

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
TASK ORDER REQUEST**

[Reference RFP #2022-RFP-144]

VENDOR NAME	Deloitte and K2
PROJECT TITLE	Commuter and Transit Bus Private Carrier Pandemic Relief and Jobs Program
DATE	1/10/22
PROJECT SUMMARY	Post-award Integrity Monitor review Services for this Program
DATE NEEDED	ASAP
NJEDA CONTACT (Name, Title, Address, E-mail & Telephone Number)	<p>██████████ Managing Director, Innovation Impact, ██████████ for Private Carrier program questions.</p> <p>██████████, VP, Legal & Compliance, ██████████ ██████████. For general IOM contract management questions.</p>
<p>Cost Submission: Please provide a cost estimate for the above referenced project, in accordance with the Fee Schedule submitted for RFP #2022-RFP-144 – Integrity Oversight Monitor. By providing a cost estimate, the Vendor is certifying that there is no Conflict of Interest with the subject request. Within five (5) business days of confirmation of receipt of the TOR Request, the Vendor shall e-mail the Authority a TOR Vendor Response Form provided by the Authority. Each estimate must include a Not-to-Exceed amount and statement as such.</p>	
<p>WRITTEN NOTICE TO PROCEED MUST BE PROVIDED BY THE AUTHORITY BEFORE WORK ON THIS PROJECT MAY BEGIN.</p>	
PROJECT DESCRIPTION	
<p>The Commuter and Transit Bus Private Carrier Pandemic Relief and Jobs Program was a non-recurring CSFRF FY 2022 25.6M grant program to help commuter and transit bus transportation companies alleviate the revenue loss resultant from the COVID-19 pandemic, allowing them to retain or create jobs.</p> <p>This program had a total of 13 awardees as follows:</p>	

NJ ECONOMIC DEVELOPMENT AUTHORITY
Commuter and Transit Bus Private Carrier Pandemic Relief and Jobs Grant
Approved Entities

Entity	Doing Business As	City	County	Grant Amount	Approval Date	Closing Date
Rockland Coaches, Inc	Rockland Coaches / Coach USA	Paramus Borough	Bergen County	\$ 1,906,254	11/10/2022	11/28/2022
Community Transit Lines, Inc	Community / Coach USA	Paramus Borough	Bergen County	\$ 880,415	11/10/2022	11/22/2022
De Camp Bus Lines	De Camp Bus Lines	Montclair	Essex County	\$ 1,118,379	11/11/2022	11/21/2022
Port Imperial Ferry Corp.	Port Imerial Ferry Corp.	Weehawken	Hudson County	\$ 835,986	11/10/2022	
Academy Lines, L.L.C.	Academy Lines, L.L.C.	Hoboken City	Hudson County	\$ 5,118,751	11/11/2022	11/25/2022
A&C Bus Corporation & Montgomery & Westside						
A. C. M. CORP.	Owners Association, dba: A&C Bus Corporation	Hoboken City	Hudson County	\$ 1,011,474	11/11/2022	11/19/2022
Broadway Bus Owners Corp	Broadway Bus Owners Corp	Bayonne City	Hudson County	\$ 249,372	11/10/2022	11/17/2022
Suburban Transit Corporation	Suburban / Coach USA	New Brunswick City	Middlesex County	\$ 2,251,106	11/10/2022	11/28/2022
Lakeland Bus Lines Inc.	Lakeland Bus Lines Inc.	Dover Town	Morris County	\$ 1,358,150	11/11/2022	11/28/2022
Hudson Transit Lines, Inc	Shortline / Coach USA	To Be Determined	To Be Determined	\$ 5,139,468	11/10/2022	11/25/2022
Trans-Bridge Inc	Trans-Bridge Lines Inc	To Be Determined	To Be Determined	\$ 2,482,659	11/10/2022	11/22/2022
Olympia Trails Bus Company, Inc	Newark Airport Express / Coach USA	Elizabeth City	Union County	\$ 855,613	11/10/2022	11/22/2022
Orange, Newark, Elizabeth Bus, Inc	ONE Bus / Coach USA	Elizabeth City	Union County	\$ 1,792,373	11/10/2022	11/25/2022
13 entities				\$ 25,000,000		

Updated 11/30/2022

The Task Order IOM shall review the awards made in this program for consistency and compliance with applicable agreements, federal and State regulations and guidelines.

A. IOM shall review program eligibility criteria with focus on the following:

- Awardees' submission of fixed route bus service (MB) or commuter bus (CB) service as defined in the Federal Transit Administration's December 22, 2021, *National Transit Database (NTD) Glossary*. Other services, including but not limited to those provided by charter buses, school buses, municipal shuttles, vanpool, and on-demand bus services, are not eligible;
- Awardees' reported Vehicle Revenue Miles for fixed route bus service (MB) or commuter bus service (CB) greater than 0 in New Jersey directly to the NTD, as recorded in Annual Data Tables 2020 Service, or through NJ Transit as a private carrier in 2020;
- Awardees' revenue losses in the state of New Jersey in 2020 due to the pandemic (calculated as the difference between each applicant company's 2020 revenues reported in New Jersey and 2019 revenues reported in New Jersey) that has not been fully addressed by other public or private relief funding sources; and
- Awardees' self-certification of their best efforts not to furlough or lay off any individual from the time of application through six months after the end of the declared state of emergency. Awardees that had already furloughed or laid off workers from the time of application must make a best-effort pledge to re-hire those workers as soon as possible. Any material breach of its best effort certification would result in the NJEDA seeking repayment of the grant.

The IOM shall perform a Duplication of Benefits review to ensure that NJEDA complied with applicable requirements in making its awards and in the correct amounts.

In order to provide a complete overview of the eligibility subtask, calculation of awards were as follows:

Each approved applicant was eligible for a flat grant amount of \$500,000. This value was determined based on an even division of a quarter of the overall Program budget (\$6,250,000), using the anticipated Program applicant pool (approximately twelve eligible organizations). The flat grant amount is intended to equitably address base overhead costs that are independent of revenue miles operated, for example, the cost of vehicle maintenance, employee salaries, and garage depots for buses. However, if there are more than twenty eligible applicants with unmet needs greater than \$500,000, the flat amount provided to each eligible applicant will be reduced such that all applicants receive an equal share of \$10,000,000, in addition to the allocation of the remaining funds (as described below). This is to ensure that sufficient funding remains for distribution of funds proportional to vehicle revenue miles operated, as an essential service, during 2020 in New Jersey. Any amounts unused from the \$10,000,000 maximum available for the flat grant amount in aggregate will be included in the allocation of the remainder of the funds. The remainder of the funds will be allocated based on each eligible applicant's proportional share of the total vehicle revenue miles in New Jersey for 2020 for all eligible applicants, as reported in the NTD directly or through NJ Transit as a private carrier. This methodology is being used to account for additional variable revenue losses and cost increases associated with volume of service maintained during the COVID-19 pandemic.

The maximum award, inclusive of the flat amount and pro-rata allocation, will not exceed the applicant's unmet need. For this Program, as aligned with duplication of benefits requirements, unmet need is defined as 2020 New Jersey revenue losses (calculated as the difference between each applicant company's 2020 revenues reported in New Jersey and 2019 revenues reported in New Jersey), less any other public or private COVID-19 relief funds that a company received for 2020.

Public or private funds that companies may have received include, but are not limited to, Federal or State loans and grants – such as Coronavirus Economic Relief for Transportation Services (CERTS) grants, forgivable portions of Payroll Protection loans, and Economic Injury Disaster grants – and insurance payouts. As such, this funding allocation design will comply with duplication of benefits provisions within EO 267 and the Stafford Act, as required by the funding source.

In addition to eligibility criteria review, the IOM shall:

- B. Review the award process for waste, fraud, abuse and misuse and provide recommendations to mitigate same. Any such waste, fraud, abuse or misuse shall be immediately reported;
- C. Review program records to ensure that the Authority is retaining appropriate documentation, based on Federal and State regulations and guidance, to support fund disbursement; and
- D. The IOM shall complete Tasks A-C and provide a draft report of the results of its review to meet the first quarterly report deadline.

Quarterly Reports

Monitors shall submit draft quarterly reports to the Authority on the last day of the quarter detailing the specific services rendered during that quarter and any findings of waste, fraud, or abuse in accordance with the report templates found on OSC's website. The draft quarterly report is submitted to the Authority with a copy to

TreasuryIM@treas.nj.gov.

Prior to the posting of a quarterly report that contains findings of waste, fraud, or abuse, the Authority shall be permitted to respond to the findings and have that response included in the publicly posted report.

An Authority response is due within fifteen (15) business days after receipt of a quarterly report. Fifteen business days after the quarter-end, the Monitor will deliver its final quarterly reports, inclusive of any comments from the Authority to TreasuryIM@treas.nj.gov.

ADDITIONAL PARTIES TO RELY ON THE RESPONSE

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
TASK ORDER REQUEST
CONFLICT OF INTEREST CERTIFICATION STATEMENT
[Reference RFP #2022-RFP-144]

I hereby certify that I am an authorized representative of the Vendor and can provide this Conflict of Interest Certification Statement on the Vendor's behalf.

I hereby certify and attest that to the best of my knowledge that the Vendor does not have a direct, familial, personal or monetary interest in the business entity, business site or project indicated below; nor does the Vendor or any employee, agent and/or representative of the Vendor currently have or have had any previous or existing personal or professional relationships with, interaction with, or done business with the project-specific business, site and/or with the current or previous owner(s). Further, neither Vendor nor any employee, agent and/or representative of the Vendor is now or has been employed by, or is a principal of, or is affiliated with the respective business, business sites, owner(s) or project involved with the Task Order Request (TOR) named below, in any manner.

To the best of my knowledge, neither the Vendor or any employee, agent or representative of the Vendor hold any ownership interest in the respective Task Order Request businesses or business sites which are the subject of the work to be performed, nor does Vendor under contract (other than the Authority Contract) to perform work or services, including representation for the same businesses or business sites referenced in the Task Order Request for the work to be performed.

During the performance of the work for the Task Order Request, should a conflict of interest arise, whether real or perceived, Vendor will immediately notify the New Jersey Economic Development Authority's Designated Contract Manager of the conflict and await the Authority's review and decision regarding Vendor's further participation.

I understand that, should a conflict exist, whether real or perceived, in the sole discretion of the Authority, Vendor shall immediately recuse itself from the work to be performed. In the event Vendor declines to complete and execute this Conflict of Interest Statement, Vendor understands that it will be removed from the work.

TASK ORDER REQUEST DETAILS:

2022-RFP-144

RFP #

COMMUTED AND TRANSIT BUS CARRIER PANDEMIC

RFP Title

RELIEF AND JOBS PROGRAM

Vendor hereby certifies and attests that, to the best of my knowledge, there is no conflict of interest, as indicated above, that would affect Vendor's ability to accurately, effectively and impartially perform the work required on the specific Task Order Request.

Vendor hereby recuses itself from participating in the performance of any work required on the specific Task Order Request for the following reasons:

RYAN FOUGHTY

Vendor Employee Name

Ryan Foughty

Vendor Employee Signature

MANAGING DIRECTOR

Title

1/17/2023

Date

RYAN FOUGHTY

Vendor Contract Manager Name

Ryan Foughty

Vendor Contract Manager Signature

MANAGING DIRECTOR

Title

1/17/2023

Date

January 20, 2023

[REDACTED]
Senior Procurement Officer
New Jersey Economic Development Authority

RE: Request for Task Order 1
Reference RFP#: 2022-RFP-144 Integrity Oversight Monitor and Supporting Services

Dear [REDACTED]

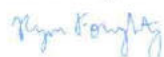
On behalf of Deloitte¹ we are pleased to submit this response to the request for a Exhibit B3 for the 2022-RFP-144 Integrity Oversight Monitor and Supporting Services related to the Transit Bus Private Carrier Pandemic Relief and Jobs Program (TOR#144-001).

We are providing this fee schedule based on the following assumptions:

- Based on the complexity of this contract, issues may arise that require procedures beyond what was initially anticipated within this Task Order Request (TOR). If this should occur, we will discuss it with New Jersey Economic Development Authority (NJEDA) and this TOR will be amended in writing to include such additional work prior to performing additional work.
- NJEDA shall be solely responsible for, among other things (a) the performance of its personnel and agents; and (b) the accuracy and completeness of all data and information provided to Deloitte for purposes of the performance of the Services.
- We assume that all documentation and records are centrally located with NJEDA and that we will not have to source and request any supporting documentation from the Subrecipients.
- Our performance is dependent upon the timely and effective satisfaction of NJEDA's responsibilities and timely decisions and approvals of NJEDA in connection with the Services. We shall be entitled to rely on all decisions and approvals by NJEDA.

We appreciate this opportunity to continue our relationship with New Jersey and provide you with the level of professional services it requires for this important initiative. We welcome the opportunity to answer questions you or the evaluation team may have. Please do not hesitate to reach me at +1 (214) 402 8096 (rfoughty@deloitte.com).

Sincerely,



Ryan Foughty
Managing Director

¹As used in this document, "Deloitte" means Deloitte & Touche LLP, which provides audit and enterprise risk services; Deloitte Consulting LLP, which provides consulting services; Deloitte Financial Advisory Services LLP, and its subsidiary Deloitte Transactions & Business Analytics LLP, which provides financial advisory services. These entities are separate subsidiaries of Deloitte LLP. Deloitte & Touche LLP will be responsible. Please see www.deloitte.com/us/about for a detailed description of the legal structure of Deloitte LLP and its subsidiaries. Certain services may not be available to attest clients under the rules and regulations of public accounting.

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
TASK ORDER REQUEST - VENDOR RESPONSE FORM**
[Reference RFP #2022-RFP-144]

TASK ORDER REQUEST #_1_____

The undersigned, having familiarized himself/herself with the conditions affecting the cost of the work and with the Authority Contract documents agrees to furnish all mobilization, insurances, labor, materials and services, and perform all work as described in the Contract documents, per the rates included in the Fee Schedule. The Contractor is responsible for verifying and estimating all quantities for providing the prices.

CONTRACTOR NAME		Deloitte & Touche LLP	
PROJECT SUMMARY		Post award Integrity Monitoring review services for the Commuter and Transit Bus carrier Pandemic relief and Jobs Program	
COVID-19 Recovery Programs valued at \$20 million or more		Yes ___X___ No _____	
STANDARDIZED POSITIONS/TITLES	HOURLY RATES	NUMBER OF HOURS	PRICE
Senior Executive / Manager	\$283	15	\$4,245
Mid-Level Manager	\$224	40	\$8,960
Low-level (or similar title)	\$144	80	\$11,520
Administrative/Support Staff			
TOTAL PRICE			\$24,725
Contractor agrees as follows:			
Project completion shall be consistent with the dates outlined on the Task Order Request.			
Scheduling of all work shall be coordinated with the Authority.			
Consultant represents that there is no conflict of interest in the performance of this Task Order Request.			
The Authority is a tax-exempt organization: Federal [REDACTED] State [REDACTED]			

Respectfully submitted,

Deloitte & Touche LLP

Ryan Foughty

Name of Firm

Name of Individual

Ryan Foughty, MANAGING DIRECTOR

Signature & Title

01/20/2023

Date



Task Order Response: The Commuter and Transit Bus Private Carrier Pandemic Relief and Jobs Program

REQUEST FOR PROPOSALS: 2022-RFP-144

New Jersey | Economic Development Authority

January 26, 2023 | 5:00 P.M. EST

Deloitte & Touche LLP | 3 Second Street, Suite 400, Jersey City, NJ 07311

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Deloitte & Touche LLP
32nd Street, Suite 400
Jersey City, NJ 07311
Phone: 212 937 8202
www.deloitte.com

January 26, 2023

Mr. [REDACTED]
Senior Procurement Officer
New Jersey Economic Development Authority (NJEDA)

Dear [REDACTED],

On behalf of Deloitte & Touche LLP (Deloitte¹), we are pleased to respond to the first Task Order issued under RFP #2022-RFP-144 to offer Post-Award Integrity Monitor review services for the Commuter and Transit Bus Private Carrier Pandemic Relief and Jobs Program. As outlined in our proposal, our team is comprised of professionals who have experience performing these services and we look forward to serving in this important effort.

We understand that The Commuter and Transit Bus Private Carrier Pandemic Relief and Jobs Program (the Program) was a non-recurring CSFRF FY 2022 \$25.6M grant program to help commuter and transit bus transportation companies alleviate the revenue loss resultant from the COVID-19 pandemic, allowing them to retain or create jobs. We are in possession of the list of 13 awardees, have completed a conflict check using our relationship management system, and to the best of our knowledge, do not have any conflicts with any of them, either real or apparent.

Deloitte is prepared to deploy our personnel as described in our proposal, to complete the Task Order's required scope of work.

Sincerely,

Ryan Foughty
Managing Director
Crisis and Grant Administration Leader

¹ As used in this document, "Deloitte" means Deloitte & Touche LLP, a subsidiaries of Deloitte LLP. Please see www.deloitte.com/us/about for a detailed description of the legal structure of Deloitte LLP and its subsidiaries. Certain services may not be available to attest clients under the rules and regulations of public accounting.

I. Integrity Monitoring Approach

Our approach will be grounded in established project management principles to achieve the objectives of this Task Order. We will use a predictive methodology because the scope of work is well-defined, and the desired outcomes are known. This short-term project will have the standard project management phases: initiate, planning, execution, monitoring and controlling, and closing.

Based on our discussions with NJEDA our estimated budget is based upon the fact that all the documentation needed for evaluation is available within NJEDA systems and there will not be a need to contact awardees for documentation unless exceptions are identified. We will work closely with NJEDA if awardees need to be contacted.

Initiate

We will initiate this integrity monitoring project by gathering inputs needed to further elaborate the scope of work. Upon issuance of a notice to proceed, we will kick off the project by meeting with NJEDA stakeholders to learn more about the process which was undertaken to implement the Program, inquiring into what policies guided decision making and what controls were put in place. If relevant stakeholders are not available, we will make arrangements to meet with them separately. We will recap with meeting notes replete with action items and accompanied by a formal request for information.

Planning

We will use the information gathered during and after the kickoff to further develop the scope of work. We will combine NJEDA's policies with known statutes, regulation, terms and conditions, and other grant guidance to create a unique regulatory set. We will identify requirements found within policies and procedures set forth by NJEDA and convert them into specific testing criteria. This testing information will be captured in an Integrity Monitoring Plan. As we have conducted integrity monitoring for the State of New Jersey (New Jersey or State) and other states through multiple projects in the past, we will leverage templates which we have available. The regulatory set and the integrity monitoring plan will be key outputs of the planning phase.

Execute

Once we have established the detailed scope during the planning phase, we will begin to execute our review by testing specific criteria within the integrity monitoring plan. This will enable us to document NJEDA's compliance against the requirements found in the regulatory set. To support our testing, we will create support packages which contain financial and programmatic support, collated

logically and saved as workpapers. We will inquire and evaluate the potential for duplication of benefits as part of the execution process.

Monitor and Control

We will use our quality plan to monitor and control project work. Our work products are designed to be review-ready, so that professionals with subject matter knowledge may efficiently evaluate observations, assumptions, and recommendations resulting from our integrity monitoring process. All work products and deliverables will undergo internal review prior to submission to NJEDA.

Closing

Once integrity monitoring has concluded, we will formally close the project by presenting the results to NJEDA. We will present our findings as required to stakeholders identified in the Task Order and answer any questions regarding the results of our monitoring.

II. Project Schedule

The timeline below depicts a high-level schedule based on the phases of our approach.

Our approach is grounded in integrity monitoring experience

Leveraging extensive compliance experience and deploying leading practices enables us to design an execute a smart, common sense compliance plan.

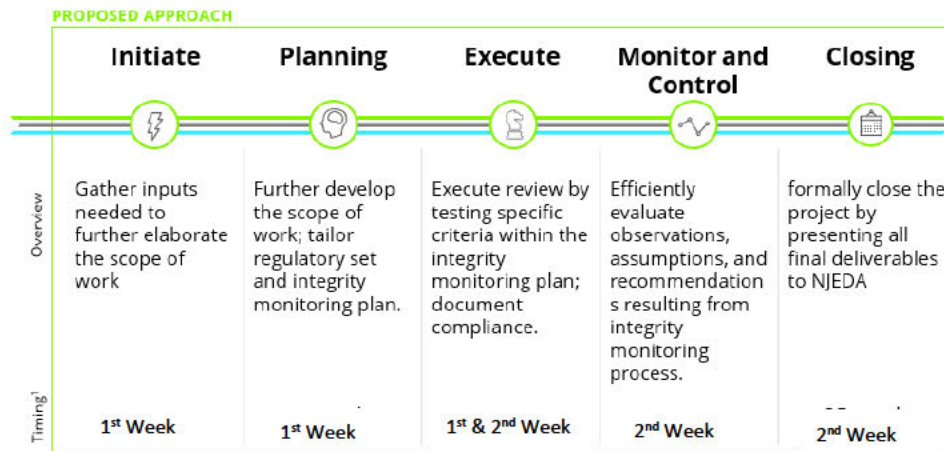


FIGURE 1 - PROJECT TIMELINE

III. Assumptions:

We are providing our approach and previously provided fee proposal based on the following assumptions:

- Based on the complexity of this contract, issues may arise that require procedures beyond what was initially anticipated within this Task Order Request (TOR). If this should occur, we will discuss it with NJEDA and this TOR will be amended in writing to include such additional work prior to performing additional work.
- NJEDA shall be solely responsible for, among other things (a) the performance of its personnel and agents; and (b) the accuracy and completeness of all data and information provided to Deloitte for purposes of the performance of the Services.
- We assume that all documentation and records are centrally located with NJEDA and that we will not have to source and request any supporting documentation from the Subrecipients.
- Our performance is dependent upon the timely and effective satisfaction of NJEDA's responsibilities and timely decisions and approvals of NJEDA in connection with the Services. We shall be entitled to rely on all decisions and approvals by NJEDA.