
PRESERVE NEW JERSEY HISTORIC PRESERVATION FUND CAPITAL GRANT MANUAL



www.njht.org
njht@dca.nj.gov
(609) 984-0473

GRANT PROJECT CHECKLIST

PROJECT NAME:

PROJECT #:

TRUST STAFF:

<i>Grant Agreement Preparation and Execution (3-6 months)</i>
<input type="checkbox"/> Grantee (w/consultant input) and Trust staff discuss Scope of Work/ Attachment D-1 <input type="checkbox"/> Grantee and Trust staff approve Attachments B & D
<p>Grantee attends Grantee Workshop and receives grant attachments. After workshop Grantee returns completed attachments to the Trust:</p> <input type="checkbox"/> Sign 2nd page of Trust's Letter of Acceptance <input type="checkbox"/> Attachment E-Resolution <input type="checkbox"/> Attachment G-Accounting <input type="checkbox"/> Certificate of Insurance <input type="checkbox"/> Complete the State of New Jersey W-9/Questionnaire for Non-Procurement Vendors (new grantees only)
<input type="checkbox"/> Trust staff prepare grant agreement and send two copies to grantee for signature
<input type="checkbox"/> Grantee signs and returns two copies of grant agreement to Trust
<input type="checkbox"/> Trust Executive Director signs agreement copies <input type="checkbox"/> DCA fiscal office opens account for the grant
<input type="checkbox"/> Trust staff sends executed grant agreement to Grantee, who may now request reimbursement for expenses
<i>Preservation Easement Preparation (Applicable Non-profits only) (3-4 months)</i>
<input type="checkbox"/> Trust staff visits site and begins to write baseline documentation
<input type="checkbox"/> Grantee sends Trust staff the property's legal description, copy of the deed, and block and lot numbers
<input type="checkbox"/> Trust staff prepares easement and sends one copy to Grantee for signature
<input type="checkbox"/> Grantee signs easement and returns it to the Historic Trust
<input type="checkbox"/> Trust Executive Director and DAG sign easement <input type="checkbox"/> Trust staff sends easement to grantee for recording
<input type="checkbox"/> Grantee records easement at county clerk's office <input type="checkbox"/> Grantee requests copy of easement be sent to Historic Trust
<input type="checkbox"/> Trust staff receives copy of recorded easement; easement is now fully executed

GRANT PROJECT CHECKLIST

<i>Preparation of Planning and Construction Documents (8 -24 months)</i>
<input type="checkbox"/> Grantee (or consultant) provides Trust staff with draft copy of planning/design document
<input type="checkbox"/> Trust staff reviews and comments on planning document
<input type="checkbox"/> Grantee (or consultant) provides Trust staff with final copy of planning/design document, which incorporates comments and suggestions
<input type="checkbox"/> Trust staff accepts planning/design document
<input type="checkbox"/> Grantee (or consultant) provides Trust staff with draft copy of bid drawings and specifications for approved work
<input type="checkbox"/> The Grantee and consultant incorporate installation of a permanent marker into the construction documents. Creative use of materials and placement are encouraged.
<input type="checkbox"/> Trust staff reviews and comments on drawings and specs (HPO review may also be required)
<input type="checkbox"/> Grantee (or consultant) provides Trust staff with final copy of drawings and specs document, which incorporates comments and suggestions
<input type="checkbox"/> Trust staff accepts drawings and specifications
<input type="checkbox"/> HPO signs off on proposed work
<i>Quarterly Performance Reports and Reimbursement Requests (quarterly reports throughout)</i>
<input type="checkbox"/> Grantee is required to provide quarterly reports (see Attachment C-1) to the Trust staff, regardless of level of activity
<input type="checkbox"/> Performance reports that do not include reimbursement requests may be submitted via email attachment
<input type="checkbox"/> Reimbursement requests must be submitted by hard copy
<input type="checkbox"/> Trust staff reviews performance report and contacts Grantee with questions
<input type="checkbox"/> Trust staff processes reimbursement requests and contacts Grantee if there are any missing requirements
<p>Grantee provides the following assurances with first reimbursement request:</p> <input type="checkbox"/> Project sign is erected <input type="checkbox"/> The site is listed on the NJ Register of Historic Places (if not already) <input type="checkbox"/> A signed and dated agreement with the consultant is submitted <input type="checkbox"/> The easement is recorded (if necessary)

GRANT PROJECT CHECKLIST

<i>Prequalification, Qualification and Bidding Procedures (3-8 months)</i>
<p>Nonprofit-owned projects:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Contractor prequalification forms are prepared by project consultant in consultation with Trust staff <input type="checkbox"/> Trust staff approves prequalification forms
<p>County / Municipal-owned projects:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Contractor prequalification forms are prepared by project consultant in consultation with Division of Local Government Services (DLGS) staff <input type="checkbox"/> Public hearing process and DLGS approval
<p>All projects (non-profit and government):</p> <ul style="list-style-type: none"> <input type="checkbox"/> Grantee, consultant, and Trust staff review contractor submissions <input type="checkbox"/> Consultant makes recommendations regarding qualified contractors <input type="checkbox"/> Trust staff approves list of qualified bidders
<ul style="list-style-type: none"> <input type="checkbox"/> Grantee invites Trust staff to pre-bid meeting with contractors <input type="checkbox"/> Grantee, consultant, and Trust staff review bids <input type="checkbox"/> Consultant makes recommendations regarding recommended bid <input type="checkbox"/> Trust staff approves recommended bid
<i>Construction (6-24 months)</i>
<ul style="list-style-type: none"> <input type="checkbox"/> Trust staff is invited to attend construction kick off meeting and all on site or conference call project meetings <input type="checkbox"/> Trust staff is copied on any and all correspondence between contractor, consultant and Grantee regarding the grant's scope of work, including meeting minutes, change orders, and submissions.
<ul style="list-style-type: none"> <input type="checkbox"/> Grantee continues to submit performance reports and reimbursement requests throughout the construction period <input type="checkbox"/> Trust staff attends project meetings throughout construction
<ul style="list-style-type: none"> <input type="checkbox"/> Trust approves final punch list items <input type="checkbox"/> Consultant signs off on construction, as complete <input type="checkbox"/> Grantee and/or consultant design permanent marker and submit design and draft text to Trust staff for approval <input type="checkbox"/> Once approved, Grantee has plaque fabricated and installed
<i>Final Report and Request for Retainage (1-2 months)</i>
<p>Final report should be received within 30 days of completion of construction and final payments to the contractor. Report includes the following:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Final Report/Attachment C-2 <input type="checkbox"/> Documentation of permanent marker installation <input type="checkbox"/> Audit (if applicable)

NJHT CONTACT INFORMATION

Mailing Address (*includes US Postal Service*): NJ Historic Trust
PO Box 457
Trenton, NJ 08625

Hand Deliveries (*includes FedEx and UPS*): NJ Historic Trust
101 S. Broad St, 6th Fl.
Trenton, NJ 08608

Phone: 609-984-0473

Fax: 609-984-7590

Web site: www.njht.org

Email: njht@dca.nj.gov

New Jersey Historic Trust Staff

Glenn Ceponis, Executive Director
609-948-0207 | glenn.ceponis@dca.nj.gov

Alexis Aley, Historic Preservation Specialist 1 & Archaeologist
609-948-0218 | alexis.aley@dca.nj.gov

Jennifer Boggs, Historic Preservation Specialist 1
609-948-0219 | jennifer.boggs@dca.nj.gov

Shannon Bremer, Historic Preservation Specialist 1
609-948-0203 | shannon.bremer@dca.nj.gov

Olivia Chaudhury, Historic Preservation Specialist 1
609-766-9903 | olivia.chaudhury@dca.nj.gov

Kristin Downing, Historic Preservation Specialist 1
609-948-0210 | kristin.downing@dca.nj.gov

Carrie Hogan, Fiscal Officer
609-948-0212 | carrie.hogan@dca.nj.gov

Stephanie Kraut, Historic Preservation Specialist 2
609-948-0221 | stephanie.kraut@dca.nj.gov

Judith Murphy, AICP, PP, Historic Preservation Specialist 3
609-948-0214 | judith.murphy@dca.nj.gov

Ashley Parker, Historic Preservation Specialist 2 & Heritage Tourism Coordinator
609-948-0216 | ashley.parker@dca.nj.gov

Tara Ritz, Historic Preservation Specialist 1
609-930-1002 | tara.ritz@dca.nj.gov

Nan Wakefield, Historic Preservation Specialist 1
609-246-3745 | nan.wakefield@dca.nj.gov

Table of Contents

Chapter 1 – Executing the Grant Agreement	1.1
Overview	1.1
The Grant Agreement Process.....	1.2
Grant Agreement Information Form	1.4
Insurance Requirements	1.6
Njstart Vendor Enrollment	1.7
Governing Body / Board Resolution.....	1.8
-Sample Attachment E-	1.9
Statement Of Adequacy Of Accounting System	1.10
-Sample Attachment G-.....	1.11
 Chapter 2 - Defining The Project Scope	 2.1
Overview	2.1
Scope Of Work	2.2
-Sample Attachment D-1-	2.5
Selection, Selection, Procurement And Approval Of Consultants	2.9
Project Design Review And Approval.....	2.10
Archaeological Requirements	2.12
 Chapter 3 - New Jersey State Requirements	 3.1
Overview	3.1
Financial Management Requirements.....	3.2
Affirmative Action	3.4
Prevailing Wage And Contractor Registration	3.5
 Chapter 4 - Administering An Active Grant	 4.1
Overview	4.1
Communications With Njht During The Work Period.....	4.3
Project Sign Specifications	4.5
Selection Of Contractors And Subcontractors And Bidding Procedures	4.7
State Agencies.....	4.7
County And Municipal Government-Owned Properties.....	4.9
Non-Profit-Owned Properties	4.22
Quarterly Formance Report Procedures.....	4.27
Reimbursement Procedures.....	4.30
-Sample Attachment C-1-	4.32
Permenant Marker.....	4.43
Final Report And Retainage Instructions Attachment C-2.....	4.44
-Sample Atchment C-2-	4.46

Amending The Agreement	4.51
Publicity For Your Project.....	4.53
Chapter 5 - Preservation Easement	5.1
Overview	5.1
Preparing & Recording The Easement.....	5.3
Maintenance And Repair Of Properties Subject To Term Easements.....	5.5
Chapter 6 - Reference Attachments	1
County Clerks/Registrars	2

Chapter 1 – Executing The Grant Agreement

OVERVIEW

This Chapter provides the necessary information to execute a Grant Agreement. We begin with an overview of the Grant Agreement Process.

The following pages explain what the Grantee must submit to the Trust before preparing the Agreement:

- Grant Agreement Information Form
- Insurance Requirements
- Complete the State of New Jersey W-9/Questionnaire for Non-Procurement Vendors (new grantees only)
- Governing Body / Board Resolution (Attachment E)
- Statement of Adequacy of Accounting Systems (Attachment G)

A blank sample of a Grant Agreement is included through the [Grantee Resources](#) page on the NJHT website. A copy of your Grant Agreement, once completed, should be kept with your Grant Manual for reference.

THE GRANT AGREEMENT PROCESS

From the Historic Trust's perspective, a Capital Grant is divided into three consecutive periods:

- 1) the **Award Period**, beginning with the announcement of the award and ending with the signing of the bill appropriating the funds.
- 2) the **Agreement Period**, beginning with the appropriation of funds and ending with the close-out or expiration of the grant. At the execution of the Grant Agreement the award recipient becomes a "Grantee".
- 3) the **Easement Period** (applicable to Non-Profits with grant awards over \$50,000 only), beginning with the close-out or expiration of the grant and ending upon the expiration of the Easement, during which time a Grantee is an easement "Grantor."

It is in the interest of the Trust and Grantee to execute the agreement as soon as possible once the Governor signs the bill, which is the "Date of the Appropriation" referred to in the Grant Agreement. The Preserve New Jersey Historic Preservation Trust Fund requires that an agreement between the Grantee and the Historic Trust must be executed and in effect within *eighteen months* of the date of the appropriation. The terms of the Agreement fully take effect when both parties sign the Agreement.

Award Period

Prior to executing the Agreement, the Historic Trust's administrative role is advisory but both the Trust and Grantee, in expectation of the grant, operate in compliance with the Grant Agreement. During this time, the Trust expects to be informed of general progress, and the Trust staff is available to answer questions on certain administrative aspects of the project.

Meanwhile, the Trust prepares a draft Scope of Work (Attachment D-1) based on the information in the application. The Trust sends the draft Scope of Work to the Grantee. Minor changes to the Scope of Work in the nature of clarifications or fine-tuning may be made at this point.

At this stage, it is the Grantee's responsibility to ensure that any work performed within the funded Scope must comply with *The Secretary of the Interior's Standards for the Treatment of Historic Properties* in order to be eligible for reimbursement (See Reference Attachment B on the Grantee Resources page of the NJHT website). If federal funds are involved, the Grantee is required to comply with Section 106 regulations. If you are already working with the State Historic Preservation Office, you must continue to do so.

Agreement Period

By this time the grantee will have retained and entered into a contract with a Historic Architect or Preservation Consultant prior to execution of the Grant Agreement.

- The Trust holds a Grant Administration Workshop with all Grantees to explain the administrative requirements of the Grant Agreement.
- The Grantee submits the Grantee Info Packet to the Trust:
 - ☐ Grant Agreement Information Form
 - ☐ Certificate of Insurance (ACORD)

- ☐ Complete the State of New Jersey W-9/Questionnaire for Non-Procurement Vendors (new grantees only)
 - ☐ Signed Acceptance Letter
 - ☐ Attachments E and G
- Grantees who are non-profit organizations with grants over \$50,000 begin to record the required historic preservation easement with the assistance of the Trust (see Chapter 5 of the Capital Grantee Manual, if applicable).

When these steps are completed,

- The Trust assembles the materials and sends two original copies of the Grant Agreement to the Grantee for signature.
- The Grantee signs and returns the two Grant Agreements to the Trust for signature by the Executive Director; *at this point the Agreement is executed.*
- The Trust forwards the signed grant agreements to the Department of Community Affairs Grant Administration Division to establish an account; returns one Agreement to the Grantee; and keeps one Agreement at the Trust's office.

Once the Agreement is executed, all reporting and other requirements are in effect. The Grantee may also begin to request reimbursement (see Capital Grant Reporting Forms provided on the [Grantee Resources](#) page of the NJHT website), but there are additional steps needed prior to the release of funds:

- For all Grantees, the required project sign must be erected and documented (see page 4.5 of the Manual).
- For Grantees who are **non-profit corporations** with grants over \$50,000, the historic preservation Easement must be recorded (see Chapter 5 of the Manual, if applicable).

If the property was NOT listed in the State or National Registers of Historic Places when the Agreement took effect, the State Review Board *must* have accepted the nomination for listing before any reimbursement is made.

GRANT AGREEMENT INFORMATION FORM

The following information is required for the Trust to generate your grant agreement.

All fields are required.

Project Number:

Project Name:

1. **Chief Financial Officer:** _____
2. **Organization's Federal I.D. Number:** _____
3. **NJ START Vendor I.D. Number:** _____
4. If using Federal funds as matching dollars (example: Tea 22 grants), give Catalog of Federal Domestic Assistance (CFDA) **Account Number:** _____
5. Your **Fiscal Year** ends: (month) _____ (day) _____
6. Your **Accounting Records** use the following system (check appropriate system):
 - ☐ Cash Basis
 - ☐ Accrual Basis
 - ☐ Modified Accrual
 - ☐ Other (explain): _____
7. **Insurance:**
 - a) Request that the NJ Historic Trust be named as additional insured (and reference your project number) on the policy for each Insurance Type listed below. Refer to "Insurance Requirements" on page 1.6 of this manual for the Trust's expectations for insurance. If you checked any boxes labeled "**Self-Insurance**," submit a letter indicating the specific types and levels of self-insurance coverage. In the case of any exemptions, submit a certificate from the New Jersey Commissioner of Banking & Insurance identifying the specific exemption.
 - b) Ask your Insurance Company to submit a copy of your Certificate of Insurance to the Historic Trust. Please check appropriate insurance coverage below:
 1. **Insurance**
 - Comprehensive General Liability:
 - ☐ Insurance
 - ☐ Self Insurance
 - Automobile Liability:
 - ☐ Insurance
 - ☐ Self Insurance
 - ☐ Organization does NOT own or lease vehicles in its name
 - Workers' Compensation:
 - ☐ Insurance
 - ☐ Self Insurance
 - ☐ Organization has no paid employees
 - Employers' Liability:
 - ☐ Insurance

- ☐ Self Insurance
- ☐ Organization has no paid employees

CONTACT INFORMATION SHEET

Grant Recipient Organization (*the information below must be consistent with information stated on IRS records*)

Name: _____

Mailing Address: _____

Day Telephone: _____

Fax: _____

Email: _____

Project Contact (*this is the person who will manage the grant and be the primary contact with the Trust*)

Name: _____

Mailing Address: _____

Day Telephone: _____

Fax: _____

Email: _____

INSURANCE REQUIREMENTS

The grantee must maintain in force for the term of the grant agreement and the full term of the easement (easement requirement applies only to non-profits with Capital Grants of \$50,000 or more) the types and levels of insurance coverage detailed below.

This coverage is to be maintained through insurance companies licensed in the State of New Jersey or through formal, fully funded Self-Insurance programs authorized by law and acceptable to the Trust. Grantee must submit Certificates of Insurance and/or documentation of Self-Insurance to the Trust.

Minimum Required Insurance Levels/Types:

- **Comprehensive General Liability** with limits of liability not less than \$500,000 per person and \$1,000,000 per occurrence for personal injury liability and \$250,000 per occurrence for property damage liability.
- **Comprehensive Automobile Liability** covering owned, non-owned, and hired vehicles with minimum limits of \$500,000 per person and \$1,000,000 per occurrence for property damaged liability.
- **Worker's Compensation Insurance** applicable to the laws of the State of New Jersey and **Employer's Liability Insurance** with a limit of not less than \$100,000.

Please read section III of the Grant Agreement for additional information regarding insurance requirements.

NJSTART VENDOR ENROLLMENT

For New Non-profit Grantees Only

The State of New Jersey W-9/Questionnaire for Non-Procurement Vendors form is required by the State of New Jersey's Comprehensive Financial System and must be completed by non- procurement vendors/payees who intend to do business with the State of New Jersey.

All non-procurement vendors/payees, that are receiving grant funds from the New Jersey Historic Trust for the first time, that do not otherwise sell goods or provide a service to the State of New Jersey will need to download, fill-out, print, sign, scan and email a completed W-9 Questionnaire to aaiunit@treas.nj.gov. The questionnaire can be found at: <https://www.nj.gov/treasury/omb/pdf/forms/W9.pdf>.

If you have questions or need assistance completing the form, please contact vendor control at (609) 633-0783 or via email: aaiunit@treas.nj.gov.

If you are a returning applicant/grantee, you are NOT required to submit the questionnaire, instead you may continue to use NJSTART to access/update your vendor record.

ELECTRONIC PAYMENT AUTHORIZATION VIA AUTOMATED CLEARING HOUSE (ACH) PROGRAM

For Non-Procurement Vendors

The electronic payment authorization form is required for non-procurement vendors/payees that elect to have their payments disbursed electronically via the automated clearing house (ACH) program.

To receive electronic payments, all non-procurement vendors/payees will need to complete the electronic payment authorization form and submit either a voided check OR bank issued account verification letter. The completed form, along with the required voided check or bank issued account verification letter, should be mailed or emailed to:

OMB-Vendor Control
PO Box 221
Trenton, NJ 08625
Email: aaiunit@treas.nj.gov

The electronic payment authorization form can be found at:
<https://www.nj.gov/treasury/omb/pdf/forms/achform.pdf>.

All forms related to the Office of Management and Budget (OMB) can be found at:
<https://www.nj.gov/treasury/omb/forms.shtml>.

GOVERNING BODY / BOARD RESOLUTION

ATTACHMENT E

The Trust needs acknowledgement and acceptance of the Grant from your organization. Attachment E is that part of your Grant Agreement. **Your governing body needs to pass a resolution** at its next meeting identifying and authorizing the person who will sign the Grant Agreement on behalf of your organization. The individual authorized in Attachment E must be the **same individual** who will sign page 2 of the Grant Agreement.

Non-profits: The resolution must be submitted on the required Attachment E Form (see the following page for an example). Please DO NOT submit or substitute any other document.

If you are a **MUNICIPALITY**:

The resolution must be approved by the **Mayor** and attested by the **Municipal Clerk**. The resolution must be imprinted with a raised government seal.

If you are a **COUNTY GOVERNMENT**:

The resolution must be approved by the **County Board of Commissioners** and attested by the **County Clerk**. The resolution must be imprinted with a raised government seal.

If you are a **STATE AGENCY**:

A resolution is not necessary; however, the State agency shall submit a letter that identifies the duly authorized person who will sign the Grant Agreement. The duly authorized agent for the State agency shall sign page 2 of the Grant Agreement.

If you are a **NON-PROFIT**:

The resolution must be approved by the **Board Chairperson** and attested by the **Board Secretary or a notary public**. The resolution must be imprinted with a raised corporate or notary seal.

If you have any questions concerning the attachments, please call your Program Officer at (609) 984-0473.

SAMPLE

Project Name:
Project Number:

ATTACHMENT E

**PRESERVE NEW JERSEY HISTORIC PRESERVATION FUND
ADMINISTERED BY THE NEW JERSEY HISTORIC TRUST**

GOVERNING BODY / BOARD RESOLUTION

The governing body/board of _____ desires to further historic preservation through a grant from the New Jersey Historic Trust, State of New Jersey in the amount of \$_____ for the following project _____.

Therefore, the governing body authorizes _____ (Insert Name and Title of Authorized Signatory) to execute a grant agreement with the State in an amount up to that awarded for the proposed project, and to seal the grant agreement.

Introduced and passed _____, 2024

Ayes: _____

Noes: _____

Absent: _____

Approved:

(Signature of Mayor, County Board of Commissioners Director,
or Board Chairperson)

Title: _____

Attested: _____
(Signature of Municipal or County Clerk, Board Secretary, or Notary Public)



Insert raised government, corporate or notary seal

STATEMENT OF ADEQUACY OF ACCOUNTING SYSTEM

ATTACHMENT G

An important part of the Grant Agreement is Attachment G which establishes who will oversee the grant funds provided to you by the Historic Trust and the State of New Jersey. The Historic Trust needs financial assurances from your organization for the grant and project. Attachment G designates who will be your **financial officer** and what are the Trust's expectations for your accounting system.

Your Chief Financial Officer or Organization's Treasurer **must** sign this form. Your Chief Financial Officer/Treasurer **cannot** be the same person executing the Grant Agreement. In other words, different people **must** sign your Attachment G and the Grant Agreement. Likewise, the primary contact person for the grant cannot be the CFO/Treasurer.

The Chief Financial Officer / Treasurer identified in Attachment G must be the **same individual** who will sign the last page of your reimbursement requests and the State Payment Voucher (see Attachment C-1 of the sample Grant Agreement provided on the [Grantee Resources](#) page of the NJHT website).

SAMPLE

Project Name:
Project Number:

ATTACHMENT G

**A GRANT AGREEMENT BETWEEN STATE OF NEW JERSEY
NEW JERSEY HISTORIC TRUST AND**

(Grantee)

(Project Number)

STATEMENT OF ADEQUACY OF ACCOUNTING SYSTEM

I am the _____ (Insert Title of Chief Financial Officer or Treasurer) of
_____ (Grantee) and, in this capacity, I will be responsible for establishing
and maintaining the financial statements for Grant Number _____.

The accounting system that will be established and maintained for the purpose of this proposed
contract/ grant will be adequate to:

1. Provide for accurate identification of the receipts and expenditures for items to be reimbursed
by the New Jersey Historic Trust;
2. Provide for documentation supporting each book entry, filed in such a way that it can be
easily located;
3. Provide accurate and current financial reporting information;
4. Be integrated with a strong system of internal controls and;
5. Will conform to any and all requirements or guidelines that the New Jersey Historic Trust
may issue including Section VIII and Section XI of the Grant Agreement.

Signature of Chief Financial Officer / Treasurer

Name (Print or Type)

Date

Chapter 2 - DEFINING THE PROJECT SCOPE

OVERVIEW

This chapter provides information and discussion of the scope of work that will define your Capital Preservation Grant project. This chapter will review:

- Scope of Work, as laid out in the Grant Agreement's Attachment D-1;
- The selection, procurement, and approval of consultants;
- Project design review and approval; and
- Archaeological Requirements

The Attachment D-1, or Scope of Work, of your Grant Agreement is one of the most important portions of the Agreement. It defines the activities to be funded by the grant as well as the timetable for completing the grant-funded work. This section explains the various parts of the Attachment D-1.

The second section of this chapter discusses the selection, procurement, and approval of professional consultants. These may include archaeologists, architects, engineers, and preservation planners among others. Attachment F of your Grant Agreement, "Subcontractor Certification Form," must be completed and submitted to the Trust for all consultants and subconsultants if different than at the time of application.

The third portion of this chapter provides a discussion of the process for the review and approval of work products and project design. It outlines when work products are reviewed and the approval of completed work.

The last section of this chapter discusses archaeological requirements as they pertain to your grant. Additionally, this section discusses the benefits of conducting archaeological investigations, use of Archaeological Management Plans, and how to incorporate archaeology into your project.

Visit <https://www.nj.gov/dca/njht/resources/grantees/> to view additional resources.

SCOPE OF WORK

Attachment D-1

Attachment D-1, Scope of Work is one of the most important parts of the Grant Agreement. The D-1 outlines the work being funded by the grant and the timetable for completing that work. The Scope of Work should have been developed in consultation with your preservation architect prior to submission of your application. The format should follow the Construction Specifications Institute (CSI) Division in a narrative format (see Attachment D). CSI Division is the form in which project specifications are written and is used by most architects and contractors to request and process payment.

The Trust will complete the Attachment D-1, Scope of Work, based on the Scope of Work provided in your application. As part of executing the Grant Agreement, **the grantee will need to review and approve Attachment D-1**. Unless changes were made by the Trust during the application period, the Scope of Work in the Grant Agreement should correspond with the Scope of Work submitted in the grantee's application to the Trust. The Trust expects that the grantee will complete the Scope of Work as outlined in Attachment D-1. Though the Trust strongly discourages changes to Scope of Work after a grant has been awarded, minor changes may occasionally be necessary. It is the grantees responsibility to get the Trust's prior approval for any such changes (see 4.51 for Amending the Agreement).

Attachment D-1 consists of five sections: Overview and Objectives of the Entire Project, Project Review Authority, Activities Funded by this Grant, Schedule of Values and the Project Schedule (see the sample D-1 immediately following these instructions).

I. Overview and Objectives of the Entire Project

This section describes the resource and explains in general terms what the grant funds.

II. Project Review Authority

This section lists the organization (New Jersey Historic Trust or State Historic Preservation Office) that will be responsible for reviewing the project deliverables.

III. Activities Funded by this Grant

This section lists in narrative and spreadsheet format each of the specific work products that are being funded by the grant as well as the consultant(s) that have been hired to deliver those products. The Scope of Work in spreadsheet format follows the AIA standards for itemizing project costs by construction division. In addition, this section lists the exact cost of each work product, the grantee's share of the project and the grant amount.

Project Expenditure Worksheet

The Worksheet, which is a part of the Activities Funded by this Grant section of your D- 1, is the project budget of your Scope of Work. It charts how the grant funds will be allocated by construction division for your project. It corresponds to Section III A, *Description of Work* located within the Attachment D-1. The Trust uses it as the basis for your Scope of Work and to track your project expenses during construction.

The Expenditure Worksheet is divided into non-construction and construction activities. This table is further divided to reflect the specific activities to be funded by construction division. The first column

specifies the activity. The remaining three columns, “Match Expended,” “Proposed,” and “Subtotal” are the costs you presented in your application. Entries in the “Match Expended” column are the amounts of money you had already spent at the time of application. The amounts listed in the “Proposed” column are the costs by division as described in your application. The “Subtotal” figures are the “Match Expended” costs plus the “Proposed” costs, or the total cost of the project.

To better track your expenditures and expedite reimbursement from the Trust, you should integrate the Worksheet section of your D-1 into the payment procedures for your contractors. Your contractor’s request for payment should follow the same format as your Worksheet; this will make the reimbursement process much easier for you and for us.

It also is important to remember that the amount of your grant is capped at the amount of award and will not increase even if your bids or actual expenditures come in higher than expected. Cost increases for grant-funded work items will be handled on a case-by-case basis. The impact of increases on the Scope of Work will need to be negotiated with and approved by your Program Officer. If for instance, costs in a Division 4 activity increases, the Trust will need to understand and approve how you plan to make up this shortfall within the context of the project as a whole.

If there have been any changes to the budget worksheet/D-1, the grantee will be responsible to submit a “Statement of Expenditures Worksheet” to reflect the final scope of work. Please note that any deviation from the D-1 will need Trust approval prior to taking action and Grantees will need to submit a D-2 Application for Major Change. See Chapter 4.51 for more information.

Tied with the Schedule of Values are pages C.1-4 and C.1-5 of Attachment C of the Grant Agreement (see Reference Attachments for a sample Grant Agreement provided on the [Grantee Resources](#) page of the NJHT website). You will need to submit C.1-4 and C.1-5 with each of your Performance Reports for which you seek reimbursement. Chapter 4 describes how to complete forms C.1-4 and C.1-5.

IV. Project Schedule

The final section of your D-1, Scope of Work is Section IV, Project Schedule. There are six important dates listed in this section: Work Period Commencement Date, Agreement Commencement Date, Agreement Execution Deadline, Project Commencement Deadline, Work Period Expiration Date, and Agreement Expiration Date.

1. Work Period Commencement Date is the date work began on your project. If you applied for a grant with work already started, the Work Period Commencement Date is the date this work began. If, however, there was no work begun at the time of application, the Work Period Commencement Date is the same as the Agreement Commencement Date (see below).
2. **The Agreement Commencement Date is the date the appropriation bill was signed into law by the Governor.**
3. The Agreement Execution Deadline is the date when the Grant Agreement must be signed by all parties and executed. Regulations mandate that this date *must not exceed eighteen months* from the date of appropriation.
4. Project Commencement Deadline is the date when the project must have begun as evidenced by your expenditures for capital work items identified in the Scope of Work. The grant regulations allow two years to begin the actual physical work of your project.

5. Work Period Expiration Date is the date when all work for which reimbursement will be sought must be completed. The grant regulations allow up to four years to complete your construction work.

Agreement Expiration Date is the date when all paperwork must be submitted to the Trust and the project must be closed out. The grant regulations allow up to five years to complete and close out your grant (see Capital Grant Reporting Forms provided on the [Grantee Resources](#) page of the NJHT website).

SAMPLE SCOPE OF WORK / ATTACHMENT D-1

ATTACHMENT D-1, SCOPE OF WORK

Name of Grantee: Old Town Borough
Project Name: Old School
Project Number: 2025.2000
Grant Award: \$294,000

I. OVERVIEW OF PRESERVATION OBJECTIVES OF ENTIRE PROJECT

The matching grant will help fund the exterior restoration and interior rehabilitation of this early twentieth century, four-room schoolhouse for use as municipal offices. The construction work will include restoration of exterior masonry, roof and chimney repairs, system upgrades, restoration of interior finishes and the construction of a new accessible ramp and entry.

II. PROJECT REVIEW AUTHORITY

The New Jersey Historic Trust will review the planning and construction documents for this project. The Trust will also review the contract documents, plans, specifications, etc. according to the *Secretary of the Interior's Standards for the Treatment of Historic Properties* (2017) as well as oversee construction.

III. ACTIVITIES FUNDED BY THIS GRANT

III.A. Description of Work to be Funded with this Grant.

The scope of work of this grant includes:

1. Non-construction costs directly related to the funded work:

- a. Architectural and engineering services by ABC Preservation Architects relevant to the construction work listed below (including schematic design, design development, contract documents, and construction administration).
- b. The contract documents must set minimum qualifications for all general contractors and subcontractors using language similar to below:

The bidder shall demonstrate successful experience in the restoration of historic buildings using the Secretary of the Interior's Standards for the Treatment of Historic Properties on at least two projects of similar size and scope of work as the subject project within the past five years, at least one of which was reviewed and approved by a state Historic Preservation Office, the New Jersey Historic Trust, or the historic review body of a county or municipal authority.

Pre-qualification statements from general contractors must be submitted for NJHT review and approval before bid documents are distributed.

- c. Preparation of Project Completion Report which shall include (unless submitted with periodic reports): narrative description with photographs of all completed work; drawings, specifications, reports, and other records documenting the work if

not included in earlier submissions; as-built drawings of all phases of work; revised D-1 Scope of Work showing work completed and actual money spent; names of contracted firms with duties identified; final employment figures; any recommendations for future treatment.

If archaeology is to be undertaken:

- d. Prior to construction a professional archaeologist (insert name of firm if known) shall review construction plans and conduct pre-construction archaeological research and testing at all locations where construction will result in sub-surface disturbance. This includes, but is not necessarily limited to, areas to be disturbed by [identified ground disturbing activities]. Archaeological testing will involve excavation of shovel tests and/or larger excavation units as professionally appropriate. The archaeologist shall meet the Secretary of the Interior's professional qualifications and have relevant past experience for the project. The qualifications are to be submitted for NJHT review and approval. The archaeologist shall prepare a report describing these investigations and findings, and recommending any further archaeological work required. Such work could include further excavation and/or monitoring of construction excavations. This report is to be provided to the NJHT for review and approval.
 - e. No more than 20% of the cost of the funded exercise may be used to fund non-construction costs (up to a limit of \$117,600 in non- construction costs).
2. Construction costs directly related to the funded work:

Division 1: General Requirements

- a. Including installation of NJHT Project Sign

Division 2: Site-work

- a. Regrade site to improve drainage
- b. Prepare accessible parking space

Division 4: Masonry

- a. Rebuild upper portion of chimney
- b. Repair and repoint foundation with appropriate mortar determined by mortar analysis

Division 5: Metals

- a. Install new flashing, half-round gutters and downspouts.

Division 6: Wood & Plastics

- a. Repair deteriorated wood at south porch deck, railing and posts
- b. Construct new accessible ramp from parking lot to west entrance

Division 7: Thermal & Moisture Protection

- a. Install new cedar shingle roof

Division 9: Finishes

- a. Repaint hallway and classrooms in historic colors determined by paint analysis
- b. Refinish wood floor in hallway

Division 10: Specialties

- a. Install NJHT approved permanent marker upon completion of work.

Division 15: Mechanical

- a. HVAC system upgrades

Division 16: Electrical

- a. Install lightening protection
- b. Make electrical upgrades in classrooms
- c. install new security system

III.B. Line Item Costs for Work to be Funded with this Grant. (See following page for Schedule of Values)

IV. PROJECT SCHEDULE

Agreement Commencement Date: July 30, 2011

Work Period Commencement Date: July 30, 2011

Agreement Execution Deadline: January 30, 2012

Project Commencement Deadline: July 30, 2012

Work Period Expiration Date: July 30, 2015

Agreement Expiration Date: July 30, 2016

Created: July 11, 2011 by Trust Staff

Revised: July 18, 2011 by ABC Preservation Architects

Project Name: Old School

Project Number: 2010.2000

SAMPLE

ATTACHMENT D-1

**Garden State Historic Preservation Trust Fund
PROJECT EXPENDITURE WORKSHEET**

III B. Schedule of Values

Non-Construction (N/C)	Match Expended	Proposed	Subtotal
Pre-Construction	31,000	18,000	49,000
Const. Admin.		32,000	32,000
Archaeology		9,500	9,500
Mortar and Paint Analysis		6,000	6,000
			0
N/C Totals	\$ 31,000	\$ 65,500	\$ 96,500

Construction (C)	Match Expended	Proposed	Subtotal
Div. 1 - General		35,000	35,000
Div. 2 - Sitework		26,000	26,000
Div. 3 - Concrete			0
Div. 4 - Masonry		65,000	65,000
Div. 5 - Metals		25,000	25,000
Div. 6 - Wood/Plastic		89,000	89,000
Div. 7 - Thermal/Moisture	125,000		125,000
Div. 8 - Doors/Windows			0
Div. 9 - Finishes		32,000	32,000
Div. 10 - Specialties		2,000	2,000
Div. 11 - Equipment			0
Div. 12 - Furnishings			0
Div. 13 - Special Const.			0
Div. 14 - Conveying Syst.			0
Div. 15 - Mechanical		65,000	65,000
Div. 16 - Electrical		27,500	27,500
Const. Totals	125,000	366,500	491,500

	Match Expended	Proposed	Subtotal
TOTALS (N/C + C)	\$ 156,000	\$ 432,000	\$ 588,000

Date Created: 11-Jul-11

Prepared by: Trust Staff

Revisions: 18-Jul-11

Grant Award	insert grant amt here
Ratio	50:50

(D-1.)

SELECTION, SELECTION, PROCUREMENT AND APPROVAL OF CONSULTANTS

All consultants working on grant funded projects must be approved in advance by the Trust. The Trust uses the *Secretary of the Interior's Professional Qualifications Standards* to evaluate the expertise of a professional firm and its suitability to participate in a particular project. These standards establish minimum qualifications for professionals in history, archaeology, historic architecture, architecture, and architectural history. Consultants meeting the Professional Qualifications Standards ensure that preservation projects are planned and executed in compliance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties* (Reference Attachment B on the [Grantee Resources](#) page of the NJHT website).

Selection and Procurement

In most cases, the Grantee has selected a team of consultants prior to submitting the application, and the Trust has approved the consultants in the process of awarding the grant. In some cases, the project is bid after the grant is awarded, and a qualified consultant team and proposal will be selected before the Grant Agreement is executed. Please note, if the resource is owned by a municipality or county and leased to a non-profit, the municipality or county may require the non-profit to adhere to municipal bidding procedures including use of prevailing wage and any other local contracting laws.

During a project, it may be necessary to hire a new consultant to undertake a task that was previously unassigned or added to the project scope. A Grantee may also replace a previously approved consultant, with the Trust's assurance that the replacement firm possesses equal or greater qualifications.

The Trust cannot recommend a firm for a specific project or type of work. The Trust does maintain a list of firms who have met the standards for specific work previously funded by the Trust, and the Trust staff will share this information with you at your request.

The Trust may monitor procurement practices to ensure that fee proposals are obtained on a competitive and informed basis.

Approval

The Trust approves a consultant's qualifications for specific tasks, prior to executing the Grant Agreement. The Trust will need to review qualifications and approve consultants who are brought into the project after the Grant Agreement is signed. It is the Grantee's responsibility to inform the prospective or proposed consultants that the *Secretary of the Interior's Professional Qualification Standards* will be used to evaluate its participation in the project. In cases where a RFP (Request for Proposals) is issued, the Trust staff should review the draft document prior to distribution, and the RFP should restate the Professional Qualifications Standards that apply to the professional work requested.

Obtaining the services of a qualified consultant to plan and guide the construction exercise is key to a successful capital preservation project. The Trust will not reimburse the cost of unsatisfactory work that does not comply with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*. The Trust may require that unsatisfactory work be redone or omit the task from the grant-funded project (and likely reducing the grant award).

PROJECT DESIGN REVIEW AND APPROVAL

Article II and Attachment D-2 of the Grant Agreement stipulate that the Grantee must comply with the New Jersey Register of Historic Places Act (NJHPA) and the *Secretary of the Interior's Standards for the Treatment of Historic Properties* (included in Reference Attachments). The *Standards* extend beyond the limits of the appearance of the finished work and apply to all aspects of a project's planning, design, and execution. NJHPA imposes a regulatory design review process governed by the *Standards* on registered properties that receive public funding for capital work.

Some grant-assisted projects (ex. Those involving federal funds) are reviewed and approved for conformance with the Standards by the New Jersey Historic Preservation Office (HPO). In these cases, the HPO is the agency identified and designated "Project Review Authority" in Attachment D-1 (Section II).

"Design review" is conducted in three situations during the course of a capital project:

- prior to construction when plans and specifications for proposed work are reviewed;
- during construction by reviewing plans and/or specifications for proposed work that represents a change to the approved plans and specifications; and
- where the Grantee requests the Trust to accept the cost of work completed prior to the agreement period as "match expended" in the grant budget.

Review and Approval of Plans and Specifications

The Grantee is required to obtain the Trust's approval, or the Trust's acknowledgement of HPO approval, of the design as presented in the final bid documents. Trust approval is necessary before the cost of any work shown on the documents can be reimbursed.

The Trust reserves the right and may review design documents that are not final at its own initiative or at the Grantee's request. Comments offered by the Trust or HPO on preliminary design documents are advisory and non-binding with regard to compliance with the *Standards*.

It is expeditious and is the preference of the Trust to conduct a single comprehensive review of final plans and specifications for all items within the funded Scope of Work. While this is not a requirement, the Trust may need to consider an individual phase or bid package within the context of the comprehensive scope in order to complete the review. As a result, the Trust may place a condition on its approval of an individual phase or bid package upon the approval of design documents for subsequent work within the funded Scope of Work.

The Grantee may submit the plans and specifications directly to the Trust or by arrangement with the consultant/design professional. In projects where the HPO is the Project Review Authority, the Grantee must submit an additional set of plans and specifications to the HPO. The Trust and/or HPO is/are likely to discuss the project with the consultant during the review.

Bid packages issued to contractors following the Agreement Commencement date must be reviewed and approved by the Trust prior to their distribution to bidders.

In bid packages that are underway or completed prior to the Agreement Commencement date, the Trust should review and approve the documents as early in the Agreement Period as possible.

The Trust will respond to the Grantee regarding the proposed design and may discuss the project with the Grantee's consultant in the course of the design review. The Trust may give conditional approval to alternates at this time.

Bid packages issued to contractors following the Agreement Commencement date must be reviewed and approved by the Trust prior to their distribution to bidders.

In bid packages that are underway or completed prior to the Agreement Commencement date, the Trust should review and approve the documents as early in the Agreement Period as possible.

The Trust will respond to the Grantee regarding the proposed design and may discuss the project with the Grantee's consultant in the course of the design review. The Trust may give conditional approval to alternates at this time.

Review and Approval of Changes to Approved Plans and Specifications

The Grantee is required to notify the Trust of any changes to the approved plans and specifications. These may result from receiving bids in excess of available funds, discoveries made in the field, change orders or other factors. The Trust staff will advise the Grantee if an *Application for Major Change* (see 4.53) is required, and/or what kind of documentation is required to approve the change. The kinds of documentation that may be requested include, but are not limited to: plans, specifications, shop drawings, photographs, catalogue cuts, and letters of explanation, among others.

The Trust will respond to the Grantee and may discuss the project with the design professional and/or visit the site in the course of their review. The Trust is aware that changes ordered in the field are time sensitive and will do its best to accommodate the needs of the project while ensuring that the proposed new work complies with the *Standards*.

Review and Approval of Executed Work

The Trust reviews executed work completed before the Agreement Commencement date and submitted as part of the match formula when the cost of the work is claimed as a reimbursement. This kind of executed work includes work seen by the Trust during the application period and work executed during the award period. In these cases, the Trust may review the project manual, construction drawings or other construction documentation, as well as before and after photographs, in order to approve the completed work for compliance with the *Standards* and accept it as part of the match formula. This approval is separate from and beyond the normal scope of the regular review of completed work conducted by the Trust when authorizing reimbursements.

Administrative Letter of Approval

The Grantee will receive a copy of the Approval Letter that the New Jersey Historic Trust sends to the State Historic Preservation Office acknowledging the grant-funded project's conformance with the *Secretary of the Interior Standards*. Projects that move forward prior to receiving a copy of the Administrative Letter of Approval and are, ultimately, determined to not be in conformance with the *Standards*, may NOT be eligible for reimbursements.

ARCHAEOLOGICAL REQUIREMENTS

The protection of New Jersey's archaeological heritage is an important part of New Jersey Historic Trust programs. All grants must address potential impacts to archaeological resources whenever grant-funded work includes the potential for ground-disturbing activities. These requirements are in place to comply with the New Jersey Register of Historic Places Act Rules at N.J.A.C. 7:4. Additionally, the Trust encourages the grantee's consideration of their historic property's archaeological potential even if ground-disturbing activities are not part of grant-funded activities.

Representative activities previously funded by the Trust requiring archaeological consideration include: the excavation of trenches for utility services and site drainage; exterior foundation work; grading; construction or expansion of walkways, driveways, and parking areas; removal and installation of porch footings; removal and installation of footings located below basement floor grade; repairs to basement floors; installation of sump pumps; removal and modification of recent extensions to historic structures; excavation of footings for ADA ramps; lawns and plantings; installation of fences and walls; and tree removal.

Any work that will result in ground-disturbing activities requires the examination of the project's archaeological component. New or additional archaeological investigations may then become a condition of the Trust grant. These archaeological activities may include, but are not limited to, a reconnaissance-level survey (Phase IA), identification-level field testing (Phase IB), an evaluation-level survey (Phase II), full data recovery (Phase III), or archaeological monitoring during construction. The choice of action will depend in part on the severity of activity and its potential to disturb significant sites and/or artifacts.

The Historic Trust's archaeologist and HPO archaeologists may make recommendations regarding the need for archaeological investigation as they relate to Trust-funded activities. Recommendations are based on a number of factors including the history of the property, the proposed scope of work for the project, and the potential for archaeological disturbance related to that work. New or additional archaeological investigations may become a condition of the Trust grant. Grantees and applicants should note that archaeological investigations and reports are among the activities eligible to receive funding under both the Trust's Historic Site Management Grant and Capital Grant category. The budget for archaeological work, therefore, can be included in Trust-funded Capital projects as a construction cost. In preparing budgets and schedules, adequate funding and time must be included to allow archaeological investigations to be conducted to professional standards, as described below.

It has been the Trust's experience that archaeological investigations bring new and valuable insight to the interpretation of historic properties. Thus, property owners and managers may discover that the information generated from what originated as a compliance effort ultimately helps them reconstruct the past appearance of the landscape, understand building campaigns, or may provide clues as to the economic status, ancestry, and cultural preferences of the property's former inhabitants. Additionally, archaeological investigations create an opportunity to increase public engagement with and visitation to historic sites when public archaeology is included in the project's scope of work. Further, the artifact collection resulting from an investigation may one

day form the core of an interpretive exhibit or be used as a teaching and research tool, if properly curated. Whatever approach applicants and grantees ultimately adopt toward protecting and utilizing archaeological resources, the Trust is confident that the result will be a better understanding of the property's history and development.

Archaeology and Historic Preservation

Archaeology is the study of past ways of life through analysis of surviving physical remains, which are chiefly comprised of artifacts and features. Artifacts are objects manufactured and/or used by human beings. Common examples of artifacts include ceramics, bottles, and food remains such as bone or shell fragments. Features are physical remains resulting from human activity that cannot be removed from a site intact. Examples of prehistoric features include storage pits, middens (refuse pits), hearths, and remains of dwellings. Examples of historic features include house foundations, cellar holes, wells, stone walls, middens, cisterns, privies, and engineering remains such as roadways, bridge abutments, dams, and millraces.

Legislation mandating the protection of archaeological sites exists at the municipal, county, state, and federal levels. Compliance with the "Secretary of the Interior's Standards for the Treatment of Historic Properties", which includes "Guidelines for Archaeology and Historic Preservation", (CFR 48:190, September 29, 1983) is a requirement for all Trust-funded projects. The Standards stipulate that archaeological resources must be protected or preserved in place and/or subject to mitigation measures if such resources must be disturbed. In New Jersey, this is regulated by the Historic Preservation Office (HPO), which is part of the New Jersey Department of Environmental Protection.

Since 1970, the State of New Jersey has recognized and protected historic properties using the New Jersey Register of Historic Places Act (N.J.S.A. 13:1B-15.128 et seq.). This law allows historic properties to be nominated and entered in the New Jersey Register of Historic Places, which is maintained by the Historic Preservation Office. Once a property is listed in the New Jersey Register, any public undertaking that would "encroach upon, damage or destroy" the registered historic property must be reviewed pursuant to this law. New Jersey Historic Trust funded projects affecting New Jersey Register listed sites are therefore required to comply with the New Jersey Register of Historic Places Act Rules ([nj_register_hist_plac_rules_07_02_2015.pdf](#)).

All projects funded by the Trust are reviewed by the HPO to ensure that proposed undertakings follow the "Standards" and comply with the New Jersey Register of Historic Places Act, and therefore will not adversely affect archaeological resources. By incorporating archaeology into the planning process at the outset, property owners and managers should be able to avoid adverse effects and possible costly adjustments during later phases of their projects. More importantly, conducting archaeological investigations could provide invaluable information about a historic property and its interpretation. Additionally, archaeological sites can be listed on State and National Registers of Historic Places. The contribution that the archaeological component of a historic property may make to the property's eligibility for listing is often recognized under the National Register of Historic Places Evaluation Criterion D ("...yielded or likely to yield, information important in history and prehistory").

Incorporating Archaeology into your Proposed Activities

The potential impact of site activities to archaeological resources is most successfully addressed through early consideration. The Trust recommends that the preparation of an archaeological sensitivity study assessment (often, through Phase IA survey) or an Archaeological Management Plan (AMP) is considered in order to better manage archaeological resources and help guide future activities on historic properties.

Similar to a Preservation Plan or Historic Structure Report completed for a building, site, or structure, an Archaeological Management Plan is important for guiding overall preservation efforts, addressing specific archaeological needs, and ensuring that future activities consider and/or avoid potential effects to potential archaeological resources at a historic property.

Consultation with a qualified professional archaeologist (meeting or exceeding the minimum Professional Qualifications of the National Park Service as defined in the Secretary of Interior's Standards for the Treatment of Historic Properties, 36 CFR, Part 61, Appendix A and/or Standards and Guidelines for Archaeology and Historic Preservation, CFR 48:190. September 29, 1983) or use of an AMP should begin during the development of design plans and specifications for any proposed construction so that archaeological considerations can be fully integrated into the project. In cases where an Archaeological Management Plan (AMP) or site sensitivity assessment has already been prepared for a property, this consultation may be minimal or, in some instances, unnecessary.

Working with the applicant or grantee, an archaeologist will determine whether an archaeological investigation is necessary and/or whether potential impacts to archaeological resources can be avoided by relocating proposed activities or modifying plans. If an investigation is not warranted due to previous disturbance or successful avoidance of archaeological resources, correspondence including a statement by a qualified professional archaeologist to this effect should be supplied to the Trust. If an investigation is determined necessary, grantees must solicit a proposal detailing the Scope of Work for completing an archaeological investigation from a qualified professional archaeologist before moving forward with the investigation or any other ground disturbing activities. This proposal must be submitted to the Trust for review prior to initiating archaeological survey.

The following steps may be undertaken in order to prepare for the potential need for an archaeological investigation:

- Identify whether the historic site requires current and/or future site improvement that might involve ground disturbance. If broad-scale site improvements are part of current or long-term plans for the site, consider the preparation of an Archaeological Management Plan or Phase I archaeological survey well in advance of the preparation of design plans or construction documents.
- If ground disturbance is a component of the proposed project, solicit an evaluation and/or work proposal from a qualified professional archaeologist which outlines the scope of work, timeline, and budget required to complete an appropriate level of archaeological survey based on their evaluation and/or recommendations from the NJHT or NJHPO.
- Incorporate this proposal into project plans accordingly with the understanding that, depending upon the results of an archaeological investigation, next steps may include additional archaeological survey and/or a change in project plans in the interests of avoiding identified archaeological resources.

The Trust recommends that property owners and managers consider a phased, proactive approach to archaeological investigations. The most efficient and cost-effective means of incorporating archaeology into the preservation strategy of a site is through the initial implementation of a broad site survey, narrowing in focus as needed. This may be achieved through the completion of an initial Phase I survey consisting of research and preliminary field testing. This survey will result in a report describing investigative findings, a site sensitivity model, and site management recommendations. From here, more targeted evaluations may be completed as needed, or project plans may be able to avoid areas of high sensitivity and the need for additional archaeological investigation. The Phase I report may also include

recommendations stipulating the conditions under which archaeological monitoring may be appropriate.

If project plans cannot avoid potential archaeological resources, additional survey may be required and may consist of the excavation of additional shovel tests, excavation units, and/or trenching. This may be undertaken within areas where ground disturbance is planned. Specifically, this means that the terrain to be investigated is the actual location of proposed construction activity (also known as the area of potential effect or “APE”).

Archaeological Survey and Reporting Requirements

Archaeological investigations should be scheduled to occur prior to or during the preparation of project design plans or construction documents. All phases of the archaeological survey and reporting must be in keeping with the *Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation* (1983). All survey efforts must comply with the New Jersey Register of Historic Places Act Rules ([nj_register_hist_plac_rules_07_02_2015.pdf](https://www.nj.gov/dca/njht/documents/resources/NJHT%20Archaeological%20Monitoring%20Protocol%20FAQ%20(1).pdf)) at N.J.A.C. 7:4-8.4. The individual(s) conducting the archaeological work must meet the *Secretary of the Interior's Professional Qualifications Standards for Archaeology* (48 CFR 44738-9). Archaeological monitoring must be substantiated by the results of prior archaeological investigation and/or documented disturbance. If archaeological monitoring has been approved, an Archaeological Monitoring Protocol ([https://www.nj.gov/dca/njht/documents/resources/NJHT%20Archaeological%20Monitoring%20Protocol%20FAQ%20\(1\).pdf](https://www.nj.gov/dca/njht/documents/resources/NJHT%20Archaeological%20Monitoring%20Protocol%20FAQ%20(1).pdf)) must be developed and included in construction documents and specifications as appropriate.

If evidence of a potentially significant archaeological site is found, the following solutions may be proposed: a) modify design plans and construction documents to avoid or minimize impacts or b) conduct a second phase of more intensive archaeological investigations. This latter phase should be structured to retrieve sufficient information to interpret a site or to provide measures for its protection. In some instances, it may be desirable to conduct a third phase consisting of complete data recovery. Due to the potential requirement for altering project plans, it is critical that sufficient time be allocated toward the completion of archaeological investigation in advance of construction.

For an archaeological investigation to be considered complete, the following components must be included: literature review, field survey/excavation, artifact processing/analysis, and report preparation. Reports of archaeological survey results must conform to the *Requirements for Archaeological Survey Reports – Standards for Report Sufficiency* at N.J.A.C. 7:4-8.5. Evaluations to determine the National Register eligibility of archaeological sites must be in keeping with the National Park Service's 2000 National Register Bulletin, *Guidelines for Evaluating and Registering Archeological Properties* (<https://www.nps.gov/subjects/nationalregister/upload/NRB36-Complete.pdf>). Reports will be reviewed by the Historic Trust's archaeologist and the Historic Preservation Office (HPO). Provisions should be made for the time and budget required to accommodate potential revision requests to the report.

More detailed information on conducting surveys and guidance for report preparation can be found on the HPO's website (<https://www.nj.gov/dep/hpo/1identify/survarkeo.htm>) under the section headings *Guidelines for Phase I Archaeological Investigations: Identification of Archaeological Resources* (<https://www.nj.gov/dep/hpo/1identify/arkeoguide1.htm>) and *Guidelines for Preparing Cultural Resources Management Archaeological Reports Submitted to the Historic Preservation Office* (<https://www.nj.gov/dep/hpo/1identify/culreso.pdf>). Please also see the archaeological fact sheets available on the NJHT website under Guidelines and Fact Sheets (<https://www.nj.gov/dca/njht/programs/preservenj/overview/>).

Artifact Processing and Curation

Funding requests should make provisions for the processing, conservation, and care of artifacts and records produced by an archeological investigation. This should be determined through consultation with a qualified professional archaeologist. All archaeological reports must identify the ultimate repository for collections of artifacts. Curation of significant collections is generally undertaken at the New Jersey State Museum, Bureau of Archaeology & Ethnology. Collections such as these should be processed to the standards of the New Jersey State Museum unless exceptions to these standards are approved by the State Museum. Additional guidance on curatorial standards and materials can be obtained from Susan Orr, Registrar, Bureau of Archaeology & Ethnology, New Jersey State Museum, P.O. Box 530, Trenton, New Jersey 08625-0530, (609) 292-6330 or susan.orr@sos.nj.gov.

Various repositories have different standards for processing and storing artifacts. As such, it is advisable to identify these requirements, if any, during the budgeting process. In general, approved facilities must satisfy the *Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation* (Federal Register, Volume 48, No. 190, effective Thursday, September 29, 1983). The selected facility must demonstrate adequate climate control; security from theft, vandalism, fire, flood, etc.; access for research; and a mission compatible with retention, care, and interpretation of collections. In addition, all archaeological materials and associated records should be stabilized, as necessary, and maintained with the collection so that their informational values are not lost as the result of deterioration or separation from the collection.

Chapter 3 - NEW JERSEY STATE REQUIREMENTS

OVERVIEW

This chapter provides information and a discussion of three elements of your grant:

- Financial Management Requirements;
- Affirmative Action regulations; and
- Regulations regarding prevailing wage and Department of Labor registration.

The Financial Management Requirements section provides an overview of responsibilities and requirements associated with managing your grant. This section is divided into three parts: your financial management system; financial reporting; and auditing, accessing, and retaining your financial records.

The Affirmative Action section provides rules and procedures for meeting state requirements as they pertain to affirmative action laws. The full guidelines along with sample compliance documents are provided through NJHT website.

Lastly, this chapter provides rules and procedures for meeting state prevailing wage laws and registration with the Department of Labor. Prevailing Wage and Department of Labor registration **only** pertains to State, County, and Municipal Grantees and are not applicable to Non-Profit Grantees.

FINANICAL MANAGEMENT REQUIREMENTS

The main administrative requirements regarding the Grantee's financial management of the grant are found in five articles in the General Terms and Conditions of the Grant Agreement:

- Grantee's financial management system's requirements (article VIII)
- Grantee's financial reporting requirements (article IX)
- Grantee's audit requirements (article XI)
- Trust's access to Grantee's financial records (article XV)
- Grantee's retention of financial records (article XVI)

It is important that the Grantee's Chief Financial Officer or Treasurer review these sections and become familiar with the terms and conditions of the grant, for it is the responsibility of that person to administer the financial management system, certify reimbursement requests, and notify the Trust when the Grantee is unable to comply with any requirements.

Financial Management System

The Grant Agreement stipulates the threshold performance requirements needed to manage the grant funds and records of all expenditures within the grant assisted project. To meet the Grant's administrative requirements, the Grantee needs to establish or put into effect a financial control system capable of:

- Documenting and disclosing the current financial status of the grant funded project at any point in time
- Documenting and reporting the current and projected financial status of the grant funded project at regular, pre-determined intervals (see *Financial Reporting* section on the next page and Reimbursement Requests in Chapter 4).
- Being available for access or audit as requested by the Trust (see *Audit and Access to Financial Records* section on the next page)

Grant funds are distributed to the Grantee on a reimbursement basis after the Grantee has paid for specific work items (see Chapter 4 – Performance Report and Reimbursement Procedures). To expedite payment from the Trust, the Grantee should also establish financial management practices that:

- Respond to the particular requirements of the Trust's reimbursement process
- Anticipate and solve cash flow problems inherent in the reimbursement process
- Report expenditures in a manner corresponding to entries in the "Schedule of Values for Work to be Funded with this Grant" (Attachment D-1, section III.B)

Financial Reporting

The Grantee's Chief Financial Officer is required to sign and/or prepare interim performance reports as specified in Attachment C of the Grant Agreement. Performance Reports and Reimbursement Requests

are explained in detail in Chapter 5.

Audit, Access, and Retention of Financial Records

Each Grantee is responsible for complying with its own organizational audit requirements.

Current New Jersey State Office of Management and Budget fiscal year audit requirements, for individual organizations with State and/or Federal grant expenditures, within a single fiscal year are as follows:

- If LESS \$350,000 - no audit is necessary.
- If GREATER THAN \$350,000 but LESS THAN \$1,000,000, a Financial Statement Audit (GAO - Yellow book) or a Program-Specific Audit is required.
- If \$1,000,000 OR MORE, Single Audit or Program-Specific Audit is required per Circular Letter 25-12-OMB.

For further information see section XI of your Grant Agreement or see

see State Audit Policy 25-12-OMB <https://www.nj.gov/infobank/circular/cir25-12-OMB.pdf>

Grantees must submit to the Trust office one copy of their fiscal year audit as required above at the conclusion of their respective fiscal years that apply.

The Grantee must be prepared to have its financial records audited at any point in time while the Grant Agreement is active, for the Trust has the right to request program-specific or single audits if it has reason to believe the project is in trouble.

The Grantee must submit an audit as a condition of closing out the grant (see Chapter 5).

The Grantee must be prepared to make its financial records available to the Trust at any point in time while the Grant Agreement is active.

The Grantee must be prepared retain the financial records of the grant-assisted work for a minimum of 3 years from the expiration of the agreement, and to transfer the records to custody of the Trust if required.

AFFIRMATIVE ACTION

P.L. 1975, c. 127 as amended and supplemented mandates that agencies who receive public funds will not discriminate against any employee or applicant for employment because of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex. In a grant-assisted project, the law applies to the workforces of a Grantee and its contractors and subcontractors.

A Grantee is required to comply with the law with regard to its own workforce during the Grant Agreement period. Specifically, the Grantee must include mandatory affirmative action language in advertising for bids, include appropriate mandatory language in either the contract or the bid specifications, and require consultants and contractors to supply evidence of affirmative action compliance. Grantees are not required to submit project workforce reports; however, contractors and subcontractors are required to submit the project workforce reports. Professional consultants are not required to submit project workforce reports; however, they are required to submit evidence that they are in compliance with affirmative action law. Specifically, professional consultants must supply one of the following forms of evidence:

- 1) Letter of Federal Approval, or
- 2) Certification of Employee Information Report, or
- 3) A Complete Form AA302.

Samples of these forms are provided in the reference attachment section of the grant manual on the Trust's website or on the NJ Dept. of Treasury website (www.nj.gov/treasury/contract_compliance).

A Grantee is also required to be explicit about the application of the law to the work funded directly by the grant in soliciting, negotiating and contracting with contractors and subcontractors. All contractors and subcontractors employed by the Grantee and paid with grant funds are subject to the law as it applies to the contractor's and subcontractor's workforce(s). The Grantee is required to include the following language when soliciting contractors for grant-assisted work:

- If awarded a contract or upon award of this contract, your company/firm will be required to comply with the requirements of P.L. 1975 c. 127 (N.J.A.C.).

The law imposes certain administrative requirements on the contractor and subcontractor to ensure that labor practices are in compliance. Once a contract with a contractor or subcontractor is signed, it is the Grantee's responsibility to monitor that its contractors and subcontractors are in compliance with the law. This is usually done by requiring the contractor to submit to the Grantee duplicates of initial and monthly reports that it submits to the New Jersey State Division of Contract Compliance and Equal Opportunity. These records should be kept in an orderly manner throughout the Grant Agreement period, and for three years thereafter.

See section XX of the General Terms and Conditions of the Grant Agreement for information on Nondiscrimination and Affirmative Action requirements as well as reference attachment section of the grant manual on the Trust's website.

Please see the NJ Dept. of Treasury website (www.nj.gov/treasury/contract_compliance) for more information.

PREVAILING WAGE AND CONTRACTOR REGISTRATION

(State, Municipal, and County-Owned Properties Only)

Prevailing Wage

The New Jersey Prevailing Wage Act (N.J.S.A. 34:11 – 56.25 et seq./P.L. 1963 Chapter 150) applies to all State, County, and Municipal governments with a Preserve New Jersey Historic Preservation Fund grant administered through the New Jersey Historic Trust. Non-profit Grantees are not required by the state to follow the New Jersey Prevailing Wage Act; however, the New Jersey Prevailing Wage Act applies to properties owned by a State, County, or Municipal government, even if the grant is awarded to a Non-Profit organization managing the property and the grant. Municipal and county government bodies must provide an official Prevailing Wage Determination to the State. For a copy of the Prevailing Wage Act & Regulations, to request a Prevailing Wage Determination, or for further information contact the Department of Labor:

Department of Labor
Division of Wage and Hour Compliance PO Box 389
Trenton, NJ 08625-0389 609/292-2259
fax 609/695-1174
<https://www.njportal.com/lwd/pwcr>

Public Works Contractor Registration

The Public Works Contractor Registration Act (P.L. 1999 Chapter 238) requires all contractors bidding on a contract let by a public body, i.e. a county or municipal government, **to be registered** (or have submitted to the Department of Labor an application for registration within the last thirty days) with the Department of Labor **to bid** on a project.

Likewise, all subcontractors named in a contract let by a public body, i.e. a county or municipal government, **must also be registered** (or have submitted an application for registration within the last thirty (30) days to the Department of Labor) with the Department of Labor **to bid** on a project.

Do not send Proof of Registration and completed applications to the New Jersey Historic Trust.
Contractors must register with the New Jersey Department of Labor.

The Application for Public Works Contractor Registration and instructions for completing the application are located under Chapter 3 of the Capital Grant Manual Reference Attachments provided on the Grantee Resources page of the NJHT website. Any questions regarding the Public Works Contractor Registration Act or application for registration should be directed to the Department of Labor:

Department of Labor
Division of Wage and Hour Compliance Contractor Registration Section
PO Box 389
Trenton, NJ 08625-0389 609/292-9464
fax 609/633-8591
<https://www.njportal.com/lwd/pwcr>

Chapter 4 - ADMINISTERING AN ACTIVE GRANT

OVERVIEW

This chapter provides information and discussion of nine elements of your grant:

- 1) Communications with NJHT During the Work Period;
- 2) NJHT Project Sign Specifications;
- 3) Selection of Contractors and Subcontractors and Bidding Procedures;
- 4) Quarterly Performance Report Procedures;
- 5) Reimbursement Procedures;
- 6) Permanent Plaque;
- 7) Final Report and Retainage Instructions
- 8) Amending the Grant Agreement; and
- 9) Publicity for your Project

The first part of this chapter discusses key times to contact the Trust, such as prior to the bidding phase of the project, at the start of construction, and upon a discovery of unexpected conditions, among others. This section also contains information and requirements for keeping project meeting minutes.

The second part of this chapter provides the requirements and specifications for the installation of a project construction sign. It includes information regarding minimum dimensions, reimbursement for sign expense, and a sample sign layout.

The third part of this chapter is very important and contains information, requirements, and procedures concerning the prequalification, qualification, and selection of contractors for grant-funded work. It also addresses the solicitation of bids for grant-funded work. This section is subdivided into three main sections that correspond to the type of grantee receiving the grant. These include:

- State Agencies
- County and Municipal Governments; and
- Non-Profit Organizations.

Each section explains the requirements and procedures that must be followed when soliciting contractors. Specifically, it provides requirements for qualifying contractors, and in the case of County and Municipal Government grants, prequalifying contractors and meeting the requirements of Local Public Contracts Law N.J.S.A. 40A:11-25. Guidelines with a sample qualification criteria and qualification statements for non-profit grantees are located through the resources tab of the NJHT website. Additionally, a Sample Criteria and Qualification Statement and Sample Bidders Questionnaire are provided for County and Municipal Government grantees under Chapter 4 on the [Grantee Resources](#) page of the NJHT website.

The fourth and fifth parts of this chapter provide detailed information and instruction for performance reporting and reimbursement procedures. It includes performance report scheduling and what to include in a quarterly performance report. Likewise, it details the procedures for submitting reimbursement requests. Sample quarterly performance reports and reimbursement forms are included to provide further guidance.

The sixth part of this chapter discusses the requirements for a Permanent Plaque. All capital grants of \$50,000 or greater requires the installation of a permanent plaque at the site. This section of the manual outlines required text and provides guidance for design.

The seventh part of this chapter discusses the final reporting requirements and the retainage instructions.

The eighth part of this chapter discusses the procedures for amending your grant agreement due to a change in scope of work or change in professional design team, among other changes.

The last section provides information regarding publicizing your project. It includes information on why publicity is important, how it can help your project, and tips for press relations.

COMMUNICATIONS WITH NJHT DURING THE WORK PERIOD

In addition to submitting Quarterly Performance Reports and Reimbursement Reports (see page 4.28 and 4.33 respectively), the Grantee should contact the Trust at the following times during the project:

- Prior to beginning the bidding phase
- Following the receipt of bids and prior to the award of a contract
- At the start of construction
- Prior to any change in approved architect/consultant or contractor
- Prior to any change(s) in the approved D-1, Scope of Work
- Upon discovery of any significant unexpected conditions
- At start/completion times for specific work, as requested by the Trust
- At the project closeout/punch-list phase, prior to final payment of the contractor

You must inform your program officer in advance of all project meetings. Either the grantee or architect should send to the Trust minutes of all project meetings, detailing issues discussed, solutions proposed, and items requiring action. Below is a sample suggested format for project meeting minutes.

Project Meeting Minutes

The Trust requests that meeting minutes be prepared by the architect or other consultant and be submitted for review within ten working days. Preferably, the architect of record presides over each meeting and prepares the minutes. If the architect/consultant does not attend the meeting, the owner should preside over the meeting and prepare the minutes. The following outline presents the recommended items for meeting minutes of projects funded under the New Jersey Historic Trust.

Heading and Introduction

- Project name and number (include NJHT project number)
- Architect's name
- Meeting date, time, and location
- Meeting number
- Attendees/Representing
- Distribution (in addition to attendees)

Current Project Information

- Original contract amount
- Adjusted contract amount (include all approved change orders)
- Amount paid to date (include most recent application number)
- Amount of retainage
- Award date
- Original & Current contract completions date
- Percent project complete
- Days late
- Weather conditions at time of meeting (if applicable)
- Previous meeting date, time and location
- Next meeting date, time and location

Progress Review

- Review and acceptance of previous minutes

- Contractor's report on progress since previous meeting
- Architect's and Owner's assessment of conformance with schedule

Expected Progress

- Contractor's report on work planned for upcoming period (until next meeting)

Status Reports

- Delivery dates for materials requiring long lead time
- Submittals
- Permit and test reports
- Maintenance of as-built drawings
- Progress photos
- Code inspections and tests

Contract Administration

- Change orders
- Applications for Payment

Comments

- General Contractor or Construction Manager
- Owner
- Funding Agency
- Architect and/or Engineer

Closing

- List any materials distributed at the meeting and attach, if necessary
- Indicate preparer's name, date issued and mechanism for the correction of minutes (i.e. minutes will be considered accurate unless the preparer receives corrections in writing within a week of issue date).

PROJECT SIGN SPECIFICATIONS

project identification sign at the project site. This sign must acknowledge Trust involvement, see Garden State Historic Preservation Trust Fund and Preserve New Jersey Grants Program rules, N.J.A.C. 5:101.

Project Signs must be constructed and erected at the beginning of the project and maintained until the final grant payment has been received. The Trust requests that the sign be erected as soon as possible after the signing of the grant agreement, following the review of sign design by the Trust, whether actual work has commenced or not. *Grant recipients are required to submit a photograph of the project sign with the first performance report and/or reimbursement request.*

Credit shall be given to the Trust in all printed materials, releases, and announcements of the grantee. The Trust logo shall be used by the grantee in publicizing programs. See page 5.43 for sample language.

Minimum dimensions: Project sign should be at least 6'-0" long by 3'-4" high and made of 3/4" medium density overlay (MDO) plywood. Increase dimensions as necessary to indicate consultants, contractors, and supplemental information as desired. It is suggested that the project sign be secured with two 4" by 4" pressure treated wood posts set 3'-0" deep into the ground. Project sign must be prominently displayed so that the text is readily visible to the public. Grantees should consult with Trust staff for other installation methods. Archaeology should also be considered prior to sign placement.

Color: Sign should be printed with black text on a white background. The NJ Historic Trust logo and any additional logos can be printed in full color or black and white.

Project sign expense: Grantee can include costs for the preparation and erection of the project sign when included in the approved project budget. The costs of maintaining and replacing the project sign are not eligible for funding.

See next page for a sample layout.

The project sign, specifications, and Trust logo are available for download at:
<https://www.nj.gov/dca/njht/resources/grantees/>

The digital versions can be provided to a sign maker and used when publicizing the project.

6'0" or larger

Project Name (from Grant Agreement)

This Historic Site is being

P R E S E R V E D

with a Matching Grant through the

Preserve New Jersey Historic Preservation Fund



Department of Community Affairs
State of New Jersey

3'4"

SELECTION OF CONTRACTORS AND SUBCONTRACTORS AND BIDDING PROCEDURES

State Agencies

Introduction

The prequalification process is a quality control measure employed by the New Jersey Historic Trust (Trust) to ensure that contractors have the skills, resources and experience needed to work on historic buildings or sites. According to the Grant Agreement (Section V of the General Terms and Conditions, Assignments and Subcontracts), the Trust must approve all potential bidders to ensure that they are acceptable and qualified prior to distribution of bid packets by Grantees.

Prequalification regulations and procedures used by a State Agency grantee shall be pre-approved by the NJ Historic Trust. The regulations shall set the Qualification Criteria for the grant-funded project.

Grantees must solicit qualifications from all interested prospective bidders by following the above-referenced prequalification regulations and procedures. The grantee, project architect, and the Trust must review the completed qualification forms to determine which potential bidders meet the criteria set forth in the qualification statements. Those potential bidders that meet the qualification statements will be eligible to receive bid documents. ***Grantee should allow two to three weeks for Trust review of potential bidders' qualifications prior to issuance of bid documents.***

Bids will be solicited from only those bidders deemed qualified according to the approved prequalification regulations. Bid packages will be reviewed and the lowest *responsible bidder* will be selected.

Additional Requirements

All government contracting units in New Jersey have responsibilities under the Business Registration of Public Contractors (P.L.2004,c. 57 – N.J.S.A52:32-44). All business organizations that do business with a local contracting agency are required to be registered with the State and provide proof of that registration to the contracting agency before the contracting agency may enter into a contract with the business.

The purpose of contractor registration (which is separate from requirements of the Public Works Contractor Registration Act – see below) is to ensure that all businesses and their subsidiaries receiving government contracts pay appropriate sales and use, and other taxes. While sales and use taxes are not paid on government contracts, the requirement to register to obtain government contracts obligates them to comply with the law on non-government contracts.

Prequalified bidders are required to comply with the New Jersey Public Works Contractor Registration Act (N.J.S.A. 34: 11-56.48 et seq.). No contractor shall bid on any contract for public work as defined in N.J.S.A. 34:11-56.26 (New Jersey Prevailing Wage Act) unless the contractor is registered pursuant to the

New Jersey Public Works Contractor Registration Act (NJPW CRA). Further, no contractor shall list a subcontract in a bid proposal unless the subcontractor is registered pursuant to the NJPW CRA on the date and time for the receipt of bids.

Contractors and subcontractors not listed in a bid proposal cannot engage in the performance of any public work project subject to the contract unless the contractor or subcontractor is registered pursuant to the NJPW CRA.

For a full understanding and additional information regarding the application of the NJPWCRA grantees, potential contractors and subcontractors should contact the New Jersey Department of Labor at (609) 292-9464.

Once a contract has been signed, the Grantee shall send a copy of Attachment F, Subcontractor Certification that is fully executed by the contractor to the Trust (see Chapter 1 Sample Grant Agreement provided on the [Grantee Resources](#) page of the NJHT website).

SELECTION OF CONTRACTORS AND SUBCONTRACTORS AND BIDDING PROCEDURES

County and Municipal Government-Owned Properties

Introduction

The prequalification process is a quality control measure employed by the New Jersey Historic Trust (Trust) to ensure that contractors have the skills, resources and experience needed to work on historic buildings or sites. According to the Grant Agreement (Section V of the General Terms and Conditions, Assignments and Subcontracts), the Trust must approve all potential bidders to ensure that they are acceptable and qualified **prior to** distribution of bid packets by Grantees.

County and Municipal governments, and sites owned by county and municipal governments, receiving grants must follow specific procedures when selecting contractors, as well as soliciting bids for their project. County and Municipal government-owned grant recipients are subject to the Trust's programmatic requirements including the application of Local Public Contracts Law (N.J.S.A 40A:11-25), specifically as it pertains to prequalification procedures for potential bidders.

Procedures, information, and guidelines to assist you in meeting this particular provision of law are included in this chapter. These include the adoption procedure for the Prequalification Regulations and Bidders Qualification Statement, guidelines and formatting of Prequalification Regulations, and a sample Bidder's Questionnaire (included in Chapter 4). If you have any questions regarding the prequalification process or the general application of Local Public Contracts Law, please contact the Division of Local Government Services, Department of Community Affairs at 609-292-6613 option #4.

Prequalification procedures can be divided into four general steps:

- development of prequalification regulations, statement of bidder's qualification, and bidder's questionnaire;
- scheduling of a public hearing and the formal adoption of those regulations by your local governing body;
- the approval of the prequalification regulation by the Director of the Division of Local Government Services; and
- the solicitation and selection of bids from perspective bidders deemed qualified by the grantee and project architect in consultation with the Trust and according to the prequalification regulations.

Grantees must solicit statements of qualifications from all interested prospective bidders by issuing the above-referenced prequalification regulations and bidder's qualification form from all potential bidders. Grantees should **set** a deadline for all interested **prospective** bidders to submit their qualifications statements. County and Municipal Government-Owned Properties must publicly advertise in an effort to solicit completed statements of prequalification (this can be done in newspapers, trade publications etc.). The grantee, project architect, and the Trust must review the completed qualification forms to determine which potential bidders meet the criteria set forth in the qualification statements. Those potential bidders that meet the qualification statements will be eligible to receive bid documents. ***Grantee should allow two to three weeks for Trust review of potential bidders' qualifications prior to issuance of bid documents.***

Bids will be solicited from only those bidders deemed qualified according to the approved prequalification regulations. Bid packages will be reviewed and the lowest *responsible bidder* will be selected. The process from its inception to the award of a contract may take a few months depending on

the activity of the grantee, so it is important to begin the process early; often while construction documents are being prepared.

Additional Requirements

All government contracting units in New Jersey have responsibilities under the Business Registration of Public Contractors (P.L.2004,c. 57 – N.J.S.A52:32-44). All business organizations that do business with a local contracting agency are required to be registered with the State and provide proof of that registration to the contracting agency before the contracting agency may enter into a contract with the business.

The purpose of contractor registration (which is separate from requirements of the Public Works Contractor Registration Act – see below) is to ensure that all businesses and their subsidiaries receiving government contracts pay appropriate sales and use, and other taxes. While sales and use taxes are not paid on government contracts, the requirement to register to obtain government contracts obligates them to comply with the law on non-government contracts.

Prequalified bidders are required to comply with the New Jersey Public Works Contractor Registration Act (N.J.S.A. 34: 11-56.48 et seq.). No contractor shall bid on any contract for public work as defined in N.J.S.A. 34:11-56.26 (New Jersey Prevailing Wage Act) unless the contractor is registered pursuant to the New Jersey Public Works Contractor Registration Act (NJWCRA). Further, no contractor shall list a subcontract in a bid proposal unless the subcontractor is registered pursuant to the NJWCRA on the date and time for the receipt of bids.

Contractors and subcontractors not listed in a bid proposal cannot engage in the performance of any public work project subject to the contract unless the contractor or subcontractor is registered pursuant to the NJWCRA.

For a full understanding and additional information regarding the application of the NJWCRA grantees, potential contractors and subcontractors should contact the New Jersey Department of Labor at (609) 292-9464.

Once a contract has been signed, the Grantee shall send a copy of Attachment F, Subcontractor certification that is fully executed by the contractor to the Trust (see Grant Agreement).

Should you have any questions regarding prequalification procedures please contact your Program Officer at the New Jersey Historic Trust, 609-984-0473 or DLGS, 609-292-6613 option #4 or lpcl@dca.nj.gov

COUNTY/MUNICIPAL PREQUALIFICATION PROCESS

Note: From the initiation of prequalification by grantee to award of contract may take 4-5 months.

Grantee consults with the Division of Local Government Services (DLGS), Department of Community Affairs
[609-292-7068, lpcl@dca.nj.gov].



Grantee develops the prequalification regulations/ questionnaire ("regulations") with DLGS' assistance.



Grantee schedules public hearing to announce/adopt project and approve prequalification regulations. Publishes notice of hearing at least twenty days prior to the hearing date in no less than two newspapers circulating in the county or municipality in which the public entity is located.



Public hearing is held on proposed regulations.



After hearing, submit adopted regulations to DLGS for review and approval (state statute allows up to 30 days).



Receive a letter of approval from Director, DLGS, or if necessary, a request for additional information or clarification of submission. Submit copy of approval letter to the New Jersey Historic Trust (the "Trust").



Distribute prequalification questionnaire to prospective bidders and/or advertise for prequalification in newspaper or trade journal.



Completed questionnaires are reviewed by the grantee, the architect, and the Trust and prequalified prospective bidders are selected (allow two weeks).



The prequalified prospective bidders receive bid documents.



Two to four weeks later, bids are received.



The lowest responsible bidder is determined, and a contract is awarded. Grantee submits Attachment F from grant agreement to the Trust.

PREQUALIFICATION REGULATION AND BIDDERS' QUALIFICATION STATEMENT

ADOPTION PROCEDURE

Prequalification is a procedure used to determine the qualifications of a potential bidder **prior** to their being allowed to receive specifications and submit bids for a project. If you wish to prequalify potential bidders, your local governing body must adopt regulations at a publicized public hearing. These regulations then require the approval of the Director of the Division of Local Government Services (DLGS). **To prequalify without the approval of the Director of DLGS is in violation of N.J.S.A. 40A:11-25.**

There are four significant aspects to the adoption of prequalification regulations:

- 1) A public hearing must be held on the proposed regulations that will be utilized under this grant.
- 2) Adequate public notice must be given through publication in no fewer than two newspapers circulating in the county or municipality in which the contracting unit is located.
- 3) Such publication must be at least twenty days in advance of the hearing date.
- 4) The clerk or secretary of the governing body must keep a record of the proceedings at the hearing and of the testimony of any citizen or prospective bidder.

As previously stated, following the public hearing and adoption of the prequalification regulations the Director of the Division of Local Government Services must formally review and approve these documents prior to the distribution of specifications and bid documents and the solicitation of bids. After the hearing, the Grantee must receive an approval letter from the Director of DLGS authorizing use of the prequalification regulations and bidders questionnaire. At that time, and only if necessary, the DLGS may request additional information or clarification of the submission. The DLGS has up to thirty (30) days to review and approve the regulation; however, a majority of the reviews take less than thirty days. The Grantee must send a copy of approval letter to the Trust.

Grantees are strongly advised to contact the Division of Local Governments – 609-292-6613 option #4 prior to undertaking prequalification. The Trust also suggests that grantees submit a copy of the proposed prequalification regulations and bidder qualification statement form to the Division of Local Government prior to scheduling the public hearing as an informal review to help ensure conformance with the regulations.

Role of the Director of the Division of Local Government Services

The involvement of the Director of the Division of Local Government Services is:

- 1) Within ten days after the completion of the public hearing, the proposed regulations and a true, certified copy of the hearing must be forwarded to the Director.
- 2) The Director shall either approve or disapprove the regulations and must indicate any action in a letter to the local contracting unit's governing body within 30 days of their receipt by the Director.

- 3) Failure of the Director to issue an approval or disapproval letter within 30 days of their receipt will permit the regulations to take effect without the Director's approval.

Disapproval of such proposed regulations may be made only if the Director finds that:

- 1) they are written in a manner which will unnecessarily discourage full and free open competition;
or
- 2) they unnecessarily restrict the participation of small business in the public bidding process; or
- 3) they create undue preferences; or
- 4) they violate any other provisions of the Local Public Contracts Law or any other law.

It is important to note that a local contracting unit's qualification evaluation of any prospective bidder shall not be influenced by race, religion, sex, national origin, nationality, place of residence or business. As in, the Affirmative Action law must be followed.

Proposed regulations disapproved by the Director shall not be used as a condition for the acceptance of a bid on any public contract by the contracting unit. Any appeal of the Director's decision by a contracting unit may be made to the Local Finance Board in accordance with the provisions of the Local Government Supervision Act, N.J.S.A. 52:27BB-1 et seq.

Please be further advised that courts of appropriate jurisdiction may review any refusal by a contracting unit to furnish plans or specifications based on their prequalification regulations.

Submission of Documentation to the Division of Local Government Services

Importantly, the Division will not review or approve regulations after the fact. In order to be used, such regulations must have been adopted by the governing body of the local contracting unit and submitted to the Director well in advance of the time that the project will be advertised for the receipt of public bids. The Director will have no choice but to disapprove such a submission, and the contracting unit will bear the consequences.

In accordance with N.J.S.A. 40A:11-25, the Division can only officially approve a prequalification questionnaire after the regulations governing the questionnaire have been submitted at a public hearing. A copy of the hearing would then be forwarded to the Director for review. There is no provision in the law that permits the Director to officially review such regulations in advance of receiving the required documentation.

The formal submission of prequalification regulations pursuant to N.J.S.A. 40A:11-25 to the Director, Division of Local Government Services, shall include the following documentation:

- 1) Adopted copy of the Prequalification Regulations
- 2) A certified and sealed copy of the governing body's resolution (by the governing body's clerk or secretary) adopting regulations
- 3) Project Fact Sheet – this sheet(s) may be included as part of the prequalification regulations

- 4) A completed, certified and sealed (by the governing body's clerk or secretary) Standard Certification Form (three pages)
- 5) A true, certified and sealed copy of the transcript of the public hearing held pursuant to N.J.S.A. 40A:11-25. Certification of the transcript by the governing body's clerk or secretary
- 6) Copies of the two (2) newspapers' legal advertisements for the public hearing

Blank copies of the Project Fact Sheet and the Standard Certification Form follow this page.

If you have any questions concerning the above listed documents, please contact the Division of Local Government Services' Bureau of Local Management Services at (609) 292-6613 option #4.

Submit all prequalification regulations to:

Director
Division of Local Government Services Prequalification Regulations
P.O. Box 803
Trenton, New Jersey 08625-0803

SAMPLE PROJECT FACT SHEET**Complete Name of Project:****Location:****Owner:****Phone:****Fax:****Owner's Project Manager:****Phone:****Fax:****Architect:****Phone:****Fax:****Project Funding:****Background Information:****Project Objective:****Scope of Work:**

SAMPLE

**STANDARD CERTIFICATION TO ACCOMPANY PREQUALIFICATION REGULATIONS
SUBMITTED TO DIRECTOR, DIVISION OF LOCAL GOVERNMENT SERVICES,
DEPARTMENT OF COMMUNITY AFFAIRS**

A. Applicability of Prequalification Regulations

- 1) Type of projects, goods or services regulations would apply to

B. Status of Proposed Regulations: (check one)

- 1) New regulations _____
- 2) Reestablishment of old regulations _____
- If reestablished, date last approved
by Director (provide prior approval
letter) _____
- 3) Amendment of existing regulations _____
- Date existing regulations approved
by Director (provide prior approval
letter) _____

C. Summary of Proposed Regulations

Please provide all criteria which prospective bidders will be required to meet, and explain how said criteria is pertinent and reasonably related to the goods or services to be provided or performed. Add additional sheets as necessary.

D. Public Hearing on Prequalification Regulations

- 1) Date of public hearing _____
- 2) Location of public hearing _____
- 3) Date of advertisements of notice of public
hearing (attach copies of both
advertisements) _____

4) Date regulations were adopted _____

Please summarize all comments made by citizens or prospective bidders at the public hearing on the proposed regulations. Attach additional sheets as necessary.

Does the attached record of the proceedings and testimony completely and accurately describe the testimony?

List names of all members of governing body voting yes, no, abstain or absent	<u>Name</u>	<u>Vote</u>
--	-------------	-------------

E. Other Prequalification Regulations

- 1) Please set forth any bid prequalification regulations that the applicant presently has in place, and the date said regulations were approved by the Director. (Provide prior approval letter(s).

- 2) Has any other prequalification regulation(s) been the subject of court action or written complaint by citizens, prospective bidders or vendors? If so, briefly describe the situation. Attach additional sheets as necessary.

F. Do the proposed regulations: (Circle One)

- | | | |
|--|-----|----|
| a) Contain any requirements which will unnecessarily discourage full, free and open competition? | YES | NO |
| b) Unnecessarily restrict the participation of small businesses in the public bidding process? | YES | NO |
| c) Create undue preferences? | YES | NO |
| d) Violate any provisions of the Local Public Contracts Law (<u>N.J.S.A.</u> 40A:11-1 et seq.) or any other law? | YES | NO |
| e) Contain any qualification requirement which may be influenced by the race, religion, sex, national origin, nationality or place of residence or business of any prospective bidder? | YES | NO |
| f) Contain clearly stated objective standards or criteria against which the answers to questions regarding financial capability, equipment, work force, and previous | YES | NO |

experience and other pertinent questions
will be measured?

- G. It is hereby certified under penalty of law that all information contained on this form and on any additional attached material and on the record of the proceedings of the public hearing are accurate and truthful to the best of the knowledge of the undersigned.

SIGNED:

_____	_____
(Clerk or Secretary to Governing Body)	(Presiding Officer of Governing Body)
_____	_____
(Print Full Name)	(Print Full Name)
_____	_____
(Date)	(Date)

GUIDELINES & SUGGESTED FORMAT FOR PREQUALIFICATION REGULATIONS

The developed set of prequalification regulations are pertinent only for the particular project or service that a local contracting unit is contemplating. The Division of Local Government Services suggests that N.J.S.A. 40A:11-25 be carefully reviewed in establishing these regulations.

The Trust requires a local contracting unit to include specific standards and/or information in its prequalification regulations. These are specified below in the Guidelines under Statement of Bidders Qualifications. The other suggestions are offered for guidance purposes only. An example Prequalification Regulation, Statement of Qualification, and Bidders Questionnaire are provided after the guidelines in order to show suggested format and content.

- 1) A local contracting unit should consider a suitable format for its prequalification regulations. We offer the following suggestions:

- a. Statement of General Notice

This statement serves as a notice to all prospective bidders on the name of the project, particular features of the project, source of project funds and contact person.

The Statement of General Notice should also include the following language:

The project building or site is listed or is certified eligible for listing on the State and/or National Registers for Historic Places or the building or site is listed as contributing to the significance of an historic district listed on the State and/or National Registers for Historic Places. The work done on the project is subject to the review and approval for compliance with the *Secretary of Interior's Standards for the Treatment of Historic Properties* (revised 2017) by the Trust and the State Historic Preservation Officer.

- b. Statement of Bidder's Qualifications

This statement provides prospective bidders with a general description of what criteria will be used for the evaluation of their responses to the questions contained in the prequalification questionnaire.

The Statement of Bidder's Qualifications and Criteria for Evaluating Bidders' Qualifications **must** include the following minimum experience with historic preservation projects:

Potential bidders are required to provide verifiable, successful experience on at least two projects involving separate historic buildings or sites of similar scope as the subject work, completed in compliance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties* (revised 2017) within the five years preceding the date of the execution of the qualifications statement. At least one of these projects should have been reviewed and approved by a State Historic Preservation Office, or the New Jersey Historic Trust, or the historic review body of a county or municipal authority, or a preservation professional that designed the project and can substantiated that the project met the Secretary of Interior Standards.

General contractors are responsible for ensuring that all its subcontractors used on the project have sufficient experience on historic buildings for their respective trade(s) and will be held responsible for the quality of the work performed.

The Trust may also require, with the submission of bids, potential bidders to demonstrate verifiable successful experience in the specific application of certain conservation treatments applied to historic building materials.

General contractors are responsible for ensuring that all its subcontractors used on the project have sufficient experience on historic buildings for their respective trade(s) and will be held responsible for the quality of the work performed.

The Trust may also require, with the submission of bids, potential bidders to demonstrate verifiable successful experience in the specific application of certain conservation treatments applied to historic building materials.

c. Bidder's Questionnaire

In your development of all questions concerning the qualifications of a bidder, it is strongly suggested that questions be formulated so they lend themselves to specified evaluation criteria.

It is important the questionnaire be carefully constructed so that responses to all questions in the questionnaire can be specifically evaluated in terms of the established criteria (qualifications). This is necessary to avoid any disqualification based upon responses for which specific criteria have not been established.

The questionnaire should be constructed so that information concerning factors such as the experience of the bidder or the firm, facilities, if required, equipment, experience of principal personnel and financial ability and stability of a prospective bidder can be readily identified and properly evaluated in terms of the stated criteria.

The local contracting unit may wish to develop specific questions in the questionnaire that would serve to better evaluate the criteria for experience and the other qualifying factors that it considers important. For example, the local contracting unit may wish to require of a prospective bidder a minimum of so many years of experience. In addition, questions could be developed concerning how many other contractual obligations a contractor will have if he or she is the successful bidder on the project in question.

Standards could also be established regarding the availability of equipment that is owned by a prospective bidder to be used on the project, and if necessary, what equipment would have to be purchased or leased for use on the project.

Concerning financial conditions, the local contracting unit may require the prospective bidders to demonstrate their financial stability with assets exceeding liabilities. The local contracting unit could establish a list of what would not be considered liquid assets or working capital to assist it in making its evaluation. Consideration could also be given to the total corporate assets or net worth of not less than so much established by the local contracting unit. Of course, it would have to be understood that the questions related to

the financial condition of a prospective bidder would be used only for the purpose of establishing an individual's net worth, and the regulations would have to so state.

d. Development of Specific Criteria

The questionnaire should clearly indicate what specific criteria would be used for the evaluation of responses to the questions. Although the questions asked in a questionnaire may appear to be reasonable, we do not recommend that the evaluation of the questions be left to the discretion of the local contracting unit, its staff or consultants, without the benefit of previously established specific criteria.

SELECTION OF CONTRACTORS AND BIDDING PROCESS

Non-Profit-Owned Properties

Introduction

The prequalification process is a quality control measure employed by the New Jersey Historic Trust (Trust) to ensure that contractors have the skills, resources and experience needed to work on historic buildings or sites. According to the Grant Agreement (Section V of the General Terms and Conditions, Assignments and Subcontracts), the Trust must approve all potential bidders to ensure that they are acceptable and qualified prior to distribution of bid packets by Grantees.

For those properties owned and managed by non-profit organizations, prequalification procedures can be divided into four general steps:

- development of prequalification criteria and bidder's questionnaire by the grantee and their consultant;
- approval of the prequalification criteria and bidder's questionnaire by the Trust;
- distribution of bid packages including prequalification criteria and bidders questionnaire; and
- review and selection of the most responsible bidder.

Please note that properties owned by government entities but leased by non-profits are subject to the Trust's programmatic requirements including the application of Local Public Contracts Law (N.J.S.A 40A:11-25), specifically as it pertains to prequalification procedures for potential bidders. More information about this process can be found in section 4.9 of this manual.

Grantees must solicit statements of qualifications from all interested prospective bidders by issuing the above-referenced prequalification regulations and bidder's qualification form from all potential bidders. Grantees should **set** a deadline for all interested **prospective** bidders to submit their qualifications statements. If they so choose, grantees may publicly advertise—though they are not required to do so—in an effort to solicit completed statements of prequalification (this can be done in newspapers, trade publications etc.). However, ***those sites owned by government entities must publicly advertise***. More information can be found in section 4.9 of this manual. The grantee, project architect, and the Trust must review the completed qualification forms to determine which potential bidders meet the criteria set forth in the qualification statements. Those potential bidders that meet the qualification statements will be eligible to receive bid documents. **Grantee should allow two to three weeks for Trust review of potential bidders' qualifications prior to issuance of bid documents.**

Bids will be solicited from only those bidders deemed qualified according to the approved prequalification regulations. Bid packages will be reviewed and the lowest responsible bidder will be selected.

Additional Requirements

All government contracting units in New Jersey have responsibilities under the Business Registration of Public Contractors (P.L.2004,c. 57 – N.J.S.A52:32-44). All business organizations that do business with a local contracting agency are required to be registered with the State and provide proof of that registration

to the contracting agency before the contracting agency may enter into a contract with the business.

The purpose of contractor registration (which is separate from requirements of the Public Works Contractor Registration Act – see below) is to ensure that all businesses and their subsidiaries receiving government contracts pay appropriate sales and use, and other taxes. While sales and use taxes are not paid on government contracts, the requirement to register to obtain government contracts obligates them to comply with the law on non-government contracts.

Pre-qualified bidders are required to comply with the New Jersey Public Works Contractor Registration Act (N.J.S.A. 34: 11-56.48 et seq.). No contractor shall bid on any contract for public work as defined in N.J.S.A. 34:11-56.26 (New Jersey Prevailing Wage Act) unless the contractor is registered pursuant to the New Jersey Public Works Contractor Registration Act (NJPWCRRA). Further no contractor shall list a subcontract in a bid proposal unless the subcontractor is registered pursuant to the NJPWCRRA on the date and time for the receipt of bids.

Contractors and subcontractors not listed in a bid proposal cannot engage in the performance of any public work project subject to the contract unless the contractor or subcontractor is registered pursuant to the NJPWCRRA.

For a full understanding and additional information regarding the application of the NJPWCRRA grantees, potential contractors and subcontractors should contact the New Jersey Department of Labor at (609) 292-9464.

GUIDELINES & SUGGESTED FORMAT FOR PREQUALIFICATION REGULATIONS

The developed set of prequalification regulations are pertinent only for the particular project or service that a local contracting unit is contemplating. The Division of Local Government Services suggests that N.J.S.A. 40A:11-25 be carefully reviewed in establishing these regulations.

The Trust requires a local contracting unit to include specific standards and/or information in its prequalification regulations. These are specified below in the Guidelines under Statement of Bidders Qualifications. The other suggestions are offered for guidance purposes only. An example Prequalification Regulation, Statement of Qualification, and Bidders Questionnaire are provided after the guidelines in order to show suggested format and content.

- 1) A local contracting unit should consider a suitable format for its prequalification regulations. We offer the following suggestions:

- a. Statement of General Notice

This statement serves as a notice to all prospective bidders on the name of the project, particular features of the project, source of project funds and contact person.

The Statement of General Notice should also include the following language:

The project building or site is listed or is certified eligible for listing on the State and/or National Registers for Historic Places or the building or site is listed as contributing to the significance of an historic district listed on the State and/or National Registers for Historic Places. The work done on the project is subject to the review and approval for compliance with the *Secretary of Interior's Standards for the Treatment of Historic Properties* (revised 2017) by the Trust and the State Historic Preservation Officer.

- b. Statement of Bidder's Qualifications

This statement provides prospective bidders with a general description of what criteria will be used for the evaluation of their responses to the questions contained in the prequalification questionnaire.

The Statement of Bidder's Qualifications and Criteria for Evaluating Bidders' Qualifications **must** include the following minimum experience with historic preservation projects:

Potential bidders are required to provide verifiable, successful experience on at least two projects involving separate historic buildings or sites of similar scope as the subject work, completed in compliance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties* (revised 2017) within the five years preceding the date of the execution of the qualifications statement. At least one of these projects should have been reviewed and approved by a State Historic Preservation Office, or the New Jersey Historic Trust, or the historic review body of a county or municipal authority, or a preservation professional that designed the project and can substantiated that the project met the Secretary of Interior Standards.

General contractors are responsible for ensuring that all its subcontractors used on the project have sufficient experience on historic buildings for their respective trade(s) and will be held responsible for the quality of the work performed.

The Trust may also require, with the submission of bids, potential bidders to demonstrate verifiable successful experience in the specific application of certain conservation treatments applied to historic building materials.

General contractors are responsible for ensuring that all its subcontractors used on the project have sufficient experience on historic buildings for their respective trade(s) and will be held responsible for the quality of the work performed.

The Trust may also require, with the submission of bids, potential bidders to demonstrate verifiable successful experience in the specific application of certain conservation treatments applied to historic building materials.

c. Bidder's Questionnaire

In your development of all questions concerning the qualifications of a bidder, it is strongly suggested that questions be formulated so they lend themselves to specified evaluation criteria.

It is important the questionnaire be carefully constructed so that responses to all questions in the questionnaire can be specifically evaluated in terms of the established criteria (qualifications). This is necessary to avoid any disqualification based upon responses for which specific criteria have not been established.

The questionnaire should be constructed so that information concerning factors such as the experience of the bidder or the firm, facilities, if required, equipment, experience of principal personnel and financial ability and stability of a prospective bidder can be readily identified and properly evaluated in terms of the stated criteria.

The local contracting unit may wish to develop specific questions in the questionnaire that would serve to better evaluate the criteria for experience and the other qualifying factors that it considers important. For example, the local contracting unit may wish to require of a prospective bidder a minimum of so many years of experience. In addition, questions could be developed concerning how many other contractual obligations a contractor will have if he or she is the successful bidder on the project in question.

Standards could also be established regarding the availability of equipment that is owned by a prospective bidder to be used on the project, and if necessary, what equipment would have to be purchased or leased for use on the project.

Concerning financial conditions, the local contracting unit may require the prospective bidders to demonstrate their financial stability with assets exceeding liabilities. The local contracting unit could establish a list of what would not be considered liquid assets or working capital to assist it in making its evaluation. Consideration could also be given to the total corporate assets or net worth of not less than so much established by the local contracting unit. Of course, it would have to be understood that the questions related to

the financial condition of a prospective bidder would be used only for the purpose of establishing an individual's net worth, and the regulations would have to so state.

d. Development of Specific Criteria

The questionnaire should clearly indicate what specific criteria would be used for the evaluation of responses to the questions. Although the questions asked in a questionnaire may appear to be reasonable, we do not recommend that the evaluation of the questions be left to the discretion of the local contracting unit, its staff or consultants, without the benefit of previously established specific criteria.

QUARTERLY FORMANCE REPORT PROCEDURES

ATTACHMENT C-1

Articles IX and X of the Grant Agreement require the Grantee to keep the Trust informed of the performance of the grant project by submitting written reports on scheduled dates identified in Attachment D-1, section IV of the Grant Agreement. The Trust needs these reports in a standardized format in order to monitor the progress of the individual grant as well as the performance of the grant program as a whole. In monitoring an individual grant, the Trust uses the reports to authorize payments, and takes them into account, especially the timeliness and regularity of their submission, when reviewing an Application for Major Change. The Trust also uses the reports to brief the Garden State Preservation Trust, the Department of Community Affairs, and others.

Quarterly Performance Reports are submitted to the Trust using the **“Quarterly Performance Report & Reimbursement Form” in Attachment C-1** of the Grant Agreement. It reports activities for a pre-determined period immediately preceding its submission. As indicated on the Attachment C-1, for a quarterly performance report only page C-1.1 (checklist) and C-1.2 (the questions to answer) are submitted. A quarterly performance report can be e-mailed, rather than mailed, to the Trust if it does not include a request for reimbursement. **A report is required even if there is no activity within a reporting period.**

Reporting Schedule

Quarterly Reports are due to the Trust four times a year. The reports are to be received by the Trust by e-mail or mail on or before the date noted in the right column.

<i>Reporting Periods</i>	<i>Quarterly Due Date</i>
Jan. 1 – March 31	April 15
April 1 – June 30	July 15
July 11 – Sept. 30	Oct. 15
Oct. 1 – Dec. 31	Jan. 15

The Trust allows a fifteen-day grace period beyond the due date for receipt of reports. Failure to submit reports on a timely manner may result in termination of the grant.

If the need arises, the Trust may approve modifying the reporting schedule if requested by the Grantee in an Application for Major Change located on page D-2.3 in Attachment D-2 of the Grant Agreement (see Amending the Agreement in this Chapter).

Reporting During Periods of No Activity

The Trust understands that during the life of the grant, there may be times of little or no activity on the funded project. This does not relieve the Grantee of the reporting obligation until the project is closed out or the grant expires. This report should include: any update on the project, the reasons why there has been no activity, an updated schedule for the project, and a projection of estimated expenditures during the following reporting period.

Instructions for Completing Attachment C-1 Quarterly Performance Report & Reimbursement Form

Attachment C-1 is BOTH a **QUARTERLY PERFORMANCE REPORT and a REIMBURSEMENT FORM**. The first part of Attachment C-1 contains information for the Quarterly Performance Report (pages C-1.1 – C-1.3). The second part of Attachment C-1 contains the Reimbursement Form (pages C-1.4 – C-1.5). Reimbursement Forms must be submitted to the Trust with Quarterly Performance Reports; however, Quarterly Performance Reports can be submitted by themselves.

The first part of Attachment C-1 is the CHECK LIST for the Quarterly Performance Report portion and the Reimbursement section. For Reimbursement instructions, refer to section 4.30 of this manual.

1) **Current Status and Phase**

Phase: Many projects are broken out into several phases. If this is the case for your project, identify which phase the work described in the report pertains to (first, second, third, etc., or exterior, interior, carriage house, main house, etc.). The different phases are broken out in the D-1, Scope of Work.

Status: Circle the phase of work described in the report: pre-design, construction, closeout, etc.

2) **Project Team List**

In the first Performance Report as well as after the award of any new contract, include a list of the project team. This list should include the Name, Mailing Address and Phone Number of each firm involved in the project.

3) **Narrative Description**

Include a brief narrative description of the work completed during this reporting period and all work currently in progress. This narrative should reference items from the D-1 Scope of Work. Describe any accomplishments, problems or delays to the project. Any substantial deviations from the Scope, such as change orders, must receive prior approval from the Trust. See Section XII, Project Revision and Modification of the General Terms and Conditions in the Grant Agreement as well as Amending the Agreement later in this Chapter for further explanation.

4) **Current Project and Construction Schedule**

Provide an up-to-date schedule per phase for the project, including start and estimated completion dates, site meetings, etc. This schedule should reference items from the D-1, Scope of Work. Delays to the work schedule of more than ninety days must receive prior approval by the Trust. Refer to Article XII, Project Revision and Modification of the General Terms and Conditions in the Grant Agreement and Amending the Agreement later in this Chapter for further explanation.

5) **Photographs**

Attach photographs of work in progress and all completed work. Label all photographs with the name of the project, project number and date photograph was taken. Identify what the photograph is of, and what stage of construction the photograph is documenting (ex. Name of Historic Site, 2006.2115. West façade window, before restoration). Submit digital photographs.

6) **Other Materials**

Also include any other information relevant to the grant project: drawings, project meeting minutes, list/schedule change orders, newspaper articles, programming events, research, etc.

7) Certification

The person completing the report must sign. If there is a request for reimbursement included with the Performance Report, it cannot be processed without a signature from the Chief Financial Officer.

REIMBURSEMENT PROCEDURES

Before a reimbursement check can be issued:

- The property must be listed on the New Jersey or National Register of Historic Places.
- A photo of the installed Project Sign must be submitted to the Trust.
- Easement must be recorded (Non-Profit's only with grants over \$50,000).

To request a reimbursement of grant funds, the Grantee submits Attachment C-1 of the Grant Agreement. Attachment C-1 must include:

- Quarterly Performance Report (pages C-1.1 – C-1.3), refer to section 4.27 of this manual for instructions
- Request for Reimbursement Form (pages C-1.4 – C-1.5)
- State of NJ Payment Voucher (page C-1.6)
- Copies of invoices, architects certification for payment (if applicable), and corresponding cancelled checks attached to the invoices.

If you are closing out your project, refer to section 4.44.

Step 1: The QUARTERLY PERFORMANCE REPORT

To complete the Quarterly Performance Report, refer to page 4.27 in this manual. If you are closing out your project, see section 4.45 for more information.

Step 2: Completing the REQUEST FOR REIMBURSEMENT FORM

The REQUEST FOR REIMBURSEMENT Form, pages C-1.4 and C-1.5, request information about the Current Project Budget and expenses for which you are requesting reimbursement.

On page C-1.4, in the Costs this Period box, enter the total costs incurred during the period you are requesting reimbursement for. Please separate Non-Construction from Construction costs.

If you have submitted previous requests, enter the Cumulative Amount of Previous Requests in the appropriate box. To get the Balance Remaining, subtract the Costs this Period and Cumulative Amount of Previous Requests from the Total Approved Budget.

If there are any changes to the budget, please explain.

On Page C-1.5 please list all Payees, the Invoice Number, Check Number and the Amount for all ALLOWABLE expenses (costs) you are requesting reimbursement for during this period. Please keep in mind that sales tax, general legal fees, etc. are not considered allowable expenses and should not be added to the calculations. Use an additional sheet if necessary. **DO NOT** subtract the Historic Trust retainage at this point. Insert actual costs.

For each item listed, please enclose a copy of the Invoice and corresponding Cancelled Check stapled together. If the Invoice and Check amount do not match, please provide an explanation.

Total the costs listed. Take this amount and multiply it by the multiplier stated on line B Enter this amount beside "Amount Now Requested." The result is the amount you are requesting for reimbursement. The multiplier reduces the total project costs by the amount of your matching contribution and by the 5% retainage held by the Trust. The Grant's Retainage will be reimbursed to you once your project is complete and your Final Report is submitted to the Trust and approved.

The Multiplier: For those grant awards that are \$150,000 or less, the Total Cost in Period is multiplied by .57 to arrive at the Amount Now Requested. For those grant awards that are over \$150,000, the Total Cost in period is multiplied by 0.475 to arrive at the Amount Now Requested.

The request must be certified by the grantee's Chief Financial Officer/Treasurer (the person specified on page 1 of the Grant Agreement). Please contact Trust staff if the person included on page 1 as the CFO/Treasurer has changed.

Step 3: The STATE OF NEW JERSEY PAYMENT VOUCHER

Please complete the Payment reporting period, reimbursement amount, and the Grantee Certification located on the Payment Voucher (C-1.6). Here an **original** signature by your authorized CFO or Treasurer is required.

Upon receipt of the above, the NJHT Program Officer reviews the material by verifying the submission against the Scope of Work outlined in Attachment D-1 of the Grant Agreement; contacting the grantee if there are any discrepancies; making necessary changes; and then submitting the reimbursement to the NJHT Fiscal Officer for approval.

The NJHT Fiscal Officer completes the State Payment Voucher and submits it to the Department of Community Affairs Fiscal Division for review and processing.

The Department of Community Affairs Fiscal Division then requests that the Department of Treasury issue a reimbursement check. The check is mailed to the grantee at the address listed in the grant agreement. Please note that after the Reimbursement Request is processed by NJHT, it generally takes three weeks for a grantee to receive a check. The Trust recommends that Grantees register for the ACH system in order to receive the reimbursement electronically.

SAMPLE**ATTACHMENT C-1**

**Preserve New Jersey Historic Preservation Fund
QUARTERLY PERFORMANCE REPORT & REIMBURSEMENT FORM**

Project Number **2019.2198** Project Name: **Old School House of NJ**

Organization: **Friends of Old School House of NJ, Inc.**

Project Contact: Jane Doe Phone: 555-555-1234

Email: jane@email.com

Report Due Date: July 15, 2020 Reporting Period: from 4/1/2020 to 6/30/2020

Check List

Provide performance report items listed below. If reimbursement payment on grant is requested, also provide the reimbursement checklist items below. If there is no reimbursement request, the report can be e-mailed or sent hard copy. If there is a reimbursement, the report must be sent hard copy with original signatures and copies of the items below:

Quarterly Performance Report:

- ☒ Attachment C (pgs. C-1.1 – C-1.3)
- ☒ Current Status and Phase update (item 1)
- ☒ Project Team List (item 2) – remains the same from last report
- ☒ Narrative Description (item 3)
- ☒ Current schedule (item 4)
- ☒ Photographs (item 5)
- ☐ Other Materials (item 6: specify): drawings
 - ☐ project meeting minutes
 - ☐ list/schedule of change orders (if applicable)
 - ☐ Other: _____
- ☒ Signature Certification, page C-1.3 (item 7)

Reimbursement:

- ☒ Completed performance Report (as above)
- ☒ Attachment C-1, pgs. C-1.4 – C-1.5
- ☒ Copies of Invoices attached to corresponding cancelled checks
- ☒ State of New Jersey Payment Voucher (with original signature of CFO or Treasurer)
- ☐ Other attachments (specify): _____

Reporting Schedule: Performance Reports are due quarterly.

<i>Reporting Periods</i>	<i>Quarterly Due Date</i>
Jan. 1 – March 31	April 15
April 1 – June 30	July 15
July 1 – Sept. 30	Oct. 15

Oct. 1 – Dec. 31	Jan. 15
------------------	---------

1) CURRENT STATUS AND PHASE

Identify the current phase of work and circle the current status of the project.

Phase of Work (if applicable): _____

Status (Please Circle):

Pre-design	Schematic design	Design development	Contract documents
Bidding	Code review	Construction	Project close-out
Completed			

2) PROJECT TEAM LIST

First Performance Report: On a separate sheet, please list the Business Name, Mailing Address, Phone Number, Email Address, and Personnel, along with their title or role, for each consultant, contractor and sub-contractor involved in the project.

Subsequent Performance Report: Did your project team remain the same since the last report?

X yes ___no

If no, please explain any changes and list the above information for each.

3) NARRATIVE DESCRIPTION

On a separate sheet, please describe all work (a) currently in progress and (b) completed in this reporting period. Reference the Scope of Work, Attachment D-1. Please be thorough but concise.

All changes in the Scope of Work must receive prior approval from the New Jersey Historic Trust. Major changes will need an Application for Major Change completed by the grantee and signed off on by the Trust. Refer to Section XII, Project Revision and Modification, in the Grant Agreement for definition of major change and Attachment D-2.3 for the Application for Major Change form. Explain deviations.

4) CURRENT PROJECT AND CONSTRUCTION SCHEDULE

On a separate sheet please provide an up-to-date project schedule. Include estimated installation and completion dates for major work items being funded, dates when samples and mock-ups of funded items are to be reviewed for approval, time and location of upcoming job site meetings, and estimated project completion date. Establish and confirm this information from your professional consultant and/or contractor. Maintain a format consistent with the complete project specified in Attachment D-1.

All delays to the work schedule specified in Attachment D-1.III. to the Grant Agreement must receive prior approval from the New Jersey Historic Trust. Major changes (changes of more than 90 days) will need an Application for Major Change completed by the grantee and signed off on by the Trust. Refer to Section XII, Project Revision and Modification, in the Grant Agreement for definition of major change and Attachment D-2.3 for the Application for Major Change form. Explain all schedule deviations.

5) PHOTOGRAPHS

Attach hardcopy photographs (3 by 5" prints or larger) of funded work in progress. Please label all photographs with the project name, number, the date, and a brief description of the work depicted. You must also submit digital copies of the photographs on either a USB or via email to your program officer.

6) OTHER MATERIALS

Please attach any other significant activity of your organization such as drawings, project meeting minutes, research, project management, work schedules, marketing, or programming that is relevant to the funded work. Also, note any innovative or unusual techniques or materials used in the project work.

7) CERTIFICATION

We certify this report to be true and correct.

Submitted this 12 day of July, 2020.

Jane Doe

Signature of person completing report

Jane Doe

Name (printed)

3. Narrative Description

Work completed in the last quarter (April 1 – June 30, 2020)

After bid negotiations to bring the construction work more within range of our budget, a contract was signed with ABC Architects on May 18th, 2020 in the amount of \$982,895. These negotiations eliminated some masonry work originally proposed on the brickwork of the School House Annex, but the essential scope of the proposed project, including the complete exterior rehabilitation of the original massing of the building, was preserved. There were also some alternates listed in the contract pending discovery of conditions as work progressed. The Trust reviewed the finalized contract documents and approved them. Substantial completion of the work is to be achieved within 270 days.

Scaffolding work began on June 5th 2020, and soon thereafter the demolition of the roof began, as well as the removal of the aluminum siding at the pediment and cornices. Re-roofing followed the demolition rather quickly, thus minimizing exposure to weather. Masonry work also began at the base of the building.

Project team members have attended construction meetings every fourth Tuesday, and site observations have been scheduled every other Tuesday. On June 28, 2020, the architect approved the first application for payment to XX General Contractor in the amount of \$13,320. Here follows a status report by the general contractor at a project meeting held on June 27, 2020.

- G.C. has completed 80% of the demolition of the existing roof area.
- G. C. has removed the cornice area for 60 feet due to the tremendous amount of failure in the wood framing on the South Side and 10 feet on the North Side and started rebuilding this area.
- G.C. has installed the one-inch plywood in the gutter linings for the North & South sides of the main massing of the school house building.
- Scaffolding has been completed for the North and South sides of the school house. Removal of the aluminum siding on the East Wall entrance has been completed.
- Exploratory work at the Front Entrance carpenter's lace has been uncovered.
- Cleaning out of the joints of the Front Steps is presently being completed.

4. Current Project and Construction Schedule

The construction is moving ahead according to schedule. In fact perhaps a bit ahead of schedule (See preliminary schedule, 1/1/20 attached)

5. Other Materials

Meetings, educational programming, and community activities have been able to continue rather normally. The construction work has not interfered to any great extent. We are planning a 140th anniversary celebration this fall on November 4th.

ATTACHMENT C-1

Preserve New Jersey Historic Preservation Fund
REQUEST FOR REIMBURSEMENT

Project Number: **2019.2198** Project Name: **Old School House of NJ**

Organization: **Friends of Old School House of NJ, Inc.**

Reporting Period: from: 4/1/2020 to: 6/30/2020

Current Project Budget

Total approved budget for each category should correspond with the categories on Attachment B of the Grant Agreement.

Categories of Work	Total Approved Budget	Costs this Period	Cumulative Amount of Previous Request	Balance Remaining
A. Non-Construction	15,000.00	8,188.00	0	6,812.00
B. Construction	125,000.00	13,320.00	0	111,680.00
E. Total	\$140,000.00	\$21,508.00	\$0	\$118,492.00

Please explain any changes or deviations to Budget here:

ATTACHMENT C-1

Preserve New Jersey Historic Preservation Trust Fund

REQUEST FOR REIMBURSEMENT

Project Number: **2019.2198**Project Name: **Old School House of NJ**Organization: **Friends of Old School House of NJ, Inc.**Reporting Period: from: 4/1/2020 to: 6/30/2020

Attach photocopies of each invoice to the cancelled checks in the order that they appear below.
 Append continuation pages as necessary. (Note: A 5 % retainage must be deducted from reimbursement. Calculate as instructed under line B. below.)

Payee	Invoice	Check #	Cost	(NJHT use only) Approved Cost
XX General Contractor	1	101	\$13,320.00	
ABC Architects	5	155	\$ 8,188.00	
Total Cost: (Allowable Expenses this period)			\$ 21,508	\$

- A. Total Grant Amount \$140,000.00
- B. Amount Now Requested \$12,259 (Total Cost in period x .57)
- C. Amount Previously Requested \$ 0
- D. Balance of Remaining Grant [A-(B+C)] \$127,741.00

I certify that the above disbursements for which reimbursement is requested have been made in accordance with the standards and conditions contained in the Grant Agreement with the New Jersey Historic Trust.

7/12/20 John Smith John Smith
 Date Name and Title of **Chief Financial Officer** Signature

**Front Copy of CANCELLED
CHECK**

AMOUNT MATCHES
CORRESPONDING INVOICE

**Back Copy of CANCELLED
CHECK**

SIGNATURE OF DEPOSITER
SHOWN

Please note: A cancelled check must show that the transaction was posted to the account. Other acceptable forms of proof of payment include a municipal or county payment voucher fully executed with all required signatures, a monthly bank statement showing the transaction, or a copy of a check showing the payment amount and date it was posted to the account.

*ABC Architects***Invoice for Architectural Services**

Invoice No.: 1

Date: April 5, 2020

FOR PROFESSIONAL SERVICES RENDERED: January 1 – March 31, 2020

PROJECT No. 2043 Description: Old School House of New Jersey

Architectural/Engineering Services: \$8,188.00

Reimbursable Expenses: \$0

Total Current Services and Expenses \$8,188.00

Unpaid Previous billings: \$0

Total Now due: \$0

	Contract	%	Amount	Previously	Due This
Description	Amount	Complete	Billed	Billed	Invoice
Documentation/Survey	\$21,360	38%	38%	\$0	\$8,188
Design	\$32,040	0%	0%	\$0	\$0
Archeology	\$10,000	0%	0%	\$0	\$0
Const. Administration	\$17,800	0%	0%	\$0	\$0

APPLICATION AND CERTIFICATE FOR PAYMENT AIA DOCUMENT G702 (Instructions on reverse side) 1 OF 2 PAGES

TO OWNER: [REDACTED] PROJECT: SCHOOLHOUSE EXTERIOR RESTO APPLICATION NO. 1 Distribution to:
 FROM CONTRACTOR: Haverslick-Borthwick 400 Stenton Avenue Plymouth Meeting, PA 19462 VIA ARCHITECT: Historic Building Architects 312 W. State Street Trenton, NJ 08618
 CONTRACT FOR: [REDACTED]

PERIOD TO: 9/1/2002
 PROJECT NOS.: 02.1211.00
 CONTRACT DATE: 7/19/2002

☐ OWNER
☐ ARCHITECT
☐ CONTRACTOR

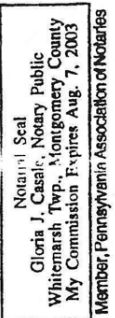
CONTRACTOR'S APPLICATION FOR PAYMENT
 Application is made for payment, as shown below, in connection with the Contract, Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM	198,700.00
2. Net change by Change Orders	0.00
3. CONTRACT SUM TO DATE (Line 1 + 2)	198,700.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	14,800.00
5. RETAINAGE:	
a. <u>100</u> % of Completed Work (Columns D + E on G703)	1,480.00
b. <u>0</u> % of Stored Material (Column F on G703)	
Total Retainage (Line 5a + 5b or Total in Column I of G703)	1,480.00
6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5 Total)	13,320.00
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	0.00
8. CURRENT PAYMENT DUE	13,320.00
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	185,380.00

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner		
Total approved this Month		
TOTALS		
NET CHANGES by Change Order		

CONTRACTOR: Haverslick-Borthwick Date: 9/1/02
 By: Edward Sufentani
 State of: Pennsylvania
 County of: Montgomery
 Subscribed and sworn to before me this 12th day of Sept 2002

Notary Public: Gloria J. Casale 8-7-03
 My Commission expires: 8-7-03



ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED. Three hundred and twenty 00/100 \$ 13,320.00

AMOUNT CERTIFIED \$ 13,320.00

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT: Historic Building Architects Date: 9/13/02
 By: Michael J. D'Amico
 This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CAUTION: You should use an original AIA document which has this caution printed in red. An original assures that changes will not be obscured as may occur when documents are reproduced.

CONTINUATION SHEET

AIA DOCUMENT G703 (Instructions on reverse side)

1 OF 2 PAGES

AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification, is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO.: 181

APPLICATION DATE: 9/1/2002

PERIOD TO: 9/1/2002

ARCHITECT'S PROJECT NO.: 02.1211.00

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D + E + F)	H BALANCE TO FINISH (C - G)	I RETAINAGE (IF VARIABLE) RATE
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD				
01	PERMIT	5,500.00		5,500.00		5,500.00		550.00
02	BOND	4,500.00		4,500.00		4,500.00		450.00
03	MOBILIZATION	4,800.00		4,800.00		4,800.00		480.00
04	TRASH	4,000.00					4,000.00	
05	TEMP FACILITIES	3,000.00					3,000.00	
06	ALLOWANCES	3,000.00					3,000.00	
07	SCAFFOLD ERECTION	22,000.00					22,000.00	
08	SCAFFOLD REMOVAL	22,000.00					22,000.00	
09	SCAFFOLD RENTAL	13,000.00					13,000.00	
10	CONCRETE	1,400.00					1,400.00	
11	MASONRY MOCK-UP	2,500.00					2,500.00	
12	MASONRY MOBILIZATION	1,000.00					1,000.00	
13	MASONRY N. ELEVATION	12,800.00					12,800.00	
14	MASONRY S. ELEVATION	14,200.00					14,200.00	
15	CHIMNEY	2,000.00					2,000.00	
16	MISC. METAL	3,500.00					3,500.00	
17	CARPENTRY GUTTERS	10,000.00					10,000.00	
18	CARP ROOF SHEATHING	10,000.00					10,000.00	
19	CARP GABLE BLOCKING	22,000.00					22,000.00	
20	PAINT	3,500.00					3,500.00	
21	CLEAN UP	10,500.00					10,500.00	
22	SUPERVISION	23,500.00					23,500.00	
	Totals	198,700.00		14,800.00		14,800.00	183,900.00	1,480.00

AIA DOCUMENT G703 • CONTINUATION SHEET FOR G702 • 1992 EDITION • AIA® • ©1992 • THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVENUE, N.W., WASHINGTON, D.C. 20006-5292 • WARNING: Unlicensed photocopying violates U.S. copyright laws and will subject the violator to legal prosecution.

G703-1992



CAUTION: You should use an original AIA document which has this caution printed in red. An original assures that changes will not be obscured as may occur when documents are reproduced.



NJ Department of Community Affairs
Transmittal and Payment Voucher

Date: _____

To: New Jersey Historic Trust, PO Box 457, Trenton, NJ 08625

Payee Reference:

Project #: **2019.2098**

Project Name: **Old School House of NJ**

Reimbursement # _____

Grantee: Friends of Old School House of New Jersey, Inc.

Grant Agreement Begins: **6 / 1 / 2020** Ends: **6/1/2023**

Payment Reporting Period _____ to _____

Reimbursement Amount \$ _____



Grantee Certification:

I certify that the within Fiscal Monitoring Report Payment Voucher is correct in all its particulars and the described goods or services have been furnished or rendered and that no bonus has been given or received on account of said document.

John Smith
 Typed Name of CFO/Treasurer

John Smith
 Original Signature
 use BLUE or Red ink only

 Date

NJHT Certification:

I certify that the articles have been received or services rendered as stated herein.

Carrie Hogan, Fiscal Officer
 NJHT Representative

 Signature

 Date

Division Fiscal Certification:

«ID» GO # 022-8049800- _____ LN__1__ \$_____.
 Vendor ID #

PERMENANT MARKER

Recipients of capital grants of \$50,000 or greater are required to install a sign recognizing the history of the resource and acknowledging the Trust funding.

The minimum requirement is a permanent metal (bronze or brass) plaque, mounted on the building exterior. The Trust's preference is a sign that is integrated with the grant funded project, such as paving, etched glass, or wall tiling (see below).

The sign must be permanently installed by the end of the grant expiration and before the grant retainage can be paid out. **The sign text must be approved in advance** by the Trust and include the following information: date of structure, name (both from Register nomination), year listed in New Jersey and/or National register and a brief description of historical significance. The Trust recommends that you work with your consultant and contractor early in the process so that the plaque is ready for installation at or prior to grant close-out.

The Trust encourages grantees to devise a way to integrate creatively this sign into the architecture of the building. This could be done in any number of ways including the following:

- One or more commemorative tiles into a restored tile floor or masonry wall.
- The creation of an etched panel of glass or metal panel set into a recess or window.
- The addition of information to a pre-existing design or matching a pre-existing plaque.
- Acknowledgement as part of wayside signage.



The language used to credit the Trust shall read as follows:

“Funding has been made possible in part by the Preserve New Jersey Historic Preservation Fund administered by the New Jersey Historic Trust / State of New Jersey”

FINAL REPORT AND RETAINAGE INSTRUCTIONS ATTACHMENT C-2

Attachment C-2 is BOTH a FINAL PERFORMANCE REPORT and RETAINAGE REIMBURSEMENT FORM. The first part of Attachment C-2 of the Grant Agreement contains information for the Final Performance Report (pages C-2.1 – C-2.3). The second part of Attachment C-2 contains the Retainage Reimbursement Form (pages C-2.4 – C-2.6). Both parts of the form need to be complete in order to closeout your grant. Below are instructions for completing the form.

1) Current Status and Phase

Phase: Many projects are broken out into several phases. If this is the case for your project, identify which phase the work described in the report pertains to (first, second, third, etc., or exterior, interior, carriage house, main house, etc). The different phases are broken out in the D-1, Scope of Work.

Status: Circle the phase of work described in the report: pre-design, construction, closeout, etc.

2) Final Project Team List

Provide a list of the project team members used during the project. This list should be inclusive of all members and include the Name, Contact Person, Mailing Address and Phone Number of each firm.

3) Narrative Description

Include a summary narrative description of all work completed under this grant. This narrative should reference the D-1 Scope of Work of the Grant Agreement. Describe any changes to the scope, accomplishments, problems or delays to the project.

4) Final Photographs

Attach hard copy or digital photographs of all completed work including “before and after” overview images (unless previously submitted). Label all photographs with the name of the project, project number, date photograph was taken and a description of the image. Digital copies of the photographs must also be submitted on either a USB or via email to your program officer. In addition to photos detailing the work, the Trust requests “before and after” photos as well as people working on the building.

5) Photograph of Permanent Plaque (capital grants in excess of \$50,000)

Grantees are required to post a sign or plaque on the building once the grant-funded project is complete. **This sign must be approved in advance** by the Trust and include the following information: date of structure, name (both from Register nomination), year listed in New Jersey and/or National Register and a *brief* description of historical significance. See page 4.43 of this manual for a description of the plaque requirements.

6) Other Materials

Also include any other information relevant to the grant project: drawings, project meeting minutes, list/schedule change orders, newspaper articles, programming events, research, etc.

7) Final Employment Figures

These should be obtained from BOTH the ARCHITECT and CONTRACTOR stating the approximate number of Professional personnel and the number of Trade personnel employed on the project (combined, full and part-time).

8) As-Built Drawings

Ensure that the Trust has a set of final documents reflecting the project at close-out. Grantees/Consultants should mail two, bound, full-size copies of the as-built drawings to the Trust.

9) Certification

The person completing the report must sign page C-2.3.

10) Final Project Budget

Complete page C-2.4 of the Grant Agreement. If you are only requesting payment of retainage, then “costs this period” should equal 5 % of the total grant award held as retainage. The “balance remaining” should equal \$0.00.

11) Retainage Form

Complete page C-2.5 of the Grant Agreement. Only complete the “Additional payments since last report” table if there are copies of invoices and corresponding cancelled checks not submitted in previous reports. If you are requesting reimbursement for work items in addition to the 5% retainage, on line B you’ll list the total amount of expenses in this period multiplied by your specific multiplier (For grants under \$150,000, the multiplier is 0.57; for grants in excess of \$150,000, the multiplier is 0.475.). You will then list the total retainage on line C (5% of your total grant award). Line D will list the total amount you are requesting in this reimbursement (line B + line C). On line E, please include the amount previously requested. Line F, "Balance of Grant Remitted" is equivalent to the Total Grant Amount minus the sum of the Amount Now Requested and the Amount Previously Requested. If the amount requested is equivalent to the grant award, then the Balance of Grant Remitted should be \$0.00. If the Amount Requested is less than the grant award. Any unused funds are returned to the Trust to help fund other grant projects. The form must include an **original signature** by the authorized CFO or Treasurer.

12) State Payment Voucher

This page must include an **original signature** of the authorized CFO or Treasurer in blue or red ink **only**. The CFO/Treasurer is noted on Page 2 of the Grant Agreement.

13) Financial Audit.

Please be aware that the submittal of an audit may be necessary prior to the release of final grant funds. Audits are required for grant expenditures (combined state and federal, if applicable) of more than \$350,000 within a grantee’s fiscal year. See section XI of the General Terms and Conditions in the Grant Agreement for further information.

SAMPLE
ATTCHMENT C-2

Preserve New Jersey Historic Preservation Fund

CAPITAL PRESERVATION GRANT

FINAL REPORT & RETAINAGE FORM

Project _____ Project Name: _____

Organization: _____

Project Contact: _____ Phone: _____

Email: _____

Date: _____

Check List

The following Items are to be included in the final report. The report must be sent hard copy to the Trust with original signatures.

Final Report:

- _____ Attachment C-2, pgs. C-2.1 – C-2.3 completed and signed
- _____ Current Status and Phase update (item 1)
- _____ Final Project Team List (item 2)
- _____ Narrative Description (item 3)
- _____ Final Photographs (item 4)
- _____ “Before and after” photographs
- _____ Photograph of permanent plaque
- _____ Letter from project architect certifying project is complete
- _____ Other Materials (item 5: specify): _____
- _____ Final employment figures
- _____ Total project cost
- _____ As-built drawings
- _____ Signature Certification on page C-2.3
- _____ Financial audit (if applicable)

Reimbursement:

- _____ Attachment C-2, pgs. C.4 – C.5 completed and signed
- _____ Copies of Invoices attached to corresponding cancelled checks not presented in previous reports
- _____ State of New Jersey Payment Voucher (with original signature of CFO or Treasurer)
- _____ Other attachments (specify): _____

1. CURRENT STATUS AND PHASE

Identify the current phase of work and circle the current status of the project. Phase of Work (if applicable): _____

Status (Please Circle):

Bidding

Code Review

Construction

Project Close-out

Completed

2. FINAL PROJECT TEAM LIST

Please list the Business Name, Mailing Address, Phone Number, Email Address, and Personnel, along with their title or role, for each consultant involved in the project.

3. SUMMARY OF PROJECT

On a separate sheet, please describe the funded project, from beginning to completion. Reference the Scope of Work, Attachment D-1. Please be thorough but concise, particularly noting changes to the project from originally anticipated.

All changes in the Scope of Work must receive prior approval from the New Jersey Historic Trust. Major changes will need an Application for Major Change completed by the grantee and signed off on by the Trust. Refer to Section XII, Project Revision and Modification, in the Grant Agreement for definition of major change and Attachment D-2.3 for the Application for Major Change form. Explain deviations.

4. FINAL PHOTOGRAPHS

Photos of completed project: Attach hardcopy photographs (3 by 5" prints or larger) or color-printed images on photo quality paper. Please label the photographs with the project name, date, and a brief description of the work depicted. Provide images of resource before project began and at completion. Include photographs of craftspeople and contractor staff at work. You must also submit digital copies of the photographs. You can submit the digital photos on either a USB or via email to your program officer.

Photo of Permanent plaque: Grantees are required to post a permanent sign or plaque on the building before completion of the project. The sign must be approved in advance by the Trust and include the following information: date of structure, name, and a brief description of historical significance. The plaque must credit the Trust grant and read as follows: *"Funding has been made possible in part by the Garden State Historic Preservation Trust administered by the New Jersey Historic Trust, State of New Jersey."* See the Grant Manual for more specific information about the permanent plaque.

5. OTHER MATERIALS

Final Employment Figures: These should be obtained from BOTH the Architect and Contractor, stating the number of professional personnel and the number of trade personnel employed on the project (combined, full and part-time).

Please enter the required information below:

____ No. of Professional Personnel Employed

____ No. of Non-Professional (Trade/Construction) Personnel Employed

As-Built Drawings: Provide a final, revised set of drawings for the funded project, reflecting the project as completed.

Other: Please attach any other significant activity of your organization since the last report, such as drawings, project meeting minutes, research, project management, work schedules, marketing, or programming that is relevant to the funded work. Also, note any innovative or unusual techniques or materials used in the project work.

6. CERTIFICATION

We certify this report to be true and correct. Submitted this ____ day of _____, 20____.

Signature of person completing report

Name (printed)

Project Name:
Project Number:

ATTACHMENT C-2

Preserve New Jersey Historic Preservation Fund

CAPITAL PRESERVATION GRANT

FINAL REPORT & RETAINAGE FORM

Project Number:_____ Project Name:_____

Organization: _____

Final Project Budget

Total approved budget for each category should correspond with the categories on Attachment B of the Grant Agreement.

Categories of Work	Total Approved Budget	Costs this Period	Cumulative Amount of Previous Request	Balance Remaining
A. Non-Construction				
B. Construction				
E. Total	\$	\$	\$	\$

Please explain any changes or deviations to Budget here:

Preserve New Jersey Historic Preservation Fund

CAPITAL PRESERVATION GRANT

FINAL REPORT & RETAINAGE FORM

Project Number: _____ Project Name: _____

Organization: _____

Additional Payments since last Report: Attach photocopies of any additional grant-related costs incurred. Provide the invoice and corresponding cancelled checks, stapled together, in the order that they appear below. Append continuation pages as necessary.

Payee	Invoice	Check #	Cost	(NJHT use only) Approved Cost
Total Cost: (Allowable Expenses this period)			\$	\$

A. Total Grant Amount \$ _____

B. Total cost in this period x multiplier \$ _____
(if any)

C. Retainage (5% of Grant Amount) \$ _____

D. Amount Now Requested \$ _____
(total costs in this period
+ retainage)

E. Amount Previously Requested \$ _____

F. Balance of Grant Remitted
[A - (D+E)] \$ _____

I certify that the above disbursements for which reimbursement is requested have been made in accordance with the standards and conditions contained in the Grant Agreement with the New Jersey Historic Trust.

Date

Name and Title of **Chief Financial Officer**

Signature

AMENDING THE AGREEMENT

The General Terms and Conditions of the Grant Agreement are non-negotiable and cannot be changed during the Agreement Period. During the course of design and construction, however, situations may arise which change the scope and budget and/or delays the work period schedule of the funded project. Article X, “Monitoring Program Performance,” section B lists conditions that may impact the funded work. Article XII, “Project Revision and Modification,” addresses amending project-specific terms and conditions which are contained in Attachments A and D-1.

Amendments to the schedule, budget, scope, and professional design team of the funded project are major changes and require written approval by the Trust. It is the Grantee’s responsibility to notify the Trust as soon as possible of any problems with finances, the Scope of Work or personnel which may trigger the need to amend the D-1 (see pages 4.28 Quarterly Performance Reports and 4.3 Communications During the Work Period of this Grant Manual). In the past, these problems have included cash flow interruptions, receipt of bids in excess of available funds, changes to the Scope of Work due to new discoveries, or delays by the project design team or contractors. The Trust will work with you to remedy the problem within the grant program’s regulations and guidelines. It is the Grantee’s responsibility to formally propose a remedial amendment by submitting an Application for Major Change.

Requests for Major Change

The “Application for Major Change” is Attachment D-2 (page D-2.3) in your Grant Agreement. First discuss the situation with the Trust staff. If the following kinds of amendments to Attachments A, B or D-1 are requested, you will need to submit this request in the form of an Application for Major Change:

- any extension of time beyond the dates specified in Attachment D-1, Section IV “Project Schedule,” only granted in rare cases of extreme extenuating circumstances
- certain line-item budget changes resulting from refinement, clarifications or changes to the Scope of Work in Attachment B, “Budget Summary” or Attachment D-1, Section IIIB “Schedule of Values”
- any omissions, additions or substantive revisions of work items listed in Attachment D-1, Section IIIA “Scope of Work” or Section IIIB “Schedule of Values”
- any removals and substitutions of previously approved design professionals or consultants identified in Attachment D-1, Section IIIA “Narrative Description” or Section IIIB “Schedule of Values”

The Grantee completes and signs an “Application for Major Change” form accompanied by a cover letter justifying why the change is warranted and a clear statement of the proposed change. All requests are subject to review and approval by the Trust. The Trust is not obliged to accept proposed changes and reserves the right to reject or to accept them with conditions. The Trust issues a written response to the application using the following guidelines:

Amending the Project Schedule

In the case of a project which is otherwise on schedule, the Trust may allow brief time extensions for intermediate deadlines up to the Agreement Period Expiration Date. The Agreement Period Expiration Date is a firm and automatic deadline, and the Trust will evaluate all requests for time extensions with reference to that date. Time extensions are likely to be granted to Grantees who have been timely and up

to date in reporting to the Trust and projects which are likely to be substantially complete by the Agreement Period Expiration Date. In order for the Trust to process a request to amend the project schedule, the application must include a revised schedule identifying the dates of all subsequent milestones in the agreement. The Trust will only amend the Agreement Period Expiration Date ***under extraordinary circumstances.***

Amending the Budget

Before the work is bid, minor changes to the budget may not require an Application for Major Change. During this time, the Grantee is required to inform the Trust in the performance reports of any line-item changes resulting from refinements to the budget such as upgrading cost figures to quantity take-offs from ballpark estimates. The Trust will review the revisions, may discuss them with you, and inform you if an Application for Major Change is needed. *Once the work is bid*, only limited changes among divisions within the Schedule of Values may be permitted, and these must be requested by an Application for Major Change. In order for the Trust to process the Application, it must be accompanied by a revised schedule of values using the same format present in Attachment D-1 of the agreement. *Throughout the Agreement Period*, non-construction costs eligible for reimbursement will not be allowed to exceed 20% of the total construction costs.

Amending the Scope

All changes to the Scope of Work need to be brought to the attention of the Trust's program officer who will review each request for compliance with the *Secretary of the Interior's Standards*. Minor changes which do not substantially alter the objectives or outcome of the project, such as substituting an equivalent method or material for the one specified, may not require an Application for Major Change but still requires consultation with the Trust staff. Other changes which result in the omission or revision of work items identified in the Scope of Work in the agreement, or addition of new items to the scope, must be requested in an Application for Major Change and approved prior to execution. In order for the Trust to process the Application, a revised narrative statement, Scope of Work and Schedule of Values using the same format present in Attachment D-1 of the Agreement, must accompany it. The Trust is not obligated to reimburse the Grantee for the cost of any work item modified from the original Scope of Work until the amendment is in effect.

Amending the Approved Design Team

An Application for Major Change is needed in the unlikely event that the project's approved design team is replaced with another firm. In order for the Trust to process the Application, it must be accompanied by a statement of the proposed firm's qualifications to complete the work. The Trust will review the qualifications using the *Secretary of the Interior's Professional Qualifications Standards*, the same criteria used in approving the selection of all consultants for work in its grant-assisted projects (see section 2.9 - Selection and Procurement of Consultants). The Trust is not obligated to reimburse the Grantee for the cost of any fees invoiced by or paid to the replacement firm until the amendment is in effect.

PUBLICITY FOR YOUR PROJECT

Publicity can play an important role in your project. This section outlines ideas that can be used throughout your project.

Why publicize your project?

- Maintains visibility for your project and your organization during restoration.
- Helps in your fundraising campaign.
- Increases attendance and/or membership.
- Helps to promote historic preservation in New Jersey and to insure ongoing funding for the NJHT.

What are good public relations opportunities?

- Grant award announcements and check presentations.
- Project milestones such as groundbreaking ceremonies, ribbon cutting, partial project completion, or coordinated with a special restoration process.
- Tours.
- Special events.
- Profiles of volunteers or special craftsmen.

Public Relations Planning

- Tailor your PR plan to what your organization can sustain both in terms of time and money. Your plan may range from paid media consultant to appointed staff person to volunteers.
- Identify the audience you want to reach and then determine the best outlets for reaching that audience-local community, state or regional audience, government officials, organizational members, preservationists, etc.
- PR outlets include newspapers, magazines, specialized periodicals, radio, television (local cable channels), and your own organization's newsletter, brochures, and posters.
- Utilize your organization's own social media presence (on Facebook, Twitter, Instagram) and be sure to engage with NJHT on these platforms using our handle @njhistorictrust.
- Engage with NJHT's heritage tourism website by nominating your visitor-ready historic resource for inclusion at <http://www.journeythroughjersey.com>, adding the Journey Through Jersey logo to your website or newsletter, and tagging us on social media using @journeythroughjersey and #journeythroughjersey. You can find the Journey Through Jersey logo at <https://www.nj.gov/dca/njht/resources/grantees/> under "Project Sign and Logos."

- Make sure your PR plans are linked to your organization's mission. What is your organization trying to accomplish now? Five years from now? How can PR help you towards your goals?

Some Tips for Public Relations

- Maintain a computerized list of contacts and update it frequently. Telephone to find out the name and title of the most appropriate person to contact.
- Press releases should be neat, organized, and concise. The first paragraph should answer who, what, where, when and why. Follow the inverted pyramid model of placing information in order of diminishing importance.
- Follow up is extremely important. Call to make sure your release has been received and to find out if you can provide any additional information. If you really need a story in your local newspaper, hand carry it to the paper and try to say a few words explaining its importance to the editor. Newspapers are a business – you can help them sell their product by giving them great story ideas.
- Always thank the press by calling or sending a note to let them know that you appreciate their coverage. If possible, indicate how the coverage helped your organization, e.g. verbal or written feedback from constituents or increased attendance at an event.
- Whenever possible try to include a photograph with your release. Successful grantees always have a camera in their pocket, ready to photograph interesting aspects of the restoration, as well as important visitors and events at your site.
- Have good photo opportunities in mind before the press come to visit. They may want to find their own views, but this may be helpful to them and save them time.
- Have a file or display of historic photographs available for the press when they come to visit your site. Have extra prints available for the press or be prepared to make copy prints quickly.
- Remember that most media stories, in particular feature articles, need an angle or “hook”. Be on the lookout for human-interest stories related to the restoration – special craftsmen or restoration techniques, volunteers who have worked tirelessly, interesting or unusual fundraising projects, etc.
- Make sure you know the deadlines. Magazines usually require six months; weekly or daily newspapers one to three weeks. Don't send releases too early or too late.
- Special supplements to newspapers, such as the spring and fall home improvement sections are good venues for articles on a restoration project, house tour, or garden tour.
- Send press releases to more than just the “press”. Send press releases to organizations that might include it in their newsletter e.g. the county historical commission, local chamber of commerce, Preservation New Jersey, the State Historic Preservation Office, local community organizations, or other local historic sites or museums.
- Send press releases to your donors. This lets them know the progress of the restoration and keeps your organization's name in front of them. In addition, if you have acknowledged their contributions in the release, it assures them that their contribution is

being recognized. It is good PR for the donors. Letters to the editor can also serve as PR. Thank volunteers and/or the community after a special event.

- Maintain a clippings file or scrapbook and evaluate it periodically to make sure that your message is getting out.

REMEMBER TO CREDIT THE NEW JERSEY HISTORIC TRUST
AND THE PRESERVE NEW JERSEY HISTORIC PRESERVATION FUND IN ALL
PUBLICITY!

Chapter 5 - PRESERVATION EASEMENT

OVERVIEW

Under the rules governing the Garden State Historic Preservation Trust Fund Program (N.J.A.C. 15:34), properties owned by tax-exempt nonprofit organizations that receive more than \$50,000 in grant monies are required to grant a preservation easement to the New Jersey Historic Trust. Properties owned by municipal, county or State governments are not required to grant an easement.

What is an easement and why is it a requirement for awarding a matching grant?

A preservation easement is a legal agreement between two parties, made to ensure the long-term preservation of a property by restricting activities that might harm the historic character of that property. An easement places specific restrictions on a property and then conveys the right to enforce those restrictions to the holder of the easement – in this case, the New Jersey Historic Trust. The Trust's easement prohibits demolition and restricts the right to alter or add to the building(s) or site in ways that could compromise historic and architectural qualities. By requiring an easement on properties receiving matching grants, the New Jersey Historic Trust ensures that the investment of State funds in Preserve New Jersey Preservation Fund grants will continue to benefit the public after the completion of such projects. Easements are not required for government owned buildings since these properties are regulated by the State Historic Preservation Office.

Who grants the easement to the Trust?

The grant recipient and all those with an ownership interest in the property must sign the easement as the easement “grantor”. The Trust, as recipient of the easement, is the easement “grantee”.

How long does the easement remain in effect?

The length of time the easement will be in effect is dependent on the size of the grant as stated below.

Grant Amount	Easement Period
\$50,001 - \$100,000	15 years
\$100,001 - \$450,000	20 years
more than \$450,000	30 years

Those organizations that currently have an easement with the Trust will execute an amendment to the original document extending the remaining term of the easement by the appropriate number of years based on the amount of the grant and if necessary, revising the covered features.

An easement must be recorded before the Trust will disburse any grant funds. An easement becomes effective when the *final* grant payment is processed by the Historic Trust. The easement's expiration date is calculated from the date the grant agreement expires.

How much of the property is protected by the easement?

As a general principle, the Trust's easements protect features funded under the grant. For instance, when exterior work is funded, an easement on the exterior is required, which will include covering those

features for which grant money was given.

What are the obligations of the grantor?

The grantor of an easement must maintain the property in good condition. After a project is completed, the grantor must submit an Annual Easement Report to the Trust, starting one year after final payment.

Failure to meet the obligations of the easement may result in the forfeiture and repayment of past NJHT grant funds for the property.

NOTE: Prior approval is required for proposed work that will affect property features protected under the easement (refer to section 5.5 of this manual for more information). The Trust uses the *Secretary of Interior's Standards for the Treatment of Historic Properties* in approving or rejecting proposed alterations to the property during the term of the easement. The Trust can perform periodic site inspections in order to ensure that this obligation is being met. A sample copy of the Request for Approval – Schedule E is located within the easement document.

The easement grantor also agrees to make the property accessible to the public. No additional public access is required of properties generally accessible to the public, e.g. a public library, house museum or park. In these cases, the easement simply stipulates that the existing level of public access is to be maintained. For properties not open to the public on a regular basis, a *minimum* of twelve opening days per calendar year is required.

PREPARING & RECORDING THE EASEMENT

Please note that for Easements, the grant recipient and all those with an ownership interest in the property are referred to as the GRANTOR.

The Easement must be recorded before any grant monies are disbursed. Therefore, it is to your benefit to begin the Easement recording process early. The steps are outlined below:

1. An Easement is prepared by the Trust.

In order for the Trust to prepare an Easement, the Grantor must submit:

- A copy of the Deed for the funded site only
- Lot and Block number as stated on the tax map
- A map or sketch plan of the site

2. **The Trust will then prepare: (Refer to Sample Easement through the reference tab on the NJHT website)**

- **Schedule A - References information from the Deed.**
- **Schedule B - Protected features based on information from a site visit.**
- **Schedule C - Based on the D-1, Scope of Work from the Grant Agreement**
- **Schedule F - Requires the property to be accessible to the public.**

3. The Trust first sends the Easement to the Deputy Attorney General (DAG) for final review and signature.
4. The Trust then sends the Easement to the Grantor for notarized signature by the appropriate officials of the Grantor and property owner.

If Leased: BOTH the Grantor and the property owner must sign the Easement. The Grantee is responsible for forwarding a copy of the draft easement to the owner for review.

If Mortgaged: BOTH the Grantor and the Mortgagee must sign the Easement. As part of the execution of the Easement, Mortgagee must subordinate to the Easement. The Grantor is responsible for notifying the Mortgagee of the Grant and Easement requirements.

A. The Grantor signs the Easement. (Refer to Chapter 6 Sample Easement, provided on the [Grantee Resources](#) page of the NJHT website).

B. The Grantor then signs the Grantor's Acknowledgement. The Mortgagee signs the Mortgagee's Acknowledgement if applicable. (Refer to Chapter 6 Sample Easement, provided on the [Grantee Resources](#) page of the NJHT website).

5. Grantor returns the signed Easement to the Trust for signature by the Trust officers. NJHT signs. (Refer to Sample Easement, under tab 5 on the NJHT website) and completes the Grantee's Acknowledgement (Refer to Chapter 6 Sample Easement, provided on the [Grantee Resources](#) page of the NJHT website).

6. Trust forwards signed easement to Grantor who is responsible for forwarding the easement to the recording office of the county in which the property is located. The County Clerk must then record the Easement. The Grantor is responsible for all county recording costs.
7. The county returns the recorded easement to the Grantor. The Grantor forwards a copy of the recorded easement to the Trust and property owner. Once the recorded easement is on file with the Trust, the Grantor can then proceed with grant reimbursement.

MAINTENANCE AND REPAIR OF PROPERTIES SUBJECT TO TERM EASEMENTS

Reporting Requirements

The reporting requirements described in this document are part of an accepted agreement between the New Jersey Historic Trust and a grant recipient. The Trust provided funding and, in return, the grant recipient is required to exercise good stewardship of the historic resource for which the Trust provided funding. Compliance with reporting requirements is as important to preservation of the historic resource as is the funding itself.

Term preservation easements held by the New Jersey Historic Trust require the grant recipient to be in contact with the Trust at particular times. For the length of the easement, the Trust requires the submittal of an Annual Report detailing activities at the site for the past year. The Trust also requires submission of a Request for Approval form in advance of proposed repair work or other improvements that may affect features protected by the easement.

Annual Report Notice

Organizations with resources having a term preservation easement are required to provide an annual report to the Trust. The Annual Easement Report Form, Schedule D of the easement, updates the Trust on the ongoing monitoring, maintenance, and condition of the site. The form should be completed and submitted to the Trust along with a minimum of 12 current photographs and a current insurance certification as outlined in the easement. In order to verify the current condition of the property, new photographs must be submitted with each report even if nothing has changed from the last report. The annual report should include information regarding the maintenance and repairs undertaken since the last report, as well as, work anticipated for the coming year.

Written Request for Approval

Prior written approval is required for proposed work that may affect property features protected under the terms of the preservation easement.

The grant recipient must submit a Schedule E, Request for Approval Form, found in the Easement to the Trust before undertaking physical alterations to a protected structure. The Trust uses the federal government's *Secretary of the Interior's Standards for the Treatment of Historic Properties* in approving or rejecting proposed alterations to the property during the term of the easement. The form should be completed and submitted to the Trust with all pertinent documentation. The grant recipient must provide the Trust a minimum of fifteen (15) calendar days during which to review and comment prior to the start of the project.

As defined by the terms of the Easement, in Paragraph 3(c), the grant recipient “shall not, **without prior written approval of Grantee (Historic Trust):** make any changes to the Protected Features including alteration, removal, construction, remodeling, addition of new structures or other physical or structural change, including any change in color or surfacing or any excavation or topographical change which affects the appearance or construction of the Protected Features...”

Projects Requiring Submittal of a Request for Approval Form:

Regular maintenance-related items may be undertaken without first contacting the Trust. Repair work

and/or improvements, however, require contacting the Trust prior to the start of work. As defined by the terms of the Easement, “Grantor (grant recipient) must seek the approval of Grantee (Trust) required by Paragraph 3(c) hereinabove by submitting to Grantee a request for approval in the form required by Grantee. Grantor shall submit to Grantee documents, including plans, specifications, and designs where appropriate, describing the proposed activity with reasonable specificity. In connection therewith, Grantor shall also submit to Grantee a timetable for the proposed activity in a form acceptable to Grantee and sufficient to permit Grantee to monitor such activity.”

In general, minor “in-kind” repairs such as the repair of a broken pane of glass or sanding and refinishing a porch floor do not require prior notice to the Trust. Items which are described within a Cyclical Maintenance Plan as maintenance repairs do not require pre-approval.

Maintenance repairs, however, should be reported to the Trust as part of the Annual Easement Report. Replacing a window sash or replacing the porch flooring, among other activities, does warrant notification to the Trust. Particular consideration and prior notice to the Trust are expected for work (whether large or small) relating to fabric and features that were restored through Trust funding. In all cases, work, beyond routine maintenance, that will involve the exterior skin of the building from the roof to the foundation require Trust notice. Likewise, if the Trust funded interior restoration or rehabilitation, work in the interior may also require Trust notice. If you are in doubt regarding whether a proposed repair requires the submittal of a Request for Approval Form, please contact the Trust for clarification. Notice to the Trust should occur before the work begins, ideally while selecting the craftspeople or contractors who will be hired.

Selection of Contractors and Craftspeople

The Trust expects contractors to be selected with care and consideration to relevant past experience, as well as proposed price. The appropriateness of the services and price should be confirmed through at least two or three proposals. We request that the bids and qualifications of contractors being considered are provided to the Trust before selecting the contractor. Trust staff is available to assist with the review of contractor’s qualifications.

Contacting the New Jersey Historic Trust

If you have any questions about annual reports or requirements for review of work planned, please feel free to contact New Jersey Historic Trust at 609-984-0473. The Easement Annual Report form and Request for Approval form can be e-mailed to you. Please send a request to njht@dca.nj.gov.

Chapter 6 - REFERENCE ATTACHMENTS

AVAILABLE ON THE NJHT WEBSITE

Chapter 1:
Sample Grant Agreement

Chapter 2:
Historic Structure Reports & Preservation Plans Checklist

Chapter 3:
Affirmative Action Regulations

Chapter 4:
Application for Public Works Contractor Registration
Sample Criteria and Qualification Statement (doc)
Sample Bidders Questionnaire (doc)

Chapter 6:
Sample Easement
Schedule D – Annual Easement Report Form
Schedule E – Request for Approval Form

Chapter 7:
Attachment A: Garden State Historic Preservation Trust Fund Program Regulations
Attachment B: *Secretary of the Interior's Standards* (2017)
Attachment C: *National Park Service's Preservation Brief 43: The Preparation and Use of Historic Structure Reports*
Attachment D: *Historic Structure Reports & Preservation Plans: A Preparation Guide – Second Edition*

COUNTY CLERKS/REGISTRARS

ATLANTIC COUNTY

Atlantic County Clerk 5901 Main Street
Mays Landing, NJ 08330

BERGEN COUNTY

Bergen County Clerk One Bergen County Plaza
Hackensack, NJ 07601

BURLINGTON COUNTY

Burlington County Clerk
50 Rancocas Road, 3rd Floor PO Box 6000
Mount Holly, NJ 08060

CAMDEN COUNTY

Camden County Clerk
Camden County Courthouse, Room 102 520
Market Street
Camden, NJ 08102

CAPE MAY COUNTY

Cape May County Clerk 7 North Main Street
P.O. Box 5000
Cape May Court House, NJ 08210-5000

CUMBERLAND COUNTY

Cumberland County Clerk Cumberland County
Court House 60 West Broad Street
Bridgeton, NJ 08302

ESSEX COUNTY

Essex County Clerk
465 Martin Luther King, Jr. Blvd. Room 247
Newark, NJ 07102-0690

GLOUCESTER COUNTY

Gloucester County Clerk 1st Floor Court House
1 North Broad Street
P.O. Box 129
Woodbury, NJ 08096-0129

HUDSON COUNTY

Hudson County Clerk
Hudson County Plaza, 4th Floor 257 Cornelison
Avenue
Jersey City, NJ 07302

HUNTERDON COUNTY

Hunterdon County Clerk Hall of Records
71 Main Street
Flemington, NJ 08822-2900

MERCER COUNTY

Mercer County Clerk
Mercer County Administration Building 640
South Broad Street
P.O. Box 8068
Trenton, NJ 08650-0068

MIDDLESEX COUNTY

Middlesex County Clerk
County Administration Building, 4th Floor 75
Bayard Street
New Brunswick, NJ 08901

MONMOUTH COUNTY

Monmouth County Clerk Market Yard, Main
Building 33 Mechanic Street
Freehold, NJ 07728

MORRIS COUNTY

Morris County Clerk
Hall of Records Administration Building 10
Court Street
P.O. Box 315
Morristown, NJ 07963-0315

OCEAN COUNTY

Ocean County Clerk Ocean County Courthouse
118 Washington Street Toms River, NJ 08753

PASSAIC COUNTY

Passaic County Clerk/Registry Division 401
Grand Street, Room 113
Paterson, NJ 07505

SALEM COUNTY

Salem County Clerk
110 Fifth Street, Suite 200
Salem, NJ 08079

SOMERSET COUNTY

Somerset County Clerk 20 Grove Street
P.O. Box 3000
Somerville, NJ 08876

SUSSEX COUNTY

Sussex County Clerk
Hall of Records, Cochran House Building 83
Spring Street, Suite 304
Newton, NJ 07860

UNION COUNTY

Union County Clerk/Register 1st Floor Court
House (Rear) 2 Broad Street
Elizabeth, NJ 07207-6001

WARREN COUNTY

Warren County Clerk Warren County
Courthouse 413 2nd Street
Belvidere, NJ 07823