

**NEW JERSEY TRANSIT  
CHANGE ORDER FORM**

**NEW JERSEY TRANSIT CORPORATION  
HEADQUARTERS**

Work Authorization No: 2 Revision No.: 0 Effective Date: 1/17/2020

Contract No: 14-033C Purchase Order No: 190035989

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

**NJ TRANSIT hereby incorporates Work Authorization No. 2 entitled "Meadowlands Maintenance Complex and the Rail Operations Center Project (MMC)" into NJ TRANSIT's Contract No. 14-033C as follows:**

**Section 1: Scope of Work**

Work Authorization No. 2 is issued to RSM US, LLP to provide Integrity Oversight Monitoring Services for the Meadowlands Maintenance Complex and the Rail Operations Center Project (MMC) 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. 2 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 April 4, 2019 to this Work Authorization No. 2. The total cost for Work Authorization No. 2 is an amount not to exceed \$166,620.00.

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. 2 shall be completed by January 2, 2021.

**Section 4: Disadvantaged Business Enterprise Requirements**

RSM US, LLP Disadvantaged Business Enterprise Utilization Plan for Work Authorization No. 2 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 13% DBE participation for this Work Authorization No. 2 as detailed in Exhibit C attached hereto.

**Total Value of Work Authorization No. 2 .....\$166,620.00**

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

**WORK AUTHORIZATION NO. 2 SUMMARY**

Initial Work Authorization Amount: .....\$0.00  
Modifications to Date: .....\$0.00  
Value of this Work Authorization Modification: .....\$166,620.00  
Present Total Amount of this Work Authorization:.....\$166,620.00

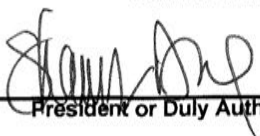
**SUMMARY OF WORK AUTHORIZATIONS ISSUED TO DATE**

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
Work Authorization No. 2 – IOM Services for the Meadowlands Maintenance Complex and the Rail Operations Center Project (MMC) Projects	\$ 166,620.00
<b>Total of All Work Authorizations Issued to Date:</b>	<b>\$472,258.00</b>

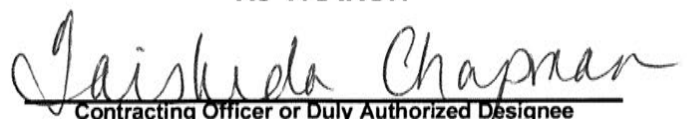
**NJ TRANSIT CONTRACT NO. 14-033C CONTRACT SUMMARY**

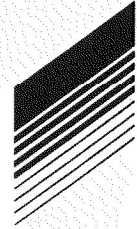
Original Contract Amount:.....\$0.00  
Total of All Work Authorizations Issued to Date: .....\$305,638.00  
Amount of this Modification: .....\$166,620.00  
Present Total Contract Amount: .....\$472,258.00

**CONTRACTOR**

  
\_\_\_\_\_  
President or Duly Authorized Designee

**NJ TRANSIT**

  
\_\_\_\_\_  
Contracting Officer or Duly Authorized Designee



**NJ TRANSIT**  
The Way To Go.  
ONE PENN PLAZA EAST  
NEWARK, NJ 07105-2246

HOW TO CONTACT ACCOUNTS PAYABLE CUSTOMER CARE (APCC)  
E-MAIL: APCC@NJTRANSIT.COM  
VOICE: 973-491-8399 FAX: 973-491-4621

## PURCHASE ORDER INSTRUCTIONS

ALL PACKAGES MUST BE ACCOMPANIED BY A PACKING SLIP.  
REFERENCE PURCHASE ORDER NUMBER, PURCHASE ORDER LINE NUMBER, AND NJT CATALOG NUMBER ON ALL INVOICES. PACKING SLIPS AND BILLS OF LADING.  
INVOICES WITHOUT PURCHASE ORDER NUMBERS WILL BE RETURNED. VENDOR MUST SUPPLY ORIGINAL NON CONSTRUCTION INVOICE AND ANY FREIGHT BILLS IN EXCESS OF \$100 TO:  
E-MAIL: INVOICES@NJTRANSIT.COM OR FAX: 973-833-8132  
**IMPORTANT - ONE INVOICE AND ALL OF ITS SUPPORTING DOCUMENTS MUST BE INCLUDED IN A FILE USING THE FILE NAMING FORMAT: PURCHASE ORDER NUMBER -INVOICE NUMBER. MULTIPLE FILES MAY BE INCLUDED IN ONE E-MAIL.**  
CONSTRUCTION INVOICES SHOULD CONTINUE TO BE SENT TO THE CONSTRUCTION MANAGER. VENDOR MUST ALSO SUPPLY A COPY OF INVOICE(S) TO CONSIGNEE.  
VENDOR: IF PRICE ON PO DOES NOT MATCH, DO NOT SHIP MATERIAL, CONTACT BUYER.

### SUPPLIER:

RSM US LLP  
1185 AVENUE OF THE AMERICAS  
NEW YORK, NY, 10036

### SHIP TO:

NEWARK HEADQUARTERS  
NJ TRANSIT HEADQUARTERS  
ONE PENN PLAZA EAST  
NEWARK, NJ 07105-2246

### BILL TO:

NEWARK HEADQUARTERS  
NJ TRANSIT HEADQUARTERS  
ONE PENN PLAZA EAST  
NEWARK, NJ 07105-2246

\* CHANGE ORDER - DO NOT DUPLICATE \*

TCHAPMAN@NJTRANSIT.COM

BUYER: Taishida Chapman

TERMS	FREIGHT TERMS	FOB	QUOTATION NO
NET 45	100	DESTINATION	

NJ TRANSIT IS EXEMPT FROM NJ SALES & USE TAXES  
PURSUANT TO SECT 9(A)(1), OF NJSA 54:32B-1 ET SEQ.  
FEDERAL T.I.N.: 22-2228-1352  
TAX EXEMPT #'S 21-60000928 (NJ)  
22-75-0050K (FEDERAL)

NJ TRANSIT ETHICS CODE: NJ TRANSIT IS AN INSTRUMENTALITY OF THE STATE OF NEW JERSEY AND ITS EMPLOYEES AND OFFICERS AND MEMBERS OF THE NJ TRANSIT BOARD OF DIRECTORS ARE PUBLIC SERVANTS AND ARE GOVERNED BY CIVIL AND CRIMINAL LAWS THAT CONTROL HOW NJ TRANSIT AND ITS PERSONNEL CONDUCT BUSINESS WITH VENDORS, CONTRACTORS AND CONSULTANTS. THESE PROVISIONS INCLUDE THE CONFLICTS OF INTEREST LAW, NJSA 52:13D-12; THE GIFTS TO PUBLIC SERVANTS LAW, NJSA 2C:27-6; AND THE COMPENSATION FOR PAST OFFICIAL BEHAVIOR LAW, NJSA 2C:27-4. THESE PROVISIONS APPLY TO ALL NJ TRANSIT EMPLOYEES, CONTRACTORS, AND CONSULTANTS, REGARDLESS OF WHETHER THEY ARE CURRENTLY OR WERE EVER EMPLOYED BY NJ TRANSIT. THE TERM "GIFT" INCLUDES ALL THINGS AND OBJECTS, TANGIBLE OR INTANGIBLE INCLUDING SERVICES, GRANTS, TRAVEL, TRAVEL TICKETS, MEMBERSHIP IN CLUBS, TRAVEL COSTS AND LODGING. ALSO, NJ TRANSIT'S CODE OF ETHICS AND CODE OF CONTRACTORS AND CONSULTANTS FROM OFFERING ANY GIFTS TO ANY NJ TRANSIT EMPLOYEE. DO NOT, UNDER ANY CIRCUMSTANCES, TEMPT OR PUT AN NJ TRANSIT EMPLOYEE IN THE AWKWARD POSITION OF HAVING TO REFUSE A GIFT OR RETURN A GIFT NO MATTER HOW WELL INTENTIONED OR INNOCUOUS THE GIFT MAY BE.

LINE NUMBER	ITEM NUMBER/MPN/IMFR /DESCRIPTION	DELIVERY DATE	QUANTITY	UOM	UNIT PRICE	AMOUNT
*1	CONTRACT #:14-033C SOURCE DOCUMENT:  MR #500000225356 GL #1.0030.50303.NZE0400.C.000.000000.000000 14-033C Integrity Oversight Monitoring (IOM) Services  Work Authorization No. 2 -IOM Services for the MMC/ROC Project.  PM: Steve DeAngelis  The total expenditure amount for this line shall not exceed \$162,620.00.  Refer to Contract No. 14-033C and Work Authorization No. 2 for the complete terms of this Agreement. *****	06/06/19	166620	\$	1	166,620.00
ORIG AMT	162,620.00	THIS CHANGE	4,000.00		** TOTAL:	\$ 166,620.00





ONE PENN PLAZA EAST  
NEWARK, NJ 07105-2246

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VOICE: 973-491-8399 FAX: 973-491-4621

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ORIGINAL NON CONSTRUCTION INVOICE AND ANY FREIGHT BILLS IN EXCESS OF \$100 TO:

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FILE USING THE FILE NAMING FORMAT: PURCHASE ORDER NUMBER -INVOICE NUMBER. MULTIPLE**

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NEWARK, NJ 07105-2246

\* CHANGE ORDER - DO NOT DUPLICATE \*

BUYER: Taishida Chapman

TCHAPMAN@NJTRANSIT.COM

TERMS

FREIGHT TERMS

100

FOB

QUOTATION NO

DESTINATION

FEDERAL T.I.N.: 22-228-1352

TAX EXEMPT #'S 21-60000928 (NJ)

22-75-0050K (FEDERAL)

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WHEN THIS BOX IS CHECKED, THE TERMS AND CONDITIONS OF THE ATTACHED CONTRACT  
REPLACES THOSE SHOWN ON THE REVERSE SIDE OF THIS PURCHASE ORDER.

Authorized NJ Transit Signature / Date

*Taishida Chapman*



**NJ TRANSIT Contract No. 14-033C  
Integrity Oversight Monitoring Services  
Work Authorization No. 2**

**Integrity Oversight Monitoring Services for the Meadowlands Maintenance  
Complex and the Rail Operations Center Project (MMC) Projects**

**Attachment A – Scope of Work**

## **PROJECT DESCRIPTION**

The IOM firm selected for this Work Authorization shall provide integrity oversight monitoring services in connection with NJ TRANSIT Contract No. 17-006X Construction of Permanent Site Flood Protection Measures to Protect NJ TRANSIT'S Meadows Maintenance Complex (MMC) and Rail Operations Center (ROC) and Jacob Engineering Group, Inc.'s ("Consultant's") scope of work under Task Order Contract (TOC) 13-006B - Task Order Assignment (TOA) No. 5 governing the provision of the design consulting services (together referred to as the MMC/ROC Project).

## **SCOPE OF WORK:**

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

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

1. Monitoring the Consultant and sub-consultants to ensure its 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 (See Federal Register May 29, 2013 pages 32301- 32302), State of New Jersey Department of 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, 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 and surveillances, 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 MMC/ROC Projects noted in Project Description 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 in the Deliverables section 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 a 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 MMC/ROC Projects noted in – Project Description 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. The IOM firm shall review all applicable design contract (TOC 13-006C) and applicable construction contract 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 NJ TRANSIT.
- 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) 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. Assessing the scope of work provided under the applicable MMC/ROC projects as noted in Project Description with respect to efficiency and effectiveness.
- 2. Reviewing information and activities in relation to the applicable MMC/ROC Projects noted in the Project Description above.
- 3. Attending program area status meetings, risk meetings, and other meetings as needed, in consultation with NJT Internal Audit Department.
- 4. Auditing to ensure procurement compliance.
- 5. Taking actions to detect, investigate, prevent and remediate, waste, fraud and abuse.
- 6. Other activities that may be defined or required by NJT Internal Audit Department.

#### **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 work plan.

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 Internal Audit Project Manager based on the approved detailed monitoring work plan. All detailed monitoring work plans **MUST** be in the format provided by NJT. Deliverables to support work will include but not be limited to the following:

1. Fraud Risk Mitigation Strategy and Detailed Monitoring Work Plan
2. Workpapers, 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 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.
2. Weekly Status Updates

A 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 weekly status updates will be based on a template provided by NJT Internal Audit which includes the following:

1. Total hours per Detailed Monitoring Work Plan
2. Hours by Risk Category per Detailed Monitoring Work Plan

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
8. Document/Information Requests

### 3. Quarterly Report

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 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 Internal Audit Department 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

Submit all document and information requests to the NJT Internal Audit Project Manager via email. The email should contain in the subject line "Document/Information Request – Project Name".



## 7. Close-Out Report:

In addition to other reporting requirements, prior to the expiration of the IOM Work Authorization, or on an interim basis as necessary for longer-term engagements, the IOM firm shall submit a summary report of audit findings, observations, and process recommendations and/or best practice recommendations to NJT for its review and consideration. This report shall contain findings and observations from the IOM's review of documentation, site visits, and other work that was performed during the IOM Work Authorization term. Also based on its work during the IOM Work Authorization term, the report shall contain industry best practice recommendations regarding the processes it observed. The report will be due to NJT Internal Audit three weeks after NJT IA has completed its final review and acceptance of the workpapers for the IOM WA. Due dates for interim reports will be mutually agreed upon by the parties.

### **SCHEDULE**

The services to be provided by the IOM under this Work Authorization are scheduled to be completed by June 20, 2021. The term of this Work Authorization is based upon the projected schedule of the MMC/ROC Projects and may be amended at the discretion of NJT.

### **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.

### **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 MMC/ROC for which this Work Authorization applies are as follows:

<b>Vendor</b>	<b>Contact</b>
Project Manager:	NJ TRANSIT
Environmental:	NJ TRANSIT
Designer:	Jacobs Engineering, Inc.
Contractor:	DMR Construction
	There are four (4) subcontractors.

	<p>One (1) DBE firm C.H.S Construction Co. and</p> <p>Three (3) Non-DBE Brennan Industrial Contractors Inc., Walz &amp; Krenzer, Inc. and Raymond Glass Company Inc.</p>
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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.

#### **CONFLICT OF INTEREST WITH FUTURE CONTRACTORS & SUB-CONTRACTORS**

Vendors/contractors 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.



**NJ TRANSIT Contract No. 14-033C  
Integrity Oversight Monitoring Services  
Work Authorization No. 2**

**Integrity Oversight Monitoring Services for the Meadowlands Maintenance  
Complex and the Rail Operations Center Project (MMC) Projects**

**Attachment B – Cost Proposal for Fraud Risk Assessment**

# COST PROPOSAL TO PROVIDE INTEGRITY OVERSIGHT MONITORING SERVICES

NEW JERSEY TRANSIT  
CORPORATION

14-033-IOM SERVICES FOR THE  
MMC/ROC PROJECT

April 4, 2019





April 4, 2019

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.  
2<sup>nd</sup> Floor  
Edison, NJ 08837  
T +1 732 515 7300  
[www.rsmus.com](http://www.rsmus.com)

Re: 14-033 Integrity Oversight Monitoring Services for the Meadows Maintenance Complex (MMC) and Rail Operations Center (ROC) Project (the MMC/ROC Project)

Dear Ms. Chapman:

We are pleased to present our updated pricing information relative to conducting integrity oversight monitoring services and construction audit services for the above-referenced MMC/ROC Project.

Once you have had the opportunity to review this response, we would be pleased to discuss NJ Transit's 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



# RSM fee table

RSM US LLP																		
Employee Name	Staffing Category	Hourly Billing Rate (\$)	Grant Management		Disbursement		Procurement		Task Order Contractors and Subcontractors		Change Orders		Claims Management		Project-wide Activity		Total Hours Per Staff Category	Total \$ Per Staff Category
			Hours	Amount	Hours	Amount	Hours	Amount	Hours	Amount	Hours	Amount	Hours	Amount	Hours	Amount		
Dahl / Luker	Partner/Principal/Director	\$ 272	9	\$ 2,448	12	\$ 3,264	20	\$ 5,440	10	\$ 2,720	12	\$ 3,264	6	\$ 1,632	13	\$ 3,536	82	\$ 22,304
Tracy / Blondell / Nahass	Program Manager/Project Manager	194	10	1,940	40	7,760	65	12,610	40	7,760	30	5,820	16	3,104	24	4,656	225	\$ 43,650
Navloff / Reyes	Subject Matter Expert	272	8	2,176	8	2,176	15	4,080	8	2,176	-	-	-	-	-	-	39	\$ 10,608
Local TBD	Supervisor/Senior Consultant	150	24	3,600	40	6,000	80	12,000	24	3,600	17	2,550	13	1,950	30	4,500	228	\$ 34,200
Local TBD	Consultant/Associate/Staff	122	16	1,952	50	6,100	120	14,640	40	4,880	10	1,220	-	-	25	3,050	261	\$ 31,842
Local TBD	Administrative Support	88	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	\$ -
Totals			67	\$ 12,116	150	\$ 25,300	300	\$ 48,770	122	\$ 21,136	69	\$ 12,854	35	\$ 6,686	92	\$ 15,742	835	\$ -
																	Direct Cost	\$ 142,604
																	Travel Cost	\$ 2,852
																	Total	\$ 145,456

[illegible]



**[www.rsmus.com](http://www.rsmus.com)**

RSM US LLP is a limited liability partnership and the U.S. member firm of RSM International, a global network of independent audit, tax and consulting firms. The member firms of RSM International collaborate to provide services to global clients, but are separate and distinct legal entities that cannot obligate each other. Each member firm is responsible only for its own acts and omissions, and not those of any other party.

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**NJ TRANSIT Contract No. 14-033C  
Integrity Oversight Monitoring Services  
Work Authorization No. 2**

**Integrity Oversight Monitoring Services for the Meadowlands Maintenance  
Complex and the Rail Operations Center Project (MMC) Projects**

**Attachment C – DBE Forms**

First Tier DBE UTILIZATION - FORM A


Project Name: Integrity Oversight Monitoring Services for the MMC and ROC project. NJT Contract No: 14-033

Assigned DBE Goal %: 10 percent NJT Procurement Specialist: Taishida S. Chapman Contract Value (\$): \$ 166,620

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 Detailed Scope of Work to be Performed (Identify all suppliers)	Dollar Value of Subcontract/Subconsultant Work (\$)	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	\$21,164	13 %
			%
			%
			%
			%
			%
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.		\$ 21,164	13 %
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: RSM US LLP Authorized Signature: 

Company Address: 1185 Avenue of the Americas Print Name: Shawn L. Dahl

New York, NY 10036 Title: Principal

Federal Tax ID # [REDACTED] Prime Contractor's DBE Liaison Officer: Shawn L. Dahl

Company Tel #: 203-388-7098 Date Signed: April 4, 2019

To Add Subs Use Additional Forms

## BIDDER SOLICITATION &amp; CONTRACTOR INFORMATION - FORM A1

NJT Contract No: Contract No. 14-033

Prime Contractor: RSM US LLP

Date: April 4, 2019

Project Title: Integrity Oversight Monitoring Services for the MMC &amp; ROC project

Telephone #: 203-388-7098

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	shawndahl@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 #			
Annual Gross Receipts:			
A - Less than \$500K			
B - \$500K to \$1M			
C - \$1M to \$2M			
D - \$2M to \$5M			
E - \$5M and over	E		
Indicate the letter that applies			
Primary NAICS Code:			



**BIDDER SOLICITATION & CONTRACTOR INFORMATION - FORM A1**

Integrity Oversight Monitoring Services for the MMC & ROC project

NJT Contract No: 14-033

Prime Contractor: RSM US LLP

Date: April 4, 2019

Project Title:

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 #			
Annual Gross Receipts: A - Less than \$500K B - \$500K to \$1M C - \$1M to \$2M D - \$2M to \$5M E - \$5M and over	E		
Indicate the letter that applies			
Primary NAICS Code:			

**INTENT TO PERFORM AS A 1<sup>ST</sup> 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 &amp; 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: \$ \$21,164

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 protected 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.

*Michael Mudalel*

4/4/2019

Signature of 1<sup>st</sup> Tier DBE

Date

Senior Associate Engineer

Title

908-922-4699

Michael Mudalel

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.



To: Contract File

From: Taishida S. Chapman  
Director, Contracts Unit

Date: January 17, 2020

Re: **NJ TRANSIT Contract No. 14-033C  
Purchase Order No. 190035989, Rev. 0  
Integrity Oversight Monitoring Services**

Subject: **Work Authorization Justification Memorandum  
Request to Execute Work Authorization No. 2 and Purchase Order  
Release No. 190035989, Rev. 1 to RSM USA LLP**

This records NJ TRANSIT Contract No. 14-033C Work Authorization No. 2 and Purchase Order Release No. 190035989, Rev. 1 in the amount of \$166,620.00 with RSM US LLP for Integrity Oversight Monitoring Services for the Meadowlands Maintenance Complex and the Rail Operations Center Project (MMC).

## **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 US 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. 190035989, Rev. 1  
Integrity Oversight Monitoring Services  
Work Authorization No. 2  
Justification Memorandum / Work Authorization and Purchase Order Execution  
January 17, 2020  
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## **SCOPE OF WORK**

The purpose of Work Authorization No. 3 is for RSM US LLP to provide Integrity Oversight Monitoring Services for t for the Meadowlands Maintenance Complex and the Rail Operations Center Project which includes the following:

- Task A – Monitoring Contractor/Vendor Compliance with Applicable Laws and Contract Requirements
- Task B – Developing and Implementing Integrity Programs
- Task C – Conducting Background Checks, Reviews of Documents and Investigations
- Task D – Reporting
- Task E – Preparing and Maintaining a Fraud Risk Assessment.
- Task F – Project-wide Activities

## **INDEPENDENT COST ESTIMATE**

On August 16, 2017 NJ TRANSIT's Internal Audit Department provided an Independent Cost Estimate in the amount of \$244,201.00, with \$239,413.00 for direct cost and \$4,788.00 for travel expenses. Project Management estimates 1,210 hours to complete this Work Authorization.

## **OSC REVIEW AND APPROVAL**

Procurement submitted the Request for Proposal for Work Authorization No. 2 to OSC for review and approval on November 03, 2017, and the Request for Proposal was reviewed and approved on November 29, 2017.

## **WORK AUTHORIZATION REQUEST FOR PROPOSAL**

On February 16, 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 May 9, 2018, NJ TRANSIT received proposals from the four (4) IOM firms. The four (4) firms were:

Contract File  
NJ TRANSIT Contract No. 14-033C  
Purchase Order No. 190035989, Rev. 1  
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<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 May 16, 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 May 30, 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:

<b>FIRM</b>	<b>Technical Score</b>	<b>Technical Ranking</b>	<b>Cost Score</b>	<b>Cost Ranking</b>	<b>Total Points</b>	<b>Final Ranking</b>
COHN REZNICK	1100.00	3	0.00	4	1100.00	4
EISNER AMPER	1195.00	1	0.00	3	1195.00	3
RSM US, LLP	1175.00	2	590.00	1	1765.00	1
THACHER ASSOCIATES	1020.00	4	84.20	2	1252.00	2

<b>TEC INDIVIDUAL RANKING</b>	<b>SD</b>	<b>MC</b>	<b>LJ</b>	<b>Total TEC Ranking</b>	<b>Cost Ranking</b>	<b>Total Ranking</b>
COHN REZNICK	380.0	415.0	305.0	9		
EISNER AMPER	395.0	450.0	350.0	5		
RSM US, LLP	375.0	440.0	360.0	7		
THACHER ASSOCIATES	245.0	405.0	370.0	9		

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 US LLP submitted its Cost Proposal for Work Authorization No. 3 on May 09, 2018, in the total amount of \$139,788.00 with \$136,908 for direct cost and \$2,880.00 for travel expenses. RSM US's estimated 786 hours to complete this Work Authorization.

### **PRICE ANALYSIS**

The attached spreadsheet details the price analysis which compared RSM US LLP's cost proposal to the Independent Cost Estimate and the average of the four (4) IOM firms cost proposals. RSM's cost proposal of \$139,788.00 is \$104,412.50 or (42.76%) lower than the Independent Cost Estimate of \$244,200.50. RSM US LLP cost proposal of \$139,788.00 was also found to be \$96,731.74 or (40.90%) less than the average of the four (4) IOM firms cost proposals in the amount of \$236,519.74.

A Price Analysis comparing RSM's final Cost Proposal dated April 4, 2019 with the Independent Cost Estimate found that RSM's final Cost Proposal in the amount of \$166,620 is \$77,580.00 or (32%) lower than the Independent Cost Estimate of \$244,200.50.

### **LIMITED NOTICE TO PROCEED**

NJ TRANSIT issued a Limited Notice to Proceed dated June 20, 2019 in the amount of \$15,000.00 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.

## **POST FRAUD RISK ASSESSMENT**

Following the selection of RSM, Internal Audit (IA) requested that it perform a Fraud Risk Assessment to determine an optimal allocation of hours and costs for its engagement. Upon completion of the Fraud Risk Assessment RSM submitted a revised cost proposal in the amount of \$166,620.00. The Cost proposal revision reallocates the hours and dollars for the risk categories and reflects a better understanding of the risk Categories and Project Management finds the revised Cost Proposal to be fair and reasonable.

## **COST ANALYSIS**

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

- 1) Hourly Salary Rates for Year 4
- 2) Labor Hours
- 3) Travel Expenses as allowed (not allowed; the amount of \$3,468 is included solely for travel expenses of any necessary subject matter experts)
- 4) Risk Category Analysis

### **Hourly Salary Rates**

The hourly salary rates for RSM US LLP for Year 4 contained in the Cost Proposal dated September 19, 2019 for Work Authorization No. 2 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:

<b>EISNER AMPER, LLP</b>	<b>Year 4</b>
<b>Staffing Category</b>	<b>Hourly Rate</b>
Partner/Principal/Director	\$272.00

Contract File  
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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
<b>Average Rate</b>	<b>\$183.00</b>

#### Labor Hours

RSM's final cost proposal included 896 labor hours which is 51 hours or five percent (5%) more than the Independent Cost Estimate of 845 labor hours. RSM USA LLP labor hours was also found to be 1,861.75 or (28.46%) less than the average of the four (4) IOM firms' labor hours of 6,540.75.

#### Travel Expenses

RSM US LLP cost proposal included travel expenses in the amount of \$3,468. The travel allowance under NJ TRANSIT Contract No. 14-033B 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

Refer to the Project Management Recommendation dated October 8, 2019 for the Risk Category Analysis.

#### **NEGOTIATIONS**

Project Management did not require a negotiation

#### **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 (14-033B), RSM US, LLP (14-033C) and Thacher Associates, LLC (14-033D) 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.

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NJ TRANSIT Contract No. 14-033C  
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### **E-REQUISITION FUNDING**

Project Management prepared and forwarded to Procurement E-Requisition No. 500000225356 dated June 04, 2019 authorizing the total amount of \$166,620 utilizing Federal funds.

### **PURCHASE ORDER**

Procurement prepared Purchase Order No. 190035989, Revision No. 1 dated January 15, 2020 to RSM USA LLP in the amount of \$166,620.00 which is the total for Work Authorization No. 2.

### **PROJECT MANAGER'S RECOMMENDATION**

Project Management memo dated October 8, 2019, recommended award of Work Authorization No. 2 to RSM US LLP and found the cost in the amount of \$166,620.00 and level of effort of 896 hours for Work Authorization No. 2 to be fair and reasonable.

### **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. NJ TRANSIT's Office of Business Development reviewed RSM USA LLP proposal and DBE forms for this Work Authorization and sent their acknowledgement to Procurement on **November 15, 2019**.

### **AWARD OF WORK AUTHORIZATION NO. 3.**

Procurement forwarded Work Authorization No. 2 to RSM USA LLP on November 19, 2019 for signature. RSM US LLP returned the signed Work Authorization to Procurement on December 2, 2019.

### **FEDERAL COMPLIANCE REVIEW**

Procurement submitted the Work Authorization for Federal Compliance review and approval on December 4, 2019, and the Work Authorization was reviewed and approved on December 4, 2019.

Contract File  
NJ TRANSIT Contract No. 14-033C  
Purchase Order No. 190035989, Rev. 1  
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**STATE OF NEW JERSEY DEBARMENT AND FEDERAL EXCLUDED PARTIES  
LISTS**

RSM US 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 March 19, 2020, RSM US LLP is currently registered and active with no exclusion 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 US LLP for Work Authorization No. 2 are fair and reasonable. Therefore, Procurement recommends that Work Authorization No. 2 to Contract No. 14-033C and Purchase Order No. 190035989 be executed with RSM US LLP for \$166,620.00 bringing the present total contract value of NJ TRANSIT's Contract No. 14-033C with RSM US LLP for the Integrity Oversight Monitoring Services to \$472,258.00.



**NEW JERSEY TRANSIT  
CHANGE ORDER FORM**

**NEW JERSEY TRANSIT CORPORATION  
HEADQUARTERS**

Work Authorization No.: 2 Revision No.: 1 Effective Date: 2/16/2021

Contract No: 14-033C Purchase Order No: 190035989

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

**NJ TRANSIT hereby incorporates Work Authorization No. 2, Revision No. 1 entitled "Integrity Oversight Monitoring Services for Meadowlands Maintenance Complex and the Rail Operations Center Project (MMC)" into NJ TRANSIT's Contract No. 14-033C as follows:**

Work Authorization No. 2, Revision No. 1 is being issued to extend the period of performance for the Integrity Oversight Monitoring Services for the MMC Project by one hundred and sixty-nine (169) calendar days. The scheduled Time of Completion is extended from January 2, 2021 to June 20, 2021.

All other terms and conditions of NJ TRANSIT Contract No. 14-033C and Work Authorization No. 2 shall remain in full force and effect.

**Total Value of Work Authorization No. 2, Revision No. 1 .....\$0.00**

**WORK AUTHORIZATION NO. 2 SUMMARY**

Initial Work Authorization Amount:..... \$0.00

Modifications to Date: ..... \$166,620.00

Value of this Work Authorization Modification:..... \$0.00

**Present Total Amount of this Work Authorization:..... \$166,620.00**

**NJ TRANSIT CONTRACT NO. 14-033C CONTRACT SUMMARY**

Original Contract Amount: ..... \$0.00

Total of All Work Authorizations Issued to Date:..... \$472,258.00

Amount of this Modification:..... \$0.00

**Present Total Contract Amount:.....\$472,258.00**

**CONTRACTOR**



\_\_\_\_\_  
President or Duly Authorized Designee

**NJ TRANSIT**



\_\_\_\_\_  
Contracting Officer or Duly Authorized Designee

**NEW JERSEY TRANSIT  
CHANGE ORDER FORM****NEW JERSEY TRANSIT CORPORATION  
HEADQUARTERS**

Work Authorization No:	<u>2</u>	Revision No.:	<u>3</u>	Effective Date:	<u>January 11, 2022</u>
Contract No:	<u>14-033C</u>	Purchase Order No:	<u>190035989</u>		
Contractor:	RSM US, LLP 333 Thornall Street, 6th Floor Edison, New Jersey 08837 Attention: Mr. Shawn Dahl				

**NJ TRANSIT hereby incorporates Work Authorization No. 2 Revision 3 entitled "Meadowlands Maintenance Complex and the Rail Operations Center Project (MMC)" into NJ TRANSIT's Contract No. 14-033C as follows:**

**Section 1: Scope of Work**

Work Authorization No. 2 Revision 3 is issued to RSM US, LLP to provide Integrity Oversight Monitoring Services for the Meadowlands Maintenance Complex and the Rail Operations Center Project (MMC) 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. 2 Revision 3 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 A, Cost Proposal dated June 7, 2021 to this Work Authorization No. 2 Revision 3. The total cost for Work Authorization No. 2 Revision 3 is an amount not to exceed \$30,112.62.

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. 2 Revision 3 shall be completed by April 15, 2022.

**Section 4: Disadvantaged Business Enterprise Requirements**

RSM US, LLP Disadvantaged Business Enterprise Utilization Plan for Work Authorization No. 2 shall be in accordance with the Disadvantaged Business Enterprise Requirements for Race-Conscious Federal Procurement Activities of Contract No. 14-033C. RSM US, LLP's DBE participation for this Work Authorization No. 2 is detailed in Attachment B attached hereto.

**Total Value of Work Authorization No. 2 Revision 3.....\$30,112.62**



**NEW JERSEY TRANSIT  
CHANGE ORDER FORM****NEW JERSEY TRANSIT CORPORATION  
HEADQUARTERS**

Work Authorization No: 2 Revision No.: 3 Effective Date: January 11, 2022

Contract No: 14-033C Purchase Order No: 190035989

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

**WORK AUTHORIZATION NO. 2 SUMMARY**

Initial Work Authorization Amount: ..... \$0.00  
Modifications to Date: ..... \$179,019.31  
Value of this Work Authorization Modification: ..... \$30,112.62  
Present Total Amount of this Work Authorization:..... \$209,131.93

**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
Work Authorization No. 1 – IOM Services for the Hoboken Yard Signal Power Repair and the Hoboken Boiler and Terminal Repair (Hoboken) Projects - Wayside Power, CM Services/Design	\$451,575.00
Work Authorization No. 2 – IOM Services for the Meadowlands Maintenance Complex and the Rail Operations Center Project (MMC) Projects	\$166,620.00
Work Authorization 2 Revision 2 - IOM Services for the Meadowlands Maintenance Complex and the Rail Operations Center Project (MMC) Projects	\$12,399.31
Work Authorization 2 Revision 3 - IOM Services for the Meadowlands Maintenance Complex and the Rail Operations Center Project (MMC) Projects	\$30,112.62
Work Authorization 3 – Long Slip Phase A - Design contract	\$148,105.00
Work Authorization 4 - Long Slip Phase B - Long Slip Fill Construction Contract	\$553,980.00
Work Authorization 5 - Long Slip Phase C - Long Slip Rail Enhancement Construction contract	\$553,980.00
Work Authorization 6 - Long Slip Phase D - Construction Management Services contract	\$219,090.00
<b>Total of All Work Authorizations Issued to Date:</b>	<b>\$2,441,449.93</b>

**NEW JERSEY TRANSIT  
CHANGE ORDER FORM**

**NEW JERSEY TRANSIT CORPORATION  
HEADQUARTERS**

Work Authorization No: 2 Revision No.: 3 Effective Date: January 11, 2022

Contract No: 14-033C Purchase Order No: 190035989

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

**NJ TRANSIT CONTRACT NO. 14-033C CONTRACT SUMMARY**

Original Contract Amount:.....\$0.00  
Total of All Work Authorizations Issued to Date: ..... \$2,411,337.31  
Amount of this Modification: .....\$30,112.62  
Present Total Contract Amount: .....\$2,441,449.93

**CONTRACTOR**



\_\_\_\_\_  
President or Duly Authorized Designee

**NJ TRANSIT**



\_\_\_\_\_  
Contracting Officer or Duly Authorized Designee

**NJ TRANSIT Contract No. 14-033C  
Integrity Oversight Monitoring Services  
Work Authorization No. 2 Revision 3  
Integrity Oversight Monitoring Services for the Meadowlands Maintenance  
Complex and the Rail Operations Center Project (MMC) Projects**

**Attachment A  
Scope of Work  
Cost Proposal**

**NJ TRANSIT Contract No. 14-033  
Integrity Oversight Monitoring Services for  
Superstorm Sandy Integrity Oversight Monitoring Services  
for the Meadows Maintenance Complex (MMC) and Rail Operations Center (ROC) Project**

**Proposed Revision No. 3 to Work Authorization No. 2**

This proposed scope of work is for Revision No. 3 to Work Authorization (WA) No. 2. WA No. 2 is dated January 17, 2020 and between RSM US LLP, an Iowa limited liability partnership ("RSM") and New Jersey Transit Corporation ("Client"). Client issued RSM WA No. 2 pursuant to Contract No. 14-033 for Integrity Oversight Monitoring Services Agreement dated July 21, 2014.

This proposed scope of work for Revision No.3 to WA No. 2, including any appendices, schedules and attachments, constitutes the entire understanding and agreement between RSM and Client with respect to such changes.

**A. Engagement Objectives, Services, Approach and Scope of Work**

RSM seeks to add 145 hours of labor to its project budget inclusive of Revision No. 2 to WA No. 2. Revision No. 2 was issued on May 12, 2021 and increased the value of WA No. 2 by \$12,399 and extended its term through April 15, 2022. The proposed 145 hours result in the value of Revision No. 3 being \$30,112.62. The current expiration date of April 15, 2022 will remain unchanged. See below for the current value of WA No. 2 with Revision No. 2 and its total value with the addition of Revision No. 3 (Revision No. 1 to WA No. 2 was only an extension of time):

	Date Issued	Termination Date	Value
Work Authorization No. 2	1/17/20	1/2/21	\$166,620.00
Revision No. 1	2/16/21	6/20/21	N/A
Revision No. 2	5/12/21	4/15/22	\$12,399.31
Revision No. 3 (Proposed)		4/15/22	\$30,112.62
<b>Total Amount of Revised Work Authorization No. 2</b>		4/15/22	<b>\$209,131.93</b>

The basis for this request is detailed in the pages that follow and include four (4) risk categories that are impacted and will be evaluated during our review.

1. Claims Management – RSM was presented a claim by a vendor (tier 3 supplier). The estimated additional effort to review the claim, perform an evaluation of the claim's impact on the project, to conduct follow up interviews with key personnel, and to report on the results of our procedures are as follows:

Level	Rate	Hours	Total Fees
Partner / Principal / Director / SME	\$288.56	15	\$4,328.40
Program Manager	\$205.81	5	\$1,029.05
Senior / Supervisor	\$159.14	22	\$3,501.08
Staff Consultant	\$129.43	0	\$0
<b>Claim Management Total</b>		<b>42</b>	<b>\$8,858.53</b>

2. Disbursement/Invoicing – As a part of our claim analysis, RSM will perform reviews of disbursements between the parties to identify if, when and with whom the payment process stopped. This includes payments from NJT to the prime, the prime to its subcontractor, and the subcontractor to the supplier that presented the claim. Our estimate of additional effort for disbursement procedures is as follows:



Level	Rate	Hours	Total Fees
Partner / Principal / Director / SME	\$288.56	12	\$3,462.72
Program Manager	\$205.81	7	\$1,440.67
Senior / Supervisor	\$159.14	21	\$3,341.94
Staff Consultant	\$129.43	0	\$0
<b>Disbursement / Invoicing Total</b>		<b>40</b>	<b>\$8,245.33</b>

3. Disadvantaged Business Enterprises (DBE) – The supplier that submitted the claim was performing under a DBE subcontractor to the prime. As such, there are various complexities, as well as allegations included within the claim that affect our work with the DBE subcontractor. We estimate additional time for meeting, addressing, and documenting these matters as follows:

Level	Rate	Hours	Total Fees
Partner / Principal / Director / SME	\$288.56	8	\$2,308.48
Program Manager	\$205.81	2	\$411.62
Senior / Supervisor	\$159.14	12	\$1,909.68
Staff Consultant	\$129.43	0	\$0
<b>DBE Total</b>		<b>22</b>	<b>\$4,629.78</b>

4. Project-wide Activities (PWA) - To comply with reporting requirements, and provide NJT with the necessary updates and deliverables it needs related to this project, we estimate additional PWA hours as follows:

Level	Rate	Hours	Total Fees
Partner / Principal / Director / SME	\$288.56	10	\$2,885.60
Program Manager	\$205.81	12	\$2,469.72
Senior / Supervisor	\$159.14	19	\$3,023.66
Staff Consultant	\$129.43	0	\$0
<b>PWA Total</b>		<b>41</b>	<b>\$8,378.98</b>

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## B. Acknowledgement and Acceptance

Except as modified in this Work Authorization Revision, the Engagement Agreement, including any associated Terms and Conditions, prior Work Authorization Revisions, or amendments, remains unchanged and in full force and effect.

By the signatures of their duly authorized representatives below, RSM and Client, intending to be legally bound, acknowledge that they have read and agree to all of the provisions of the scope of this proposed Work Authorization Revision (including any Exhibits and Attachments hereto) as of the latter date of the signatories. RSM and Client, and each signatory below, hereby represents that said signatory is a duly authorized representative of such party and has the requisite power and authority to bind such party to the terms set forth in this proposed Work Authorization Revision. The Work Authorization Revision, however, is not final and effective until it is issued by the NJ Transit Procurement Department. If there are any conflicts between this document and the Work Authorization Revision issued by the Procurement Department, the Procurement document shall control.

### AGREED TO AND ACKNOWLEDGED BY:

#### RSM US LLP

By: \_\_\_\_\_



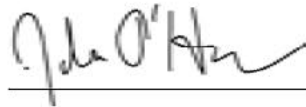
Name: David Luker

Title: Director

Date: June 7, 2021

#### New Jersey Transit Corporation

By: \_\_\_\_\_



Name: John O'Hern

Title: Auditor General

Date: 6/7/21



**NJ TRANSIT Contract No. 14-033C  
Integrity Oversight Monitoring Services  
Work Authorization No. 2 Revision 3  
Integrity Oversight Monitoring Services for the Meadowlands Maintenance  
Complex and the Rail Operations Center Project (MMC) Projects**

**Attachment B – DBE Forms**

**MANDATORY FORM FOR BIDDER/PROPOSER/PRIME: COMPLETE ENTIRELY**

FORM A (Fed)

**First Tier DBE UTILIZATION - FORM A**

Project Name: Integrity Oversight Monitoring Services for the MMC and ROC project NJT Contract No: 14-033C Work Authorization 2 Revision No. 3

Assigned DBE Goal %: 10 NJT Procurement Specialist: Namibia Muid Contract Value (\$): 30,112.62

**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 Scope of Work to be Performed</u> (Identify all suppliers)	Dollar Value of Subcontract/Sub-consultant Work (\$) Awarded	Percentage of Subcontract Work (%)
MFS Consulting Engineers & Surveyors, DPC	MFS will work with RSM to investigate a claim presented by a vendor which includes analyzing the impact to disbursements and compliance of DBEs.	\$3,011.26	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.	<b>TOTALS</b>	\$ 3,011.26	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.

Company Name: RSM US LLP

Authorized Signature: Shawn Dahl

Company Address: 333 Thornall Street, 6th Floor

Print Name: Shawn L. Dahl

Edison, NJ 08837

Title: Principal

Federal Tax ID #: [REDACTED]

Prime Contractor's DBE Liaison Officer: Shawn L. Dahl

Company Tel #: 203-388-7098

Date Signed: May 10, 2021

## BIDDER SOLICITATION &amp; CONTRACTOR INFORMATION - FORM A1

Project Title: Integrity Oversight Monitoring Services for the MMC and ROC project Date: May 10, 2021

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

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

	Bidder/Proposer/Prime	Bidder/Proposer/Prime	Bidder/Proposer/Prime
Company's Full Name	RSM US LLP	None	None
Address	333 Thornall Street, 6th Floor		
City	Edison		
Zip	08837		
County	Middlesex County		
Phone	203-388-7098		
Fax	None		
E-mail	shawn.dahl@rsmus.com		
Owner	Various		
Date Established	1926		
Date Certified	Not certified as a DBE or ethnic/gender specific		
Ethnicity	Various		
Gender	Various		
Certification Status: DBE or Non-DBE	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	E		
Primary NAICS Code:			

**MANDATORY FORM: COMPLETE ENTIRELY**

Form A1 (Fed)

**BIDDER SOLICITATION & CONTRACTOR INFORMATION - FORM A1**

Project Title: Integrity Oversight Monitoring Services for the MMC and ROC project Date: May 10, 2021  
 Prime Contractor/Consultant: RSM US LLP Telephone #: 203-388-7098

**COMPLETE THE INFORMATION BELOW FOR "ALL" FIRMS INCLUDING SUPPLIERS SOLICITED; INCLUDING THOSE THAT WILL WORK ON THIS PROJECT.**

	Subcontractor/Subconsultant	Subcontractor/Subconsultant	Subcontractor/Subconsultant
Company's Full Name	MFS Engineers & Surveyor, DPC	None	None
Address	2780 Hamilton Blvd.		
City	South Plainfield		
Zip	07080		
County	Middlesex		
Phone	908 932 4622		
Fax	866 517 7413		
E-mail	jaf@mfsengineers.com		
Owner	Jose Fuenes		
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 #			
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:			



## NON-DBE SUBCONTRACTOR UTILIZATION - FORM A2

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

Bidder/Proposer Prime Name: RSM US LLPProject Title: Integrity Oversight Monitoring Services for the MMC and ROC projectDate: May 10, 2021Prime Contract Value: \$30,112.62

Name, Address and Telephone # of all Subcontractor/Subconsultants	FEIN #	Provide Detailed Scope of Work to be Performed	Dollar Amount of Subcontractor/Subconsultant Work (\$) Awarded	Percentage of Subcontract or Work (%)
MFS Consulting Engineers & Surveyors, DPC 2780 Hamilton Blvd. South Plainfield, NJ 07080 908 932 4622		MFS will work with RSM to investigate a claim presented by a vendor which includes analyzing the impact to disbursements and compliance of DBEs.	\$ 3,011.26	10 %
			\$	%
			\$	%
			\$	%
			\$	%
Must provide a detailed scope of work; one-word descriptions are not acceptable.			\$	%
TOTALS			\$3,011.26	10 %

INTENT TO PERFORM AS A 1<sup>ST</sup> 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 &amp; Surveyor, DPC

Name of Bidder/Proposer/Prime:

Name of DBE Firm:

Project/Contract Name: Integrity Oversight Monitoring Services for  
the Meadows Maintenance Complex (MMC)  
and Rail Operations Center (ROC)

IFB/RFP Contract Number: 14-033

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

Circle one. (Yes or **No**)  
At what percent? \_\_\_\_\_ %

Intend to subcontract any portion of its scope of work to a Non-DBE(s)?  
If yes, must complete and submit Form AA2.

Circle one. (Yes or **No**)  
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 provide personnel with experience in construction and construction management to support in the project audit process. Areas of support will consist of QA/QC to the audit team, detailed evaluations of project change orders and pay applications, and guidance as to areas in the project where the team should concentrate evaluations

Dollar Value of DBE Subcontract: \$ 3,011.26


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

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: 5/12/2020 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.

  
Signature of 1<sup>st</sup> Tier DBE 1/7/2022  
Date  
Marcelo A Fuentes  
Print Name

Project Executive  
Title  
908-922-4622  
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.



**NEW JERSEY TRANSIT  
CHANGE ORDER FORM****NEW JERSEY TRANSIT CORPORATION  
HEADQUARTERS**

Work Authorization No:	<u>2</u>	Revision No.:	<u>2</u>	Effective Date:	<u>5/12/2021</u>
Contract No:	<u>14-033C</u>	Purchase Order No:	<u>190035989</u>		
Contractor:	RSM US, LLP 333 Thornall Street, 6th Floor Edison, New Jersey 08837 Attention: Mr. Shawn Dahl				

**NJ TRANSIT hereby incorporates Work Authorization No. 2 Revision entitled "Meadowlands Maintenance Complex and the Rail Operations Center Project (MMC)" into NJ TRANSIT's Contract No. 14-033C as follows:**

**Section 1: Scope of Work**

Work Authorization No. 2 Revision 2 is issued to RSM US, LLP to provide Integrity Oversight Monitoring Services for the Meadowlands Maintenance Complex and the Rail Operations Center Project (MMC) 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. 2 Revision 2 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 A, Cost Proposal dated February 9, 2021 to this Work Authorization No. 2 Revision 2. The total cost for Work Authorization No. 2 Revision 2 is an amount not to exceed \$12,399.31.

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. 2 Revision 2 shall be completed by April 15, 2022.

**Section 4: Disadvantaged Business Enterprise Requirements**

RSM US, LLP Disadvantaged Business Enterprise Utilization Plan for Work Authorization No. 2 shall be in accordance with the Disadvantaged Business Enterprise Requirements for Race-Conscious Federal Procurement Activities of Contract No. 14-033C. RSM US, LLP's DBE participation for this Work Authorization No. 2 is detailed in Exhibit C attached hereto.

**Total Value of Work Authorization No. 2 Revision 2.....\$12,399.31**

**NEW JERSEY TRANSIT  
CHANGE ORDER FORM****NEW JERSEY TRANSIT CORPORATION  
HEADQUARTERS**

Work Authorization No: 2 Revision No.: 2 Effective Date: 5/12/2021

Contract No: 14-033C Purchase Order No: 190035989

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

**WORK AUTHORIZATION NO. 2 SUMMARY**

Initial Work Authorization Amount: ..... \$0.00  
Modifications to Date: ..... \$166,620.00  
Value of this Work Authorization Modification: ..... \$12,399.31  
Present Total Amount of this Work Authorization:..... \$179,019.31

**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
Work Authorization No. 2 – IOM Services for the Meadowlands Maintenance Complex and the Rail Operations Center Project (MMC) Projects	\$ 166,620.00
Work Authorization 2 Revision 2 - IOM Services for the Meadowlands Maintenance Complex and the Rail Operations Center Project (MMC) Projects	\$12,399.31
<b>Total of All Work Authorizations Issued to Date:</b>	<b>\$484,657.31</b>

**NJ TRANSIT CONTRACT NO. 14-033C CONTRACT SUMMARY**

Original Contract Amount:.....\$0.00  
Total of All Work Authorizations Issued to Date: ..... \$472,258.00  
Amount of this Modification: .....\$12,399.31  
Present Total Contract Amount: .....\$484,657.31



**NEW JERSEY TRANSIT  
CHANGE ORDER FORM**

**NEW JERSEY TRANSIT CORPORATION  
HEADQUARTERS**

Work Authorization No: 2 Revision No.: 2 Effective Date: 5/12/2021

Contract No: 14-033C Purchase Order No: 190035989

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

**CONTRACTOR**



\_\_\_\_\_  
President or Duly Authorized Designee

**NJ TRANSIT**



\_\_\_\_\_  
Contracting Officer or Duly Authorized Designee

**NJ TRANSIT Contract No. 14-033C  
Integrity Oversight Monitoring Services  
Work Authorization No. 2**

**Integrity Oversight Monitoring Services for the Meadowlands Maintenance  
Complex and the Rail Operations Center Project (MMC) Projects**

**Attachment A  
Scope of Work  
Cost Proposal**

**NJ TRANSIT Contract No. 14-033**  
**Integrity Oversight Monitoring Services for**  
**Superstorm Sandy Integrity Oversight Monitoring Services**  
**for the Meadows Maintenance Complex (MMC) and Rail Operations Center (ROC) Project**

**Work Authorization Revision No. 2**

This Work Authorization Revision dated February 9, 2021, is for a Work Authorization dated January 17, 2020 between RSM US LLP, an Iowa limited liability partnership ("RSM") and New Jersey Transit Corporation ("Client"), which is pursuant to Contract No. 14-033 for Integrity Oversight Monitoring Services Agreement dated July 21, 2014. This Work Authorization Revision, including any appendices, schedules and attachments constitutes the entire understanding and agreement between RSM and Client with respect to such changes.

**A. Engagement Objectives, Services, Approach and Scope of Work**

Due to the unforeseen circumstances detailed below, we seek to add 65 hours of labor to our original project budget, resulting in a total Work Authorization Revision amount of \$12,399.31 and extension of time from current expiration date of June 20, 2021 through January 15, 2022. See below for the current Work Authorization and the Work Authorization after the revision:

<b>Initial Work Authorization Amount</b>	<b>\$166,620.00</b>
<b>Proposed Work Authorization Revision Addition</b>	<b>\$12,399.31</b>
<b>Total Amount of Revised Work Authorization</b>	<b>\$179,019.31</b>

The basis for this request has been detailed in the pages that follow, and include three (3) primary areas of additional work performed:

1. **Form E and E2 Review:** During a site visit on January 28, 2020, RSM was notified that the project's sole DBE subcontractor was utilizing a 3<sup>rd</sup> tier supplier or subcontractor. As such, we determined it was necessary to perform reviews of all Form E's and E2's during the project period to better understand the relationship between the prime contractor and its DBE subcontractor. We reviewed all amounts paid from Form E's and compared them to amounts received on Form E2's. We also requested and reviewed checks paid to the subcontractor. DBE compliance and monitoring procedures were initially excluded from the scope of our work, but the unforeseen conditions noted above resulted in the need for additional work in this area. This work was funded through use of Procurement FRA budgeted hours.

<b>Level</b>	<b>Rate (through July 2020)</b>	<b>Hours</b>	<b>Total Fees</b>
Partner / Principal / Director / SME	\$272.00	8.6	\$2,339.20
Program Manager	\$194.00	0.0	
Senior/Supervisor	\$150.00	2.5	\$375.00
Staff Consultant	\$122.00	4.9	\$597.80
<b>Form E &amp; E2 Review Total</b>		<b>16.0</b>	<b>\$ 3,312.00</b>



2. Additional Interviews and Meetings: As a result of gaps identified in the documentation provided by the prime contractor and its DBE subcontractor, it was necessary for RSM to engage in additional meetings and interviews with NJT Internal Audit, NJT Office of Business Development, NJT Capital Programs, the prime contractor, the DBE subcontractor, and its 3<sup>rd</sup> tier vendor. These meetings occurred during the period June 2020 through November 2020 and required both internal preparation and debrief. This work was funded through use of Procurement FRA budgeted hours. See below for a listing of key meeting dates / interviews performed:

- July 9, 2020 – Meeting with NJT
- July 27, 2020 – Meeting with OBD
- August 26, 2020 – Meeting with OBD and NJT
- September 28, 2020 – Meeting with NJT
- October 8, 2020 – Interview with CHS
- October 20, 2020 – Interview with DMR
- November 11, 2020 – Meeting with NJT

Level	Rate (to July 2020)	Hours	Fees
Partner / Principal / Director / SME	\$272.00	1.0	\$272.00
Program Manager	\$194.00	0.0	
Senior / Supervisor	\$150.00	2.0	\$300.00
Staff Consultant	\$122.00	0.0	
<b>Totals</b>		<b>3.0</b>	<b>\$ 572.00</b>
Level	Rate (from August 2020)	Hours	Total Fees
Partner / Principal / Director / SME	\$288.56	9.3	\$2,683.61
Program Manager	\$205.81	3.7	\$761.50
Senior/Supervisor	\$159.14	9.5	\$1,511.83
Staff Consultant	\$129.43	3.3	\$427.12
<b>Totals</b>		<b>25.8</b>	<b>\$ 5,384.06</b>
<b>Interview &amp; Meeting Total</b>		<b>28.8</b>	<b>\$5,956.06</b>

3. Additional Documentation and Review Procedures: As a part of evaluating the DBE subcontract for potential fraud, waste or abuse, we requested certain financial and operational documents. NJT OBD, NJT Capital Programs and its vendors provided some of this information, and, in many instances, it was incomplete, inaccurate, or included irregularities. This resulted in additional requests and additional review procedures. Examples of this additional work included review of certified payroll records, review of pay stubs, and review of daily sign-in sheets from the prime contractor, subcontractor, and NJT. RSM also performed background checks on subcontractor employees, and reviewed paystub file metadata for a sample of transactions. This work was outside of the scope of our approved FRA work plan, which originally contemplated procedures designed to identify falsified DBE certifications and/or DBE's that lack a commercially useful function. These hours were funded through use of Procurement FRA budget. See below for examples of additional testing performed:

- RSM reviewed CHS Certified Payroll for 54 out of 78 weeks
- RSM reviewed DMR Daily Sign-In Sheets for 56 out of 78 weeks
- RSM reviewed CHS Pay Stubs for 51 out of 78 weeks.

Level	Rate (to July 2020)	Hours	Fees
Partner / Principal / Director / SME	\$272.00	0.0	
Program Manager	\$194.00	0.0	
Senior / Supervisor	\$150.00	3.2	\$480.00
Staff Consultant	\$122.00	0.0	
<b>Totals</b>		<b>3.2</b>	<b>\$ 480.00</b>
Level	Rate (from August 2020)	Hours	Total Fees
Partner / Principal / Director / SME	\$288.56	0.5	\$144.28
Program Manager	\$205.81	0.0	
Senior/Supervisor	\$159.14	12.5	\$1,989.25
Staff Consultant	\$129.43	4.0	\$517.72
<b>Totals</b>		<b>17.0</b>	<b>\$2,651.25</b>
<b>Additional Documentation Review Total</b>		<b>20.2</b>	<b>\$3,131.25</b>

**Remainder of Page Intentionally Left Blank**

## B. Acknowledgement and Acceptance

Except as modified in this Work Authorization Revision, the Engagement Agreement, including any associated Terms and Conditions, prior Work Authorization Revisions, or amendments, remains unchanged and in full force and effect.

By the signatures of their duly authorized representatives below, RSM and Client, intending to be legally bound, acknowledge that they have read and agree to all of the provisions of this Work Authorization Revision (including any Exhibits and Attachments hereto) as of the date set forth above. RSM and Client, and each signatory below, hereby represents that said signatory is a duly authorized representative of such party and has the requisite power and authority to bind such party to the terms set forth in this Work Authorization Revision. The Work Authorization Revision, however, is not final and effective until it is issued by the NJ Transit Procurement Department. If there are any conflicts between this document and the Work Authorization Revision issued by the Procurement Department, the Procurement document shall control.

### AGREED TO AND ACKNOWLEDGED BY:

#### RSM US LLP

By: \_\_\_\_\_

Name: David Luker

Title: Director

Date: 2/2/2021

#### New Jersey Transit Corporation

By: \_\_\_\_\_

Name: John F. O'Hern

Title: Auditor General

Date: 2/9/21

**NJ TRANSIT Contract No. 14-033C  
Integrity Oversight Monitoring Services  
Work Authorization No. 2**

**Integrity Oversight Monitoring Services for the Meadowlands Maintenance  
Complex and the Rail Operations Center Project (MMC) Projects**

**Attachment C – DBE Forms**

## First Tier DBE UTILIZATION - FORM A

Project Name: Integrity Oversight Monitoring Services for the MMC and ROC project.NJ Contract No: 14-033 Work Authorization Revision No. 2Assigned DBE Goal %: 0 NJT Procurement Specialist: Namibia Muid Contract Value (\$): 12,399,31

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 (%)
N/A	N/A	N/A	N/A %
			%
			%
			%
			%
			%
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	\$ N/A	N/A %

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: RSM US LLP Authorized Signature: Shawn DahlCompany Address: 1185 Avenue of the Americas Print Name: Shawn L. DahlNew York, NY 10036 Title: PrincipalFederal Tax ID #: [REDACTED] Prime Contractor's DBE Liaison Officer: Shawn L. DahlCompany Tel #: 203-388-7098 Date Signed: March 4, 2021



**MANDATORY FORM: COMPLETE ENTIRELY**

Form A1 (Fed)

**BIDDER SOLICITATION & CONTRACTOR INFORMATION - FORM A1**

Project Title: Integrity Oversight Monitoring Services for the MMC and ROC project Date: March 4, 2021  
 Prime Contractor/Consultant: RSM US LLP Telephone #: 203-388-7098

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

	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		
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: <b>DBE or Non-DBE</b>	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	E		
Primary NAICS Code:	541211		

## BIDDER SOLICITATION &amp; CONTRACTOR INFORMATION - FORM A1

Project Title: Integrity Oversight Monitoring Services for the MMC and ROC project.Date: March 4, 2021Prime Contractor/Consultant: RSM US LLPTelephone #: 203-388-7098**COMPLETE THE INFORMATION BELOW FOR "ALL" FIRMS INCLUDING SUPPLIERS SOLICITED; INCLUDING THOSE THAT WILL WORK ON THIS PROJECT.**

	Subcontractor/Subconsultant	Subcontractor/Subconsultant	Subcontractor/Subconsultant
Company's Full Name	All the fields below are N/A		
Address			
City			
Zip			
County			
Phone			
Fax			
E-mail			
Owner			
Date Established			
Date Certified			
Ethnicity			
Gender			
Certification Status: <b>DBE or Non-DBE</b>			
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 <b>indicate the letter that applies</b>			
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.*

Bidder/Proposer Prime Name: RSM US LLP Integrity Oversight Monitoring Services for the MMC and ROC  
 Project Title: project.

Date: March 4, 2021 Prime Contract Value: \$12,399.31

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