

**NJ TRANSIT CONTRACT NO. 14-033
INTEGRITY OVERSIGHT MONITORING SERVICES
OFFICE OF THE STATE COMPTROLLER POST-AWARD NOTICE
HOBOKEN PROJECTS**

BID/RFP AS ISSUED

Philip D. Murphy, Governor
Sheila Y. Oliver, Lieutenant Governor
Diane Giraldo-Scazzetti, Acting Commissioner
Steven H. Scafaro, Executive Director

NJ TRANSIT
One Penn Plaza East
Newark, NJ 07105-2246
973-491-7000

January 25, 2018

Mr. Frank Banda
Cohn Reznick LLP
7501 Wisconsin Avenue, Suite 400E
Bethesda, Maryland 20814-6583

Mr. David Cace
Eisner Amper LLP
111 Wood Avenue South, Suite 600
Iselin, New Jersey 08830

Mr. Shawn Dahl
RSM US LLP
1185 Avenue of the Americas,
New York, New York 10036

Mr. Charles Linehan
Thacher Associates, LLC
330 West 42nd Street, 23rd Floor
New York, New York 10036

**Re: NJ TRANSIT Contract No. 14-033
Integrity Oversight Monitoring Services for the
Hoboken Yard Signal Power Repair and the
Hoboken Boiler and Terminal Repair (Hoboken Projects).**

Subject: Work Authorization Request

Dear Integrity Oversight Monitoring Firms:

In accordance with the procedures outlined in the above referenced contract, a scope of work is attached for the development of a technical and cost proposal for the subject assignment.

Firms are reminded that there is a 10% DBE participation goal attached to work authorized under the subject Contract. Technical and Cost Proposals shall specifically detail proposed DBE participation under the Assignment.

Questions or requests for clarification regarding the Work Authorization Request are to be submitted in writing no later than 4:00 p.m. on Wednesday, February 7, 2018 and are to be submitted to the attention of the undersigned at tchapman@njtransit.com. Questions are to be submitted in a non-scanned Word format.

One (1) original and seven (7) copies of your technical proposal and one (1) original and three (3) copies of your cost proposal are to be submitted no later than **2:00 p.m. on Wednesday, February 28, 2018** and addressed as follows:

Ms. Taishida S. Chapman
Principal Contract Specialist
NJ TRANSIT
Procurement Department
One Penn Plaza East, 6th Floor
Newark, New Jersey 07105
Re: 14-033 –IOM Services for the Hoboken Projects

Integrity Oversight Monitoring (IOM) Firms are also requested to submit an electronic copy of the technical & cost proposal no later than 4:00 p.m. on Wednesday, February 28, 2018 to Ms. Taishida Chapman at tchapman@njtransit.com.

NJ TRANSIT will enter into negotiations with the top ranked proposer to reach an agreement on the scope of services and the fair and reasonable compensation to be paid by NJ TRANSIT. If in the opinion of NJ TRANSIT a satisfactory agreement cannot be negotiated with the top ranked proposer, NJ TRANSIT will end negotiations and initiate negotiations with the second most qualified firm. NJ TRANSIT considers all aspects of a consultant's proposal negotiable.

If the IOM is unable to submit a proposal because of a conflict of interest or scheduling, the IOM must provide notice to NJ TRANSIT within five (5) calendar days of the receipt of the Work Authorization Request.

This letter should not be interpreted as an award of a contract or as a commitment to reimburse for any costs incurred in the preparation of a proposal.

We look forward to receiving and reviewing your proposal.

Sincerely,



Taishida S. Chapman
Principal Contract Specialist
Procurement Department

Attachments

cc: C. Baker
L. Codrington
J. Goldstein
W. Hersh
P. Kelly
A. Marvi
M. Strickland
A. Walsh
C. Trappe (NJ Dept. of Treasury)

NJ TRANSIT Contact No. 14-033
Integrity Oversight Monitoring Services
Work Authorization Assignment Request for
Superstorm Sandy Integrity Oversight Monitoring Services
for the Hoboken Yard Signal Power Repair and the Hoboken Boiler and Terminal Repair

A. GENERAL INFORMATION:

On March 27, 2013, P.L. 2013, Chapter 37 (N.J.S.A. § 52:15D-1, et seq.), the Integrity Oversight Monitor Act (the Act) was enacted for the purpose of authorizing the use of Integrity Oversight Monitors (IOMs) for recovery and rebuilding contracts resulting from Superstorm Sandy and subsequent major storms in New Jersey. The Act authorizes the State Treasurer to require integrity oversight monitor services on any State or non-State federally funded recovery and rebuilding contract of \$5 million or more.

The NJ TRANSIT (“NJT”) Superstorm Sandy Recovery and Resilience Program (“Program”), funded in part by the FTA, has been established to implement recovery and rebuilding and locally-prioritized resiliency projects based on damage assessments resulting from Superstorm Sandy in October 2012. The projects to be constructed vary in type, scope and location, but are principally in, or are to be in, northern and central New Jersey.

The services of the Integrity Oversight Monitors (“IOMs”) shall generally consist of performing integrity oversight monitoring services to prevent and/or detect fraud, waste and abuse pursuant to NJT Contract No. 14-033 (the “Contract”). The IOMs will monitor construction, repair and resiliency contracts funded by the FTA or other federal agencies in excess of \$5 Million in accordance with the scopes of work prescribed by NJT Internal Audit Department (IAD) in consultation with the NJT Accountability Officer under Executive Order 125 and the New Jersey Department of the Treasury.

B. PROJECT DESCRIPTION

The IOM firm selected for this Work Authorization shall provide integrity oversight monitoring services in connection with STV, Inc.’s (“Consultant’s”) scope of work under Task Order Contract (TOC) 13-006C governing the provision of design consulting services for the federally funded Task Order Assignment (TOA) No. 2 issued to STV, Inc. for the NJ TRANSIT Resilience Program – Hoboken Yard Signal Power Repair and the Hoboken Boiler and Terminal Repair (together, the “Hoboken Projects”).

The IOM firm selected for this Work Authorization shall also provide integrity oversight monitoring for the construction contract(s) to be awarded for the NJ TRANSIT Resilience Program – Hoboken Yard Signal Power Repair and the Hoboken Boiler and Terminal Repair.

The scopes, budgets and milestones for the following two (2) Hoboken Projects are provided in Attachment 1:

1. SANDY Dmg 04RHOB 4 Hoboken Yard-Boiler for Bldg- Repair (NJT00850)

2. SANDY Dmg 04RHOB 4 Hoboken Yard-Signal Power Repair (NJT00851)NJT00762, SANDY Dmg 02RINF 4 ET Hoboken Terminal House Power Repair”

C. SCOPE OF WORK:

Tasks and services to be performed by the selected IOM at minimum include:

Task A – Monitoring Contractor/Vendor Compliance with Applicable Laws and Contract Requirements

1. Monitoring the Contractors, subcontractors, Consultants and subconsultants to ensure their compliance with applicable laws, regulations, codes, programs and contractual requirements.
2. Satisfying applicable FTA Federal Procurement Requirements and FTA Federal Register Notice Requirements for Oversight Monitoring Federal Register May 29, 2013 pages 32301- 32302, State of New Jersey Department of the Treasury Requirements under N.J.S.A.52:15D-2 and providing necessary investigative services as required by NJT Internal Audit Department.

Task B – Developing and Implementing Integrity Programs

1. Programs and procedures to prevent and deter fraud, corruption, conflicts of interest and illegal activity by entities doing, or seeking to do, business with NJT. Procedures shall include methods to remediate or mitigate fraud, waste, corruption and abuse.
2. Assisting with a program for facilitating the reporting of illegal and improper conduct by employees, Consultants, Contractors, customers, etc. through measures such as education and awareness, posters, leaflets, hotlines, etc.
3. Training (If Applicable) -The IOM firm shall provide fraud, waste and abuse awareness or other training as may be required by NJT.

Task C – Conducting Background Checks, Reviews of Documents and Investigations

1. Background checks of businesses, principals, officials, employees and other individuals by utilizing research of public records, databases, interviews, or other appropriate methods.
2. Review of documents, including disclosure forms, payment requests, Change Orders, invoices, certified payrolls, manifests, etc., submitted by vendors for honesty and accuracy;
3. Investigations and inquiries; including interviews, site visits, surveillances, field activities and head counts, as well as research into public records and databases, for the prevention and detection of violations, fraudulent and/or illegal acts.

Task D – Reporting

1. Report quarterly to the State Treasurer utilizing prescribed forms as to the two (2) in-scope NJ TRANSIT Resilience Program Hoboken Projects noted in Section B above under a Work Authorization in a timely manner as to activities performed in accordance with N.J.S.A.52:15D-2.
2. Report integrity monitoring activities and results periodically to NJT as required by Section D. Deliverables, below, and as may be requested by NJT.
3. Be in compliance with malfeasance and inefficiency reporting protocols developed by the State Treasurer.
4. Immediately upon making finding of a likely criminal violation or lesser degree of waste, fraud or abuse, report to New Jersey Attorney General and State Comptroller.

Task E – Preparing and Maintaining a Fraud Risk Assessment.

Provide a fraud risk assessment of the contract activities for the two (2) in-scope NJ TRANSIT Resilience Program Hoboken Projects noted in Section B above including at a minimum:

- a) The identification of potential fraud, waste, abuse and/or potential criminal activity risks/ scenarios/schemes including prioritization and probability and potential impact.
 - i. The IOM firm shall review all applicable design contract (TOC 13-006C) and construction contract (to be awarded) requirements and processes for susceptibility to fraud, waste, abuse and/or potential criminal activity.
- b) Specific methodology and detailed work programs/audit programs/other procedures that will be employed by the IOM firm to mitigate, minimize and/or identify fraud, waste, abuse and/or potential criminal activity for each risk/scenario/scheme identified for NJT.
- c) A detailed plan for key fraud, waste, abuse and/or potential criminal activity risks. This plan must include but not be limited to:
 - i. Prioritized fraud, waste, abuse and/or potential criminal activity risk/scenario/schemes identified in the fraud risk assessment.
 - ii. Detailed strategy for the life of the project for how each risk will be addressed.
 - iii. Deliverables for each risk.
 - iv. Level of effort (hours) needed for each risk by personnel category.
 - v. Other relevant data.
- d) Strategy and deliverables that the IOM firm will utilize to assess Consultants and Contractors compliance with DBE requirements as specified in Section F below.
- e) Specific deliverables for each work program/audit program/other procedures.

Task F – Project-wide Activities

Provide any activity that pertains to the overall conduct of IOM project initiative and may

include:

1. Provide periodic project status updates to the NJT Internal Audit Department ("IAD").
2. Attend required safety and other training as needed.
3. Preparing invoices and supporting documentation.
4. Any other project-wide activity that is directed by IAD.

Additional activities to be conducted by the IOM firm, may include, but not be limited to the following in coordination with NJT Internal Audit Department:

1. Visiting sites as to ongoing design and construction work where warranted.
2. Attending design review meetings and construction contract meetings as needed, in consultation with IAD.
3. Attending scope reviews and meetings with prospective contractors and vendors in order to ensure procurements are conducted in accordance with NJT Rules and Regulations and that a level playing field is maintained.
4. Reviewing information and activities in relation to the two (2) in-scope NJT Resilience Program Hoboken Projects noted in Section B above.
5. Auditing to ensure procurement compliance.
6. Taking actions to detect, investigate, prevent and remediate, waste, fraud, and abuse.
7. Making unannounced periodic headcounts of construction site workers in order to deter no-show jobs.
8. Other activities that may be defined or required by IAD.

D. DELIVERABLES

All deliverables must be in sufficient detail to allow:

1. NJT to verify and evaluate the conclusions, recommendations, plans, documentation, etc. provided.
2. NJT to assess, in its sole judgment, the quality and acceptance of deliverables provided.
3. The IOM firm, NJT or a third party to execute the detailed monitoring workplan.

The IOM firm must ensure compliance with the following:

A. Work Authorization Deliverables

At a minimum, the following deliverables will be provided to the NJT IAD Project Manager based on the approved workplan in accordance with the required timeline set forth by IAD based on the workplan. All work plans **MUST** be in the format provided in Attachment 7. Deliverables to support work will include, but not be limited to, the following:

1. Fraud Risk Mitigation Strategy and Detailed Monitoring Work Plan
2. Work papers, reports and other required documentation in the format and content required by NJT to support all work.

3. Presenting reports, findings and other results of audits, reviews, investigations and other assigned tasks, and incorporating comments provided by NJT as appropriate and resubmitting the reports as final.
4. Audits as required under the Work Authorization.
5. Other deliverables that may be defined or required.

B. Required Reports and Documents

1. Findings of potential fraud, malfeasance, or criminal activity:

Upon a finding of a likely criminal violation or lesser degree of any malfeasance, inefficiency, waste, fraud, abuse or mismanagement of funds, report written findings to the Office of the State Comptroller and the Attorney General/OSC Taskforce with a copy to NJT Auditor General **immediately** consistent with the requirements of N.J.S.A. 52:15D-2. See Attachment 2 for reporting instructions and form.

2. Weekly Status Updates

A written weekly status update will be required each Monday by noon following the prior week's work in the NJT prescribed format (to be provided upon engagement). The update will be based on a template provided by IAD which includes the following:

1. Total hours per Workplan
2. Hours by Risk Category per Workplan
3. Workpapers Provided to-date by Risk Category, Potential Fraud Risk
4. Items That Require Clarification
5. Weekly Accomplishments/Deliverables Provided
6. Risk Category/Potential Fraud Risk/Monitoring Procedures in-Progress
7. Risk Categories/Potential Fraud Risk/Monitoring Procedures Planned in the Next Two Weeks

3. Quarterly Report (Attachment 3)

On the first business day of each calendar quarter, the IOM firm shall provide to the State Treasurer, for distribution to the Legislature and the Governor, a written report detailing the IOM firm's provision of services during the three-month period second preceding the due date of the report and any previously unreported provision of services, which shall include, but not be limited to, detailed findings concerning the IOM firm's provision of services and recommendations for corrective or remedial action relative to findings of malfeasance and inefficiency. The report shall not include any information which may compromise a potential criminal investigation or prosecution or any proprietary information. The report shall include a privilege log which shall detail each denial of sensitive information that the IOM firm exercises in preparing the report for transmission to the Legislature and the Governor.

4. FTA Quarterly Report

Two weeks after the quarter ends, the IOM firm is required to provide all information as identified by NJT IAD to meet the FTA quarterly reporting requirements.

5. Time Logs

Copies (and upon request, originals) of time logs shall be maintained by the IOM and shall include information on the allocation of hours worked by the IOM and staff to the respective federally-funded programs and all other data required in order to ensure compliance with all federal requirements.

6. Requests for Information/Documents

The IOM shall submit all document and information requests to the NJT IAD via email. The email shall contain in the subject line "Document/Information Request – Project Name".

7. DBE Program Compliance Monitoring Activities

The IOM firm is required to submit all DBE Contractor Compliance deliverables within fourteen (14) calendar days after each monitoring activity.

E. DBE PROGRAM REQUIREMENTS FOR THE IOM FIRM

Note: NJ TRANSIT does not have a MBE, or WBE Program, and the State of New Jersey's SBE Program does not apply.

A ten percent (10%) Race Conscious DBE goal has been assigned to this project. In accordance with Article 22 and Exhibit D of NJT Contract Nos. 14-033A, 14-033B, 14-033C and 14-033D, the IOM will cooperate with NJT in meeting its commitments and goals with regard to the maximum utilization of Disadvantaged Business Enterprises (DBEs) and will use its best efforts to ensure that DBEs shall have the maximum opportunity to compete for subconsultant work. If the ten percent (10%) DBE participation is not met on this Work Authorization; the IOM must provide a detailed explanation as to why and how the firm plans to work towards meeting this goal in addition to documented evidence of good faith effort. Technical and Cost Proposals shall specifically detail DBE participation under this Work Authorization. The Cost Proposal must also include the mandatory DBE Forms A, A-1, A-2, B, NJUCP DBE Certification, Form D (if applicable) and Trucking Commitment Agreement (if applicable). If applicable, the Cost Proposals must also include the supplemental DBE forms AA, AA1, AA2 and BB).

F. IOM FIRM DBE PROGRAM COMPLIANCE MONITORING OF CONTRACTORS

Note: NJT does not have a MBE, or WBE Program, and the State of New Jersey's SBE Program does not apply.

The IOM firm shall provide the strategy and deliverables that the IOM firm will utilize to assess contractor(s) compliance with DBE requirements, including but not limited to:

- a) Specific methodology and detailed work programs/audit programs/other procedures that will be employed by the IOM firm to assess and monitor contractor(s) compliance with DBE Program Requirements and deliverables. DBE Program Requirements of the contracts include but are not limited to:

- i. Prompt payment of invoices
 - ii. Prompt payment of retainage
 - iii. Commercially useful function (CUF)
 - iv. Pass-throughs
 - v. All contract deliverables
 - vi. Award versus spend
 - vii. Actual DBE work performed matches credit
 - viii. Reporting non-compliance in Weekly reports to NJT Internal Audit
 - ix. Written requests and approvals for the addition or removal/replacement of a DBE firm
 - x. Good faith effort on contract(s) being monitored including change orders/revisions
 - xi. Evidence of payment to prime contractor by NJT, and the DBE by prime contractor
 - xii. Other relevant data as required by NJT
- b) Specific deliverables for each work program/audit program/other procedures.
- c) Detailed plan for IOM firm's assessment and monitoring of contractor(s) DBE compliance. This plan must include but not be limited to:
- i. Prioritized risks to contractor compliance with the DBE Program Requirements.
 - ii. Detailed strategy for the life of the project for how each risk will be addressed.
 - iii. Deliverables for each risk.
 - iv. Level of effort (hours) needed for each risk by personnel category.
 - v. Other relevant data.
- d) The IOM firm is required to submit all DBE Contractor Compliance deliverables within fourteen (14) calendar days after each monitoring activity.

G. SCHEDULE

The services to be provided by the IOM under this Work Authorization are scheduled to be completed by December 2023. The term of this Work Authorization is based upon the projected schedule of the Hoboken Projects and may be amended at the discretion of NJT.

H. BACKGROUND CHECKS

IOM firm personnel assigned to this Work Authorization must provide documented evidence that they have had appropriate background checks or agree to obtain a background check prior to commencing the Work Authorization.

I. CONFLICT OF INTEREST

Integrity Oversight Monitors shall not be a firm or an affiliate thereof involved in Superstorm Sandy Program Management or in the design, preparation or delivery of Superstorm Sandy Recovery and Resiliency contracts, task orders, projects, services and programs or have any other potential or actual conflict as determined by NJT.

The vendors/contractors for the Hoboken Projects which this Work Authorization applies are as follows:

1. SANDY Dmg 04RHOB 4 Hoboken Yard-Boiler for Bldg- Repair (NJT00850)

Vendor	Contact
Project Manager:	NJ TRANSIT
Environmental:	NJ TRANSIT
Designer:	STV, Inc.
Contractor:	DMR Construction

2. SANDY Dmg 04RHOB 4 Hoboken Yard-Signal Power Repair (NJT00851)NJT00762, SANDY Dmg 02RINF 4 ET Hoboken Terminal House Power Repair”

Vendor	Contact
Project Manager:	NJ TRANSIT
Environmental:	NJ TRANSIT
Designer:	STV, Inc.
Contractor:	TBD

Upon submission of its proposal, the IOM shall provide the following information to NJT:

- (1) Any anticipated or potential or suspected or actual conflicts that it may incur during the projected course of a Work Authorization are identified;
- (2) Any anticipated or potential or suspected or actual conflicts with the vendors listed above;
- (3) The IOM shall identify any projects, past or present, it has performed for NJ TRANSIT including the project, dates of the project, the contract number, the project supervisor, and a brief description of the scope of work.
- (4) Certification (See Attachment 8) by the IOM that neither it nor any of its affiliates or subsidiaries or sub-consultants are involved in Superstorm Sandy Program Management or in the design, preparation or delivery of Superstorm Sandy Recovery and Resiliency contracts, task orders, projects, services and programs or any other involvement or activities to NJ TRANSIT or third-parties that could create a direct or indirect conflict with providing IOM services to NJT under its current IOM agreement either directly or as a member of a joint venture, partnership, or as a sub-consultants or subcontractor of any tier, attached to this RFP.

Upon submission of its proposal, the IOM shall also ensure the following information is provided to NJT by its sub-consultants:

- (1) Any anticipated or potential or suspected or actual conflicts that it may incur during the projected course of a Work Authorization are identified;
- (2) Any anticipated or potential or suspected or actual conflicts with the vendors listed above;
- (3) Any projects, past or present, it has performed for NJ TRANSIT, including the project, dates of the project, the contract number, the project supervisor, and a brief description of the scope of work;

(4) Certification (See Attachment 8) that the sub-consultant is not involved in Superstorm Sandy Program Management or in the design, preparation or delivery of Superstorm Sandy Recovery and Resiliency contracts, task orders, projects, services and programs or any other involvement or activities to NJ TRANSIT or third-parties that could create a direct or indirect conflict with providing IOM services to NJ TRANSIT, either directly or as a member of a joint venture, partnership, or as a sub-consultant or subcontractor of any tier, attached to this RFP.

Throughout the term of the Work Authorization, should the IOM, or its affiliates, or subsidiaries, or sub-consultants respond to a procurement or enter into a joint venture, partnership or subcontract relationship of any tier to provide any services, such as construction management, architectural and engineering, design, project management, or other related services, the IOM must notify NJ TRANSIT immediately. The IOM also is required to consult with NJ TRANSIT where there is concern on the part of the IOM or its sub-consultant that a conflict may exist.

NJ TRANSIT will determine whether the IOM or its sub-consultant has a conflict on a case by case basis. NJ TRANSIT has the sole discretion to determine whether a conflict or potential conflict is found to have arisen by such action on the part of the IOM or its affiliates, subsidiaries, or sub-consultants. NJ TRANSIT's determination regarding any question(s) of conflict of interest shall be final. Additionally, NJ TRANSIT may take all appropriate action as it deems necessary in accordance with the terms and conditions of the Contract.

The IOM and sub-consultant personnel who are assigned to this Work Authorization will be required to maintain in confidence all information disclosed and made available by NJ TRANSIT in association with the Work Authorization. IOM Firms will be required to execute a "Confidentiality and No Conflict of Interest Certification" prior to commencing the Work Authorization.

J. CONFLICT OF INTEREST WITH FUTURE CONTRACTORS & SUB-CONTRACTORS

Vendors/contractors for the Hoboken Projects, to which the Work Authorization applies, may not be known at the time a Work Authorization is issued to the IOM. Once the vendor/contractor(s) has been identified, the IOM shall provide NJ TRANSIT with any anticipated or potential or suspected or actual conflicts that the IOM or its sub-consultant may incur during the projected course of a Work Authorization. Please refer to the chart above for the list of known and unknown vendors.

Existence of conflicts will be determined on a case-by-case basis by NJ TRANSIT. At the time that the vendor/contractor has been identified by NJ TRANSIT, and an apparent conflict of interest exists, NJ TRANSIT will discuss the matter and take any appropriate action, which may include reassignment of the Work Authorization.

K. PROPOSAL CONTENT

One (1) original and seven (7) copies of your technical proposal and one (1) original three (3) copies of your cost proposal are to be submitted no later than 2:00 p.m. on Wednesday, February 28, 2018 and addressed as follows:

Ms. Taishida S. Chapman
Principal Contract Specialist
NJ TRANSIT
Procurement Department
One Penn Plaza East, 6th Floor
Newark, New Jersey 07105
Re: 14-033 IOM Services for the Hoboken Projects

IOM Firms are also requested to submit an electronic copy of the technical & cost proposal no later than 4:00 p.m. on Wednesday, February 28, 2018 to Ms. Taishida Chapman at tchapman@njtransit.com.

Questions or requests for clarification regarding the Assignment Request are to be submitted in writing no later than 4:00 p.m. on Wednesday, February 7, 2018 and are to be submitted Ms. Taishida Chapman at tchapman@njtransit.com. Questions are to be submitted using the attached template (Attachment 4). The compilation of all questions and answers will be sent to the group prior to the Work Authorization Request response due date. Communications regarding this Work Authorization Request are to be conducted through NJ TRANSIT's Procurement Department. All other contacts are considered improper and are prohibited.

If the IOM is unable to submit a proposal because of a conflict of interest or scheduling, the IOM must provide notice to NJ TRANSIT within **five (5)** calendar days of the receipt of the Work Authorization Request.

The IOM's technical proposal must contain the following elements:

Technical Proposals shall follow the format outlined below.

1. **COVER LETTER:** The cover letter shall summarize key points of the proposal and include any introductory or explanatory remarks. The cover letter should convey an understanding of the overall contract objectives and the work required of the Consultant.
2. **QUALIFICATION OF INDIVIDUALS:** This section shall contain resumes of the key persons proposed to work on this project. Resumes shall cite formal education, professional licenses and certifications, entire work history, and training in industry skills. Specific skills and any other relevant experiences should be highlighted.
3. **QUALIFICATION OF FIRM(S) AND RELATED EXPERIENCE:** This section shall contain information about the project organizational structure of the team and the personnel required for the project. The availability of professional and technical staff for this project should be shown. Also show anticipated workload for the duration of this project taking into account resources involved with existing proposals and active projects.
4. **TEAM ORGANIZATION/RESOURCE ALLOCATION:** This section shall address the proposed management structure, manpower allocation, and assigned

individuals for performing the Detailed Monitoring Work Plan.

The Consultant will identify disadvantaged owned business enterprises (DBEs) that will or may act as sub-consultants in accordance with NJ TRANSIT's established goals.

The Consultant shall certify that the listed 'key personnel' will be employed by the consultant and will be assigned to the project in the manner prescribed. The 'key personnel' identified by the consultant shall not be removed from the contract without written approval from NJ TRANSIT. Therefore, if a 'key personnel' member leaves the firm, NJ TRANSIT must be notified in writing within five (5) business days of their termination/separation.

The following information shall also be included in this section:

Team Organization and Staffing Chart showing the reporting and contractual relationships of all firms included in the proposal as well as the organization of key personnel by name, title and reporting relationship.

Detailed Monitoring Work Plan showing the number of person-hours proposed for each Task. This section shall include the detailed approach and methodology (work plan) for accomplishing the tasks detailed the scope of work. All work plans **MUST** be in the format provided in Attachment 7.

5. **TECHNICAL SECTION:** This section shall contain the work plan for accomplishment of the project. The work plan shall address all tasks described in this RFP. Additional narrative on the services to be performed, which can be used to evaluate the Proposer's understanding of the objectives and overall purpose of the project, is encouraged. This section shall carefully reflect all tasks described in Section C above.
6. **IOM FIRM DBE PROGRAM COMPLIANCE MONITORING OF CONTRACTORS:** This section shall contain the detailed strategy and deliverables that the IOM Firm will utilize to assess the contractor(s) compliance with the DBE Requirements as detailed in Section F above.
7. **DBE PROGRAM REQUIREMENTS FOR THE IOM FIRM:** The IOM Firm shall identify DBEs that will or may act as sub-consultants in accordance with NJ TRANSIT's established DBE goals.

This section shall also describe, in sufficient detail, how the IOM firm will meet its DBE requirements as prescribed in the Contract and the controls that are in place within the IOM firm to ensure compliance. DBE participation is to be highlighted and total DBE participation provided as a percentage only.

8. **SCHEDULE:** A schedule that shall identify the performance milestones and associated deliverable items to be submitted as evidence of completion of each task and/or sub-task.

9. **QUALITY ASSURANCE PLAN (QAP):** This section shall contain a summary of the Consultant's QAP outlining the process which will be followed for checking, reviewing and approving of the Consultant's work product to ensure it is consistent with NJ TRANSIT and New Jersey Department of the Treasury expectations, requirements and standards. Typical titles of responsible individuals shall be identified along with descriptions of experience and other qualifications required for these positions. A complete QAP is not required; however Consultant shall provide sufficient detail of its quality assurance program in order to permit a clear understanding.
10. **CONFLICTS:** In accordance with Section I above, an IOM firm and its sub-consultants shall provide the information identified above in Section I entitled "Conflict of Interest" and complete the Certification, attached hereto as Attachment 8.

The IOM's cost proposal must contain the following elements:

- A. Cost proposals shall be submitted in a separate, sealed envelope.
- B. Cost proposals are to be presented in a person-hour allocation format by firm, task and personnel classification. (Attachment 5)
- C. NJ TRANSIT will only pay for straight time labor at the fully loaded rate with no overtime or night differential, i.e., NJ TRANSIT will not pay for travel, meals, lodging, commutation, overhead, profit, administration, or other expenses except as otherwise specifically provided below. Any other necessary expenses on a project basis will be at the sole discretion of NJ TRANSIT and all decisions are final. Rates shall be fully loaded and apply per job title.

There is an allowance established for reimbursement of reasonable, documented costs incurred in order to relocate staff members and managers to New Jersey where their primary residences are ninety (90) or more miles from the City of Newark, New Jersey documented by computer mapping calculations. In such instances only costs of initial travel and move of personal property to New Jersey will be reimbursed and only where approved in writing by NJT IAD prior to move or travel occurring. No travel back and forth to primary residence during work assignment will be reimbursable; however, reasonable documented costs of transportation of assigned personnel and move of personal property will be paid upon conclusion of Work Authorizations to which staff member or manager has been assigned. Travel in relation to assigned duties shall not be reimbursable. All reimbursable travel expenses shall be in accordance with the Travel & Business Reimbursement Guidelines.

As to Subject Matter Experts (SMEs), only costs of travel and stays in hotel as well as breakfast and dinner will be reimbursable where SME attendance is required in New Jersey and has been previously approved in writing by NJT IAD for periods of 30 or fewer consecutive days. Travel in relation to assigned duties shall not be reimbursable. Stays of SMEs for more than thirty (30) days will be reimbursed for reasonable, documented relocation costs as provided above as it applies to staff

members and managers. All reimbursable travel expenses shall be in accordance with the Travel & Business Reimbursement Guidelines.

- D. The Cost Proposal must also include the mandatory attached DBE Forms A, A-1, A-2, B, NJUCP DBE Certification, Form D (if applicable) and Trucking Commitment Agreement (if applicable) as detailed in Section E above. If applicable, the Cost Proposals must also include the supplemental DBE forms AA, AA1, AA2 and BB. (Attachment 6). If the ten percent (10%) DBE participation is not met on this Work Authorization; please provide a detailed explanation as to why and how the firm plans to work towards meeting this goal in addition to documented evidence of good faith effort.

L. SELECTION PROCESS

NJ TRANSIT will review the proposals and select the IOM whose proposal is most advantageous, price and other factors considered.

Oral Presentations may be required at the discretion of NJ TRANSIT. Oral Presentations, if necessary, will provide an opportunity for the firms/teams to clarify or elaborate on its written technical proposal. The Technical Evaluation Committee (TEC) will conduct the Oral Presentations. The TEC will use the Oral Presentations to confirm and/or reassess its understanding of the written technical proposals, and incorporate that information into its evaluation by revising the written technical evaluation scores accordingly. NJ TRANSIT reserves the right to assess and reassess its understanding of proposals and revise the rating and ranking of such proposals at any time prior to selection.

NJ TRANSIT will enter into negotiations with the top ranked proposer to reach an agreement on the scope of services and the fair and reasonable compensation to be paid by NJ TRANSIT. If in the opinion of NJ TRANSIT a satisfactory agreement cannot be negotiated with the top ranked proposer, NJ TRANSIT will end negotiations and initiate negotiations with the second most qualified firm. NJ TRANSIT considers all aspects of a consultant's proposal negotiable.

NJ TRANSIT will then issue a Work Authorization with a "not to exceed" clause to the engaged firm and begin the issuance of the assignment. A firm may submit pricing lower than its original proposal price for a specific project. Any change in the scope and/or fee must have the prior written consent of NJ TRANSIT's authorized representative.

Contract award is subject to the availability of federal funding. The level and amount of work to be awarded to the Integrity Oversight Integrity Monitor is not guaranteed.

M. ADMINISTRATION OF THE CONSULTANT – STANDARD PROJECT INITIATION

Consultant activities will be managed by NJ TRANSIT's Internal Audit Department (NJT IAD) in consultation with the New Jersey Department of the Treasury, NJ TRANSIT Accountability Officer and NJ TRANSIT's authorized Procurement representative with responsibility for initiating all contractual work and the administration of and resolution of all Work Authorization items.

A. Work Authorization

Work Authorizations executed between the IOM's authorized representative and NJ TRANSIT's authorized Procurement representative is required prior to any services being provided by the Consultant. The parties agree that the signing of a Work Authorization shall be necessary to commit NJ TRANSIT to compensate the IOM for accepted work referenced therein and to commit the IOM to perform the work according to its written description, for an amount not to exceed the fee provided in the Work Authorization. Any change in the scope and/or fee must have the prior written consent of NJ TRANSIT's authorized Procurement representative. A separate Work Authorization shall be required for each assignment of the IOM.

Work Authorizations are intended to provide oversight monitoring of specific contracts from conception where practicable under the circumstances. An assigned IOM is to have its staff familiarize itself with the proposed contract scope and schedule and get to know the project management and design staff. The IOM is to become familiar with the contract to which it is assigned prior to the commencement of work. Contracts can be varied in scope and length of time. Some contracts will involve force account work and contract work at the same time and sometimes sequentially. Before actual construction work begins, IOM staff time will not be at full level. Similarly as a contract nears completion and closeout, IOM involvement will similarly lessen. The subject matter experts to be supplied by IOM will differ from assignment to assignment and possibly during the course of a contract where nature and scope of work may vary from phase to phase.

B. Acceptance

(1) Any items which the Consultant must deliver to NJ TRANSIT as noted in a Work Authorization shall be delivered to the NJT IAD. NJT IAD will review the deliverables and shall have the right, in its sole judgment, to refuse the acceptance of any items if they do not meet the Standards of Performance established by NJ TRANSIT. Such review does not relieve the Consultant of its liability for errors and omissions.

(2) Any items which the Consultant must deliver to New Jersey Department of the Treasury as noted in a Work Authorization and/or the reporting requirements shall be delivered to the New Jersey Department of the Treasury. New Jersey Department of the Treasury will review the deliverables and shall have the right, in its sole judgment, to refuse the acceptance of any items if they do not meet the performance standards set forth in NJ Transit Contract Nos. 14-033A, 14-033B, 14-033C and 14-033D. Such review does not relieve the Consultant of its liability for errors and omissions.

(3) If the services or any deliverables are not accepted, NJ TRANSIT has the option of terminating the Agreement, or terminating the associated Work Authorization.

(4) NJ TRANSIT and New Jersey Department of the Treasury reserve the right to seek reimbursement of all costs, expenses or damages incurred, because of any act, error or omission, neglect or negligence, or misconduct of said Consultant or its sub-consultants in the performance of the work outlined in this Agreement. In such an event, NJ TRANSIT may withhold payment pending resolution of disputed claim not to exceed the amount due under the item of dispute, but without limitation to the amount NJ TRANSIT

or Treasury may seek or claim to the extent allowed by law or equity. NJ TRANSIT shall not be obligated to make any payment for work that is unsatisfactory or does not comply with the terms of this Agreement. Furthermore, the Consultant shall not receive additional compensation for the cost of redoing, correcting or otherwise revising work by reason of any act, error or omission, neglect or negligence, or misconduct of said Consultant or its sub-consultants in the performance of the work outlined in this Agreement.

C. Responsibilities

(1) NJ TRANSIT Responsibilities

NJ TRANSIT is responsible for managing and accepting the IOM's work and deliverables as well as approving its invoices.

(2) Integrity Oversight Monitor Responsibilities

IOMs are responsible for executing the work in an effective and efficient manner and to meet all requirements of the Contract including the reporting requirements as noted in Section IV. In addition, the IOM is required to provide all work directly to NJ TRANSIT Internal Audit. Any other interactions with NJ TRANSIT personnel including the execution of the contract work must be coordinated through the NJ TRANSIT Internal Audit Department with the exception of communications with the Office of Civil Rights/Business Development regarding the IOM firm's DBE program requirements.

N. ADMINISTRATION OF THE CONSULTANT - CONSULTANT TEAM CHANGES

Where the Consultant finds it necessary or prudent to vary the composition of its resources, the Consultant shall be required to submit for NJ TRANSIT and the New Jersey Department of the Treasury, as the case may be, a request for approval in advance with such information and justifications as are necessary to support the restructuring of the team. In making such changes, the Consultant must remain cognizant of all DBE participation requirements and goals as specified in the contract documents. For resources that are added, NJ TRANSIT will require a description of the resources' credentials and background. In addition, NJ TRANSIT may require an interview of the personnel.

NJT IAD and New Jersey Department of the Treasury shall have the right to pre-approve staffing and removal of particular staff members at its discretion.

If the Prime Consultant will be adding, removing and/or replacing a DBE subconsultant firm/employee on its team, it must be in accordance with Articles 4.2, 4.3 and 4.4 of NJ TRANSIT's DBE Requirements.

O. ADMINISTRATION OF THE CONSULTANT - COMPENSATION

Payment for services to be rendered under this contract shall be on an hourly fee basis with a maximum not-to-exceed cost established for each individual Work Authorization authorized in accordance with the procedures described herein, and subject to the terms and conditions established for the overall contract. Payments of invoices will be made within thirty (30) days of approval by NJ TRANSIT Auditor General or his

designee. No charges for work directed by unauthorized NJ TRANSIT or New Jersey Department of the Treasury personnel shall be binding upon NJ TRANSIT, and any work performed pursuant to such authorization shall be entirely at the risk of the Consultant. Additionally, no compensation will be allowed for the revision of work which has been rejected as failing to satisfy the requirements of a specific Work Authorization. The Consultant shall use a standard invoice form detailing the particular tasks, deliverables completed, particular work completed, hours expended by personnel, cost basis and total cost, and other detailed information that may be required by NJ TRANSIT. The Consultant shall submit all itemized bills separately for each Work Authorization. Each invoice may be reviewed by NJT IAD and New Jersey Department of the Treasury as well as by the Accountability Officer, the Board's Representatives and NJ TRANSIT staff.

Monthly invoices with supporting schedules of billable hours, fees and deliverables for work performed must be issued for this Work Authorization. No travel or out-of-pocket expenses will be reimbursed unless pre-approved in accordance with NJ TRANSIT Contract No. 14-033. Payment of invoices will be contingent upon successful completion, delivery and sole acceptance of aforementioned deliverables in the form and substance required by NJ TRANSIT.

In addition to the weekly report, in order to support payment, the IOM firm must include in their billing detail a daily log of activities for each person on the Work Authorization. This includes, for each person, tasks performed by deliverable, identification of the employees or subconsultants (and their respective employees) met with, summarized work performed, all meetings attended, field visitations along with the name of employee and subconsultants (and their respective employee) in attendance, and any other information to sufficiently support billing. Billing must also include, by person, hours billed for the current period and hours billed to date and expenses billed for the current period and expenses billed to date. The above provisions also apply to all sub-consultants if employed by the IOM firm.

P. OWNERSHIP OF WORK

All work product produced by the IOM in accordance with this contract and Work Authorizations are the sole property of NJ TRANSIT. Work product includes, but is not limited to: reports, documents, analyses, worksheets, work papers, cost estimates, tapes (audio or video), correspondence, computer files/media storage/programs/data, sample lists, sign-in sheets, audits, photographs, drawings, spread sheets, graphics and all other information resulting from or obtained during the Consultant's work performed under this contract.

Q. NOTICE OF EXECUTIVE ORDER 125 REQUIREMENT FOR POSTING OF WINNING PROPOSAL AND CONTRACT DOCUMENTS

Pursuant to Executive Order No. 125, signed by Governor Christie on February 8, 2013, the Office of the State Comptroller (OSC) is required to make all approved State contracts for the allocation and expenditure of federal reconstruction resources available to the public by posting such contracts on an appropriate State website. Such contracts are posted on the New Jersey Sandy Transparency website located at:

<http://nj.gov/comptroller/sandytransparency/contracts/sandy/>

The contract resulting from this Work Authorization Request is subject to the requirements of Executive Order No. 125. Accordingly, the OSC will post a copy of the contract, including the Work Authorization Request, the winning proposer's proposal and other related contract documents for the above contract on the Sandy Transparency website.

In submitting its proposal, a proposer may designate specific information as not subject to disclosure. However, such proposer must have a good faith legal and/ or factual basis to assert that such designated portions of its proposal (i) are proprietary and confidential financial or commercial information or trade secrets or (ii) must not be disclosed to protect the personal privacy of an identified individual. The location in the proposal of any such designation should be clearly stated in a cover letter, and a redacted copy of the proposal should be provided.

The State reserves the right to make the determination as to what is proprietary or confidential, and will advise the winning bidder accordingly. The State will not honor any attempt by a winning proposer to designate its entire proposal as proprietary, confidential and/or to claim copyright protection for its entire proposal. In the event of any challenge to the winning proposer's assertion of confidentiality with which the State does not concur, the proposer shall be solely responsible for defending its designation.

R. ATTACHMENTS

- Attachment 1: Hoboken Program Information
- Attachment 2: Disaster Fraud Theft Reporting Form
- Attachment 3: Quarterly Report Template
- Attachment 4: Question Submittal Template
- Attachment 5: Cost Proposal Format
- Attachment 6: DBE Forms
- Attachment 7: Detailed Monitoring Work Plan Template
- Attachment 8: Conflict of Interest Certification

NJ TRANSIT Contact No. 14-033
Integrity Oversight Monitoring Services
Work Authorization Request: Superstorm Sandy Integrity Oversight Monitoring Services
for the Hoboken Yard Signal Power Repair
and the Hoboken Boiler and Terminal Repair

Attachment 1: Hoboken in-scope Projects Information

NJT00850, "SANDY Dmg 04RHOB 4 Hoboken Yard-Boiler for Bldg- Repair"

SCOPE:

This project is for design and construction related to repairs of the centralized Hoboken Boiler System which provides heat and hot water throughout the Hoboken Terminal Building. The repairs include design and installation of a replacement heating system using smaller boilers installed on upper floors at elevations well above the FEMA Base Flood Elevation (BFE). The current design anticipates two separate boilers. The work includes the new boiler equipment; the associated utility work including new gas and power systems to each boiler unit; a new supply, distribution and return system, including equipment, controls and piping; building modifications to the Terminal Building to accommodate the new installations; and removal of the existing boiler and equipment. The project includes design, project administration, construction, the purchase of necessary equipment and materials, and any other related costs required to complete the scope. The scope for IOM services is for Design Services and Construction Services with the budgeted amounts and key milestones listed below.

BUDGET:

CPAS Category	Current Value
Design – Services - STV	\$1,417,623
Construction - Services (DMR Construction)	\$10,600,000
Total:	\$12,017,623

MILESTONES:

Milestone Category	Current
Design 100% Complete	Jan 2017
Construction Start	Oct 2017
Construction Complete	Jul 2019

NJT00851, "SANDY Dmg 04RHOB 4 Hoboken Yard-Signal Power Repair"**SCOPE:**

This project is for the design and construction of modifications to the Hoboken Yard Signal Power Distribution system including raising components such as feeder and branch cables, transformers and sectionalizing switches above the Design Flood Elevation. Modifications to existing poles and catenary structures and the installation of new poles are included to support the additional structural loads from the new aerial cabling and elevated equipment. The project includes design, project administration, construction, the purchase of necessary equipment and materials, and any other related costs required to complete the scope.

BUDGET:

CPAS Category	Current Value
Design – Services - STV	\$792,282
Construction – Services (to be awarded)	TBD
Total:	TBD

MILESTONES:

Milestone Category	Current
Design 100% Complete	Dec 2017
Construction Start	Oct 2018
Construction Complete	June 2023

NJ TRANSIT Contact No. 14-033

Integrity Oversight Monitoring Services

**Work Authorization Request: Superstorm Sandy Integrity Oversight Monitoring Services
for the Hoboken Yard Signal Power Repair
and the Hoboken Boiler and Terminal Repair**

Attachment 2: Disaster Fraud Theft Reporting Form



OFFICE OF THE ATTORNEY GENERAL
STATE OF NEW JERSEY



Disaster Fraud/Theft Reporting Form

Reporting Agency:	Agency Case No.:	Reporting County:	Date:
Reporting Officer:	Badge No.:	Agency Telephone No.:	Department ORI: (If applicable)
Nature of Crime/Incident:	Crime Date:	Amount of Theft/Fraud:	Have Charges been Filed? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Pending

VICTIM / COMPLAINANT SECTION

Victim / Complainant:	D.O.B.:	Cellular Telephone No.:	
Current Address:	Home Telephone No.:		
Municipality:	County:	State:	Zip Code:
Address of Incident: (if different from the current address)			
Municipality:	County:	State:	Zip Code:

Insurance Company Involved: (if applicable)	Policy No.:
Insurance Company Address:	Telephone No.:

DEFENDANT / SUSPECT SECTION

(attach additional defendants if applicable or forward department incident report with this form)

Defendant's Name:	D.O.B.:	Telephone No.:			
Address:	Municipality:	County:	State:	Zip Code:	
Vehicle Year:	Make:	Model:	Color:	Type:	Registration No. & State:
Business/Company Representing: (if applicable)	Telephone No.:	NJ Contractor License No. (plumbing, electrical etc.):			
Business Address:	Web-Site / E-Mail of business:				
Check ALL that apply: <input type="checkbox"/> Arrested <input type="checkbox"/> Complaints Filed <input type="checkbox"/> Under Investigation <input type="checkbox"/> Contacted by Police <input type="checkbox"/> Only Reported to Police / NJ Division of Consumer Affairs					

NARRATIVE SECTION

(provide a brief narrative of the incident)

E-MAIL COMPLETED FORMS TO SANDYFRAUD@NJDCJ.ORG

NJ TRANSIT Contact No. 14-033
Integrity Oversight Monitoring Services
Work Authorization Request: Superstorm Sandy Integrity Oversight Monitoring Services
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Attachment 3: Quarterly Report Template

State of New Jersey
Department of Treasury
Integrity Oversight Monitoring Reporting Model
For Quarter Ending: xx/xx/2016

Reports required under A-60 will be submitted by Integrity Oversight Monitors on the first business day of each calendar quarter to the State Treasurer and will contain detailed information on the projects/contracts/programs funded by the Disaster Relief Appropriations Act.

No.	Recipient Data Elements	Response	Comments
A. General Info			
1.	Recipient of funding		
2.	Federal Funding Agency? (e.g. HUD, FEMA)		
3.	State Funding (if applicable)		
4.	Award Type		
5.	Award Amount		
6.	Contract/Program Person/Title		
7.	Brief Description, Purpose and Rationale of Project/Program		
8.	Contract/Program Location		
9.	Amount Expended to Date		
10.	Amount Provided to other State or Local Entities		
11.	Completion Status of Contract or Program		
12.	Expected Contract End Date/Time Period		
B. Monitoring Activities			
13.	If FEMA funded, brief description of the status of the project worksheet and its support.		
14.	Quarterly Activities/Project Description (include number of visits to meet with recipient and sub recipient, including who you met with, and any site visits warranted to where work was completed)		

State of New Jersey
Department of Treasury
Integrity Oversight Monitoring Reporting Model
For Quarter Ending: xx/xx/2016

Reports required under A-60 will be submitted by Integrity Oversight Monitors on the first business day of each calendar quarter to the State Treasurer and will contain detailed information on the projects/contracts/programs funded by the Disaster Relief Appropriations Act.

No. Recipient Data Elements	Response	Comments
15. Brief Description to confirm appropriate data/information has been provided by recipient and what activities have been taken to review in relation to the project/contract/program.		
16. Description of quarterly auditing activities that have been conducted to ensure procurement compliance with terms and conditions of the contracts and agreements.		
17. Have payment requisitions in connection with the contract/program been reviewed? Please describe		
18. Description of quarterly activity to prevent and detect waste, fraud and abuse.		
19. Provide details of any integrity issues/findings		

State of New Jersey
Department of Treasury
Integrity Oversight Monitoring Reporting Model
For Quarter Ending: xx/xx/2016

Reports required under A-60 will be submitted by Integrity Oversight Monitors on the first business day of each calendar quarter to the State Treasurer and will contain detailed information on the projects/contracts/programs funded by the Disaster Relief Appropriations Act.

No.	Recipient Data Elements	Response	Comments
20.	Provide details of any work quality or safety/environmental/historical preservation issue(s).		
21.	Provide details on any other items of note that have occurred in the past quarter		
22.	Provide details of any actions taken to remediate waste, fraud and abuse noted in past quarters		
C. Miscellaneous			
23.	Attach a list of hours and expenses incurred to perform your quarterly integrity monitoring review		
24.	Add any item, issue or comment not covered in previous sections but deemed pertinent to monitoring program.		

Name of Integrity Monitor:
Name of Report Preparer:
Signature:
Date:

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Integrity Oversight Monitoring Services
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Attachment 4: Question Submittal Template

[illegible]

**NJ TRANSIT Contact No. 14-033
Integrity Oversight Monitoring Services
Work Authorization Request: Superstorm Sandy Integrity Oversight Monitoring Services
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Attachment 5: Cost Proposal Format

Firm Name: TO BE COMPLETED FOR EACH FIRM ON THE IOM TEAM

Employee Name	Staffing Category	Fill in Work plan Risk Categories	Hours		Amount (\$)		Hours		Amount (\$)		Hours		Amount (\$)		Total Hours		Total \$ Amount
			Hourly Billing Rate (\$)														
	Partner/Principal/Director																
	Program Manager/Project Manager																
	Subject Matter Expert																
	Supervisor/Senior Consultant																
	Consultant/Associate/Staff																
	Administrative Support																
TOTALS																	

Total Direct Cost	
----------------------	--

Total Travel Cost	
----------------------	--

GRAND TOTAL	
----------------	--

**NJ TRANSIT Contact No. 14-033
Integrity Oversight Monitoring Services
Work Authorization Request: Superstorm Sandy Integrity Oversight Monitoring Services
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Attachment 6: DBE Forms

REQUIRED FORMS

ENCLOSED FOR COMPLETION (MANDATORY):

- **Form A; A1; A2; B; D & Trucking Commitment Schedule**

TO BE OBTAINED AND SUBMITTED (MANDATORY):

- **Copy of a valid NJUCP DBE Certificate (Provided by 1st Tier DBEs.)**

Consult DBE Program Requirements for further guidance.

First Tier DBE UTILIZATION - FORM A

Project Name: _____

NJT Contract No: _____

Assigned DBE Goal %: _____ NJT Procurement Specialist: _____

Contract Value (\$): _____

First Tier DBE must perform at least 51% of its subcontract value if subcontracting to a Second -Tier DBE or Non-DBE. Do not count Non-DBE portion toward the goal.

Name, Address and Telephone # of DBE Subcontractor/Subconsultant	Provide <u>Detailed</u> Scope of Work to be Performed (Identify all suppliers)	Dollar Value of Subcontract/Sub-consultant Work (\$) Awarded	Percentage of Subcontract Work (%)
			%
			%
			%
			%
			%
For DBE suppliers, show original subcontract value multiplied by 60% (\$2,000*60%=\$1200). For DBE portion of work, subtract Non-DBE portion of work from original subcontract value.	TOTALS	\$	%

The undersigned will enter into a formal agreement with the DBE(s) listed in this schedule conditioned upon execution of a contract with NJ TRANSIT for the above referenced project. The undersigned understands that removal/replacement of the DBE(s) listed is NOT PERMISSIBLE for any reason (pre or post-award), without submitting a written request to the Office of Business Development and receiving WRITTEN APPROVAL from the Office of Business Development. Failure to obtain written approval shall result in the breach of contract and subject to corrective action to be determined by NJ TRANSIT.

Company Name: _____

Authorized Signature: _____

Company Address: _____

Print Name: _____

Federal Tax ID #: _____

Title: _____

Company Tel #: _____

Prime Contractor's DBE Liaison Officer: _____

Date Signed: _____

BIDDER SOLICITATION & CONTRACTOR INFORMATION - FORM A1

NJT Contract No: _____
Prime Contractor: _____
Date: _____

Project Title: _____
Telephone #: _____

Complete the information below for Bidder/Proposer/Prime(s) working on the project. Use Page 2 for all subcontractors/subconsultants participating on or solicited for this project.

	Bidder/Proposer/Prime	Bidder/Proposer/Prime	Bidder/Proposer/Prime
Company's Full Name			
Address			
City			
Zip			
County			
Phone			
Fax			
E-mail			
Owner			
Date Established			
Date Certified			
Ethnicity			
Gender			
Certification Status: DBE or Non-DBE			
Federal Tax ID # / SSN #			
Annual Gross Receipts: A - Less than \$500K B - \$500K to \$1M C - \$1M to \$2M D - \$2M to \$5M E - \$5M and over indicate the letter that applies			
Primary NAICS Code:			

BIDDER SOLICITATION & CONTRACTOR INFORMATION - FORM A1

NJT Contract No: _____
Prime Contractor: _____
Date: _____

Project Title: _____
Telephone #: _____

Complete the information below for "all" subcontractors/subconsultants solicited for or participating on this project.

	Subcontractor/Subconsultant	Subcontractor/Subconsultant	Subcontractor/Subconsultant
Company's Full Name			
Address			
City			
Zip			
County			
Phone			
Fax			
E-mail			
Owner			
Date Established			
Date Certified			
Ethnicity			
Gender			
Certification Status: DBE or Non-DBE			
Federal Tax ID # / SSN #			
Annual Gross Receipts: A - Less than \$500K B - \$500K to \$1M C - \$1M to \$2M D - \$2M to \$5M E - \$5M and over indicate the letter that applies			
Primary NAICS Code:			

NON-DBE SUBCONTRACTOR UTILIZATION - FORM A2

Directions: To be completed by any Bidder/Proposer/Prime for "all" subs including suppliers participating on this contract.

NJ Transit Contract No: _____

Date: _____

Prime Contract Value: _____

Bidder/Proposer Prime Name: _____ Project Title: _____

Name, Address and Telephone # of all Subcontractor/Subconsultants	FEIN #	Provide Detailed Scope of Work to be Performed	Dollar Amount of Subcontractor/Sub-consultant Work (\$) Awarded	Percentage of Subcontract or Work (%)
			\$	%
			\$	%
			\$	%
			\$	%
			\$	%
Must provide a detailed scope of work; one-word descriptions are not acceptable.		TOTALS	\$	%

INTENT TO PERFORM AS A 1ST TIER DBE - FORM B

The Bidder/Proposer/Prime is prohibited from completing any portion of this form and directing the DBE to sign a blank form.

DIRECTIONS: DBE(s) listed on the Form A must complete all information on this form.

Name of Bidder/Proposer/Prime:

Name of DBE Firm:

Project/Contract Name:

IFB/RFP Contract Number:

Does the undersigned DBE (Answer Accordingly):

Intend to perform subcontract work in connection with the above-mentioned project as a Joint Venture? Circle one. (Yes or No)

Intend to subcontract any portion of its scope of work to a DBE(s)?

Circle one. (Yes or No)

If yes, DBE Sub-Primes must complete and submit Form AA.

At what percent? _____%

Intend to subcontract any portion of its scope of work to a Non-DBE(s)?

Circle one. (Yes or No)

If yes, must complete and submit Form AA2.

At what percent? _____%

The undersigned will perform the following described work on the above-referenced project: *(Provide a detailed description of the type of work you will perform on your subcontract. Attach a copy of quote approved and signed by Bidder (optional)).*

Dollar Value of DBE Subcontract: \$ _____

Total Quantity/Units (if applicable): _____ Per Unit Cost (if applicable): \$ _____

The undersigned based the above scope of work and subcontract value on detailed project specs received from the Bidder contractor named above. Circle one. (Yes or No)

The Prime Contractor projected the following commencement and completion date for such work as follows:

DBE Contract Start Date: _____ DBE Contract Completion Date _____

The undersigned DBE will enter into a formal agreement for the above work with the Prime Contractor conditioned upon execution of a contract with NJ TRANSIT. As a DBE subcontractor, I will cooperate with the certification, compliance and monitoring process set forth by NJ TRANSIT. I attest that I will perform at least 51% of my subcontract with my own workforce for the referenced project.

Signature of 1st Tier DBE

Date

Title

Print Name

Telephone #:

Failure to adhere to these instructions or the falsification of any information on this form shall result in breach of contract and subject to the appropriate penalties to be determined by NJ TRANSIT.

ADDENDUM

FORM D INSTRUCTION SHEET PRE AND POST AWARD GOOD FAITH EFFORT (IF APPLICABLE)

Required for all DBE subcontractors who decline to provide a quote.
Applies in pre and post-award.

Important

Bidder/proposer/prime compliance with contract goals and good faith efforts are handled as a matter of responsibility. If the bidder/proposer/prime did not meet the goal, they must document that they made Good Faith Efforts to do so. This requirement is an important and serious one. NJ Transit's Office of Business Diversity will make a fair and reasonable judgment as to whether the bidder made adequate Good Faith Efforts.

Bidders/proposers/primes are required to read the DBE Program Requirements and the guidelines/ instructions of all forms; and required to submit all forms in the Addendum (mandatory) and Supplemental Section (if applicable) with the bid/proposal or within seven (7) days after bid/proposal submission.

Guidelines to Bidder/Proposer/Prime:

- FORM D outlines actions that may be considered good faith efforts though it is not a mandatory checklist, nor is it intended to be exclusive or exhaustive. Please read DBE Program Requirements for further guidance.
- Bidder/Proposer/Prime must complete FORM D if and when it fails to meet the DBE goal.
- FORM D must be completed in this instance for any DBE firms which were solicited but declined to quote for the project.
- DBE firm must sign Page 2 of FORM D. If DBE declines to do so, submit completed form with bidder/proposer/prime signature only and the Office of Business Diversity will verify information with DBE.
- If/when the contract goal is not met, the fact that there may be some additional costs involved in finding and using DBEs is not in itself sufficient reason for a bidder's failure to meet the contract DBE goal, as long as such costs are reasonable. Prime contractors are not, however, required to accept higher quotes from DBEs if the price difference is excessive or unreasonable.
 - In short, unless the price difference is excessive or unreasonable, incurring additional costs in using and finding a DBE is not sufficient reason to reject the DBE quote or not to meet the contract goal.

Instructions:

- On Page 1 of FORM D, indicate with a check mark the various types of detailed good faith efforts made and attach documentation of such efforts. Types of acceptable documentation are listed on Page 2.
- Document any other type of good faith efforts not listed on Page 1.
- Complete this form entirely.

Bidders/proposers/primes are to provide the required forms and instruction sheet, including the Supplemental section to their 1st Tier DBE subs. DBE sub-primes must provide required forms under Supplemental section to their 2nd Tier DBE/Non-DBE subs, if applicable. Please contact the compliance officer identified for this contract at the pre-bid/proposal conference for guidance on completing any of these forms.

DBE GOOD FAITH EFFORT- FORM D

IFB/RFP Number: _____

Project Title: _____

Bidder/Proposer/Prime Name: _____

Address: _____

Phone: _____ Email: _____

Date Signed: _____

The following is a list of the types of actions that may be considered good faith efforts. It is not intended to be a mandatory checklist, nor is it intended to be exclusive or exhaustive. Other factors or types of efforts may be relevant in appropriate cases, however please check all that apply in this instance. Please provide documentation for ALL instances selected.

- ☐ Selected portions of work to be performed by DBEs and, where appropriate, broke down contracts into economically feasible units to facilitate DBE participation.
- ☐ Provided interested DBE with adequate information about plans, specifications, and requirements of the contract.
- ☐ Negotiated in good faith with interested DBE, not rejecting DBEs as unqualified without sound reasons based on a thorough investigation of their capabilities.
- ☐ Made efforts to assist interested DBE in obtaining bonding, lines of credit, or insurance required by NJ Transit or Bidder.
- ☐ Made efforts to assist interested DBEs in obtaining necessary equipment, supplies, materials, or related assistance or services.
- ☐ Advertised subcontracting opportunities in appropriate media.
- ☐ Used the services of minority organizations, minority contractors' groups, local state and federal minority business assistance offices and other organizations that provide assistance identifying subcontractors.
- ☐ Provided written notice to DBEs in sufficient time to allow the DBE to respond. (Provide copy of documentation with Page 2.)
- ☐ Followed up initial solicitation of interest by contacting DBE to determine interest. (Provide proof of follow up with Page 2.)

Describe any other efforts not covered above that may indicate Good Faith Efforts to obtain DBE participation on this project and provide documentation.

SUPPLEMENTAL SECTION REQUIRED FORMS

ENCLOSED FOR COMPLETION (IF APPLICABLE):

- **Form AA; AA1; AA2; BB; & Trucking Commitment Schedule**

TO BE OBTAINED AND SUBMITTED (IF APPLICABLE):

- **Copy of a valid NJUCP DBE Certificate (Provided by 2nd Tier DBEs.)**

Consult DBE Program Requirements for further guidance.

SECOND TIER DBE UTILIZATION- FORM AA

Project Name: _____

NJ Transit Contract No: _____

DBE Sub-Prime (First Tier) Subcontractor Contract Value (\$): _____

I plan to subcontract _____ % of my subcontract to Second Tier DBE subcontractor(s)/subconsultant(s) listed on the chart below to perform/supply the following:

Second Tier DBE subs must perform 100% of their scope of work.

Name, Address and Telephone # of Second Tier DBE Subcontractor/Subconsultant	Provide <u>Detailed</u> Scope of Work to be Performed	Dollar Value of Subcontractor/Sub-consultant Work (\$) Awarded	Percentage of Subcontractor Work (%)
			%
			%
			%
Any First-Tier DBE firm listed on the Form A must identify any DBE firm it will use to perform its scope of work.	TOTALS	\$	%

The undersigned understands its approval to perform on the above contract is based upon its identified DBE team listed above and its Non-DBE team listed on the Form AA2. The DBE Sub-Prime must receive written approval from the Office of Business Development for any changes to its DBE and/or Non-DBE subcontractors, their dollar values or scope of work identified on the Form AA and/or AA2 before making any changes. It attests that the identified firms will perform all work. Failure to adhere to, or falsification of any information contained herein shall result in breach of contract and subject to corrective action to be determined by NJ TRANSIT.

DBE Sub-Prime Firm: _____

Authorized Signature: _____

Company Address: _____

Print Name: _____

Title: _____

Federal Tax ID #: _____

Sub-Prime's DBE Liaison Officer: _____

Company Tel #: _____

Date Signed: _____

BIDDER SOLICITATION & CONTRACTOR INFORMATION - FORM AA1

NJT Contract No: _____
DBE Sub-Prime: _____
Date: _____

Project Title: _____
Telephone #: _____

Complete the information below for *Second Tier contractor(s)* participating on the project.

	Subcontractor/Subconsultant	Subcontractor/Subconsultant	Subcontractor/Subconsultant
Company's Full Name			
Address			
City			
Zip			
County			
Phone			
Fax			
E-mail			
Owner			
Date Established			
Date Certified			
Ethnicity			
Gender			
Certification Status: DBE or Non-DBE			
Federal Tax ID # / SSN #			
Annual Gross Receipts: A - Less than \$500K B - \$500K to \$1M C - \$1M to \$2M D - \$2M to \$5M E - \$5M and over indicate the letter that applies			
Primary NAICS Code:			

NON-DBE SECOND TIER SUBCONTRACTOR UTILIZATION - FORM AA2

Directions: To be completed by any DBE Sub-Prime Contractor for "all" subs including suppliers participating on this contract.

NJ Transit Contract No: _____ Date: _____ DBE Sub-Prime Contract Value: \$ _____

DBE Sub-Prime Contractor Name: _____ Project Title: _____

Name, Address and Telephone # of all Second Tier Subcontractor(s)/Subconsultant(s)	FEIN #	Provide <u>Detailed</u> Scope of Work to be Performed	Dollar Amount of Subcontractor/Subconsultant Work (\$) Awarded	Percentage of Subcontractor Work (%)
			\$	%
			\$	%
			\$	%
			\$	%
			\$	%
Must provide a detailed scope of work; one-word descriptions are not acceptable.		TOTALS	\$	%

INTENT TO PERFORM AS A SECOND TIER DBE - FORM BB

The Bidder is prohibited from completing any portion of this form and directing the DBE to sign a blank form.
DIRECTIONS: DBE(s) listed on the Form AA must complete all information on this form and must complete Form AA2 for any Non-DBE subcontractor performing a portion of its subcontract.

Name of First Tier DBE/Sub-Prime: _____

Name of Second Tier DBE Firm: _____

Project/Contract Name: _____

IFB/RFP Contract Number: _____

Does the undersigned intend to perform subcontract work in connection with the above-mentioned project as a Joint Venture? Circle one. (Yes or No)

Will you subcontract any portion of your scope of work to a DBE(s)? Circle one. (Yes or No)

Will you subcontract any portion of your scope of work to a Non-DBE(s)? Circle one. (Yes or No)

The undersigned will perform the following described work on the above-referenced project: *(Provide a detailed description of the type of work you will perform on your subcontract. Attach a copy of quote approved and signed by Bidder (optional)).*

Dollar Value of DBE Subcontract: \$ _____

Total Quantity/Units (if applicable): _____ Per Unit Cost (if applicable): \$ _____

The undersigned based the above scope of work and subcontract value on detailed project specs received from the DBE Sub-Prime named above. Circle one. (Yes or No)

The Prime Contractor projected the following commencement and completion date for such work as follows:

DBE Contract Start Date: _____ DBE Contract Completion Date _____

The undersigned DBE will enter into a formal agreement for the above work with the DBE Sub-Prime conditioned upon execution of a contract with the Prime on the project. As a Second Tier DBE subcontractor, I will cooperate with the certification, compliance and monitoring process set forth by NJ TRANSIT. I attest that I will perform 100% of my subcontract with my own workforce for the referenced project.

Signature of Second Tier DBE _____

Date _____

Title _____

Print Name _____

Telephone #: _____

Failure to adhere to these instructions or the falsification of any information on this form shall result in breach of contract and subject to the appropriate penalties as determined by NJ TRANSIT.

NJ TRANSIT Contact No. 14-033

Integrity Oversight Monitoring Services

**Work Authorization Request: Superstorm Sandy Integrity Oversight Monitoring Services
for the Hoboken Yard Signal Power Repair
and the Hoboken Boiler and Terminal Repair**

Attachment 7: Detailed Monitoring Work Plan Template

D R A F T
New Jersey Transit Corporation-Fraud Risk
Monitoring Work Plan

Project Name: _____ Contract No. _____ IOM Firm _____ Date: _____

Risk Category	Program Wide Risk Ref.	Program Wide Fraud Scheme Description	Program Wide Likelihood/ Impact	Potential Fraud Risk Description and Application to this Project	Likelihood / Impact (This Project)	Monitoring Procedures (Modify to address the risks identified for this project.)
Grant Management	A.1	Falsified Application Documents	L/H	<describe the fraud risk as it relates to this project and/or the reasons why it is N/A>		Potential Procedures - Generic: Review applicable supporting documentation to identify potential red flags and investigate as appropriate. Determine whether grant documentation intentionally misrepresented how grants will be used.
Grant Management	A.2	Falsified Reporting	L/M			Potential Procedures - Generic: Review applicable supporting documentation to identify potential red flags and investigate as appropriate. Determine whether reports were intentionally misrepresented and/or contained inaccurate information.
Grant Management	A.3	Budget Manipulation	M/L			Potential Procedures - Generic: Review applicable supporting documentation to identify potential red flags and investigate as appropriate. Determine whether costs are inappropriately charged to a specific grant or intentionally misclassified. Evaluate for possible budget manipulation where
Disbursement	B.1	Payment Charged to Incorrect Grant Code	M/L	<describe the fraud risk as it relates to this project and/or the reasons why it is N/A>		Potential Procedures - Generic: Review applicable supporting documentation to identify potential red flags and investigate as appropriate. Determine whether costs are inappropriately charged to a specific grant or intentionally misclassified.

D R A F T
New Jersey Transit Corporation-Fraud Risk
Monitoring Work Plan

Project Name: _____ Contract No. _____ IOM Firm _____ Date: _____

Risk Category	Program Wide Risk Ref.	Program Wide Fraud Scheme Description	Program Wide Likelihood/ Impact	Potential Fraud Risk Description and Application to this Project	Likelihood / Impact (This Project)	Monitoring Procedures (Modify to address the risks identified for this project.)
Disbursement	B.2	Billing Schemes	L/M			Potential Procedures - Generic: Review applicable supporting documentation to identify potential red flags and investigate as appropriate. Review whether charges (hourly rates/overhead rates/materials) do not align with the contractual requirements. Determine whether quality and quantity of materials and services received were misreported/misrepresented. Review payments where supporting documentation are not adequate, missing or incomplete.
Procurement - Contractor bid frauds	C.1.1	Bid Suppression	H/M	<describe the fraud risk as it relates to this project and/or the reasons why it is N/A>		Potential Procedures - Generic: Review applicable supporting documentation to identify potential red flags and investigate as appropriate. Determine whether the non-winning bidders are retained via subcontracts. Determine why solicited firms did not bid. Analyze bids received versus internally developed cost estimates. Review ownership and affiliations of competitors to determine if there is shared ownership, past joint ventures, or an ongoing and repeated contractor/subcontractor relationship.
Procurement - Contractor bid frauds	C.1.2	Complementary Bidding	H/M			
Procurement - Contractor bid frauds	C.1.3	Bid Rotation	H/M			
Procurement - Contractor bid frauds	C.1.4	Unbalanced Bids	H/M			

D R A F T
New Jersey Transit Corporation-Fraud Risk
Monitoring Work Plan

Project Name: _____ Contract No. _____ IOM Firm _____ Date: _____

Risk Category	Program Wide Risk Ref.	Program Wide Fraud Scheme Description	Program Wide Likelihood/ Impact	Potential Fraud Risk Description and Application to this Project	Likelihood / Impact (This Project)	Monitoring Procedures (Modify to address the risks identified for this project.)
Procurement - Conflicts of interest	C.2	Conflicts of Interest	H/M	<describe the fraud risk as it relates to this project and/or the reasons why it is N/A>		<p>Potential Procedures - Generic: Review applicable supporting documentation to identify potential red flags and investigate as appropriate.</p> <p>Review bidders lists to determine whether contractor lists represented a legitimate pool of contractors.</p> <p>Determine why solicited firms did not bid.</p> <p>Determine ownership and affiliations of competitors to determine if there is shared ownership, past joint ventures, familial relationships, and corporate relationships, etc. and investigate if not in the best interests of the project or NJT.</p>
Procurement - Bribery / kickbacks	C.3	Bribery/Kickbacks	H/M	<describe the fraud risk as it relates to this project and/or the reasons why it is N/A>		<p>Potential Procedures - Generic: Review applicable supporting documentation to identify potential red flags and investigate as appropriate.</p> <p>Assess vendor selection procedures and controls and identify weaknesses and/or compliance issues in the selection process and investigate if not in the best interests of the project or NJT.</p> <p>Inquire from bidders, non-bidders and NJT personnel whether they were solicited for bribes/kickbacks.</p> <p>Review sole and single sourced contracts for award process and investigate if not in the best interests of the project or NJT.</p>
Procurement - Contract frauds	C.4.1	Rigged Specifications	M/M	<describe the fraud risk as it relates to this project and/or the reasons why it is N/A>		<p>Potential Procedures - Generic: Review applicable supporting documentation to identify potential red flags and investigate as appropriate.</p>
Procurement - Contract frauds	C.4.2	Manipulation of Contract Terms	M/M			<p>Assess vendor contracting procedures and controls and identify weaknesses and/or compliance issues in the contracting process and investigate if not in the best interests of the project or NJT.</p> <p>Review contract RFP documentation. related</p>

D R A F T
New Jersey Transit Corporation-Fraud Risk
Monitoring Work Plan

Project Name: _____ Contract No. _____ IOM Firm _____ Date: _____

Risk Category	Program Wide Risk Ref.	Program Wide Fraud Scheme Description	Program Wide Likelihood/ Impact	Potential Fraud Risk Description and Application to this Project	Likelihood / Impact (This Project)	Monitoring Procedures (Modify to address the risks identified for this project.)
Procurement - Contract frauds	C.4.3	Intentionally Vague Scope Definition	H/H			contract documents, other correspondence, questions, submitted during procurement, minutes from procurement meetings, contractor proposals, etc., and investigate if not in the best interests of the project or NJT.
Procurement - Contract frauds	C.4.4	Unreasonable Prequal Requirements	M/M			
Procurement - Bid Information Frauds	C.5.1	Leaked Bid Information	H/M	<describe the fraud risk as it relates to this project and/or the reasons why it is N/A>		Potential Procedures - Generic: Review applicable supporting documentation to identify potential red flags and investigate as appropriate. Assess vendor procedures and controls and identify weaknesses and/or compliance issues and investigate if not in the best interests of the project or NJT. Review bid receipt, opening, and evaluation process and investigate if not in the best interests of the project or NJT, e.g., leaked information, acceptance of late bids, improper disqualification, unjustified sole/single source contracts, etc. Determine whether procurement employees have undisclosed relationships or affiliation with the winning bidder, e.g., social connections, trade associations, former projects, prior employment, legitimate business contacts
Procurement - Bid Information Frauds	C.5.2	Accepting Late Bids	M/M			
Procurement - Bid Information Frauds	C.5.3	Improper Disqualification	M/M			
Procurement - Bid Information Frauds	C.5.4	Unjustified Sole Source Contracts	H/M			

D R A F T
New Jersey Transit Corporation-Fraud Risk
Monitoring Work Plan

Project Name: _____ Contract No. _____ IOM Firm _____ Date: _____

Risk Category	Program Wide Risk Ref.	Program Wide Fraud Scheme Description	Program Wide Likelihood/ Impact	Potential Fraud Risk Description and Application to this Project	Likelihood / Impact (This Project)	Monitoring Procedures (Modify to address the risks identified for this project.)
Task Order Contractors (TOC's)	D.1	Bribes/ Kickbacks	H/H	<describe the fraud risk as it relates to this project and/or the reasons why it is N/A>		<p>Potential Procedures - Generic:</p> <p>Review applicable supporting documentation to identify potential red flags and investigate as appropriate.</p> <p>Perform background checks NJT personnel and on assigned subcontractors and suppliers to determine if there are relationships that are not in the best interest of the project or NJT.</p> <p>Assess vendor assignment procedures and controls and identify weaknesses and/or compliance issues and investigate if not in the best interests of the project or NJT.</p> <p>Inquire NJT personnel, e.g., procurement, project management, construction management, etc., whether they were solicited for bribes/kickbacks.</p> <p>Review sole and single sourced contracts for award process and investigate if not in the best interests of the project or NJT.</p>
Task Order Contractors (TOC's)	D.2	Falsifying Records	M/M	<describe the fraud risk as it relates to this project and/or the reasons why it is N/A>		<p>Potential Procedures - Generic:</p> <p>Review applicable supporting documentation to identify potential red flags and investigate as appropriate.</p> <p>For appropriate documentation submitted by the contractor, e.g., billing, time reports, completion reports, inspection, prevailing-wage reporting, etc., validate the completeness and accuracy of charges and investigate instances which are not in the best interests of the project or NJT.</p> <p>Review documentation for the selection and pricing of the TOC for and investigate instances which are not in the best interest of the project or NJT.</p>

D R A F T
New Jersey Transit Corporation-Fraud Risk
Monitoring Work Plan

Project Name: _____ Contract No. _____ IOM Firm _____ Date: _____

Risk Category	Program Wide Risk Ref.	Program Wide Fraud Scheme Description	Program Wide Likelihood/ Impact	Potential Fraud Risk Description and Application to this Project	Likelihood / Impact (This Project)	Monitoring Procedures (Modify to address the risks identified for this project.)
Task Order Contractors (TOC's)	D.3	Conflicts of Interest	H/M	<describe the fraud risk as it relates to this project and/or the reasons why it is N/A>		<p>Potential Procedures - Generic: Review applicable supporting documentation to identify potential red flags and investigate as appropriate.</p> <p>Determine whether the task order contractor lists represents a legitimate pool of contractors.</p> <p>If competitive process, determine why solicited firms did not bid.</p> <p>Determine ownership and affiliations of TOCs to determine if there is shared ownership, past joint ventures, familial relationships, and corporate relationships, etc. and investigate if not in the best interests of the project or NJT.</p>
Task Order Contractors (TOC's)	D.4	Schedule Manipulation	M/M	<describe the fraud risk as it relates to this project and/or the reasons why it is N/A>		<p>Potential Procedures - Generic: Review applicable supporting documentation to identify potential red flags and investigate as appropriate.</p> <p>Conduct periodic site monitoring of construction progress and compare to reported progress to ensure accuracy of all scheduling data and investigate instances that are not in the best interest of the project or NJT.</p> <p>Determine whether the GC and/or subcontractors manipulated the schedule in order to increase delay claims, change orders, and/or accelerated costs.</p>
Task Order Contractors (TOC's)	D.5	Change Order Manipulation	H/H	<describe the fraud risk as it relates to this project and/or the reasons why it is N/A>		See Change Orders section below.

D R A F T
New Jersey Transit Corporation-Fraud Risk
Monitoring Work Plan

Project Name: _____ Contract No. _____ IOM Firm _____ Date: _____

Risk Category	Program Wide Risk Ref.	Program Wide Fraud Scheme Description	Program Wide Likelihood/ Impact	Potential Fraud Risk Description and Application to this Project	Likelihood / Impact (This Project)	Monitoring Procedures (Modify to address the risks identified for this project.)
Outsourced Programs	E.1	Duplicate Billings	H/H	<u><describe the fraud risk as it relates to this project and/or the reasons why it is N/A></u>		<p>Potential Procedures - Generic: Review applicable supporting documentation to identify potential red flags and investigate as appropriate.</p> <p>Validate the completeness and accuracy of charges submitted by the contractor, e.g., invoices, receipts, payroll records, overheads, etc., and investigate instances which are not in the best interests of the project or NJT.</p>
Outsourced Programs	E.2	Cost Shifting	H/H	<u><describe the fraud risk as it relates to this project and/or the reasons why it is N/A></u>		<p>Potential Procedures - Generic: Review applicable supporting documentation to identify potential red flags and investigate as appropriate.</p> <p>Investigate instances where costs may not be appropriately applied to the correct scope of work performed which are not in the best interests of the project or NJT.</p>
Disadvantaged Business Enterprise (DBE) - False Submission	F.1.1	False Certification Documentation	H/H	<u><describe the fraud risk as it relates to this project and/or the reasons why it is N/A></u>		<p>Potential Procedures - Generic: Review applicable supporting documentation to identify potential red flags and investigate as appropriate.</p> <p>Evaluate DBE Certification documents and determine whether there are any false documents, e.g., forgery, alterations, changes, etc. that are not in the best interest of the project or NJT.</p>
Disadvantaged Business Enterprise (DBE) - False Submission	F.1.2	False Compliance Documentation	H/H	<u><describe the fraud risk as it relates to this project and/or the reasons why it is N/A></u>		<p>Potential Procedures - Generic: Review applicable supporting documentation to identify potential red flags and investigate as appropriate.</p> <p>Evaluate and determine whether DBE documents accurately portray work performed and or payment history, etc., and investigate instances that are not in the best interest of the project or NJT.</p>

D R A F T
New Jersey Transit Corporation-Fraud Risk
Monitoring Work Plan

Project Name: _____ Contract No. _____ IOM Firm _____ Date: _____

Risk Category	Program Wide Risk Ref.	Program Wide Fraud Scheme Description	Program Wide Likelihood/ Impact	Potential Fraud Risk Description and Application to this Project	Likelihood / Impact (This Project)	Monitoring Procedures (Modify to address the risks identified for this project.)
Disadvantaged Business Enterprise (DBE) - False submission	F.1.3	False or Manipulated DBE Pricing	H/H	<u><describe the fraud risk as it relates to this project and/or the reasons why it is N/A></u>		Potential Procedures - Generic: Review applicable supporting documentation to identify potential red flags and investigate as appropriate. Determine whether DBE pricing is inconsistent with cost schedules, purchase orders, estimates, etc., and investigate instances that are not in the best interest of the project or NJT.
Disadvantaged Business Enterprise (DBE) - Pass-Through	F.2	Pass-Through	H/H	<u><describe the fraud risk as it relates to this project and/or the reasons why it is N/A></u>		Potential Procedures - Generic: Review applicable supporting documentation to identify potential red flags and investigate as appropriate. Evaluate whether the DBE is performing a commercially useful function.
Disadvantaged Business Enterprise (DBE) - Fronting	F.3	Fronting	H/H	<u><describe the fraud risk as it relates to this project and/or the reasons why it is N/A></u>		Potential Procedures - Generic: Review applicable supporting documentation to identify potential red flags and investigate as appropriate. Verify authenticity of DBE Ownership and DBE supervision of work being performed. Review transactions for suspicious disbursements and transactions.

D R A F T
New Jersey Transit Corporation-Fraud Risk
Monitoring Work Plan

Project Name: _____ Contract No. _____ IOM Firm _____ Date: _____

Risk Category	Program Wide Risk Ref.	Program Wide Fraud Scheme Description	Program Wide Likelihood/ Impact	Potential Fraud Risk Description and Application to this Project	Likelihood / Impact (This Project)	Monitoring Procedures (Modify to address the risks identified for this project.)
Change Orders	G.1	False Submissions	M/H	<u><describe the fraud risk as it relates to this project and/or the reasons why it is N/A></u>		Potential Procedures - Generic: Review applicable supporting documentation to identify potential red flags and investigate as appropriate. Examine a sample of change orders and determine whether they are in the best interest of the project or NJT. Determine whether change orders do not align with contractual agreements. Evaluate the reasonableness of the percentage of change orders to contract value. Determine whether any costs (labor, materials or equipment) are not incurred and/or billed in accordance with contractual terms.
Change Orders	G.2	Cost Shifting	H/H	<u><describe the fraud risk as it relates to this project and/or the reasons why it is N/A></u>		Potential Procedures - Generic: Review applicable supporting documentation to identify potential red flags and investigate as appropriate. Determine whether change orders were actually necessary and represents a valid change from the original scope of work to be performed. Determine whether costs do not align with time sheets, cost records and other supporting documentation and/or were mis-reported. Determine whether costs and/or tasks in the scope of the original contract were included in change orders.

D R A F T
New Jersey Transit Corporation-Fraud Risk
Monitoring Work Plan

Project Name: _____ Contract No. _____ IOM Firm _____ Date: _____

Risk Category	Program Wide Risk Ref.	Program Wide Fraud Scheme Description	Program Wide Likelihood/ Impact	Potential Fraud Risk Description and Application to this Project	Likelihood / Impact (This Project)	Monitoring Procedures (Modify to address the risks identified for this project.)
Change Orders	G.3	Cost Inflation	H/H	<u><describe the fraud risk as it relates to this project and/or the reasons why it is N/A></u>		Potential Procedures - Generic: Review applicable supporting documentation to identify potential red flags and investigate as appropriate. Determine whether costs are reasonable, accurate, incurred, and valid, and are in the best interests of the project or NJT. Determine whether costs and/or tasks in the scope of the original contract were included in change orders.
Change Orders	G.4	Scope Manipulation	M/H	<u><describe the fraud risk as it relates to this project and/or the reasons why it is N/A></u>		Potential Procedures - Generic: Review applicable supporting documentation to identify potential red flags and investigate as appropriate. Determine whether costs and/or tasks in the scope of the original contract were included in change orders. Determine whether scope and costs of change orders appear reasonable for the amount of work to be performed. Determine whether the number of change orders appear to be excessive and not in the best interests of the project or NJT.
Claims Management	H.1	Overpayment of Settlement Amounts	L/M	<u><describe the fraud risk as it relates to this project and/or the reasons why it is N/A></u>		Potential Procedures - Generic: Review applicable supporting documentation to identify potential red flags and investigate as appropriate. Determine whether claims are valid, settled at a reasonable amount and are in the best interest of the project and NJT.

D R A F T
New Jersey Transit Corporation-Fraud Risk
Monitoring Work Plan

Project Name:_____ Contract No._____ IOM Firm_____ Date:_____

Risk Category	Program Wide Risk Ref.	Program Wide Fraud Scheme Description	Program Wide Likelihood/ Impact	Potential Fraud Risk Description and Application to this Project	Likelihood / Impact (This Project)	Monitoring Procedures (Modify to address the risks identified for this project.)
Claims Management	H.2	Fraudulent Settlement Bases	L/M			<p>Potential Procedures - Generic: Review applicable supporting documentation to identify potential red flags and investigate as appropriate.</p> <p>Determine whether claims are valid, settled at a reasonable amount and are in the best interest of the project and NJT.</p>

D R A F T
New Jersey Transit Corporation-Fraud Risk
Monitoring Work Plan

Project Name:_____ Contract No._____ IOM Firm_____ Date:_____

Risk Category	Program Wide Risk Ref.	Program Wide Fraud Scheme Description	Program Wide Likelihood/ Impact	Potential Fraud Risk Description and Application to this Project	Likelihood / Impact (This Project)	Monitoring Procedures (Modify to address the risks identified for this project.)
<u>Additional Fraud Risks Identified for this Project</u> <u>(e.g., payroll, insurance, environmental, QA/QC, safety, permitting, etc.)</u>						

Project Name:_____ **Contract No.**_____ **IOM Firm**_____ **Date:**_____

[illegible][illegible]

Draft

New Jersey Transit Corporation

Project Name: _____ Contract No. _____ IOM Firm _____ Date: _____

Potential Fraud Indicators

This list of potential fraud indicators may not be all inclusive. Additional indicators of fraud should be added based on risk associated with the project being monitored.

Project: _____ IOM: _____

1) Time Overcharging
a) Unauthorized alterations to timecards and other source records.
b) Billed hours and dollars consistently at or near budgeted amounts.
c) Timecards filled out by supervisors, not by employees.
d) Photocopies of timecards where originals are expected.
e) Inconsistencies between consultant's labor distribution records and employee timecards.
f) Frequent adjusting of journal entries with descriptions such as changed wrong "work order" or "contract number."
g) Labor charges inconsistent with contract progress.
h) Personnel files that cannot be found or "found" after a delay.
i) Lack of clear audit trail to verify propriety of labor charges.
<add others as appropriate>
2) Conflicts of Interest
a) Unexplained or unusual favoritism shown to a particular contractor or consultant.
b) NJ TRANSIT official disclosing confidential bid information to a contractor or assisting the contractor in preparing a bid.
c) Employee having discussions about employment with a current or prospective contractor or consultant.
d) Close socialization with and acceptance of inappropriate gifts, travel, or entertainment from a contractor.
e) Vendor or consultants address being incomplete or matching employee's address.
f) NJ TRANSIT official leasing or renting equipment to a contractor performing contract work.
g) Contracting or purchasing employee lives beyond his or her means.
h) Contracting employee fails to file Conflict of Interest or Financial Disclosure forms.
i) Employee declines promotion from a procurement position.
<add others as appropriate>
3) Kickbacks
a) Unexplained or unreasonable limitations on the number of potential subcontractors contracted for bid or offer.

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New Jersey Transit Corporation

Project Name:_____ **Contract No.**_____ **IOM Firm**_____ **Date:**_____

Potential Fraud Indicators

This list of potential fraud indicators may not be all inclusive. Additional indicators of fraud should be added based on risk associated with the project being monitored.

b) Continuing awards to subcontractors with poor performance records.
c) Non-award of subcontract to lowest bidder.
d) "No-value-added" technical specifications that dictate contract awards to particular companies.
e) Non-qualified and/or unlicensed subcontractors working on prime contracts.
f) Poor or no established contractor procedures for awarding of subcontracts through competition.
g) Kickback amount is passed back to NJ TRANSIT.
h) Lack of separation of duties between purchasing, receiving and storing.
i) Purchasing employees maintaining a standard of living exceeding their income.
<add others as appropriate>
4) <u>Quality Control Testing</u>
a) Contractor insisting on transporting quality control (QC) samples from the construction site to the lab.
b) Contractor not maintaining QC samples for later quality assurance (QA) testing.
c) Contractor challenges results or attempting to intimidate QA inspectors who obtain conflicting results.
d) Photocopies of QC test results where originals are expected.
e) Alterations or missing signatures on QC test results.
f) Contractor employees regularly taking or labeling QC samples away from inspector oversight.
g) Laboratory test reports are identical to sample descriptions and test results, varying only date and lot number tested.
h) Test results cannot be found or have been destroyed.
i) Test results are lost then "found" after delay.
<add others as appropriate>
5) <u>Materials Overcharging</u>
a) Discrepancies between contractor - provided quantity documentation and observed data, including yield calculations.
b) Refusal or inability to provide supporting documentation.
c) Contractor consistently loading job materials into equipment, away from inspector oversight.
d) Truck weight tickets or plant production records with altered or missing information.

Draft

New Jersey Transit Corporation

Project Name:_____Contract No._____IOM Firm_____Date:_____

Potential Fraud Indicators

This list of potential fraud indicators may not be all inclusive. Additional indicators of fraud should be added based on risk associated with the project being monitored.

e) Photocopies of quantity documentation where originals are expected.
f) Irregularities in color or content of weight slips or other contractor documents used to calculate pay quantities.
g) No receiving report for invoiced goods.
h) Unusually high volume of purchases from one vendor.
i) Invoiced goods cannot be located in inventory or accounted for.
<add others as appropriate>

Draft

New Jersey Transit Corporation

Project Name:_____Contract No._____IOM Firm_____Date:_____

Potential Fraud Indicators

This list of potential fraud indicators may not be all inclusive. Additional indicators of fraud should be added based on risk associated with the project being monitored.

6) <u>Disadvantaged Business Enterprise (DBE) Fraud</u>
a) DBE owner lacking background, expertise, or equipment to perform subcontract work.
b) Employees shuttling back and forth between prime contractor and DBE-owned business payrolls.
c) Business names on equipment and vehicles covered with paint or magnetic signs.
d) Orders and payments for necessary supplies made by individuals not employed by DBE-owned business.
e) Prime contractor facilitated purchase of DBE-owned business.
f) DBE owner never present at job site.
g) Prime contractor always uses the same DBE.
h) Financial agreements between prime and DBE contractors.
i) Joint bank accounts (Prime/DBE).
j) Absence of written contracts.
<add others as appropriate>
7) <u>Bid Rigging and Collusion</u>
a) Unusual Bid Patterns: too close, too high, round numbers, or identical winning margins or percentages.
b) Different contractors making identical errors in contract bids.
c) Bid prices dropping when a new bidder enters the competition.
d) Rotation of winning bidders by job, type of work, or geographical area.
e) Losing bidders hired as subcontractors.
f) Apparent connections between bidders: common address, personnel, or telephone numbers.
g) Losing bidders submitting identical line-item bid amounts on non-standard items.
h) Persistent high prices by all bidders.
i) Joint venture bids by firms that usually bid alone.
j) Losing bids do not comply with bid specifications or only one bid is complete and other bids are poorly prepared.
<add others as appropriate>

Draft

New Jersey Transit Corporation

Project Name:_____ **Contract No.**_____ **IOM Firm**_____ **Date:**_____

Potential Fraud Indicators

This list of potential fraud indicators may not be all inclusive. Additional indicators of fraud should be added based on risk associated with the project being monitored.

8) <u>Product Substitution</u>
a) Any mismarking or mislabeling of products and materials.
b) Contractor restricting or avoiding inspection of goods or services upon delivery.
c) Contractor refusing to provide supporting documentation regarding production or manufacturing.
d) Photocopies of necessary certification, delivery, and production records where originals are expected.
e) Irregularities in signatures, dates, or quantities on delivery documents.
f) High rate of rejections, returns, or failure.
g) Test record reflecting no failures or a high failure rate but contract is on time and profitable.
h) Unsigned certifications.
i) Contractor offers to select samples for testing programs.
j) Supplier entertains on provider gratuities to inspection personnel.
<add others as appropriate>

Draft

New Jersey Transit Corporation

Project Name:_____Contract No._____IOM Firm_____Date:_____

Potential Fraud Indicators

This list of potential fraud indicators may not be all inclusive. Additional indicators of fraud should be added based on risk associated with the project being monitored.

9) Bribery
a) Other government inspectors at the job site notice a pattern of preferential contractor treatment.
b) NJ TRANSIT official has a lifestyle that exceeds his or her salary
c) Contract change orders lack sufficient justification.
d) Oversight officials socialize with, or have business relationships with, contractors or their families.
e) Involvement of an unnecessary middleman or broker.
f) Contracting employee declines promotion to a non-procurement position.
g) Contracting employee insists contractors use a certain subcontractor or broker.
h) Keen interest by a contracting employee in the award of a contract on purchase order to a particular contractor or vendor.
<add others as appropriate>
10) Debris Removal
False Claims
a) False load tickets.
b) Inflated costs or double billing for work.
c) False or altered invoices.
d) False labor costs or payroll padding.
e) False pick-up locations for ineligible debris.
<add others as appropriate>

Draft

New Jersey Transit Corporation

Project Name:_____Contract No._____IOM Firm_____Date:_____

Potential Fraud Indicators

This list of potential fraud indicators may not be all inclusive. Additional indicators of fraud should be added based on risk associated with the project being monitored.

False Statements
f) Lies about paying subcontractors for services.
g) Inaccurate load capacities posted on trucks.
<add others as appropriate>
Bribery
h) Payments to influence contract award.
i) Payments for selection as subcontractor.
j) Payments during performance to ignore problems.
k) Payments to overstate debris volumes or weights.
l) Payments to write load tickets.
m) Payments from property owners to select dump site.
<add others as appropriate>
Conflicts of Interest
n) NJ TRANSIT official has dollar interest in contractor.
o) Contractor hires relative of contracting official.
<add other indicators of fraud as deemed appropriate>

Step #	Risk Category	DBE Program Requirement (per IOM Services RFP)	Review/ Monitoring Procedures (Modify as needed for this project and the risks identified)	DBE Compliance Auditing Staffing Hours										(For Future Reference)		
				Frequency of Task Performance	Partner/ Principal/ Director	Program Manager	Project Manager	Subject Matter Expert	Supervisor/ Senior Consultant	Consultant	Associate Staff	Admin. Support	Total Hours	Budget Hours	Actual To date	Variance
1	IOM Firm DBE Program Compliance Monitoring of Contractors	Prompt payment of Invoices	<p>Confirm whether contract clause in subcontractor agreement(s) reflect(s) required language acknowledging that prompt payment will be issued to DBE subcontractors no later than 10 days following Prime contractor's receipt of payment from NJT.</p> <p>Confirm with NJT the dates of payment disbursements issued to Prime and compare to payment receipt dates reported by Prime to determine average days for "payments in transit".</p> <p>Compare payment receipt dates reported by Prime to disbursement dates of payments issued to subcontractor(s) / sub consultant(s) to determine whether Prime has issued prompt payment (i.e., within 10 days of receipt of funds from NJT). Determine whether the disbursement dates indicated by Prime align with the Prime Contractor's DBE Payment Certification (Form E) and DBE Subcontractor Monthly Payment Report (Form E2) filings submitted to NJT for the corresponding period(s).</p> <p>Obtain and review copies of the front and back of cancelled checks reflecting details of disbursements made to subcontractor(s). Note and report to NJT any discrepancies indicating possible non-compliance with prompt payment of invoices requirement.</p>	Monthly												
2	IOM Firm DBE Program Compliance Monitoring of Contractors	Prompt payment of retainage	<p>Upon satisfactory completion of work by DBE subcontractor(s), verify that punch list items have been completed and properly approved by Prime and NJT (as applicable).</p> <p>Review documentation provided by Prime to determine whether retainage release authorizations have been issued by NJT.</p> <p>Confirm whether retainage payments issued to subcontractor(s) were disbursed within 15 days of receipt of authorization for release.</p> <p>Confirm whether contract clause in subcontractor agreement(s) reflect(s) required language acknowledging that payment will be issued to DBE subcontractors no later than 15 days following satisfactory completion of the accepted scope of work.</p> <p>Obtain and review copies of the front and back of cancelled checks reflecting details of retainage release payment issued made to subcontractors. Note and report to NJT any discrepancies indicating possible non-compliance with prompt payment of retainage requirement.</p>	One Time (Upon Completion of Work)												
3	IOM Firm DBE Program Compliance Monitoring of Contractors	Commercially Useful Function	<p>Perform on-site observations of work, prepare and submit proprietary CUF Checklist with results of observations.</p> <p>Conduct laborer interviews of workers of prime contractor and subcontractor(s)</p> <p>Review DBE subcontractor(s) documentation including invoices to prime contractor, certified payroll reports, invoices from suppliers, purchase orders and payments issued by DBE subcontractor(s) to third parties in connection with the work.</p>	Monthly												

Step #	Risk Category	DBE Program Requirement (per IOM Services RFP)	Review/ Monitoring Procedures (Modify as needed for this project and the risks identified)	DBE Compliance Auditing Staffing Hours										(For Future Reference)		
				Frequency of Task Performance	Partner/ Principal/ Director	Program Manager	Project Manager	Subject Matter Expert	Supervisor/ Senior Consultant	Consultant	Associate Staff	Admin. Support	Total Hours	Budget Hours	Actual To date	Variance
4	IOM Firm DBE Program Compliance Monitoring of Contractors	Pass-Throughs	Examine invoices from vendors and suppliers and compare to amounts invoiced to prime contractor for indicators of potential pass-through activity. Conduct visits to business offices/locations of DBE subcontractor(s) to assess the possibility of DBE firms and non-DBE firms sharing addresses and/or to observe business activities and also determine whether other pass-through activities may be evident. Interview DBE personnel and managers as necessary to follow-up on any concerns related to potential pass-through activities. Compare observed work performed with work identified within the DBE Utilization Form A- submitted as part of the DBE bid. Evaluate whether any pass through's have occurred.	Monthly												
5	IOM Firm DBE Program Compliance Monitoring of Contractors	All Contract Deliverables	Review information reflected in Form A filings and verify that participation percentage calculations are supported by the information reflected in payment requisitions received from Prime and subcontractor(s). Review DBE subcontractor(s) information on Form A-1 Bidder Solicitation & Contractor Information and verify accuracy by comparing to DBE certification filings and Biznet website information. Review Form A2 – Non-DBE Subcontractor Utilization to identify any potential overlaps in scope of work and dollar values between DBE subcontractor(s) and non-DBE subcontractor(s). Compare details on Form B – Intent to Perform as a First Tier DBE to Form A –First Tier DBE Utilization Plan and DBE subcontract(s)/ purchase order(s).	Monthly												
5	IOM Firm DBE Program Compliance Monitoring of Contractors (Continued)	All Contract Deliverables	In the event that the prime contractor does not meet the DBE goal, review Form D - Good Faith Effort and verify information provided with those firms solicited. Verify whether all DBE subcontractor(s) are actively certified to perform the scope of work as described in the subcontract(s) / purchase order(s) and that the business description and/or any applicable industry code(s) under which each DBE is certified is in line with the scope of work being performed. Review Form E – Contractor's Monthly DBE Payment Report & Payment Certification Voucher and compare information reported to supporting documentation including subcontractor(s) / purchase order(s), requisitions, payments to subcontractor(s) and verify accuracy of calculations (percentage complete, participation percentage, and participation credit for suppliers). Review Form E2 – DBE's Monthly Payment Report and supporting information and compare to information obtained during prompt payment reviews. Verify accuracy of calculations and participation credit on Forms A, E and E2 for suppliers to ensure no fraud in utilization credit. Verify that information reported for original subcontract amount, change order amount, total of monthly invoices submitted, total of monthly payments received, life-to-date total of payments received, and percentage of work complete are in line with anticipated results.	Monthly												
6	IOM Firm DBE Program Compliance Monitoring of Contractors	Award versus spend	Review DBE subcontractor(s) invoices to prime contractor, payments from prime contractor, and DBE subcontractor(s) job cost and cash receipts reports and compare to information reported in Form E – Contractor's Monthly DBE Payment Report & Payment Certification Voucher. Verify that award amounts reported on Form E – Contractor's Monthly DBE Payment Report & Payment Certification voucher are consistent with subcontract agreement(s).	Monthly												

				DBE Compliance Auditing Staffing Hours										(For Future Reference)		
Step #	Risk Category	DBE Program Requirement (per IOM Services RFP)	Review/ Monitoring Procedures (Modify as needed for this project and the risks identified)	Frequency of Task Performance	Partner/ Principal/ Director	Program Manager	Project Manager	Subject Matter Expert	Supervisor/ Senior Consultant	Consultant	Associate Staff	Admin. Support	Total Hours	Budget Hours	Actual To date	Variance
7	IOM Firm DBE Program Compliance Monitoring of Contractors	Actual DBE work performed matches credit	Review detailed scope of work contained in DBE subcontract(s) / purchase order(s). Review scope of work of any second tier subcontractor(s), suppliers or fabricators to the DBE subcontractor to determine that appropriate credit is being reported. Compare values for DBE scope of work between independent cost estimate and final schedule of values for reasonableness. Conduct observations of site work to ensure that DBE subcontractor (and not the prime or a non-DBE lower tier sub) is performing scope of work detailed in the subcontract agreement.	Monthly												
8	IOM Firm DBE Program Compliance Monitoring of Contractors	Reporting non-compliance in weekly reports to NJT Internal Audit	Discuss preliminary findings of non-compliance with NJ Transit Internal Audit. Report non-compliance on Weekly IOM Consultant Report. Draft memo detailing non-compliance and provide all supporting documentation as directed by NJT Internal Audit.	Weekly												
9	IOM Firm DBE Program Compliance Monitoring of Contractors	Written requests and approvals for the addition or removal / replacement of a DBE firm	When applicable: Review requests to obtain an understanding of events leading to the change/removal of a DBE Firm. Determine whether the nature of requests to remove/replace a DBE subcontractor may involve factors that could be indicative of non-compliance.	As Needed												
10	IOM Firm DBE Program Compliance Monitoring of Contractors	Good faith effort on contract(s) being monitored including change orders / revisions	When applicable: Determine whether the prime contractor is at risk for not meeting or is actually not meeting the DBE participation goals. Review information reflected on Form D – Good Faith Effort and perform independent verification to validate information reported on Form D. Review Form E – Contractor's Monthly DBE Payment Report & Payment Certification and assess whether change order approvals may trigger or actually cause Prime to fall below prescribed DBE participation goals.	As Needed												
11	IOM Firm DBE Program Compliance Monitoring of Contractors	Evidence of payment to prime contractor by NJ TRANSIT, and the DBE by prime contractor	In connection with the compliance review procedures specific to prompt payment provisions (above), note and report to NJT any instances where supporting documents are not timely, incomplete, or otherwise unavailable for review.	Monthly												
12	IOM Firm DBE Program Compliance Monitoring of Contractors	Other relevant data as required by NJ Transit	When applicable: Specific procedures will be determined in accordance with the specific tasks or deliverables requested by NJT.	As Needed												

If Required - Insert additional Monitoring Procedures

Total 0 0 0 0 0 0 0

DBE Sub-consultant Hours									
Net Prime Hours									
Total Hours									

NJ TRANSIT Contact No. 14-033

Integrity Oversight Monitoring Services

**Work Authorization Request: Superstorm Sandy Integrity Oversight Monitoring Services
for the Hoboken Yard Signal Power Repair
and the Hoboken Boiler and Terminal Repair**

Attachment 8: Conflict of Interest Certification

NJ TRANSIT CONTRACT NO. 14-033
INTEGRITY OVERSIGHT MONITORING (IOM) PROGRAM
CONFLICT OF INTEREST DISCLOSURE FORM

The IOM and each of its sub-consultants must certify by completing this form that neither it nor any of its affiliates or subsidiaries or sub-consultants is involved in Superstorm Sandy Program Management or in the design, preparation or delivery of Superstorm Sandy Recovery and Resiliency contracts, task orders, projects, services and programs or any other involvement or activities to NJ TRANSIT or third-parties that could create a direct or indirect conflict with providing IOM services to NJ TRANSIT under its current IOM agreement either directly or as a member of a joint venture, partnership, or as a sub-consultant or subcontractor of any tier.

COMPLETE ALL QUESTIONS BELOW	YES NO
1. Has any person or the firm previously performed or is currently performing any materials, services, or any other work for NJ TRANSIT? <i>(If yes, complete and attach a form containing the contract number, contract title, dates, the contact person, and brief description of the work.)</i>	_____
2. Has any person or the firm previously performed or is currently performing any design, preparation, delivery or any other services for the Superstorm Sandy Program or Resilience Program at NJ TRANSIT? <i>(If yes, attach a detailed explanation for each instance.)</i>	_____
3. Has any person or the firm previously performed or is currently performing any design, preparation, delivery or any other services for Superstorm Sandy or Resilience Program for contractors, firms, entities, corporations or any other parties? <i>(If yes, attach a detailed explanation for each instance.)</i>	_____
4. Are there now any potential, anticipated, or actual conflict of interests between any person or the firm either directly or as a member of a joint venture, partnership or as a sub-consultant or subcontractor of any tier <i>(If yes, attach a detailed explanation for each instance.)</i>	_____

CERTIFICATION: I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge that NJ TRANSIT is relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with NJ TRANSIT to notify NJ TRANSIT in writing of any changes to the answers or information contained herein.

I, being duly authorized, certify that the information supplied above, including all attached pages, is complete and correct to the best of my knowledge. I certify that all of the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, that it will constitute a material breach of my agreement(s) with NJ TRANSIT and that NJ TRANSIT at its option, may declare any contract(s) resulting from this certification void and unenforceable.

COMPANY NAME: _____		_____ (Signature)
ADDRESS: _____	PRINT OR TYPE	_____ (Name)
_____		_____ (Title)
_____		_____ (Date)

**NJ TRANSIT CONTRACT NO. 14-033
INTEGRITY OVERSIGHT MONITORING SERVICES
OFFICE OF THE STATE COMPTROLLER POST-AWARD NOTICE
HOBOKEN PROJECTS**

SUCCESSFUL VENDOR SUBMISSION

COST PROPOSAL TO PROVIDE INTEGRITY OVERSIGHT MONITORING SERVICES

NEW JERSEY TRANSIT
CORPORATION

14-033-IOM SERVICES FOR THE
HOBOKEN PROJECTS

October 24, 2018





October 24, 2018

Ms. Taishida S. Chapman
Principal Contract Specialist
New Jersey Transit Corporation
Procurement Department
One Penn Plaza East, 6th Floor
Newark, New Jersey 07105

RSM US LLP
379 Thornall St.
2nd Floor
Edison, NJ 08837
T +1 732 515 7300
www.rsmus.com

Re: 14-033 Integrity Oversight Monitoring Services for the Hoboken Yard Signal Power Repair and the Hoboken Boiler and Terminal Repair (Hoboken Projects)

Dear Ms. Chapman:

We are pleased to present our pricing information relative to conducting integrity oversight monitoring services and construction audit services for the above-referenced Hoboken Projects as it relates to the NJ TRANSIT Superstorm Sandy Recovery and Resilience Program.

The requested pricing information and required forms are presented on the following pages.

Once you have had the opportunity to review this response, we would be pleased to discuss your needs in greater detail or make a presentation to your team. In the meantime, please feel free to contact me at 203 388 7098 with any questions.

Sincerely,

Shawn L. Dahl
Principal

First Tier DBE UTILIZATION - FORM A

Project Name: Integrity Oversight Monitoring Services for the Hoboken Yard Signal Power Repair and the Hoboken Boiler and Terminal Repair (Hoboken Projects)NJ Transit Contract No: 14-033Assigned DBE Goal %: 10 percent NJ Transit Procurement Specialist: Taishida S. ChapmanContract Value (\$): \$ 305,639

First Tier DBE must perform at least 51% of its subcontract value if subcontracting to a Second -Tier DBE or Non-DBE. Do not count Non-DBE portion toward the goal.

Name, Address and Telephone # of DBE Subcontractor/Subconsultant	Provide <u>Detailed</u> Scope of Work to be Performed (Identify all suppliers)	Dollar Value of Subcontract/Sub-consultant Work (\$) Awarded	Percentage of Subcontract Work (%)
MFS Consulting Engineers & Surveyor, DPC 2780 Hamilton Blvd., South Plainfield, NJ 07080. 908-922-4622	MFS will assist RSM in development of our audit plan, perform evaluations of pay applications and change orders, and provide technical support and quality control to the team members performing detailed test work	\$30,060	10 %
			%
			%
			%
			%
For DBE suppliers, show original subcontract value multiplied by 60% (\$2,000*60%=\$1200). For DBE portion of work, subtract Non-DBE portion of work from original subcontract value.	TOTALS	\$ 30,060	10 %

The undersigned will enter into a formal agreement with the DBE(s) listed in this schedule conditioned upon execution of a contract with NJ TRANSIT for the above referenced project. The undersigned understands that removal/replacement of the DBE(s) listed is NOT PERMISSIBLE for any reason (pre or post-award), without submitting a written request to the Office of Business Development and receiving WRITTEN APPROVAL from the Office of Business Development. Failure to obtain written approval shall result in the breach of contract and subject to corrective action to be determined by NJ TRANSIT.

RSM US LLP

Company Name: _____

Authorized Signature: Company Address: 1185 Avenue of the Americas

Shawn L. Dahl

New York, NY 10036

Print Name: _____

Principal

Title: _____

Federal Tax ID #: 42-0714325Prime Contractor's DBE Liaison Officer: Shawn L. DahlCompany Tel #: 203-388-7098Date Signed: October 19, 2018

To Add Subs Use Additional Forms

NJ Transit Form A rev Sept 2010

BIDDER SOLICITATION & CONTRACTOR INFORMATION - FORM A1

NJT Contract No: Contract No. 14-033 Project Title: Integrity Oversight Monitoring Services for the Hoboken Yard Signal Power Repair and the Hoboken Boiler and Terminal Repair (Hoboken Projects)

Prime Contractor: RSM US LLP Telephone #: 203-388-7098

Date: October 19, 2018

Complete the information below for Bidder/Proposer/Prime(s) working on the project. Use Page 2 for all subcontractors/subconsultants participating on or solicited for this project.

	Bidder/Proposer/Prime	Bidder/Proposer/Prime	Bidder/Proposer/Prime
Company's Full Name	RSM US LLP		
Address	1185 Avenue of the Americas		
City	New York, NY		
Zip	10036		
County	New York County		
Phone	203.388.7098		
Fax			
E-mail	shawn.dahl@rsmus.com		
Owner	Limited Liability Partnership		
Date Established	1926		
Date Certified	Not certified as a DBE or ethnic/gender specific		
Ethnicity	N/A		
Gender	N/A		
Certification Status: DBE or Non-DBE	Non- DBE		
Federal Tax ID # / SSN #	42-0714325		
Annual Gross Receipts: A - Less than \$500K B - \$500K to \$1M C - \$1M to \$2M D - \$2M to \$5M E - \$5M and over indicate the letter that applies	E		
Primary NAICS Code:	541211		

BIDDER SOLICITATION & CONTRACTOR INFORMATION - FORM A1NJT Contract No: 14-033Prime Contractor: RSM US LLPDate: October 19, 2018Project Title: Integrity Oversight Monitoring Services for the Hoboken Yard Signal Power Repair and the Hoboken Boiler and Terminal Repair (Hoboken Projects)Telephone #: 203.388.7098*Complete the information below for "all" subcontractors/subconsultants solicited for or participating on this project.*

	Subcontractor/Subconsultant	Subcontractor/Subconsultant	Subcontractor/Subconsultant
Company's Full Name	MFS Engineers & Surveyor, DPC		
Address	2780 Hamilton Blvd.		
City	South Plainfield, New Jersey		
Zip	07080		
County	Middlesex		
Phone	908.932.4622		
Fax	866.517.7413		
E-mail	jaf@mfsengineers.com		
Owner	Jose Fuertes		
Date Established	08/07/2009		
Date Certified	10/29/2015		
Ethnicity	Hispanic		
Gender	Male		
Certification Status: DBE or Non-DBE	DBE		
Federal Tax ID # / SSN #	46-4924682		
Annual Gross Receipts: A - Less than \$500K B - \$500K to \$1M C - \$1M to \$2M D - \$2M to \$5M E - \$5M and over indicate the letter that applies	E		
Primary NAICS Code:	541330, 541370		

NON-DBE SUBCONTRACTOR UTILIZATION - FORM A2

Directions: To be completed by any Bidder/Proposer/Prime for "all" subs including suppliers participating on this contract.

NJ Transit Contract No: 14-033

Date: October 19, 2018 Prime Contract Value: \$305,639

Bidder/Proposer Prime Name: RSM US LLP

Integrity Oversight Monitoring Services for the Hoboken Yard Signal Power
Project Title: repair and the Hoboken Boiler and Terminal Repair (Hoboken Projects)

Name, Address and Telephone # of all Subcontractor/Subconsultants	FEIN #	Provide Detailed Scope of Work to be Performed	Dollar Amount of Subcontractor/Sub-consultant Work (\$) Awarded	Percentage of Subcontract or Work (%)
MPS Consulting Engineers & Surveyor, DPC 2780 Hamilton Blvd., South Plainfield, NJ 07080. 908-922-4622	46-4924682	MPS will assist RSM in development of our audit plan, perform evaluations of pay applications and change orders, and provide technical support and quality control to the team members performing detailed test work	\$ 30,060	10 %
			\$	%
			\$	%
			\$	%
			\$	%
Must provide a detailed scope of work; one-word descriptions are not acceptable.			\$	%
		TOTALS	\$ 30,060	10 %

To Add Subs Use Additional Forms

NJ Transit Form A2 effect 10.1.09 rev Sept 2010

INTENT TO PERFORM AS A 1ST TIER DBE - FORM B

The Bidder/Proposer/Prime is prohibited from completing any portion of this form and directing the DBE to sign a blank form.

DIRECTIONS: DBE(s) listed on the Form A must complete all information on this form.

RSM US LLP

MFS Consulting Engineers & Surveyor, DPC

Name of Bidder/Proposer/Prime:

NJ Transit Contract No. 14-033

Name of DBE Firm:

14-033

Project/Contract Name: Integrity Oversight Monitoring (IOM) Program

IFB/RFP Contract Number:

Does the undersigned DBE (Answer Accordingly):

Intend to perform subcontract work in connection with the above-mentioned project as a Joint Venture? Circle one. (Yes or No)

Intend to subcontract any portion of its scope of work to a DBE(s)?

Circle one. (Yes or No)

If yes, DBE Sub-Primes must complete and submit Form AA.

At what percent? _____ %

Intend to subcontract any portion of its scope of work to a Non-DBE(s)?

Circle one. (Yes or No)

If yes, must complete and submit Form AA2.

At what percent? _____ %

The undersigned will perform the following described work on the above-referenced project: *(Provide a detailed description of the type of work you will perform on your subcontract. Attach a copy of quote approved and signed by Bidder (optional)).*

MFS will assist RSM in Development of our audit plan; they will perform evaluations of pay applications and change orders, and

provide technical support and quality control to the team members performing detailed test work.

Dollar Value of DBE Subcontract: \$ \$30,060

Total Quantity/Units (if applicable): N/A Per Unit Cost (if applicable): \$ _____

The undersigned based the above scope of work and subcontract value on detailed project specs received from the Bidder contractor named above. Circle one. (Yes or No)

The Prime Contractor projected the following commencement and completion date for such work as follows:

DBE Contract Start Date: TBD DBE Contract Completion Date TBD

The undersigned DBE will enter into a formal agreement for the above work with the Prime Contractor conditioned upon execution of a contract with NJ TRANSIT. As a DBE subcontractor, I will cooperate with the certification, compliance and monitoring process set forth by NJ TRANSIT. I attest that I will perform at least 51% of my subcontract with my own workforce for the referenced project.

Senior Associate Engineer

Signature of 1st Tier DBE

Date

Title

Michael L. Mudalel

908-922-4624

Print Name

Telephone #:

Failure to adhere to these instructions or the falsification of any information on this form shall result in breach of contract and subject to the appropriate penalties to be determined by NJ TRANSIT.

THE PORT AUTHORITY OF NY & NJ

December 22, 2017

Mr. Jose Fuertes
Principal Engineer
MFS Consulting Engineers & Surveyor, DPC
31 West 34th Street, Suite 701
New York, NY 10001

RE: ANNUAL AFFIDAVIT - CONTINUED DBE ELIGIBILITY

Dear Mr. Fuertes:

We are pleased to inform you that MFS Consulting Engineers & Surveyor, DPC, continues to meet the eligibility criteria for Disadvantaged Business Enterprise (DBE) certification pursuant to U.S. Department of Transportation, Code of Federal Regulations Title 49 Part 26.

Annually, you must submit a signed and notarized Annual "No Change" Affidavit with supporting documentation. It is your responsibility to notify this office in writing within 30 days of any changes. Failure to do so may result in decertification of your business.

If you have any questions regarding this letter, please contact me at (201) 395 3947 or via email at bsumpter@panynj.gov.

Sincerely,



Brandin Sumpter
Certification Analyst
Office of Business Diversity and Civil Rights

*Office of Business Diversity and Civil Rights
2 Montgomery Street, 2nd Floor
Jersey City, NJ 07302*



www.rsmus.com

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RSM - Hoboken IOM Projects
Cost Proposal for Fraud Risk Assessment - July 2019

Program Wide Risk Sections	Risk Category	Fraud Monitoring Staffing Hours								Total Hours	\$ Value per Risk Category
		Partner / Principal / Director	Program Manager	Project Manager	Subject Matter Expert	Supervisor/Senior Consultant	Consultant	Associate Staff	Admin Support		
A	Grant Management	10	-	19	16	22	-	-	-	67	\$ 14,058
B	Disbursements	10	-	64	22	96	80	-	-	272	\$ 45,520
C1.1-C1.4	Procurement - Contractor Bid Frauds	24	-	64	35	96	19	-	-	238	\$ 45,239
C2	Procurement - Conflicts of Interest										
C3	Procurement - Bribery / Kickbacks										
C4.1-C4.4	Procurement - Contract Frauds										
C5.1-C5.4	Procurement - Bid Information Frauds										
D	Task Order Contractors (TOC's)	-	-	-	-	-	-	-	-	-	\$ -
E	Outsourced Programs	-	-	-	-	-	-	-	-	-	\$ -
F1-F3	Disadvantaged Business Enterprise (DBE) - False Submission / Pass Through / Fronting	3	-	11	4	17	-	-	-	35	\$ 6,588
G	Change Orders	16	-	32	80	32	32	-	-	192	\$ 41,120
H	Claims Management	6	-	12	22	11	-	-	-	51	\$ 11,594
	Fraud Risk Assessment	25		84	25	130	33	-	-	297	\$ 53,521
	Project Wide Activities - Weekly, Monthly, Quarterly Reporting (Estimate through June 2023 per Work Authorization Request)	33	-	133	60	246	-	-	-	472	\$ 87,998
											\$ 305,638

DBE Sub-consultant Hours	-	-	-	138	-				138
Net Prime hours	127	-	419	126	650	164	-	-	1,486
Total Hours	127	-	419	264	650	164	-	-	1,624
Rate Card	\$ 272		\$ 194	\$ 272	\$ 150	\$ 125			
Fees	\$ 34,544	\$ -	\$ 81,286	\$ 71,808	\$ 97,500	\$ 20,500			\$ 305,638

**NJ TRANSIT CONTRACT NO. 14-033
INTEGRITY OVERSIGHT MONITORING SERVICES
OFFICE OF THE STATE COMPTROLLER POST-AWARD NOTICE
HOBOKEN PROJECTS**

SIGNED CONTRACT

**NEW JERSEY TRANSIT
CHANGE ORDER FORM**

**NEW JERSEY TRANSIT CORPORATION
HEADQUARTERS**

Work Authorization No: 1 Revision No.: 0 Effective Date: 9-27-19

Contract No: 14-033C Purchase Order No: 190022843

Contractor: RSM US, LLP
333 Thornall Street, 6th Floor
Edison, New Jersey 08837
Attention: Mr. Shawn Dahl

NJ TRANSIT hereby incorporates Work Authorization No. 1 entitled "Hoboken Yard Signal Power Repair and the Hoboken Boiler and Terminal Repair (Hoboken) Projects" into NJ TRANSIT's Contract No. 14-033C as follows:

Section 1: Scope of Work

Work Authorization No. 1 is issued to RSM US, LLP to provide Integrity Oversight Monitoring Services for the Hoboken Yard Signal Power Repair and the Hoboken Boiler and Terminal Repair (Hoboken) Projects in accordance with NJ TRANSIT Contract No. 14-033C Exhibit A, Project Services, and the attached Scope of Work, Attachment A to this Work Authorization.

Section 2: Cost Information

RSM US, LLP total costs and fees for Work Authorization No. 1 shall be in accordance with the schedule of rates set forth in NJ TRANSIT Contract No. 14-033C Exhibit B, Cost Information, and the Attachment B, Cost Proposal for the Fraud Risk Assessment dated July 26, 2019 to this Work Authorization No. 1. The total cost for Work Authorization No. 1 is an amount not to exceed \$305,638.00.

All invoices billed shall include actual hours and contract rates for personnel working under this Work Authorization.

Section 3: Schedule

The Scope of Work to be performed under Work Authorization No. 1 shall be completed by June 30, 2023.

Section 4: Disadvantaged Business Enterprise Requirements

RSM US, LLP Disadvantaged Business Enterprise Utilization Plan for Work Authorization No. 1 shall be in accordance with the Disadvantaged Business Enterprise Requirements for Race-Conscious Federal Procurement Activities of Contract No. 14-033C. RSM US, LLP has identified a 10% DBE participation for this Work Authorization No. 1 as detailed in Exhibit C attached hereto.

Total Value of Work Authorization No. 1\$305,638.00

**NEW JERSEY TRANSIT
CHANGE ORDER FORM**

**NEW JERSEY TRANSIT CORPORATION
HEADQUARTERS**

Work Authorization No: 1 Revision No.: 0 Effective Date: 9-27-19

Contract No: 14-033C Purchase Order No: 190022843

Contractor: RSM US, LLP
333 Thornall Street, 6th Floor
Edison, New Jersey 08837
Attention: Mr. Shawn Dahl

WORK AUTHORIZATION NO. 1 SUMMARY

Initial Work Authorization Amount:.....\$0.00
Modifications to Date:\$0.00
Value of this Work Authorization Modification:\$305,638.00
Present Total Amount of this Work Authorization:.....\$305,638.00

SUMMARY OF WORK AUTHORIZATIONS ISSUED TO DATE

Work Authorization No. 1 – IOM Services for the Hoboken Yard Signal Power Repair and the Hoboken Boiler and Terminal Repair (Hoboken) Projects	\$ 305,638.00
Total of All Work Authorizations Issued to Date:	\$305,638.00

NJ TRANSIT CONTRACT NO. 14-033C CONTRACT SUMMARY

Original Contract Amount:.....\$0.00
Total of All Work Authorizations Issued to Date:\$0.00
Amount of this Modification:\$305,638.00
Present Total Contract Amount:\$305,638.00

CONTRACTOR



President or Duly Authorized Designee

NJ TRANSIT



Contracting Officer or Duly Authorized Designee

**NJ TRANSIT CONTRACT NO. 14-033
INTEGRITY OVERSIGHT MONITORING SERVICES
OFFICE OF THE STATE COMPTROLLER POST-AWARD NOTICE
HOBOKEN PROJECTS**

RECOMMENDATION OF AWARD

Memorandum

To: Contract File

From: Taishida S. Chapman
Managing Contract Specialist

Date: September 26, 2019

Re: **NJ TRANSIT Contract No. 14-033C
Purchase Order No. 200011630, Rev. 0
Integrity Oversight Monitoring Services**

Subject: **Work Authorization Justification Memorandum
Request to Execute Work Authorization No. 1 and Purchase Order
Release No. 200011630, Rev. 0 to RSM USA LLP**

This records NJ TRANSIT Contract No. 14-033C Work Authorization No. 1 and Purchase Order Release No. 200011630, Rev. 0 in the amount of \$305,638.00 with RSM USA LLP for Integrity Oversight Monitoring Services for the Hoboken Yard Signal Power Repair and the Hoboken Boiler and Terminal Repair.

BACKGROUND

On March 27, 2013, P.L. 2013, Chapter 37 (N.J.S.A. § 52:15D-1, et seq.), the Integrity Oversight Monitor Act (the Act) was enacted for the purpose of authorizing the deployment of Integrity Oversight Monitors for recovery and rebuilding contracts resulting from Superstorm Sandy and subsequent major storms in New Jersey. The Act authorizes the State Treasurer to require integrity oversight monitor services on any State or non-State, federally funded recovery and rebuilding contract of \$5 million or more.

The services of the Integrity Oversight Monitors (IOM) shall generally consist of performing integrity monitoring and Internal, IT and Construction Auditing in connection with the Program for construction and repair as well as resiliency contracts funded by the FTA or other federal agencies in excess of \$5 Million in accordance with the Scopes of Work prescribed by NJ TRANSIT Internal Auditing Department in consultation with the NJ TRANSIT Accountability Officer under Executive Order 125 and the New Jersey Department of the Treasury.

NJ TRANSIT awarded Contract No. 14-033C to RSM USA LLP for the Integrity Oversight Monitoring (IOM) Services on July 15, 2014. The contract duration is three (3) years with two additional two-year options. The contract value is based upon the cumulative value of the Work Authorizations issued by NJ TRANSIT for the three (3) year contract term.

Contract File
NJ TRANSIT Contract No. 14-033C
Purchase Order No. 200011630, Rev. 0
Integrity Oversight Monitoring Services
Work Authorization No. 1
Justification Memorandum / Work Authorization and Purchase Order Execution
September 26, 2019
Page 2 of 7

SCOPE OF WORK

The purpose of Work Authorization No. 1 is for RSM USA LLP to provide Integrity Oversight Monitoring Services for the Hoboken Yard Signal Power Repair and the Hoboken Boiler and Terminal Repair which includes the following:

1. SANDY Dmg 04RHOB 4 Hoboken Yard-Boiler for Building - Repair (NJT00850)
2. SANDY Dmg 04RHOB 4 Hoboken Yard-Signal Power Repair (NJT00851) NJT00762, "SANDY Dmg 02RINF 4 ET Hoboken Terminal House Power Repair"

INDEPENDENT COST ESTIMATE

On September 13, 2018, NJ TRANSIT's Project Manager, John O'Hern provided a final Independent Cost Estimate in the amount of \$427,154, with \$349,888.00 for direct cost and \$6,998.00 for travel expenses. Project Management estimates 1,969 hours to complete this Work Authorization.

OSC REVIEW AND APPROVAL

Procurement submitted the Request for Proposal for Work Authorization No. 1 to OSC for review and approval on November 3, 2017, and the Request for Proposal was reviewed and approved on November 29, 2017.

WORK AUTHORIZATION REQUEST FOR PROPOSAL

On January 25, 2018, a request for proposal was issued to the four (4) IOM firms for Integrity Oversight Monitoring Services for the Substations Program.

PROPOSAL SUBMITALS

On March 12, 2018, NJ TRANSIT received proposals from the four (4) IOM firms. The four (4) firms were:

<u>Firm Name</u>	<u>City/State</u>
CohnReznick LLP	Bethesda, Maryland
Eisner Amper LLP	Iselin, New Jersey
RSM US LLP	Moorestown, New Jersey
Thacher Associates LLC	New York, New York

PROPOSAL EVALUATION

A three-member Technical Evaluation Committee (TEC) consisting of staff from Internal Auditing, Finance Department and NJ Department of the Treasury was responsible for evaluating the written technical proposals and recommending award of the Work Authorization. Also, there was a three-member, non-voting Advisory Committee consisting of staff from the Office of Civil Rights/Business Development, NJ TRANSIT's Police Department and NJ TRANSIT's Accountability Officer.

On April 4, 2018, technical proposals were distributed to each of the three (3) TEC voting-members for technical evaluation and the three (3) non-voting Advisory Committee members for comments. Proposal scores and comments were due by April 18, 2018.

Concurrently, Procurement evaluated the Cost Proposals using relative scoring system, which equated the lowest proposed total cost receiving 590 points and the remaining firms received a percentage of the 590 points based on the difference in their proposed total cost to the lowest proposed total cost.

Technical Proposals were weighted at 70% or 1350 maximum points and Cost Proposals were weighted at 30% or 590 maximum points for a total of 1940 points.

The four (4) Technical and Cost Proposals were evaluated and ranked as follows:

FIRM	Technical Score	Cost Score	Total Points	Final Ranking
RSM US, LLP	1230.00	590.00	1820.00	1
THACHER ASSOCIATES	1000.00	451.81	1451.81	2
EISNER AMPER	1215.00	0.00	1215.00	3
COHN REZNICK	1080	0.00	1080	4

Based on the technical and cost proposal evaluation results above, it was determined that RSM US, LLP proposal was in the best interest and offered the best value to NJ TRANSIT, price and other factors considered.

RSM'S PROPOSAL

RSM submitted its final Cost Proposal for Work Authorization No. 1 on July 26, 2019, in

the total amount of \$305,638. RSM's estimated 1,624 hours to complete this Work Authorization.

PRICE ANALYSIS

The attached spreadsheet details the price analysis which compared RSM's cost proposal to the Independent Cost Estimate and the average of the four (4) IOM firms cost proposals. RSM's cost proposal of \$305,638 is \$121,517 or 28.45% less than the Independent Cost Estimate of \$427,155.00. RSM cost proposal of \$305,638.00 was also found to be \$69,242.20 or (18.47%) less than the average of the four (4) IOM firms cost proposals in the amount of \$374,880.20.

COST ANALYSIS

A cost analysis of RSM Cost Proposal was also conducted and the following elements of cost were reviewed for compliance to NJ TRANSIT Contract No. 14-033C:

- 1) Hourly Salary Rates for Year 4
- 2) Labor Hours
- 3) Travel Expenses as allowed
- 4) Risk Category Analysis

Hourly Salary Rates

The hourly salary rates for RSM for Year 4 contained in the Cost Proposal dated July 26, 2019 for Work Authorization No. 1 are exactly at the hourly rates approved in NJ TRANSIT Agreement No. 14-033C and therefore, were found to be fair and reasonable.

The hourly salary rates approved under NJ TRANSIT Agreement No. 14-033C are fully-loaded. NJ TRANSIT will only pay for straight labor time at the fully loaded rate with no overtime or night differential. The fully-loaded hourly salary rates include the costs for labor, overhead, profit, travel, meals, lodging, commutation, administration and other expenses, except as otherwise specifically provided in the Agreement for the relocation of Subject Matter Experts.

The hourly salary rates are as follows:

RSM	Year 4
Staffing Category	Hourly Rate
Partner/Principal/Director	\$272.00

Contract File
NJ TRANSIT Contract No. 14-033C
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Integrity Oversight Monitoring Services
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Program Manager / Project Manager	\$194.00
Subject Matter Expert	\$272.00
Supervisor/Senior Consultant/	\$150.00
Consultant/Associate/Staff	\$122.00
Administrative Support	\$88.00

Labor Hours

RSM cost proposal included 1,624 labor hours which is 345 or (17.52%) less than the Independent Cost Estimate of 1,696 labor hours. RSM labor hours was also found to be 407 or (20.04%) less than the average of the four (4) IOM firms' labor hours of 2,031.

Travel Expenses

RSM cost proposal included travel expenses in the amount of \$0.00.

The travel allowance under NJ TRANSIT Contract No. 14-033C was established for reimbursement of reasonable, documented costs incurred in order to relocate staff members and managers to New Jersey where their primary residences are ninety (90) or more miles from the City of Newark, New Jersey documented by computer mapping calculations.

Risk Category Analysis

A detailed analysis was performed for each Risk Category included in the scope of work. Refer to the attached PM Recommendation memo dated December 7, 2018.

LIMITED NOTICE TO PROCEED

NJ TRANSIT issued a Limited Notice to Proceed dated February 20, 2019 in the amount of \$39,733.07 for the hours and costs associated with the IOM's completion of the detailed Fraud Risk Assessment and the IOM's attendance for any required NJ TRANSIT Rail Safety Training.

COST PROPOSAL REVISION

NJ TRANSIT elected to remove the task related to DBE Program Compliance Monitoring

Contract File
NJ TRANSIT Contract No. 14-033C
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of Contractors from RSM's scope. This DBE Program Compliance Monitoring of Contractors will instead be performed by NJ TRANSIT's Office of Business Development. RSM submitted a revised Cost Proposal on October 24, 2018 reducing it's Cost Proposal by 44,098.00 from \$349,738.00 to \$305,640.00. The decrease is comprised of two (2) components:

- Fees - \$43,192.00 and
- Travel costs for subject matter experts - \$906.00.

On December 7, 2018 Internal Audit provided Procurement a memo deeming the decrease and revised Cost Proposal to be fair and reasonable.

BOARD AUTHORIZATION

NJ TRANSIT's Board of Directors approved Item No. 1405-19 dated May 15, 2014 for award of contracts to Cohn Reznick LLP (14-033A), Eisner Amper LLP (14-033C), RSM US, LLP (14-033C) and RSM USA LLP (14-033C) for the Integrity Oversight Monitoring Services for an amount not to exceed \$15,000,000 for all approved Work Authorizations that may be issued to the four (4) Consultants during the Contract three-year term.

E-REQUISITION FUNDING

Project Management prepared and forwarded to Procurement E-Requisition No. 500000167662 dated January 4, 2019 authorizing the total amount of \$305,639.00 utilizing Federal funds.

PURCHASE ORDER

Procurement prepared Purchase Order No. 200011630, Revision No. 0 dated October 18, 2019 to RSM USA LLP in the amount of \$305,638.00 which is the total for Work Authorization No. 1.

PROJECT MANAGER'S RECOMMENDATION

Project Management memo dated December 7, 2018, recommended award of Work Authorization No. 1 to RSM USA LLP and found the cost in the amount of \$305,638.00 and level of effort of 1,735 hours for Work Authorization No. 1 to be fair and reasonable.

FINAL FRAUD RISK ASSESSMENT

Contract File
NJ TRANSIT Contract No. 14-033C
Purchase Order No. 200011630, Rev. 0
Integrity Oversight Monitoring Services
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On August 8, 2019, Internal Audit advised via email that RSM completed its Fraud Risk Assessment/Detailed Work Plan and is ready to begin the testing procedures from their approved workplan.

10% DBE GOAL COMPLIANCE

NJ TRANSIT's Office of Business Development assigned a 10% DBE goal to Contract No. 14-033C. RSM USA LLP's proposal intends to meet the 10% DBE Goal for this Work Authorization. OBD has also advised Procurement they will acknowledge Procurement's submission of RSM's DBE Utilization Plan for Work Authorization No. 1 at a later date.

AWARD OF WORK AUTHORIZATION NO. 3.

Procurement forwarded Work Authorization No. 1 to RSM USA LLP on August 29, 2019 for signature. RSM USA LLP returned the signed Work Authorization to Procurement on September 12, 2019.

FEDERAL COMPLIANCE REVIEW

Procurement submitted the Work Authorization for Federal Compliance review and approval on September 27, 2019 and the Work Authorization was reviewed and approved on September 27, 2019.

STATE OF NEW JERSEY DEBARMENT AND FEDERAL EXCLUDED PARTIES LISTS

RSM USA LLP is not listed on the State of New Jersey, Department of Labor and Workforce Development, Division of Wage and Hour Compliance, Prevailing Wage Debarment List or on the Department of Treasury, Consolidated Debarment Report.

As of September 26, 2019 RSM USA LLP, has no exclusions on the consolidated U.S. Government, System for Award Management (SAM) database.

PROCUREMENT RECOMMENDATION

Procurement and Project Management determined that the rates and costs submitted by RSM USA LLP for Work Authorization No. 1 are fair and reasonable. Therefore, Procurement recommends that Work Authorization No. 1 to Contract No. 14-033C and Purchase Order No. 200011630 be executed with RSM USA LLP for \$305,638.00 bringing the present total contract value of NJ TRANSIT's Contract No. 14-033C with RSM USA LLP for the Integrity Oversight Monitoring Services to \$305,638.00.

**NJ TRANSIT CONTRACT NO. 14-033
INTEGRITY OVERSIGHT MONITORING SERVICES
OFFICE OF THE STATE COMPTROLLER POST-AWARD NOTICE
HOBOKEN PROJECTS**

PROPOSAL EVALUATION AND SUMMARY

NJ TRANSIT CONTRACT NO. 14-033						Prepared By:	T. Chapman		
Integrity Oversight Monitoring Services									
Hoboken Projects									
Proposal Evaluation Summary									
	Weight	Max Points			TEC Members				
Technical Proposals	70%	1350			MC - Micheal Cort				
Cost Proposals	30%	590			LJ - Lynn Jahn				
	100%	1940			AW - Antoinette Walsh				
FIRM	MC	LJ	AW	Technical Score	Technical Ranking	Cost Score*	Total Score	Total Score Ranking	
COHN REZNICK	345.0	330.0	405.0	1080.00	3	0.00	1080.00	4	
EISNER AMPER	440.0	360.0	415.0	1215.00	2	0.00	1215.00	3	
RSM (formerly McGladrey)	430.0	350.0	450.0	1230.00	1	590.00	1820.00	1	
THACHER ASSOCIATES	450.0	280.0	270.0	1000.00	4	451.81	1451.81	2	
TEC INDIVIDUAL RANKING	MC	LJ	AW	Total TEC Ranking	Cost Ranking	Total Ranking			
COHN REZNICK	4	3	3	10	4	14			
EISNER AMPER	2	1	2	5	3	8			
RSM (formerly McGladrey)	3	2	1	6	1	7			
THACHER ASSOCIATES	1	4	4	9	2	11			
COST EVALUATION SUMMARY									
*NOTE (1) Firm with the <u>lowest proposed total cost</u> receives 590 points. The remaining firms receive a percentage of the 590 points based on the difference in their proposed total cost to the <u>lowest proposed total cost</u> .									
	Proposed Cost	ICE Cost	Cost Difference	% Difference	Cost Score Note (1)	Average Cost	Cost Difference	% Difference	
COHN REZNICK	\$ 1,622,793.80	\$ 391,874.00	\$ 1,230,919.80	314.11%	-1557.62	\$821,894.45	\$ 800,899.35	97.45%	
EISNER AMPER	\$ 883,395.00	\$ 391,874.00	\$ 491,521.00	125.43%	-310.27	\$821,894.45	\$ 61,500.55	7.48%	
RSM (formerly McGladrey)	\$ 349,738.00	\$ 391,874.00	\$ (42,136.00)	-10.75%	590.00	\$821,894.45	\$ (472,156.45)	-57.45%	
THACHER ASSOCIATES	\$ 431,651.00	\$ 391,874.00	\$ 39,777.00	10.15%	451.81	\$821,894.45	\$ (390,243.45)	-47.48%	
AVERAGE	\$ 821,894.45								
	Proposed	ICE Hours	Difference	% Difference					
COHN REZNICK	7720	1808	5912.00	326.99%					
EISNER AMPER	4414	1808	2606.00	144.14%					
RSM (formerly McGladrey)	2076	1808	268.00	14.82%					
THACHER ASSOCIATES	2621	1808	813.00	44.97%					
AVERAGE	4207.75	1808	2399.75	132.73%					

NJ TRANSIT Contract No. 14-033
Integrity Oversight Monitoring Services
HNTB
Technical Proposal Evaluations (Before Oral Presentations)

	Weight	Rating MC	Rating LJ	Rating AW	Score MC	Score LJ	Score AW	Total Points	Max Points		Total Points
COHN REZNICK											
1. Demonstrate Understanding of the Monitoring Objectives	25	4	4	5	100.00	100.00	125.00	325.00	375	87%	
2. Does the proposal include all key risks, including DBE fraud?	20	4	3	4	80.00	60.00	80.00	220.00	300	73%	
3. Identify Specific Methodology & Detailed Work Plan	25	3	4	4	75.00	100.00	100.00	275.00	375	73%	
4. Demonstrate sufficient level of detail	10	4	3	5	40.00	30.00	50.00	120.00	150	80%	
5. Is the IOM firm technically competent to perform this audit?	10	5	4	5	50.00	40.00	50.00	140.00	150	93%	
Technical Proposal					345.00	330.00	405.00	1080.00	1350	80%	1080.00
EISNER AMPER											
1. Demonstrate Understanding of the Monitoring Objectives	25	5	4	5	125.00	100.00	125.00	350.00	375	93%	
2. Does the proposal include all key risks, including DBE fraud?	20	5	4	5	100.00	80.00	100.00	280.00	300	93%	
3. Identify Specific Methodology & Detailed Work Plan	25	5	4	4	125.00	100.00	100.00	325.00	375	87%	
4. Demonstrate sufficient level of detail	10	5	4	5	50.00	40.00	50.00	140.00	150	93%	
5. Is the IOM firm technically competent to perform this audit?	10	4	4	4	40.00	40.00	40.00	120.00	150	80%	
Technical Proposal					440.00	360.00	415.00	1215.00	1350	90%	1215.00
RSM US (previously MCGLADREY)											
1. Demonstrate Understanding of the Monitoring Objectives	25	5	4	5	125.00	100.00	125.00	350.00	375	93%	
2. Does the proposal include all key risks, including DBE fraud?	20	5	4	5	100.00	80.00	100.00	280.00	300	93%	
3. Identify Specific Methodology & Detailed Work Plan	25	5	4	5	125.00	100.00	125.00	350.00	375	93%	
4. Demonstrate sufficient level of detail	10	4	3	5	40.00	30.00	50.00	120.00	150	80%	
5. Is the IOM firm technically competent to perform this audit?	10	4	4	5	40.00	40.00	50.00	130.00	150	87%	
Technical Proposal					430.00	350.00	450.00	1230.00	1350	91%	1230.00
THACHER ASSOCIATES											
1. Demonstrate Understanding of the Monitoring Objectives	25	5	3	3	125.00	75.00	75.00	275.00	375	73%	
2. Does the proposal include all key risks, including DBE fraud?	20	5	3	3	100.00	60.00	60.00	220.00	300	73%	
3. Identify Specific Methodology & Detailed Work Plan	25	5	3	3	125.00	75.00	75.00	275.00	375	73%	
4. Demonstrate sufficient level of detail	10	5	3	2	50.00	30.00	20.00	100.00	150	67%	
5. Is the IOM firm technically competent to perform this audit?	10	5	4	4	50.00	40.00	40.00	130.00	150	87%	
Technical Proposal					450.00	280.00	270.00	1000.00	1350	74%	1000.00

Proposal Rating Factors:

5 -- Excellent	Proposal meets all requirements and in some areas exceeds them
4 -- Good	Proposal meets most requirements and contains only minor deficiencies
3 -- Fair	Proposal meets many requirements but contains some deficiencies
2 -- Poor	Proposal partially meets requirements but contains significant deficiencies
1 -- Unsatisfactory	Proposal meets some requirements but contains fatal flaws
0 -- Non-Responsive	Proposal is non-responsive to the requirements

TEC Members:
MC - Micheal Cort

NJ TRANSIT CONTRACT NO. 14-033
 INTEGRITY OVERSIGHT MONITORING SERVICES
 Hoboken Program Management & Project Management Support
 PRICE ANALYSIS

Staffing Category	AVERAGE			ICE		
	Rate	Hours	Total Cost	Rate	Hours	Total Cost
Partner/Principal/Director	\$ 299.06	97.75	\$ 28,627.00	\$ 300.00	49	\$ 14,700.00
Program Manager / Project Manager	\$ 248.73	842	\$ 220,173.50	\$ 262.50	440	\$115,500.00
Subject Matter Expert	\$ 135.19	66	\$ 17,952.00	\$ 300.00	20	\$ 6,000.00
Supervisor/Senior Consultant/	\$ 177.19	1,138	\$ 201,786.25	\$ 225.00	620	\$139,500.00
Consultant/Associate/Staff	\$ 142.61	730	\$ 110,874.25	\$ 147.50	605	\$ 89,237.50
Administrative Support	\$ 71.31	214	\$ 14,998.50	\$ 70.00	235	\$ 16,450.00
Travel Costs			\$ 2,000.00			\$ 7,628.00
Subconsultant			\$ 15,000.00			
Project-wide activities						\$ 38,139.00
		3087.25	\$ 611,411.50		1969	\$427,154.50

COHN REZNICK				Comparison to the ICE						Comparison to the Average					
Staffing Category	Proposed Rate	Proposed Hours	Proposed Cost	ICE			Cost			Average			Cost		
	Rate	Hours	Cost	Hours	Diff	%Diff	ICE Cost	Difference	% Difference	Hours	Diff	%Diff	Average Cost	Difference	% Difference
Partner/Principal/Director	\$ 294.22	200	\$ 58,844.00	49	151	308.16%	\$ 14,700.00	\$ 44,144.00	300.30%	74	126.00	170.27%	\$ 21,977.48	\$ 36,866.53	167.75%
Program Manager / Project Manager	\$ 260.92	1400	\$ 365,288.00	440	960	218.18%	\$ 115,500.00	\$ 249,788.00	216.27%	565	835.00	147.79%	\$ 144,634.95	\$ 220,653.05	152.56%
Subject Matter Expert	\$ 268.75	0	\$ -	20	(20)	-100.00%	\$ 6,000.00	\$ (6,000.00)	-100.00%	45	(45.00)	-100.00%	\$ 12,172.00	\$ (12,172.00)	-100.00%
Supervisor/Senior Consultant/	\$ 173.75	1400	\$ 243,250.00	620	780	125.81%	\$ 139,500.00	\$ 103,750.00	74.37%	556	844.00	151.80%	\$ 94,839.06	\$ 148,410.94	156.49%
Consultant/Associate/Staff	\$ 148.92	800	\$ 119,136.00	605	195	32.23%	\$ 89,238.00	\$ 29,898.00	33.50%	598	202.00	33.78%	\$ 86,931.15	\$ 32,204.85	37.05%
Administrative Support	\$ 77.22	200	\$ 15,444.00	235	(35)	-14.89%	\$ 16,450.00	\$ (1,006.00)	-6.12%	193	7.00	3.63%	\$ 11,925.23	\$ 3,518.78	29.51%
Subconsultant			\$ 816,831.80												
Travel Costs			\$ 4,000.00				\$ 7,628.00	\$ (3,628.00)	-47.56%				\$ 2,400.33	\$ 1,599.67	66.64%
Project-wide activities							\$ 38,139.00								
		4000	#####	1969	2031	103.15%	\$ 427,155.00	\$ 1,195,638.80	279.91%	2031	1969.00	96.95%	\$ 374,880.20	#####	332.88%

EISNER AMPER				Comparison to the ICE						Comparison to the Average					
Staffing Category	Proposed Rate	Proposed Hours	Proposed Cost	ICE			Cost			Average			Cost		
	Rate	Hours	Cost	Hours	Diff	%Diff	ICE Cost	Difference	% Difference	Hours	Diff	%Diff	Average Cost	Difference	% Difference
Partner/Principal/Director	\$ 330.00	64	\$ 21,120.00	49	15	30.61%	\$ 14,700.00	\$ 6,420.00	43.67%	74	(10.00)	-13.51%	\$ 21,977.48	\$ (857.47)	-3.90%
Program Manager / Project Manager	\$ 290.00	1,178	\$ 341,620.00	440	738	167.73%	\$ 115,500.00	\$ 226,120.00	195.77%	565	613.00	108.50%	\$ 144,634.95	\$ 196,985.05	136.19%
Subject Matter Expert	\$ -	0	\$ -	20	(20)	-100.00%	\$ 6,000.00	\$ (6,000.00)	-100.00%	45	(45.00)	-100.00%	\$ 12,172.00	\$ (12,172.00)	-100.00%
Supervisor/Senior Consultant/	\$ 225.00	1,019	\$ 229,275.00	620	399	64.35%	\$ 139,500.00	\$ 89,775.00	64.35%	556	463.00	83.27%	\$ 94,839.06	\$ 134,435.94	141.75%
Consultant/Associate/Staff	\$ 160.00	1,563	\$ 250,080.00	605	958	158.35%	\$ 89,238.00	\$ 160,842.00	180.24%	598	965.00	161.37%	\$ 86,931.15	\$ 163,148.85	187.68%
Administrative Support	\$ 70.00	590	\$ 41,300.00	235	355	151.06%	\$ 16,450.00	\$ 24,850.00	151.06%	193	397.00	205.70%	\$ 11,925.23	\$ 29,374.78	246.32%
Travel Costs	\$ -		\$ -				\$ 7,628.00		0.00%				\$ 2,400.33	\$ (2,400.33)	-100.00%
Project-wide activities			\$ -				\$ 38,139.00		0.00%						
		4414	\$ 883,395.00	1969	2445.00	124.17%	\$ 427,155.00	\$ 456,240.00	106.81%	2031.00	2383.00	117.33%	\$ 374,880.20	\$ 508,514.80	135.65%

RSM (MCGLADREY)				Comparison to the ICE						Comparison to the Average					
Staffing Category	Proposed Rate	Proposed Hours	Proposed Cost	ICE			Cost			Average			Cost		
	Rate	Hours	Cost	Hours	Diff	%Diff	ICE Cost	Difference	% Difference	Hours	Diff	%Diff	Average Cost	Difference	% Difference
Partner/Principal/Director	\$ 272.00	127	\$ 34,544.00	49	78	159.18%	\$ 14,700.00	\$ 19,844.00	134.99%	74	53.00	71.62%	\$ 21,977.48	\$ 12,566.53	57.18%
Program Manager / Project Manager	\$ 194.00	419	\$ 81,286.00	440	(21)	-4.77%	\$ 115,500.00	\$ (34,214.00)	-29.62%	565	(146.00)	-25.84%	\$ 144,634.95	\$ (63,348.95)	-43.80%
Subject Matter Expert	\$ 272.00	264	\$ 71,808.00	20	244	1220.00%	\$ 6,000.00	\$ 65,808.00	1096.80%	45	219.00	486.67%	\$ 12,172.00	\$ 59,636.00	489.94%
Supervisor/Senior Consultant/	\$ 150.00	650	\$ 97,500.00	620	30	4.84%	\$ 139,500.00	\$ (42,000.00)	-30.11%	556	94.00	16.91%	\$ 94,839.06	\$ 2,660.94	2.81%
Consultant/Associate/Staff	\$ 125.00	164	\$ 20,500.00	605	(441)	-72.89%	\$ 89,238.00	\$ (68,738.00)	-77.03%	598	(434.00)	-72.58%	\$ 86,931.15	\$ (66,431.15)	-76.42%
Administrative Support	\$ 88.00	0	\$ -	235	(235)	-100.00%	\$ 16,450.00	\$ (16,450.00)	-100.00%	193	(193.00)	-100.00%	\$ 11,925.23	\$ (11,925.23)	-100.00%
Travel Costs							\$ 7,628.00	\$ (7,628.00)	-100.00%				\$ 2,400.33	\$ (2,400.33)	-100.00%
Project-wide activities			\$ -				\$ 38,139.00								
		1624	\$ 305,638.00	1969	(345.00)	-17.52%	\$ 427,155.00	\$ (121,517.00)	-28.45%	2031.00	(407.00)	-20.04%	\$ 374,880.20	\$ (69,242.20)	-18.47%

THACHER ASSOCIATES				Comparison to the ICE						Comparison to the Average					
Staffing Category	Proposed Rate	Proposed Hours	Proposed Cost	ICE			Cost			Average			Cost		
	Rate	Hours	Cost	Hours	Diff	%Diff	ICE Cost	Difference	% Difference	Hours	Diff	%Diff	Average Cost	Difference	% Difference
Partner/Principal/Director	\$ 300.00	0	\$ -	49	(49)	-100.00%	\$ 14,700.00	\$ (14,700.00)	-100.00%	74	(74.00)	-100.00%	\$ 21,977.48	\$ (21,977.48)	-100.00%
Program Manager / Project Manager	\$ 250.00	370	\$ 92,500.00	440	(70)	-15.91%	\$ 115,500.00	\$ (23,000.00)	-19.91%	565	(195.00)	-34.51%	\$ 144,634.95	\$ (52,134.95)	-36.05%
Subject Matter Expert	\$ -	0	\$ -	20	(20)	-100.00%	\$ 6,000.00	\$ (6,000.00)	-100.00%	45	(45.00)	-100.00%	\$ 12,172.00	\$ (12,172.00)	-100.00%
Supervisor/Senior Consultant/	\$ 160.00	1,482	\$ 237,120.00	620	862	139.03%	\$ 139,500.00	\$ 97,620.00	69.98%	556	926.00	166.55%	\$ 94,839.06	\$ 142,280.94	150.02%
Consultant/Associate/Staff	\$ 136.50	394	\$ 53,781.00	605	(211)	-34.88%	\$ 89,238.00	\$ (35,457.00)	-39.73%	598	(204.00)	-34.11%	\$ 86,931.15	\$ (33,150.15)	-38.13%
Administrative Support	\$ 50.00	65	\$ 3,250.00	235	(170)	-72.34%	\$ 16,450.00	\$ (13,200.00)	-80.24%	193	(128.00)	-66.32%	\$ 11,925.23	\$ (8,675.23)	-72.75%
Travel Costs							\$ 7,628.00	\$ (7,628.00)	-100.00%				\$ 2,400.33	\$ (2,400.33)	-100.00%
Subconsultant		380.00	\$ 45,000.00												
Project-wide activities							\$ 38,139.00								
		2691	\$ 431,651.00	1969	722.00	36.67%	\$ 389,016.00	\$ 42,635.00	10.96%	2031.00	660.00	32.50%	\$ 374,880.20	\$ 56,770.80	15.14%

**NJ TRANSIT CONTRACT NO. 14-033
INTEGRITY OVERSIGHT MONITORING SERVICES
OFFICE OF THE STATE COMPTROLLER POST-AWARD NOTICE
HOBOKEN PROJECTS**

ADDENDA/ CLARIFICATION

NJ TRANSIT Contract No. 14-033
Integrity Oversight Monitoring Services
IOM Services for the Hoboken Projects
Questions and/or Request for Clarification

Page #	RFP Section	Question	NJ TRANSIT Response
Attachment 1	Attachment 1 – Project Information	Is the DMR contract (NJT00850) a stipulated sum, cost plus fee (guaranteed maximum price), or unit price?	NJ TRANSIT Contract No. 17-022X (NJT00850) with DMR Construction is a Firm Fixed Price Contract.
Attachment 1	Attachment 1 – Project Information	What contract type does NJT intend to use for project NJT00851, stipulated sum, cost plus fee, or unit price?	Firm Fixed Price.
Attachment 1	Attachment 1 – Project Information	Is DMR self-performing portions of the work for project NJT00850?	Yes.
Attachment 1	Attachment 1 – Project Information	How many subcontractors are working under DMR pursuant to project NJT00850?	At this time, NJ TRANSIT has approved nine (9) subcontractors for NJ TRANSIT Contract No. 17-022X (NJT00850) . The number of subcontractors is subject to change in accordance with the contract terms.
Attachment 1	Attachment 1 – Project Information	What is the current hard cost budget for project NJT00851 – Signal Power Repair?	The FTA Grant amount awarded to NJ TRANSIT for this project is \$26,090,000.
Page 2 of 17	RFP Section C, Task C	Does NJT intend for the IOM firm to provide background checks for employees of STV and DMR? For their sub-consultants / subcontractors? For the future awardee of the construction phase of project NJT00851?	No.
Page 7	RFP Section F	Per the indicated milestones estimated through June 2023, please clarify IOM expectations regarding weekly status and quarterly reports in regards to the expected contract term.	Reporting is to be done as stipulated in the Work Authorization Request, unless otherwise communicated during the execution of the Work Authorization.

NJ TRANSIT Contract No. 14-033
Integrity Oversight Monitoring Services
IOM Services for the Hoboken Projects
Questions and/or Request for Clarification

Page #	RFP Section	Question	NJ TRANSIT Response
20 of 71	Attachment 1: Hoboken in-scope Projects Information	Are the milestone schedule dates in Attachment 1 still accurate? If not, what are the new milestone dates?	<p>*MILESTONE DATES ARE SUBJECT TO CHANGE.*</p> <p><u>NJ TRANSIT Contract No. 17-022X (NJT00850, "SANDY Dmg 04RHOB 4 Hoboken Yard-Boiler for Bldg- Repair")</u></p> <p>MILESTONES*: Design 100% Complete (Jan 2018)* Construction Start (Oct 2018)* Construction Complete (Jan 2021)*</p> <p><u>NJ TRANSIT Contract No. (TBD) (NJT00851, "SANDY Dmg 04RHOB 4 Hoboken Yard-Signal Power Repair")</u></p> <p>MILESTONES*: Design 100% Complete (Dec 2017)* Construction Start (Oct 2018)* Construction Complete (June 2023)*</p>
8 of 17	I. Conflict of Interest	Has a contractor been selected for the SANDY Dmg 04RHOB 4 Hoboken Yard-Signal Power Repair project? If so, who is the contractor? What is the price? How many subcontractors are anticipated to be on the job? Who are the main subcontractors?	A Contract has not been awarded for the Hoboken Yard-Signal Power Repair project (NJT00851).The information will not be provided during the Work Authorizaiothn Request process.
8 of 17	I. Conflict of Interest	If a contract has yet to be awarded, have bids been received for the Hoboken Yard-Signal Power Repair project? If so, what are the low and high bids? If bids have yet to be received, what is NJ TRANSIT's independent estimated cost for the SANDY Dmg 04RHOB 4 Hoboken Yard-Signal Power Repair project?	A Contract has not been awarded for the Hoboken Yard-Signal Power Repair project (NJT00851).The information will not be provided during the Work Authorizaiothn Request process.
46 of 71	Attachment 7: Detailed Monitoring Work Plan Template	If there is no independent cost estimate and the estimated cost is not otherwise known, are the bid documents available? If so, how may we obtain or review copies of the bid documents?	A Contract has not been awarded for the Hoboken Yard-Signal Power Repair project (NJT00851).The information will not be provided during the Work Authorizaiothn Request process.
27 of 71	Attachment 1: Hoboken in-scope Projects Information	Does the Signal Power Distribution system involve both medium and low voltage equipment and cables?	Yes.

NJ TRANSIT Contract No. 14-033
Integrity Oversight Monitoring Services
IOM Services for the Hoboken Projects
Questions and/or Request for Clarification

Page #	RFP Section	Question	NJ TRANSIT Response
8 of 17	I. Conflict of Interest	Has a general contractor contract been awarded for the Hoboken Yard Signal Project?	A Contract has not been awarded for the Hoboken Yard-Signal Power Repair project (NJT00851).