as the proposal solicitation process is completed and a contract for services is awarded. We hope you will be interested in this project and we look forward to your submission.

Sincerely,

John Stokes, Executive Director

**State of New Jersey
PINELANDS COMMISSION
SOLICITATION REQUEST**

<p>VENDOR NAME AND ADDRESS:</p> <p>PHONE NUMBER: FAX NUMBER: FEDERAL ID NUMBER:</p>	<p>RETURN THIS SOLICITATION TO:</p> <p>Pinelands Commission Purchasing PO Box 7 New Lisbon, NJ 08064 PHONE NO.: (609) 894-7300, ext. 147 FAX NO.: 609-894-7330</p>
<p>SHIP TO: Pinelands Commission 15C Springfield Road New Lisbon, NJ 08064 Attn.: Purchasing</p>	<p>THIS SOLICITATION MUST BE RETURNED BY 5:00 Wednesday, August 17, 2005</p> <p>Agency Contact: Dawn M. Rago</p>
<p>SOLICITATION NUMBER: RFP-06-0001</p> <p>DATE PREPARED: July 6, 2005</p> <p>NAME: Pinelands Excellence Program</p>	<p>QUALIFY AS: (CHECK AS APPLICABLE)</p> <p><input type="checkbox"/> SMALL BUSINESS <input type="checkbox"/> MINORITY-OWNED BUSINESS <input type="checkbox"/> WOMAN-OWNED BUSINESS</p>
<p>THIS IS A REQUEST FOR PROPOSAL FOR SERVICES</p> <p>Proposals must be submitted in accordance with the requirements of Section IV. Evaluation Factors for Award (<i>see page 6 of the attached Request for Proposal</i>). As noted in these requirements, a separate Technical Proposal and Cost Proposal must be submitted.</p>	
<p>IMPORTANT INSTRUCTIONS TO VENDOR: Fill in all requested information. After you have completed this solicitation, it must be signed and returned to the address indicated above.</p>	
<p>VENDOR'S SIGNATURE AND DATE:</p>	<p>TITLE</p>

**REQUEST FOR PROPOSALS
RFP-06-0001**

**Consulting Services For
PINELANDS EXCELLENCE PROGRAM**

**“Liveable” Community Planning
Egg Harbor Township**



Funded through a grant from the Geraldine R. Dodge Foundation

Request for Proposal

Technical Assistance for Pinelands Excellence Program

I. OVERVIEW

The Pinelands Commission is requesting proposals from qualified multi-disciplinary community planning and design firms to assist the Commission in developing and conducting a comprehensive community visioning process in Egg Harbor Township in Atlantic County, a Pinelands municipality experiencing growth pressures. The selected consultant will assist the Township to develop a strategic vision of its future and identify specific strategies for zoning, subdivision, site planning, and infrastructure improvements that can be implemented to achieve that vision. It is the Commission's expectation that the visioning concepts developed through this effort and the process employed to identify them will be transferable to other communities in the Pinelands facing similar issues.

Expertise is sought in all aspects of community planning and design, including visioning process facilitation, geographic information systems, zoning, architecture, stormwater management, housing, transportation, recreation and open space. The requested expertise may be provided by an individual organization or a team of consultants with a designated prime and subconsultant(s). Proposals are due to the Pinelands Commission by **August 17, 2005**. The Commission will enter into a fixed-price contract with the selected consultant.

II. BACKGROUND

Twenty-four years ago, the Pinelands Commission adopted the Pinelands Comprehensive Management Plan (CMP), N.J.A.C. 7:50, in response to federal and state legislation. The ability to protect unique natural systems and critical habitats in the 1.1 million acre Pinelands National Reserve is predicated on a regional approach to land preservation, land use and development. For example, the CMP's land use plan encourages residential and business development in areas that typically lay along its borders, proximate to major economic centers, while discouraging development in more centrally located, environmentally sensitive areas (a map of the Pinelands Area is attached). Since the CMP went into effect in 1981, more than 40,000 homes and businesses have been approved for development in the Pinelands, the vast majority of which are located in designated development areas. The remainder of the Pinelands Area, comprising 92% of its land mass, has been relatively free from development. Public land acquisition efforts have also been targeted in these environmentally sensitive areas, resulting in more than 430,000 acres of land now under public stewardship.

The Pinelands' Regional Growth Areas, comprising less than 10% of the overall Pinelands Area, are zoned to accommodate more than 100,000 new homes over the coming decades. The CMP anticipates that regional housing and development needs can largely be met in these growth areas without incursions into the most pristine parts of the region. However, the long-term success of this effort depends upon the creation of "livable" growth area communities - communities that are vibrant and attractive, and where important natural values and recreation areas are preserved for the residents' benefit. Yet, the pace of development (several communities have grown by as much as 300% over the past twenty years and are among the fastest growing in the state), and the lack of financial resources to comprehensively plan at the local level have made it extremely difficult for towns to stay ahead of the curve in effectively accommodating these housing demands.

This void has, in some cases, resulted in sprawl rather than "walk-able" town centers, poor neighborhood design, overburdened transportation systems, little or no open space and other amenities, and conflicts with natural resource protection. These issues are leading some municipalities to question the amount of development the Pinelands Commission has asked them to accommodate. Generally, the CMP prescribes a range of densities from 1 to 3.5 units per upland acre, which can be increased by 50% through the use of transferable development rights known as Pinelands Development Credits. These overall obligations are then translated into a variety of municipal zoning districts by the municipalities themselves. But simply reducing the amount of development in these areas may not be a panacea, and reductions in overall densities may not be appropriate. In addition, less development doesn't inherently lead to good community design. Moreover, the accommodation of less development in these growth areas may exert

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pressure to open up other areas of the Pinelands to satisfy unmet housing demands.

The Commission recognizes that control of the quantity of development is only part of a critical equation; another major component is development *quality*. In order to assure that the Pinelands preservation program is successful into the future, it is critical to ensure that the areas designated to accommodate growth are also livable places that meet the diverse needs of residents and business owners. The development and implementation of standards and any necessary facilities that promote quality community design are the keys to fulfilling this objective.

In response to the recognition of the need for attention to community design, the Pinelands Commission applied for and received a grant from the Geraldine R. Dodge Foundation in 2002 to undertake a two-year planning effort working with two fast-growing Pinelands communities, Hamilton Township in Atlantic County and Winslow Township in Camden County. This project marked the start of the *Pinelands Excellence Program* which was specifically developed to assist municipalities to conduct comprehensive community visioning and develop a set of innovative zoning and design policies to create livable communities embodying “smart growth” principles. Areas of emphasis included the creation of community centers; design standards to foster appropriate patterns and types of development; architectural guidelines to ensure that the built environment is in keeping with the character of the community; the incorporation of open space into community design as a means to protect stream corridors and other natural values, provide recreation opportunities, protect scenic qualities, and facilitate non-motorized transportation through trail systems.

In January, 2005, the Commission received a second grant from Geraldine R. Dodge Foundation to continue the *Pinelands Excellence Program*. This current program is aimed at building on the initial experience with Hamilton’s and Winslow’s Livable Community Action Plans. With assistance from a planning and community design consultant, the Commission hopes that Egg Harbor Township will refine, expand and apply a range of community design tools. The selected planning firm will work with the Township to develop and detail high-priority strategies that may include, but not be limited to: linked open space plan implementation; commercial and residential design standards and architectural guidelines; identifying appropriate sites for future schools; traffic and circulation planning to efficiently accommodate development needs; and infrastructure design, for example, by developing a regional stormwater program.

Once the community design strategies are developed, the consultant, will work with Egg Harbor Township to identify, formulate and “fit” the strategies to the particular needs of the community. To assure community “ownership” the strategy identification and development process must be driven by the elected officials and residents of the participating municipality. Regardless of the tools the Township seeks to implement, it is essential that the municipality be a full partner throughout all the phases of this project. It will be the consultant’s responsibility to outline an effective process to accomplish this objective. To ensure broad community support, the process undertaken in conjunction with this proposal will provide frequent opportunity for community input as the plan evolves. Following identification of the specific community design and development strategies, the consultant may be asked to assist the Township to take those actions deemed necessary for implementation.

The issues to be addressed through this proposal and the strategies employed in Hamilton and Winslow Townships will continue to be instructive to growing communities throughout the Pinelands. Consequently, at the conclusion of the project, the consultant will assist the Commission to conduct two seminars to help educate officials and community leaders throughout New Jersey about practical and specific solutions to their growth management issues and the public process that can be used to help identify and plan for them.

III. SCOPE OF WORK

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Consulting services are sought for the tasks outlined below. Major products are itemized at the end of each task description. Vendors should plan to provide draft and final versions of each product; in hard copy and electronic format (*the software and format to be used for documents, analyses, and other needs will be determined in consultation with the Commission at the start of the project*). The consultant's project manager will join with one representative from Egg Harbor Township and the Commission staff to form a 3-member project team that will oversee completion of all Tasks.

In conjunction with the individual tasks specified below, the selected consultant must understand New Jersey's land use laws and become familiar with the provisions of the CMP, particularly those pertaining to designated growth areas (an overview of the CMP and other Commission matters is available on the Commission's web site at: www.nj.gov/pinelands). Commission staff members will provide the selected consultant with copies of the CMP and guidance on key provisions. Commission staff members will assist the consultant in identifying and addressing external factors that influence community development within Egg Harbor Township. The consultant is also expected to become familiar with the applicable ordinances of Egg Harbor Township (copies will be provided), as well as programs and funding opportunities that may be available through the Casino Reinvestment Development Authority (CRDA).

Task 1 - Conduct Background Research and Interviews

To help familiarize the consultant with the characteristics of Egg Harbor Township, Commission staff, with help from the Township, will prepare a portfolio of baseline data and information including geographically referenced land use, natural resource and zoning information; aerial photography; and key data on community demographics, the local economy, infrastructure, growth and development trends, public facilities, etc. Much of this information will be assembled by the Commission from in-house databases (the Commission has detailed data compiled as part of two ongoing studies – a housing allocation study and a study of the Kirkwood-Cohansey Aquifer) and data from Township records. The consultant and the Township will then review the compiled information to help sort through the first part of the visioning process; identification of community strengths, weaknesses, opportunities and constraints. The consultant will alert the Commission to any gaps in the data that need to be addressed prior to proceeding with the project.

As the portfolio is being developed, the consultant will interview municipal officials, community leaders outside of government, and other interested parties, including civic groups, business organizations, land development companies and real estate brokers. County organizations (including planning, transportation, park, and utility departments), state regulatory agencies, and conservation organizations will also be interviewed. An initial list of individuals to interview will be provided by the Commission, based on consultation with the Township (the consultant should plan to interview at least 20 individuals). The consultant may expand the list as necessary. These interviews will provide the consultant with valuable background information and a variety of perspectives.

Task 1 Major Products:

- Summary of information obtained from interviews
- Preliminary listing of strengths, weaknesses, opportunities and constraints
- Suggested additions to the Community profile portfolio

Task 2 - Conduct Community Visioning Process

After completing the local interviews, the consultant will begin a visioning process. The objective of this process is to develop a long-range strategic vision of the community that the consultant will then translate into specific proposals related to zoning, subdivision and site plan standards, architectural guidelines, community facility programs and infrastructure improvements. Rather than designing in the abstract, the consultant will use the input from Egg Harbor Township's 12-member visioning team (comprised of representatives from the governing body, planning and zoning boards, environmental commission, municipal utilities authority, school district, political organizations, realty, and residents) to develop

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specific goals and objectives for such community features as community centers, neighborhood character, community and neighborhood shopping, affordable housing, open space, protection of important natural and scenic features, improved circulation, non-motorized transportation and stormwater management. Before conduction the visioning process, the consultants shall recommend whether the vision team membership should be expanded.

While the focus of the visioning effort will be the Pinelands Regional Growth Area, other areas within the community should also be considered, depending on how they might impact specific issues. The consultant will work with the visioning team to develop and adopt a vision statement that is consistent with the CMP, and then define, refine (if necessary), and prioritize the recommendations that flow from the vision statement. Local ownership of the vision is an important factor.

In addition, the consultant will identify those features that require the support and resources of other responsible parties, including state, federal and county agencies which might assist in conceptualizing regional solutions for inclusion in the Community Action Plan to be prepared under Task 3 below.

The consultant shall conduct a “kickoff” meeting with the visioning team to review the plan for the visioning process, explain specifically how it will be conducted, its agenda, the expected objectives of the process, and the anticipated outcomes. The number of additional meetings and approach to be followed during the visioning process will be based on the professional judgment of the consultant (see Part IV.A.2 below). Meetings with the visioning team shall also be scheduled either prior to or immediately following the completion of all project tasks. The consultant, working with representatives from Egg Harbor Township, will be responsible for all meeting arrangements, including reserving rooms and audio-visual equipment, inviting participants, compiling handouts (if any), facilitating the discussions, and documenting results.

Task 2 Major Products:

- Handouts, graphics and/or other materials for the “kickoff” meeting prior to the visioning process
- Meeting summaries
- Handouts, graphics, and/or other materials for visioning meetings
- Long-range strategic vision for Egg Harbor Township to include the prioritized listing of community issues, a description of the basis for priorities and identification of other parties whose support will be needed to achieve the vision

Task 3 – Strategy Refinement, Draft Community Action Plan

The consultant will work with the visioning team to detail its recommendations and priorities. After the visioning team has settled on its specific recommendations and priorities, the consultant will prepare a draft Community Action Plan that details those recommendations. Recommendations should focus on actions that address the needs and objectives of Egg Harbor Township as identified under the previous Tasks, are necessary early in the planning process, are critical and realistic to achieve, and can be implemented. It is recognized that visioning results can be quite broad, and that there will be a need to periodically consult with the visioning team and separate topics into those that must be accomplished to ensure the type of community desired (the focus of the Community Action Plan) versus those that can be deferred or be better accomplished by others. The Community Action Plan will organize recommendations into logical categories and provide *specific* language to implement each recommendation, with the level of detail varying according to the type of recommendation:

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Type of Recommendation	Consultant Products
Zoning, subdivision and site plan and environmental standards	Draft ordinances. Recommended zone district and/or density changes must be compared against overall Regional Growth Area capacities specified in the CMP. To the extent that they vary significantly from the CMP's overall prescription, the consultant must demonstrate conclusively why the changes are required.
Building design	Proposed building design standards
Recommendations for transportation, infrastructure, and community facility improvements	Guiding principles and key investments (in terms of cost and source) for transportation circulation plans, infrastructure improvements, and community facility needs (e.g., schools, open space, recreation), stormwater

The draft Plan will also clearly indicate responsibilities for implementing each recommendation, an estimate of the costs to undertake the strategy, required actions (including obtaining financing and suggested funding sources, if necessary), and an overall schedule for implementation. Depending on the recommendations, the consultant may need to meet with the visioning team, other interested parties or the general public to obtain additional feedback and direction in order to prepare the Plan.

The draft Plan shall be written in such a way that it can serve to educate and inform municipal leaders and activists elsewhere in New Jersey about the techniques employed for its development as well as the strategies selected to address the community issues.

Task 3 Major Products:

- Draft Community Action Plan (25 hard copies and two electronic versions)

Task 4 – Public Input

In addition to meeting with the visioning team, the consultant shall conduct public meetings to gather community input as the strategies are developed. If practicable, meetings shall be conducted in those locations throughout the community where issues have been identified to encourage the involvement of interested parties. The number and timing of public meetings will be based on the best professional judgment of the consultant, however, at least the following four community meetings will be conducted:

1. one meeting at the start of the process to inform the community about the planning effort and to seek additional input on the list of community issues that are expected to be addressed;
2. two meetings immediately following the visioning process described in Task 2, to review the draft concepts;
3. one meeting prior to presentation of the implementation strategies to the community's governing body for adoption.

Other techniques such as expansion of the visioning team, press releases, newsletters, web-site information, etc, are encouraged to ensure effective community participation and “buy-in” and to avoid surprise responses at the conclusion of the process.

Task 4 Major Products:

- Summary meeting minutes
- Listing of recommended plan revisions/refinements

Task 5 – Formal Presentation to the Governing Bodies

The consultant shall present the final Community Action Plan at a joint meeting of the municipal governing body and planning board for endorsement and action. The consultant shall prepare an illustrated executive summary/poster of the Community Action Plan for presentation and distribution at this public meeting.

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Task 5 Major Products:

- Final Community Action Plan (25 hard copies and two electronic versions)
- Presentations
- Executive Summary (25 hard copies and two electronic versions)

Task 6 - Participate in Educational Seminars

At the conclusion of the project, the Commission will host two educational seminars for officials and community leaders from throughout New Jersey. The purpose of the seminars is to enable attendees to see first hand how the strategies were developed and how they will be implemented. The consultant will prepare multi-media presentations and accompanying handouts to present the recommendations in a stimulating and understandable way for both residents and professionals.

Task 6 Major Products:

- Presentations
- Handouts (e.g., model ordinances, visuals illustrating different scenarios, etc.)

Additional Services – Implementation

Once the implementation strategies are endorsed by Egg Harbor Township, the consultant may be asked to assist the community to implement them. It is likely that this task will have multiple facets. For example the consultant might help the community to adopt community design standards, architectural guidelines and/or storm water management designs and work with the community to apply these standards to actual development applications. Alternatively, the consultant might assist the community to develop prototypical development plans for specific sites as a guide for future development proposals. In addition, the Pinelands Commission intends to build in-house community design capabilities in conjunction with this project. Once the consultant has been hired and the planning process is underway, the Commission will initiate a search for a qualified and experienced community designer who will provide direct and ongoing technical assistance to communities throughout the Pinelands that are interested in developing “smart-growth” tools. Consequently, the consultant might be asked to provide technical guidance and assist the community designer during the initial stages of developing this in-house capability.

Because it is not possible to determine the exact scope of the additional services that the consultant may be asked to provide until the planning process is underway or completed, the consultant must provide an hourly rate schedule, identify the individuals and their title and provide resumes for the staff members who are likely to provide the following services:

- Architecture
- Landscape Architecture
- Zoning/land use regulations development
- Civil Engineering
- Land Use Planning
- Community Design
- Transportation Planning

IV. EVALUATION FACTORS FOR AWARD

A. *Technical Proposals* will be evaluated by the Pinelands Commission according to the following three criteria, which are presented in descending order of importance. Standards for each criterion are followed by specific instructions for proposal preparation.

1. *Personnel Experience* - The selected consultant will be expected to provide the Pinelands Commission with multi-disciplinary expertise covering all aspects of community planning and design, including visioning, geographic information systems, zoning, building design, stormwater management,

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affordable housing, transportation and other community infrastructure, and open space preservation. Consultants are encouraged to highlight their experience in developing and implementing innovative, creative, community-based, holistic, or otherwise noteworthy design projects. Proposed personnel must be able to interact smoothly and independently with program participants.

Vendors must clearly identify the roles and responsibilities of all proposed personnel, including team members (if any). The proposal must describe the relevant experience and training of the project manager/leader and other key personnel, including design and implementation of other notable smart growth programs, knowledge of New Jersey land use law, and other professional and academic credentials, awards, and forms of recognition. Resumes for all proposed personnel must be included as an attachment (resumes are limited to 2 pages per proposed staff member).

- 2. Technical Approach* - The selected consultant will provide the Pinelands Commission with the full range of services necessary to complete each of the Tasks in a timely fashion. Approaches must reflect the ability to creatively, realistically and successfully apply planning and design techniques to the development of “livable” communities. Approaches must also indicate insight into the unique challenges and opportunities faced by growth areas in the Pinelands.

Vendors must describe their approach for performing each of the Tasks and how they will ensure a consistent presence in order to maintain project momentum and respond to unforeseen issues that may arise during the course of the project. Key personnel to be assigned to each Task and their estimated time commitments must be clearly identified. If the vendor and/or its subconsultants are not located within the Pinelands region or the surrounding metropolitan area, the proposal should describe how communications and work will be accomplished in a timely and cost-effective manner.

Vendors must identify specifically how they will work with Egg Harbor Township to prioritize the community issues that will be addressed in the Community Action Plan. The objective is to develop a focused strategic plan that addresses not the universe of possible issues but the most critical community needs with practical strategies the Township can readily implement. The proposal must also identify the technique(s) the vendor will use to elicit input from the participants in the visioning process. For example, in the work with Winslow and Hamilton Townships, the consultant provided visioning team members with cameras and instructed them to take pictures of desirable and undesirable community features, which proved to be a very effective method to identify common themes that served as the strategies focus.

As noted above, local ownership of the community vision is an important factor and methods to achieve it must be described in the proposal.

Vendors must also include a schedule for completing the major Tasks. It is hoped that the project can be completed within 12 months of the award (see Part V below), but vendors may propose an alternate timetable if needed to maintain an orderly work program and produce a quality product.

- 3. Organizational Experience* - The selected consultant will bring to the Pinelands Commission all resources necessary to complete the required Tasks, including experience in managing projects of similar size and scope, knowledge of other successful efforts nationwide that may be applicable to this project, and availability of appropriate software for development/interpretation of GIS data and other plans, designs, and multi-media presentations.

Vendors must summarize the experience of their organization and subconsultants in designing and implementing similar community planning programs and provide the names and phone numbers of at least four references that the Commission may contact. A limited number of example deliverables developed for other pertinent projects may be included as an attachment.

B. Cost Proposal - In addition to evaluating responses by the above criteria, the Pinelands Commission

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will consider the vendors' proposed cost to complete the required Tasks. Vendors must provide a **fixed price** cost for this project in a cost proposal that is *separate* from the technical proposal addressing the evaluation criteria. Cost proposals must show estimated costs to complete each of the Tasks described above and reflect the hourly rates for each of the staff members who will perform the work. During the planning process it may be deemed necessary to hold additional public meetings. Therefore, the cost proposal must provide a per-meeting cost for each such meeting in addition to those identified in the Technical Proposal. The cost proposal must also include an hourly breakdown for the services described in the Additional Services – Implementation section above. **It is important to note that costs must be shown with an accompanying breakdown that clearly specifies expenses for labor, travel, administrative, and other costs as necessary. Proposals that do not include this cost breakdown will not be considered.**

Conflict of Interest Avoidance - This project requires an objective and unbiased approach in order to facilitate the visioning process, identify critical issues, develop recommendations, and prepare implementation products. To prevent an appearance of subjectivity, any person, corporation, company, consortium, firm or entity and any associate, partner, agent or affiliate thereof that is currently, or was during the past 5 years, employed or retained by: 1) Egg Harbor Township, or; 2) a developer active in Egg Harbor Township, may be prohibited from working on this contract if a significant conflict of interest is deemed to exist by the Pinelands Commission. Vendors must specify the type of project, client (municipality, developer, other), dollar value, and completion date for all such work performed during the last five years. The Commission reserves the right to award the contract to a bidder who previously did work for Egg Harbor Township or for a developer active in Egg Harbor Township if it determines that no significant conflict of interest exists. Additionally, and to further prevent an appearance of impropriety or subjectivity, any person, corporation, company, consortium, firm or entity and any associate, partner, agent or affiliate thereof awarded the contract resulting from this procurement will be precluded during the contract period from engaging in work for Egg Harbor Township or any person, corporation, company, consortium, firm or entity located in or doing work for the Township.

V. SCHEDULE FOR AWARD

A mandatory pre-bid conference is scheduled for 1:00 p.m., July 27, 2005 at the Pinelands Commission Offices, 15 Springfield Road, New Lisbon, NJ 08064. Directions to the Pinelands Commission are attached. By July 25, 2005 vendors who will be attending the pre-bid conference must RSVP Dawn Rago, Purchasing Agent, at 609/894-7300, or, if unable to attend in person, should request to participate via conference call. Interested vendors are encouraged to submit written questions in advance of the pre-bid conference by faxing them to the attention of Dawn Rago, 609/894-7330. Questions may be submitted after the pre-bid conference but must be received by the Commission no later than July 29, 2005. Written responses in the form of addendum(s) will be provided to all prospective bidders, via e-mail following the pre-bid conference.

The Pinelands Commission will form an evaluation committee to review all proposals. It is likely that the evaluation committee will interview one or more vendors to clarify proposal information before final award.

Although subject to change, the Pinelands Commission anticipates making an award for this proposal by early October, 2005. A kick-off meeting involving Commission staff members, the consultant(s), and representatives from Egg Harbor Township will be scheduled shortly thereafter.

VI. Instructions for Preparing Proposals

While vendors are not required to follow a standard format in preparing their proposals, they are encouraged to structure their response in accordance with the evaluation criteria. Proposals should be as succinct as possible, with inclusion of deliverable samples limited to those items with direct relevance to the Scope of Work (samples will not be returned so vendors are advised to exclude original documents

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from the proposal). Ten (10) copies of the Technical Proposal must be provided. One copy of the Cost Proposal should be submitted in a separate, sealed envelope. *The solicitation number for this RFP must appear on the outside envelope used to mail the proposal.* A letter addressed to John Stokes, Executive Director, with the final proposals must be received by the Pinelands Commission no later than **5:00 p.m. (Eastern) on Wednesday August 17, 2005**, and should be sent to the attention of:

Dawn Rago
Purchasing Agent
The Pinelands Commission
P.O. Box 7
New Lisbon, NJ 08064

If hand-delivered or express mailed, vendors should note that the Commission's street address is 15 Springfield Road, New Lisbon, NJ 08064.

VII. Attachments

- New Jersey Pinelands Commission Terms and Conditions
- Affirmative Action Regulations P.L. 1975, C.127 (N.J.A.C. 17:27)
- Corporate Disclosure Statement
- Non-Collusion Affidavit
- No Bid Response Form

VII. Bid Document Checklist *(if marked, document is required)*

- | | |
|--|--------------------------|
| | <i>Check if enclosed</i> |
| <input checked="" type="checkbox"/> New Jersey State Business Registration Certificate | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> References | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Federal W-9 Request | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Executive Order 134 Certification..... | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Affirmative Action Regulations | <input type="checkbox"/> |
| <input type="checkbox"/> Bid Guarantee (with Power of Attorney for full amount of Bid Bond)..... | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Corporate Disclosure Statement | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Non-Collusion Affidavit..... | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Stockholders Disclosure Certification | <input type="checkbox"/> |

NEW JERSEY PINELANDS COMMISSION TERMS AND CONDITIONS

The following terms and conditions shall apply to all contracts or purchase agreements made with the State of New Jersey Pinelands Commission as a result of this Solicitation Request. Refer to RFP. NO. (see solicitation cover sheet) in all written and verbal correspondence.

1. **LAWS** - The contractor must comply with all local, state and federal laws, rules and regulations applicable to this contract and to the goods delivered or services performed, including but not limited to Anti-Discrimination Laws (N.J.S.A. 10:2-1 through 10:2-4, N.J.S.A. 10:5-1 et seq. and N.J.S.A. 10:5-31 through 10:5-38); The Workers and Community Right to Know Act (N.J.S.A. 34:5A-1 et seq.); Corporate Authority (N.J.S.A. 14A:1-1 et seq.); Americans with Disabilities Act (42 U.S.C. §12101, et seq.); Set-Off for State Taxes and Child Support (N.J.S.A. 54:49-19, 20); Prompt Payment Act (N.J.S.A. 52:32-32 et seq.); and Compliance of Codes (New Jersey Uniform Construction Code {NJUCC}, NEC70, B.O.C.A. Basic Building Code, OSHA and must be responsible for securing and paying for all necessary permits where applicable.

2. **STATE LAWS** - Any contracts and/or orders placed as a result of this proposal shall be governed and construed in accordance with the laws of the STATE OF NEW JERSEY.

3. **LIABILITY-COPYRIGHT** - The contractor shall hold, save the State of New Jersey Pinelands Commission, its officers, agents, servants and employees, harmless from liability of any nature or kind for or on account of the use of any copyrighted or un-copyrighted composition, secret process, patented or unpatented invention, article or appliance furnished or used in the performance of this contract.

4. **INDEMNIFICATION** - The contractor shall assume all risk of and responsibility for, and agrees to indemnify, defend, and save harmless the State of New Jersey Pinelands Commission and its employees from and against any and all claims, demands, suits, actions, recoveries, judgment and costs and expenses in connection therewith on account of the loss of life, property or injury or damage to the person, body or property of any person or persons whatsoever, which shall arise from or result directly or indirectly from the work and/or materials supplied under this contract. This indemnification obligation is not limited by, but is in addition to the insurance obligations contained in this agreement.

5. **INSURANCE** - The contractor shall secure and maintain in force for the term of the contract liability insurance as follows:

a. General liability policy as broad as the standard coverage forms currently in use in the State of New Jersey shall not be circumscribed by any endorsements limiting the breadth of coverage. The policy shall be endorsed to include:

1. Broad Form Comprehensive General Liability
2. Products/Completed Operations
3. Premises/Operations

The Limits of liability for bodily injury and property damage shall not be less than \$1 million per occurrence as a combined single limit.

b. Automobile liability insurance which shall be written to cover any automobile used by the insured. Limits of liability for bodily injury and property damage shall not be less than \$1 million per occurrence as a combined single limit.

c. Workers' Compensation Insurance applicable to the laws of the State of New Jersey and Employers Liability Insurance with limits of not less than:

- \$100,000 Bodily Injury, Each Occurrence
- \$100,000 Disease Each Employee
- \$500,000 Disease Aggregate Limit

The insurance certificates effectuating these coverages must provide for thirty (30) day written notice to the attention of the Director, Division of Purchase and Property prior to cancellation. The vendor/contractor shall, upon the Pinelands Commission's request, provide current certificates of insurance for all coverages and renewals thereof.

6. **PERFORMANCE GUARANTEE OF VENDOR** - The vendor certifies that:

a. The equipment offered is standard new equipment, is in current production and the latest model of regular stock product, with parts regularly used for the type of equipment offered, that such parts are all in production and not likely to be discontinued; also, that no attachment or part has been substituted or applied contrary to manufacturer's recommendations and standard practice.

b. All equipment supplied to the Pinelands Commission and operated by electrical current is UL listed where applicable.

c. For all equipment purchases, the vendor shall provide the manufacturer's standard warranty. The contractor will render prompt service, without charge, regardless of geographic location. During the warranty period, the contractor shall replace immediately any material which is rejected to failure to meet the requirements of the contract.

d. Sufficient quantities of parts necessary for proper service to equipment will be maintained at distribution points and service headquarters.

e. All services rendered to the Pinelands Commission shall be performed in strict and full accordance with the specifications stated in the contract/purchase order. The contract shall not be considered complete until final approval by the Pinelands Commission is rendered.

f. All goods and services to be provided are warranted and fit the particular purpose for which the using agency solicits this quotation.

7. **BRAND NAME ALTERNATIVES** - Brand names and/or descriptions used in this proposal are to acquaint vendors with the type of commodity desired and will be used as a standard by which alternate or competitive materials will be judged. Competitive items must be equal to the standard described and be of the same reputation for quality and workmanship. Variations between the materials described and materials offered must be fully explained by the vendor in an accompanying letter. In the absence of any changes by the vendor, it will be presumed and required that material as described in the proposal be delivered.

8. **PRICE QUOTATIONS** - Insert prices for furnishing all or any portion of the goods or services described. All prices quoted shall be firm through issuance of contract/purchase order and for delivery of quantities specified, and shall not be subject to increase during the period of the contract/purchase order. Prices shall be net and must include all transportation charges fully prepaid by the contractor, F.O.B. Destination.

9. **TAX CHARGES** - The State of New Jersey Pinelands Commission is exempt from State sales or use taxes and Federal excise taxes, and they must not be included in the proposal price or invoice.

10. **PAYMENT** - Payments will only be made against vendors invoices. All goods and services are to be billed at the prices quoted. Payment will be made within sixty (60) days of receipt of invoice or certification that goods and/or services have been received, whichever is later.

11. **CASH DISCOUNTS** - Vendors are encouraged to offer cash discounts based on expedited payment by the Pinelands Commission. The Pinelands Commission will make efforts to take advantage of discounts, but discounts offered will not be considered in determining the lowest quote.

a. Discount periods shall be calculated starting from the next business day after the recipient has accepted the goods and services, and received a proper invoice.

b. The date on the check issued by the Pinelands Commission in payment of that invoice shall be deemed the date of the Pinelands Commission's response to that invoice.

12. **STANDARDS PROHIBITING CONFLICTS OF INTEREST** - All contracts or purchase agreements made with the State of New Jersey Pinelands Commission must comply with N.J.S.A. 52:13D-12 et seq., concerning standards prohibiting conflicts of interest on the part of public officials, and Executive Order No. 189 (1988) relating to the solicitation and/or payment of any fee, commission, compensation, gift, gratuity or other thing of value by a vendor to a public official to secure favored treatment. The provisions of N.J.S.A. 52:13D-12 et seq. and Executive Order No. 189 (1988) will be included on the purchase order issued to the award-winning vendor.

13. **EQUAL EMPLOYMENT** - If awarded a contract your company/firm will be required to comply with the requirements of P.L. 1975, C. 127 (N.J.A.C. 17:27).

14. **BUSINESS REGISTRATION CERTIFICATE** - In accordance with Public Law 2001, Chapter 134 all contractors and subcontractors providing goods/services to State Agencies are required to provide the contracting agency with proof of registration with the State of New Jersey, Department of the Treasury, Division of Revenue. This proof is to be submitted in the form of a Business Registration Certificate.

15. **EXECUTIVE ORDER 134** - In order to safeguard the integrity of State government procurement by imposing restrictions to insulate the award of contracts from political contributions that pose the risk of improper influence, purchase of access, or the appearance thereof, Executive Order 134 was signed on September 22, 2004. If

a contract/purchase order is awarded that exceeds \$17,500, the awardee shall be required to satisfy the requirements of Executive Order 134 and submit a certification to that effect.



State of New Jersey

THE PINELANDS COMMISSION

PO Box 7

NEW LISBON NJ 08064

(609) 894-7300

RICHARD J. CODEY
Acting Governor

JOHN C. STOKES
Executive Director

**AFFIRMATIVE ACTION REGULATIONS
P.L. 1975, C.127 (N.J.A.C. 17:27)**

If awarded a contract, all procurement and service contractors will be required to comply with the requirements of P. L. 1975, C.127, (N.J.A.C. 17:27). Within seven (7) days after receipt of the notification of intent to award the contract or receipt of the contract, whichever is sooner, the contractor should present one of the following to the Purchasing Agent:

1. A photocopy of a valid letter from the U. S. Department of Labor that the contractor has an existing federally-approved or sanctioned Affirmative Action Plan (good for one year from the date of the letter).
2. A photocopy of approved Certificate of Employee Information Report.
3. An affirmative Action Employee Information Report (Form AA302).

NO FIRM MAY BE ISSUED A CONTRACT UNLESS IT COMPLIES WITH THE AFFIRMATIVE ACTION REGULATIONS OF P.L. 1975, C. 127.

All bidders must answer the following questions:

1. Do you have a federally approved or sanctioned Affirmative Action Program?
YES_____ NO_____
2. Do you have a Certificate of Employee Information Report Approval from the State of New Jersey?
YES_____ NO_____

If yes, please submit a copy of such certificate.

The undersigned contractor certifies that he/she is aware of the commitment to comply with the requirements of P.L. 1975, C.127 and agrees to furnish the required documentation pursuant to the law.

COMPANY:_____ SIGNATURE_____

TITLE:_____ NAME (print):_____



<http://www.nj.gov/pinelands/>
E-mail: info@njpines.state.nj.us

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CORPORATE DISCLOSURE STATEMENT

Chapter 33 of the Public Laws of 1977 (NJSA 52:25-24.2) provide in part that no partnership or corporation shall be awarded any Contract for the performance of any work of the furnishing or any materials or supplies unless there is submitted a statement containing the following information:

If the bidder is a corporation or partnership then the statement shall set forth the names and addresses of all stockholders or partners who own 10% or more of its stock of any class.

If a corporation owns all or part of the stock of the corporation or partnership submitting the bid, then the statement shall include a list of the stockholders who own 10% or more of the stock of any class of the owning corporation.

If no stockholder or partner owns 10% or more of the bidding company then an officer of the company shall sign declaring that fact.

If the bidding company is a sole proprietorship he shall sign declaring that fact.

Failure to supply this information with your bid proposal may be cause for rejection.

- Sole Proprietorship Partnership Corporation

Name (print):

Signature:

Date:



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Acting Governor

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Executive Director

NON-COLLUSION AFFIDAVIT

TO: The Pinelands Commission

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

I am _____ of the firm of _____
(Title or Position) (Name of firm)
_____ the bidder making this Proposal for the bid proposal
entitled _____, and that I executed the said proposal with full
(Proposal Name)

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

I further warrant that no person or selling agency has been employed or
retained to solicit or secure such contract upon an agreement or understanding
for a commission, percentage, brokerage, or contingent fee, except bona fide
employees or bona fide established commercial or selling agencies maintained
by _____
(Name of Firm)

(Signature)

Type or print Name)



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Effective October 15, 2004
Executive Order 134 Certification

Bidder: _____ **Solicitation Number:** _____

For the purpose of this Certification:

“Business Entity” - means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of New Jersey or any other state or foreign jurisdiction. It also includes (i) all principals who own or control more than 10 percent of the profits or assets of a business entity or 10 percent of the stock in the case of a business entity that is a corporation for profit, as appropriate; (ii) any subsidiaries directly or indirectly controlled by the business entity; (iii) any political organization organized under 26 U.S.C.A. § 527 that is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee; and (iv) if a business entity is a natural person, that person’s spouse or child, residing in the same household. A separate certification is required for each person or organization defined above as a Business Entity.

“Contribution” – means a Contribution reportable by the recipient under the “New Jersey Campaign Contributions and Expenditures Reporting Act,” P.L. 1973, c.83 (C.19:44A-1 et seq.), and implementing regulations set forth at N.J.A.C. 19:25-10.1 et seq. Currently, Contributions in an amount in excess of \$400 during a reporting period are deemed “reportable” under these laws. As of January 1, 2005, that threshold will be reduced to Contributions in excess of \$300.

I hereby certify as follows:

1. Commencing on and after October 15, 2004, the below named person, company or organization has not solicited or made any Contribution of money, pledge of Contribution, including in-kind Contributions, as set forth below that would bar the award of a contract to the Bidder, pursuant to the terms of Executive Order 134, signed by Governor James E. McGreevey on September 22, 2004 (hereafter “E.O. 134”).

a) Within the 18 months (from October 15, 2004) immediately preceding the Solicitation, the Business Entity has not made a Contribution to:

(i) Any candidate committee and/or election fund of any candidate for or current holder of the public office of Governor; or

(ii) Any State or county political party committee

b. Effective October 15, 2004, during the term of office of the current Governor, the Business Entity has not made a Contribution to:

(i) Any candidate committee and/or election fund of the Governor; or

(ii) Any State or county political party committee nominating such Governor in the election preceding the commencement of said Governor's term.

c) Effective October 15, 2004, within the 18 months immediately preceding the last day of the term of office of the Governor, the Business Entity has not made a Contribution to:

(i) Any candidate committee and/or election fund of the Governor; or

(ii) Any State or County political party committee of the political party nominating such Governor in the last gubernatorial election preceding the election. In the event such a Contribution has been made, the Business Entity will be barred from receiving the award of a contract throughout the remaining term of the current Governor and the full term of the next Governor.

2. If the Bidder is awarded a contract pursuant to the solicitation for this bid proposal, the below-named person or organization will, on a continuing basis, continue to report any Contributions it makes during the term of the contract, and any extension(s) thereof.

3. This certification is submitted to the Division of Purchase and Property (the "Division") in order to induce the Division to accept the Bidder's bid proposal, with knowledge that the Division is relying on the truth of the statements contained herein, and that compliance with EO 134 is a material term of any contract awarded pursuant to the solicitation for this bid proposal.

I certify that, to the best of my knowledge and belief, the foregoing statements by me are true. I am aware that if any of the statements are willfully false, I am subject to punishment.

Company or Organization: _____

By: _____ Date: _____

Print Name: _____

Title: _____

Relationship to Contractor (check one):

Officer or other authorized representative

Principal

Political Organization

Subsidiary

Spouse or child