

SCOPE OF WORK/REQUEST FOR PROPOSALS
FOR CONSTRUCTION MANAGEMENT SERVICES
FOP DCA’S SMART MOVE PROGRAM

January 6, 2025

IDIQ Multiple Award Term Contract

DPMC Term Contract Number: J0405 – CMF-004

Work Order Number: 07 (Re-Bid)

Project Description: DCA Smart Move Program

Proposal Due Date: February 7, 2025

Questions/RFIs By January 20, 2025

Total Fee: Not to Exceed (NTE)

BACKGROUND/OVERVIEW

Smart Move Program

The Department of Community Affairs (“DCA”), Division of Disaster Recovery and Mitigation (“DRM”) is hereby soliciting proposals from the Construction Management Firms (“CMFs”) under DPMC Term Contract Number J0405 to manage a group of housing development projects in the Smart Move Program (“SMP” or “Program”) that have been determined to be eligible for U.S. Department of Housing and Urban Development (“HUD”) Community Development Block Grant Disaster Recovery (“CDBG-DR”) funding administered by the DCA. Projects are expected to be completed prior to September 30, 2029, the expiration of the Ida CDBG-DR grant. On November 21, 2022, HUD approved the Hurricane Ida Action Plan that allocated \$50 million to SMP (see Attachment 1 – Hurricane Ida Consolidated Action Plan).

SMP is a housing development grant program designed to fund the creation of quality, energy-efficient, resilient, and affordable single-family housing in HUD-identified and State-identified "most impacted and distressed" (MID) areas¹ outside the 500-year floodplain. Eligible applicants will be developers (hereafter “Developer(s)”) who are responsible for the construction and sale of the housing created through the Program. Developers are a for-profit or nonprofit entity that receives SMP assistance for the purpose of creating affordable housing.

SMP provides up to \$15 million per project. The goal of the program is to create affordable housing in lower flood risk areas and encourage Hurricane Ida-impacted residents to stay in or near their communities.

The Program initially solicited applications from October 4, 2023, to April 4, 2023, receiving two applications from Manville and River Vale. DRM has revised the program details and opened a new round of applications for additional sites in Fall of 2024. Developers are expected to manage

¹ Bergen, Essex, Hudson, Middlesex, Passaic, Somerset, Union, Gloucester, Hunterdon, Mercer, Morris and Warren Counties.

the construction process, but the CMF will act as project manager on behalf of the State, overseeing the construction projects assigned to it, and ensuring that the project complies with all relevant State and Federal requirements. The CMF will report to the DCA Program Director (“PD”) and liaise with the DCA Project Team (“Project Team”). The CMF will also be tasked with evaluating sites for up to six (6) developments to ensure they meet the Program’s criteria. These sites include the potential sites submitted during the initial Smart Move application process in Round 1.

The CMF will manage up to six (6) projects which DRM will select from two application cycles. This Work Order covers both application cycles. Two of these projects have been identified and the proposed sites are listed below:

1. Manville, NJ - Rustic Mall Site (Block 310 Lot 2.01, 2.02, and 2.03)
2. River Vale, NJ - 650 Rivervale Road River Vale, NJ 07675

Bidders should include in their bid all necessary resources to evaluate up to six (6) sites and manage projects as outlined in the Scope of Services below. Award announcements have not been made public and are therefore confidential. We ask bidders to not share the information included herein.

GENERAL REQUIREMENTS

Based on these requirements, the CMF is tasked with providing the following services:

PROJECT MANAGER

The CMF may be required to assist the Program Director (“PD”) during the design phase of the project by performing design reviews, assisting with problem resolution, evaluating potential site locations, performing schedule reviews and control, reviewing budget and project cost estimates and keeping the PD apprised of design status.

The CMF shall assign a Project Manager (“PM”) along with all appropriate project management and technical staff to complete the scope of services. The Project Manager will be responsible for the overall management of the Work Order assignment and knowledge of the day-to-day status of all work in progress in the above referenced projects.

The Project Manager shall update and report on the project schedule monthly, or more frequently as necessary. As soon as the Project Manager perceives any slippage with respect to the project schedule, the CMF must promptly notify the PD. The CMF shall notify DCA of all issues brought to the attention of the Developer during design and construction of the SMP projects.

The Project Manager shall assist the DCA in managing and monitoring up to six (6) concurrent construction projects for compliance with all applicable State and Federal requirements, according to the conditions set forth in the Smart Move Agreement between DCA and the Developers participating in the Program and the DRM’s policies and procedures.

The CMF’s Project Manager will be present at all meetings requested by DCA. The Project Manager is not required to be a New Jersey Licensed Professional Engineer but must be qualified in construction management and oversight. If the Project Manager is not a New Jersey Licensed Professional Engineer, one must be included in the “Key Personnel” section of the bid. The CMF will be required to interact with and report to the PD and the CMF and work in coordination with Project Team and any auditors and integrity monitors as required by the PD. The CMF shall notify the DCA in advance of any proposed change to the Project Manager position and request the change in

accordance with the Contract Section 5.4.

SCOPE OF SERVICES

The purpose of this Work Order is to engage a CMF to assist the DCA in managing and monitoring multiple housing development sites and projects for compliance according to the conditions set forth in the Smart Move agreement between DCA and the Developers participating in the Program and the DRM's policies and procedures.

The CMF will be responsible for the following tasks associated with overall grant project management:

- Draft and/or review a schedule for each project with the consultants/contractors starting at the design phase that includes intermediate and major milestones;
- Evaluate potential sites to confirm they meet Program requirements and are free from negative or adverse site features;
- Confirm all applicable statutes codes and standards are being followed, including federal Green Building standards, accessibility requirements, and energy efficiency requirements (the CMF is not responsible for building code violations, but shall document and call attention to any building code violations that it notices in the normal course of its work on site);
- Monitor project progress, including on-site inspections during the construction phase;
- Report monthly as to project progress, major milestones planned and actual, a cost summary that includes the base contract and modifications, critical issues or potential problems that DCA, the CMF and Developer should know about and various other issues, as applicable;
- Facilitate communication among project stakeholders, prepare progress reports, and provide regular updates to clients, contractors, and other involved parties;
- Review Developer reimbursement payment requests to DCA;
- Review Developer change order requests and recommend approval or disapproval;
- During construction, identify potential risks, develop risk mitigation strategies, and implement contingency plans to address unforeseen issues that may arise during the project;
- Monitor construction and verify adherence to policies and procedures; and
- Monitor construction labor compliance with Federal and State regulations and program policies and procedures, specifically concerning environmental conditions and requirements.

TASK 1: Site Evaluation

The CMF will be required to analyze proposed sites for potential housing developments by reviewing application materials, including maps, photographs, and design documentation, to ensure the details are reasonable and the project is feasible. This may also include conducting a site visit to assess the surrounding area and identify infrastructure needs to support the proposed development.

The CMF will be assisting the PD in the review and selection of a site that meets program standards outlined in Attachment 2 – Program Policies and Procedures.

TASK 2: Design Oversight

The CMF will be required to schedule a predesign conference with the project Design Firm soon after the design contract is awarded to review the scope of the design services required by the contract.

The CMF will be required to complete the following tasks as required by the PD:

- Review design intent and general concept drawings;
- Evaluate innovative and resilient solutions for practicality and reasonableness;
- Prepare, maintain and monitor the project schedule;
- Monitor Design Firm progress, in coordination with Design Firm;
- Incorporate design progress into monthly progress report;
- Provide cost verification and budget monitoring and control;
- Assist in problem resolution; and
- Help recommend alternate solutions when design details affect project cost or schedule.

The CMF's Design Review must ensure at a minimum:

- All project deliverables are submitted;
- Materials and equipment are appropriate, available, and non-proprietary;
- Drawings are coordinated among disciplines and bid packages;
- Areas of conflict are eliminated;
- Cost estimates are proper and within budget;
- Permit, regulatory and code compliance requirements are met;
- Documents are ready for permit review by the DCA, DEP, Developer, or applicable regulatory agency; and
- Safety and security responsibilities are clear and appropriate in the contract documents.

In the event the CMF makes recommendations to the Design Firm to correct constructability issues or problems or advises regarding potential errors and omissions discovered, the CMF shall not take any action that infringes on the Design Firm's professional and contractual responsibility to Developer for the project design.

If a formal design review was required by the PD, after the completion of each formal design review, the CMF shall assemble and organize the comments from the various reviewers (Project Team, Municipal Code Officials, DCA UCC Unit, DEP) or other required regulatory agency and incorporate them into a consolidated Design Review Report. The report shall contain comments on required corrections and improvements by discipline and specification section or drawing number.

TASK 3: General Reporting Requirements

Throughout the duration of the projects, the CMF shall provide monthly progress reports to the DCA that summarize progress, highlight areas of concern and corrective actions. The monthly report must include, specifically:

- Project Schedule, with updates and revisions;
- Key milestones (achieved and slipped) with comments addressing each slippage

- and effects on the schedule;
- Percentage of construction complete and planned;
- Monthly cost status, including any contract modifications and claims summaries;
- Inspection report that includes the identification of deficiencies and corrective actions;
- Problems with labor monitoring reviews, discrepancies with invoices, problems that warrant the withholding of reimbursement funds, Construction Contractor record-keeping problems and any other significant issues, whether resolved or pending, with potential solutions;
- Monthly progress photos; and
- Projected activities for the next month.

If there are critical project issues during construction, the PD may require the CMF to provide a more frequent written progress report to the DCA that discusses the results of on-site inspections and communications with the Construction Contractor.

The CMF shall certify, to its knowledge, work performed by the contractor during the month complies with all applicable federal, State and local requirements, as well as SMP policy requirements for quality control and quality assurance as they relate to equipment, materials and construction systems being installed. The Certification also includes an acknowledgment that, to the CMF's knowledge, all equipment, materials, and construction systems have been installed according to contract specifications, construction drawings, code requirements and design submittals.

TASK 4: Inspections and Photographs

The CMF shall provide qualified Project Managers, staff, or inspectors to verify that the workmanship, materials, and equipment being installed by the contractor meets the requirements of the contract drawings and specifications. The CMF shall also mark up a set of as-built drawings to verify the Contractor's official set of as-built drawings.

The CMF shall conduct monthly inspections on the construction sites of the projects and promptly notify the Developer, Contractor, the PD, and the Design Firm of any discrepancies. The CMF shall record the work inspected, identifying items that meet their requirements and that require correction.

The CMF's records shall also maintain an active list of Design Firm errors and omissions, indicating their corrective status.

The CMF is also responsible for taking monthly progress photographs with a digital camera that must include the general progress of all construction work and equipment installations. The camera views or locations must be the same each month.

The CMF will also ensure that safety protocols have been implemented to comply with all governmental, insurance and union requirements.

At the PD's request, the CMF shall review contract drawings, specifications, and approved submittals in preparation for upcoming inspections.

At the PD's request, the CMF shall request and coordinate any required inspections by the

appropriate regulatory agency.

If there are critical project issues during construction, the PD may require CMF to inspect and report on the project more frequently than once a month.

TASK 5: Contractor Deliverable Review

The CMF shall review and provide DCA with written comments and recommendations on each Design Firm and Construction Contractor project deliverable. Deliverables include, but are not limited to, invoices, progress reports, and project closeout requirements and will be set forth in the Smart Move Agreement between DCA and the Developer. After completing review of deliverables, the CMF will convey to the DCA a written statement including comments and recommendations that should include the following:

- Confirm all required project deliverables are submitted, accurate, and complete;
- Confirm that all documents and records required to be submitted by the Design and Construction Contractors or the Project CMF to the State Integrated Recovery Operations and Management System (SIROMS) Document Library have been uploaded, properly completed, and properly named;
 - The State Integrated Recovery Operations and Management System (SIROMS) Document Library is a Microsoft SharePoint document library developed and maintained by the NJ Department of Community Affairs Division of Disaster Recovery and Mitigation as the system of record for this CDBG-DR grant. Therefore, all contractors must use the document library.
- Confirm that all Design Firm, Construction Contractor, and CMF recordkeeping associated with this Work Order are up to date with design and construction project and contract milestones;
- Note any deficiencies associated with each deliverable;
- Make recommendations as to how to improve or correct deliverables;
- Note compliance, or lack thereof, with all Federal, State and Local rules and regulations;
- Evaluate schedule/time reasonableness comparing planned progress to actual progress;
- Make recommendations to the course of action if the Design or Construction Contractor's deliverable recommends or proposes a course of action;
- Review all invoices and make recommendations regarding whether work has been completed satisfactorily and in accordance with contractual requirements, and whether the invoice should be paid in full or adjusted before submission to the Program; and
- Complete all initial invoice reviews, which are considered critical, within fifteen (15) calendar days of submission of the invoice by the Developer.

Except for invoice reviews, which must be completed by the CMF within fifteen (15) days of submission to ensure prompt payment, all deliverable reviews must be submitted as part of the monthly progress report (described in Task 2, above). Invoice reviews may be included in the monthly progress report if the monthly progress report deadline falls within the 15-day invoice review timeframe.

TASK 6: Provide Independent Cost Estimates

At the PD request, the CMF shall prepare an independent cost estimate ("ICE") for each project prior to bidding. The ICE will estimate the cost and fees associated with each project and must be prepared by a Licensed Professional Engineer.

The CMF shall establish a uniform procedure for reviewing, analyzing, and assessing each estimate submitted by the Design Firm and preparing an independent estimate for comparison purposes. The CMF may also be asked to make recommendations for corrective action or project revisions if it appears that the construction cost estimate may exceed the project budget.

TASK 7: Scheduling, Master Schedule

The CMF shall review the initial and final schedules submitted by the Construction Contractor and, in concert with the Design Firm, make recommendations for acceptance, revision or rejection by the PD. The CMF should verify that each activity is reasonably priced, and that the workflow is logical, efficient, and not contrived to unfairly benefit the contractor or put the State at risk.

The CMF shall develop a monitoring system for overseeing progress achieved by the Construction Contractors. The CMF must compare actual project progress to planned progress and take into consideration time-sensitive activities such as progress payments, receipt of submittals and others.

The CMF must notify the PD as soon as a project delay is evident or expected. If a delay is identified during construction, the CMF must report the delay to the PD in writing, along with an assessment of the impact of the delay and whether it is excusable or not. The CMF must also recommend an appropriate course of action to overcome or mitigate the delay.

TASK 8: Statement of Assurances Compliance

The CMF is expected to be familiar with all HUD reporting and submission requirements, including, but not limited to: Davis-Bacon and Related Acts, Hatch Act, Section 3, lead-based paint, and the Uniform Relocation Act, etc. These requirements are also outlined in the CMF's Statement of Assurances document in the CMF's term contract (CMF-004).

The CMF shall review all project deliverables for HUD compliance and notify the PD in writing of any deficiencies or concerns. The CMF shall review all Construction Contractors' bid packages and processes, construction and professional services contracts, invoices, and payroll to ensure compliance with all the requirements outlined in the CMF's Statement of Assurances document and each Design Firm and Construction Contractor's contract requirements.

In addition, the CMF agrees to comply with all applicable CDBG-DR regulations, guidelines, and standards in a manner satisfactory to the State and HUD. To the extent that the CMF utilizes any subconsultants/subcontractors, the CMF shall require and ensure that each subconsultant/subcontractor complies with all applicable CDBG-DR regulations, guidelines, and standards; any subcontracts entered into by the CMF shall set forth these requirements. The CMF also agrees to comply with all applicable Federal cross-cutting statutes and regulations, subject to waivers cited in the Federal Register Notices published on May 24, 2022 (87 FR 31636) and January 18, 2023 (87 FR 3198) and all other applicable waivers granted by HUD.

TASK 9: CMF Review of Developer Invoices

After a Developer submits an invoice, the CMF has fifteen (15) calendar days within which to evaluate the invoice and make recommendations to the PD regarding the approval of reimbursements.

In particular, the CMF shall:

- Verify that each payment is consistent with all applicable Federal, State, and local laws, and that there is no duplication of benefits, process or payment errors, disallowable costs, waste, fraud, abuse, malfeasance or mismanagement of funds;
- Verify that all project deliverables have been provided within acceptable timeframes for the duration of the engagement;
- Verify that all invoices are complete (i.e. including all contract-required documentation), accurate, and have been uploaded into the SIROMS Smart Move Program Document Library;
- If weaknesses, gaps or errors are detected, develop recommendations and strategies to ensure maximum recovery of federal funds, compliance with all laws, and prevention of associated risks.

The CMF's approval of an invoice for payment shall constitute a representation to the Smart Move Program that, based on the CMF's determinations at the site and on the data comprising the invoice, to the best of the CMF's knowledge, information and belief, the work has progressed to the point indicated and that the quality of the work is in accordance with the Developer's contractual documents.

In the written monthly progress report described in Task 3, the CMF shall track the following:

- Unpaid invoice status;
- Any weaknesses, gaps, or errors and their associated recommendations and resolutions; and
- Withheld reimbursements for disallowed costs or incorrect labor payments and their associated resolutions.

The CMF shall assist the State in reviewing all cost estimates and submissions to verify that project costs remain within the project budget. The CMF must report any disparities discovered in the project costs to the Project Team for resolution before proceeding on to the next phase of the design.

At the PD's request, the CMF shall assist the DCA in any negotiations or disputes with any project stakeholders.

At the PD's request, the CMF shall expedite the processing of the payment reviews to meet the requirements of the State's Prompt Payment Act and to avoid incurring interest charges on late payments.

TASK 10: Meetings and Conference Calls

In order to stay informed on the progress of the project, the CMF's Project Manager and/or other appropriate personnel will attend meetings in various locations throughout the State. Most meetings will be held virtually, on the project site, or in Trenton. The CMF and/or other appropriate personnel will be expected to participate in conference calls regarding the project. These meetings or conference calls will be regularly scheduled, and additional meetings and/or conference calls may be scheduled as necessary as issues arise during the various stages of this project. The CMF may be tasked with coordinating and scheduling meetings as needed and recording meeting minutes upon request. Reimbursement for vehicle miles travelled will be at the federal reimbursement rate.

TASK 11: Smart Move Agreement Modifications

The CMF must avoid any instructions to the Developers or Contractors that could be interpreted as modifying their agreements with the State (“Smart Move Agreement”). The CMF shall evaluate potential modifications to such agreements to determine if they are justified and within the scope of the contract, consulting as necessary with the Design Firm on technical issues or the PD on general issues. All modifications to the Smart Move agreement must be processed as formal change orders and approved by the Developer and the PD.

At the PD’s request, the CMF shall establish a procedure for agreement modifications to initiate, define, coordinate, track, and document agreement modifications. The procedure would need to encompass potential agreement modifications, contract modifications in progress and completed contract modifications for all relevant stakeholders.

The procedure shall provide for:

- Prescribing the steps necessary to process modifications, including the required documentation;
- Defining party roles and responsibilities;
- Identifying, evaluating and justifying the need for modifications;
- Defining the scope of modifications;
- Tracking modifications in various stages; and
- Assessing the cost and time impacts of the modifications on the project.

TASK 12: Project Closeout

The CMF shall schedule and coordinate the final inspection with the PD and all relevant stakeholders. The CMF shall compile and then track the “punch list” for any deficiencies that need to be corrected. Once the punch-list items are corrected, the CMF shall ensure that all agreement requirements are met and completed, before deeming the project completed and recommending the start of the closeout process to the PD and the rest of the Project Team.

TASK 13: Environmental Review

The CMF shall be responsible for coordinating the Environmental Review (“ER”) with the engineer, applicant, Construction Contractor, and project stakeholders to ensure ERs are conducted in accordance with State and Federal law, including the National Environmental Policy Act (“NEPA”) and Program policies. As such, the CMF shall be responsible for the following tasks,

- Delivering a completed ER for PD review and approval;
- Editing the ER as needed to obtain all necessary approvals; and
- Ensuring compliance with ER conditions and remediation actions throughout the project’s lifecycle.

PAYMENT

In accordance with the Request for Proposal (“RFP”), CMF invoices shall be submitted on a monthly basis using SIROMS. Invoices must include all program required information, signatures and supporting documentation prior to acceptance, approval and processing by DRM Finance and final approval by DCA Fiscal.

Invoices must be submitted monthly and will be reviewed based on work performed within the period of performance. Invoices must be based on the hourly rates previously established, and

should reflect the hours expended to perform the work described.

Price Proposal

The CMF should provide a Price Proposal on the form provided. The price will be a Not-To-Exceed (NTE) price. Specifically, the price proposal should name a price that the CMF represents and warrants will be sufficient for it to perform the required scope of work contained in this document, **not including** all tasks designated as optional above. All work should be billed monthly or bi-monthly, pursuant to the hourly rates provided by the CMF when the J0405 CMF Term Contract pool was created in 2023.

A. Submission of Proposals

Detailed proposals in response to this RFP shall be submitted electronically by 2:00 p.m. on **February 7, 2025**. Late proposals will not be accepted. Proposals must be submitted via email as set forth below:

TO: Christopher R. Geary
Assistant Deputy Director
NJDPMC
Christopher.geary@treas.nj.gov

With a copy to Bill Mahan at william.mahan@treas.nj.gov.

B. Duration of the Engagement

The Engagement will commence upon the issuance of a Notice to Proceed and expire when the final deliverable is provided following final completion of the project.

C. Questions regarding this RFP

Any questions related to this Work Order/RFP must be submitted electronically by 2:00 p.m. on **January, 20 2025**. They must be submitted via email to Christopher Geary at christopher.geary@treas.nj.gov with a copy to Jennifer Roeckel at jennifer.roeckel@treas.nj.gov

D. Selection Process

The Selection Committee will review the proposal(s) received, score them and submit the scores to the Selection Committee Coordinator. The Coordinator will tabulate the non-price scores and assign price scores and perform the calculations required to select the Construction Management Firm whose proposal is most advantageous, price and other factors considered including:

- The qualifications and experience of the personnel assigned to this Project;
- The experience of the CMF in engagements of a similar size and scope; and
- The ability of the CMF to complete the scope of work based on the proposed personnel/staff classifications and hours allocated to tasks in its proposal.

The Proposal scores will be weighted 70/30, where 70% of the score is non-price factors, and 30% of the score is price.

Attachments

Attachment 1 – Hurricane Ida Action Plan
([Hurricane Ida Action Plan](#))

Attachment 2 – Program Policies and Procedures: Phase I
([Smart Move Program Phase I: Single-Family New Construction](#))
Attachment 3 – Program Policies and Procedures: Phase II
([Smart Move Program Phase II: Homebuyer Assistance](#))