

**STATE OF NEW JERSEY
MOTOR VEHICLE COMMISSION**

ADVERTISEMENT FOR BUSINESS OPPORTUNITY

REQUEST FOR APPLICATIONS

**INTERNATIONAL REGISTRATION PLAN AND
INTERNATIONAL FUEL TAX AGREEMENT
TRIP PERMIT PROVIDER PROGRAM**



I. PURPOSE

The New Jersey Motor Vehicle Commission (“MVC”) has instituted an IFTA Trip Permit and IRP Temporary Authority Program (hereinafter referred to as “Program”) to improve operational efficiency and customer service by granting authorized providers nonexclusive ability to issue IRP (International Registration Plan) and IFTA (International Fuel Tax Agreement) Trip Permits to qualified buyers.

MVC seeks to solicit proposals from qualified participants to provide IRP and IFTA permitting services as outlined in the Scope of Work Section in this Request for Applications (“RFA”). The objective of this RFA is to identify qualified applicants who meet the requirements for providing permitting services, and to award an agreement (the “Agreement”) to successful applicants, the terms of which are incorporated herein by reference.

This RFA constitutes a non-exclusive business opportunity for qualified and approved Program Providers throughout the United States and Canada. Program Providers shall receive no compensation from the MVC for processing transactions described herein. Program Providers shall be entitled to charge program participants reasonable fees for IRP and IFTA permitting services.

This is an open enrollment RFA. Applications will be accepted under this RFA until the MVC, in its sole discretion, decides to cancel this RFA. The MVC may or may not decide to reissue another RFA. Program Providers agree that the services shall be performed during the Agreement period of three (3) years following the effective date of the Agreement and may be extended for two (2) additional one-year (1) periods.

The MVC is not responsible for any costs incurred by applicants, either prior to or after issuance and execution of an Agreement. There shall be no cost to the MVC for the services performed under this RFA or the Agreement.

Applications can be mailed to:

Tori Walker, Program Manager
New Jersey Motor Vehicle Commission
Motor Carrier Services
120 S. Stockton Street
PO Box 133
Trenton, NJ 08666-0133

Should you have any questions regarding this process, please call the Motor Carrier Services Unit at (609) 414-7632.

II. DEFINITIONS

The following terms used throughout this RFA shall have the following meaning:

Block – Refers to TP permit numbers or a block of up to 10 TP or TA permit numbers issued to approved Program Providers.

Controlled Inventory – A blank TP template(s) or a blank TA template(s) created, regulated, verified and supplied by the NJMVC to the Program Provider.

Motor Carrier Services (MCS) – The department within NJMVC responsible for managing the IRP and IFTA programs for New Jersey based Registrants.

N.J.A.C. – New Jersey Administrative Code.

N.J.S.A. – New Jersey Statutes Annotated.

Person – Includes natural persons, firms or co-partnerships, corporations, associations, or other artificial bodies, and their members, officers, agents, employees, or other representatives.

Program Provider – An approved entity providing services to the MVC under the terms specified in this RFA and resulting Agreement.

TP – IFTA Trip Permit.

TA – IRP Temporary Authority.

III. SCOPE OF WORK

A. Scope of Services

1. Program Providers will be granted limited nonexclusive permission to fully and properly complete and issue a TP or TA consistent with the IFTA statute at N.J.S.A. 54:39A-24, IFTA TP regulations at N.J.A.C. 13:18-3.5, and IRP TP regulations at N.J.A.C. 13:18-2.12 and 2.13.
2. Program Providers shall, at all times, comply with Titles 39 and 54 of the New Jersey Statutes and any other applicable laws and regulations of the State of New Jersey.

B. Program Provider Responsibilities

Program Providers shall maintain sufficient staff capable of providing prompt, efficient, courteous and professional service to clients seeking TPs or TAs.

Program Providers shall maintain sufficient staff to achieve a three (3)-business day turnaround time for the completion of transactions submitted for processing by clients.

1. Performance Bond - Program Providers shall maintain, at its own expense throughout the term of the Agreement, a bond indemnifying the MVC for any loss it incurs as a result of unfaithful performance by said Program Provider, a Participating Dealer, or any agents or employees of either. Such bond shall be in the amount of two hundred thousand dollars (\$200,000) and shall be issued by a company licensed to issue surety bonds in the State of New Jersey. The bond shall be subject to the approval of the MVC and shall provide for thirty (30) days' written notice to the MVC prior to cancellation. A copy of the bond and each renewal or amendment thereto shall be provided to the MVC's contact person within five (5) business days of issuance. Program Providers shall reimburse the MVC for any losses incurred by the MVC in excess of bond coverage within thirty (30) days of issuance of a written demand from the MVC.
2. Subcontracting - Program Providers shall not subcontract to fulfill any of its obligations under this Agreement. Program Providers are solely responsible to meet all requirements as to performance contemplated in this Agreement, compliance with all terms and conditions of this Agreement, and compliance with all applicable laws.
3. Commercial General Liability Insurance - Program Providers shall procure and maintain commercial general liability insurance in a per occurrence amount of not less than one million dollars (\$1,000,000) for bodily and personal injury and for property damage, also naming the State of New Jersey and its officers and employees as an "additional named insured." The policy shall have a "contractual liability endorsement" specifically referencing this Section 3. Such insurance shall provide for thirty (30) days' written notice to the Chief Administrator and the MVC's Program Manager prior to cancellation. Proof of such insurance shall be provided to the MVC's Program Manager upon execution of the Agreement.
4. Operational Requirements - Program Providers shall also meet the following operational requirements:
 - Program Providers shall employ a full-time manager responsible for controlling and supervising all daily activities performed as part of the Program and this Agreement.
 - a. Program Providers shall maintain sufficient staff capable of providing prompt, efficient, courteous and professional service to clients seeking TP or TA.
 - b. Program Providers shall maintain sufficient staff to achieve a three (3)-business day turnaround time for the completion of transactions submitted for processing by clients.

- c. Program Providers shall be responsible for payment of salaries and benefits for its employees, in addition to workers' compensation, liability insurance, bonding, necessary office supplies and equipment, and other expenses connected with providing services under this RFA.
-
- 5. Procedures – Program Providers shall follow all requirements and procedures regarding reporting, training and or tracking of inventory, as is expressed in the Agreement signed by both the MVC and the Program Provider.
 - 6. Reporting Requirements - Program Providers must provide, in electronic format via e-mail, a copy of all issued TPs and TAs to NJMVC at the end of each day. Daily reporting by entering the beginning and ending control numbers of inventory used for each category of items is required on End of Day business reports. (Required: Make a pdf file containing copies of all issued permits for that business day, and e-mail the file to: mvcmotorcarriers@mvc.nj.gov. Subject line should contain the Company name; the word(s) IFTA (or IRP), and the starting and ending permit #s for the range of PDF images included in the e-mail).
 - 7. Inventory Control - Program Providers shall provide an Inventory Security Plan to the NJMVC's Office of Motor Carriers prior to the effective date of this Agreement. Such plan shall include at a minimum:
 - a. Ensure that the Controlled Inventory is used in strict numerical order to maintain continuity and contiguity and to avoid unnecessary breaks in the sequencing of TP and TA Permit Numbers;
Daily reporting by entering the beginning and ending control numbers of inventory used for each category of items as required on the End of Day business report; and
 - b. A daily procedure for reconciling the number of TPs and TAs physically used as shown on the day's End of Day business summary. Program Providers shall document this reconciliation, the list of TPs and TAs used that day, and any discrepancies between the two counts and steps taken to resolve them.

C. MVC'S Responsibilities

The NJMVC may, in its sole discretion, audit transactions processed by Program Providers through the Program.

The NJMVC Office of Motor Carrier Services will supply support to Program Providers via phone or in person at the Motor Carrier Services office.

The NJMVC shall designate a Program Manager who will be responsible for the oversight of the Program.

D. Advertising

1. News Releases and Advertising - Program Providers may engage in promotional activities with respect to the Program, including the solicitation of potential clients, in person, by mail, telephone, internet or other media, to the extent permitted by law.

Program Providers shall not issue any news releases or promotional activities pertaining to any aspect of the services provided under this Agreement without the prior written consent of the Program Manager. Program Providers are prohibited from soliciting participation in the Program at Motor Vehicle Agencies or other NJMVC locations.

2. Use of the NJMVC Name - Program Providers may use the NJMVC's name as necessary in connection with its provision of services to clients, with the prior written approval of the NJMVC. Program Providers shall not state or imply that:

- a. The NJMVC requires the use of the Program by Program Providers;
- b. The NJMVC recommends the use of the Program to the exclusion of other similarly available services; or
- c. The Program Provider is the exclusive provider of such services.

IV. PROPOSAL PREPARATION AND SUBMISSION

A. General - Applicants are advised to thoroughly read and follow all instructions contained in this RFA. Applicants assume sole responsibility for the complete effort required by this RFA. The MVC assumes no responsibility and bears no liability for costs incurred by applicants in the preparation and submittal of proposals in response to this RFA. Applicants represent that they can meet the general requirements of the NJMVC as set forth in this RFA. Applicants further agree to accept all duties in accordance with applicable provisions of Titles 39 and 54 of the New Jersey Statutes, and all other applicable rules, regulations, instructions and performance standards. If any submitting applicant constitutes a joint venture, the agreement between the responding joint parties must be submitted. Submitting applicants are advised and acknowledge that all proposals are public record and are available for public inspection, excluding any details which may be exempt from disclosure under the New Jersey Open Public Records Act.

B. Proposal Content and Submission - Interested parties must submit an original and one (1) copy of their proposal to the MVC at the address listed on page 2. Certain required information and/or materials identified in this RFA have been determined to be essential in the selection and approval process. Insufficient detail may result in a determination that the proposal is materially non-responsive. Any requirements which the applicant

cannot satisfy must be identified in the applicant's proposal. All proposals must include the following:

1. Cover Letter - A cover letter that must be signed by a duly authorized officer or executive of the applicant and which must contain the following information:

- a. Identification of the applicant;
- b. Confirmation that the proposal is submitted in response to this RFA;
- c. Identification of the various parts of the proposal;
- d. The name, mailing address, fax number, and telephone number of a representative who is authorized to accept notices and other communications and respond to inquiries from the MVC and its representatives concerning the proposal; and
- e. Such other introductory information as the applicant wishes to provide, with the provision that such information must be brief and will not be subject to evaluation except for a review of its responsiveness to the requirements of the RFA.

2. Forms - Forms, Registrations and Certifications Required - Each applicant must complete the below listed forms, registrations and certifications prior to the approval of an application to become a Program Provider. These forms can be found on the Department of Treasury, Division of Purchase and Property website at: <http://www.state.nj.us/treasury/purchase/forms.shtml>.

- a. Completed and signed Source Disclosure
- b. Completed and signed Ownership Disclosure Form
- c. Completed and signed Disclosure of Investigations and Other Actions Involving Bidder Form
- d. Completed and signed Disclosure of Investment Activities in Iran
- e. Completed Certification of MacBride Principles
- f. Completed and signed Ch. 51/EO 333 Vendor Certification & Disclosure of Political Contributions for Non-Fair and Open Contracts
- g. Completed and signed Ch. 271 Vendor Certification & Political Contribution Disclosure Form
- h. Proof of Affirmative Action Compliance/Employee Information Report/New Jersey Affirmative Action Certificate/other AA/EEO evidence

Applicants must complete the required forms listed above and may refer to instructions included within the forms and within this section.

Applicants are under a continuing obligation to report updates to the information contained in the required forms whether submitting electronically or as a hard copy.

Unless otherwise specified, forms must contain an original, physical signature.

Failure to submit any of the required forms in this section may result in your firm's application being deemed non-responsive.

All of the above forms must be signed by a duly authorized officer or executive of the applicant and copies submitted to the MVC prior to engaging in any services authorized by this RFA and the Agreement.

SOURCE DISCLOSURE

Pursuant to N.J.S.A. 52:34-13.2, prior to approval of the application, the applicant is required to submit a completed Source Disclosure Form. The applicant's inclusion of the completed Source Disclosure Form with the application is requested.

OWNERSHIP DISCLOSURE FORM

Pursuant to N.J.S.A. 52:25-24.2, in the event the applicant is a corporation, partnership or sole proprietorship, the applicant must complete an Ownership Disclosure Form.

REQUEST FOR APPLICATION (RFA)

A current completed Ownership Disclosure Form must accompany the submitted application. An applicant's failure to submit the completed and signed form with its application will result in the rejection of the application.

DISCLOSURE OF INVESTIGATIONS AND OTHER ACTIONS INVOLVING BIDDER FORM

The applicant should submit the Disclosure of Investigations and Other Actions Involving Bidder Form, with its application, to provide a detailed description of any investigation, litigation, including administrative complaints or other administrative proceedings, involving any public sector clients during the past five (5) years, including the nature and status of the investigation, and, for any

litigation, the caption of the action, a brief description of the action, the date of the inception, current status, and if applicable, disposition.

DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN FORM

Pursuant to N.J.S.A. 52:32-58, the applicant must utilize this Disclosure of Investment Activities in Iran form to certify that neither the Applicant, nor one of its parents, subsidiaries, and/or affiliates (as defined in N.J.S.A. 52:32-56(e)(3), is listed on the Department of the Treasury's List of Persons or Entities Engaging in Prohibited Investment Activities in Iran and that neither the applicant, nor one of its parents, subsidiaries, and/or affiliates, is involved in any of the investment activities set forth in N.J.S.A. 52:32-56(f). If the applicant is unable to certify, the applicant shall provide a detailed and precise description of such activities as directed on the form.

MACBRIDE PRINCIPLES CERTIFICATION

The applicant must certify pursuant to N.J.S.A. 52:34-12.2 that it is in compliance with the MacBride principles of nondiscrimination in employment as set forth in N.J.S.A. 52:18A-89.5 and in conformance with the United Kingdom's Fair Employment (Northern Ireland) Act of 1989, and permit independent monitoring of its compliance with those principles. See the SSTC and N.J.S.A. 52:34-12.2 for additional information about the MacBride principles.

PAY TO PLAY PROHIBITIONS

Pursuant to N.J.S.A. 19:44a-20.13 et seq. (P.L. 2005, c.51), and specifically, N.J.S.A. 19:44a-20.21, it shall be a breach of the terms of the Agreement for the business entity to:

- a. Make or solicit a contribution in violation of the statute;
- b. Knowingly conceal or misrepresent a contribution given or received;
- c. Make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution;
- d. Make or solicit any contribution on the condition or with the Agreement that it will be contributed to a campaign committee or any candidate or holder of the public office of Governor, or to any State or county party committee;
- e. Engage or employ a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any contribution,

which if made or solicited by the business entity itself, would subject that entity to the restrictions of the Legislation;

- f. Fund contributions made by third parties, including consultants, attorneys, family members, an employees;
 - g. Engage in any exchange of contributions to circumvent the intent of the Legislation; or
 - h. Directly or indirectly through or by any other person or means, do any act which would subject that entity to the restrictions of the Legislation.
- POLITICAL CONTRIBUTION DISCLOSURE

The applicant is advised of its responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Law Enforcement Commission (ELEC), pursuant to N.J.S.A. 19:44a-20.27 (P.L. 2005, c. 271, §3 as amended) if in a calendar year the applicant receives one or more contracts valued at \$50,000.00 or more. It is the applicant's responsibility to determine if filing is necessary. Failure to file can result in the imposition of penalties by ELEC. Additional information about this requirement is available from ELEC by calling 1(888)313-3532 or on the internet at <http://www.elec.state.nj.us/>.

3. Statements – Each applicant must provide statements to the MVC to the effect that:

- a) It does not now and will not during the term of the Agreement, in accordance with N.J.S.A. 52:32-55, do business in or operate in Iran.
- b) It will, in accordance with N.J.S.A. 52:32-1, use only products manufactured in the United States, whenever available.
- c) It will not discriminate against any employee or applicant for employment and will adhere to all aspects of N.J.S.A. 10:5-33 and N.J.A.C. 17:27-3.1 et. seq.
- d) It will adhere to all requirements of the Prevailing Wage Act pursuant to N.J.S.A. 34:11-56.25 et. seq.
- e) It will adhere to all requirements of the Conflict of Interest Law pursuant to N.J.S.A. 52:13D-12 et. seq.

All of the above statements must be signed by a duly authorized officer or executive of the applicant, prior to engaging in any services authorized by this RFA and the Agreement.

Applicants are under a continuing obligation to report updates to the information contained in the above required certified statements whether submitting electronically or as a hard copy.

4. Executive Summary - Each applicant shall, in a narrative format, set forth its overall approach and plans to meet the requirements of this RFA. The narrative should demonstrate to the MVC that the applicant understands the objectives of the program for which applicant is submitting its proposal and the level of effort necessary to successfully fulfill the requirements as generally set forth in this RFA. The proposal should be designed to convince the MVC that the applicant's detailed plans and approach intended to complete the Scope of Work are realistic, attainable, and appropriate, and that the applicant's proposal will lead to successful implementation and operations.

If your application is approved you must enter into an Agreement with the MVC prior to processing any transactions under this program and comply with the terms of the Agreement to maintain status as a Program Provider.

V. QUESTIONS AND INQUIRIES

The MVC will accept written questions and inquiries from all potential applicants receiving this Advertisement. Short procedural inquiries may be accepted by telephone. Written questions can be mailed or emailed to:

Tori Walker, Program Manager
New Jersey Motor Vehicle Commission
Motor Carrier Services
120 S. Stockton Street
PO Box 133
Trenton, NJ 08666-0133
Phone: (609) 414-7632
mvcmotorcarriers@mvc.nj.gov

VI. DENIAL OF APPLICATION

The MVC may deny, in its sole discretion, any application to become a Program Provider upon determining that the applicant is not capable of performing the duties of a Program Provider in a manner consistent with the public's best interest in mind.

No employee of the MVC shall be eligible to enter into an Agreement with the MVC or to own or operate a Program Provider, or to be employed by a Program provider doing business with the MVC.