

Chris Christie, Governor
Kim Guadagno, Lieutenant Governor
Jamie Fox, Board Chairman
Veronique Hakim, Executive Director

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

June 16, 2015

Mr. Joseph Deluca
Thacher Associates, LLC
845 Third Avenue, 13th Floor,
New York, NY 10022

**RE: NJ TRANSIT Contract No. 14-033D
Integrity Oversight Monitoring Services
Work Authorization No. 1
Gladstone Line Poles and Foundations Replacement Project**

Subject: Notice to Proceed

Dear Mr. Deluca:

NJ TRANSIT hereby issues a Notice to Proceed for Work Authorization No. 1 – Integrity Oversight Monitoring Services for the Gladstone Line Poles and Foundations Replacement Project. Please be advised that the effective date of this Notice to Proceed is Tuesday, June 16, 2015. Thacher Associates, LLC per this notice shall begin work.

If you have any questions, please feel free to contact us via phone, fax or e-mail.

Sincerely,



Taishida S. Chapman
Principal Contract Specialist
Procurement Department
Phone No. 973-491-8476
Fax No. 973-232-4829
E-Mail: tchapman@njtransit.com

cc: D. Blazina
E. Daleo
W. Hersh
A. Marvi
J. Rush-Gilbert

F. Savino
K. Sundstrom
R. Koval (NJ Dept. of Treasury)
D. Ridolfino (NJ Dept. of Treasury)

Chris Christie, Governor
Kim Guadagno, Lieutenant Governor
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NJ TRANSIT
One Penn Plaza East
Newark, NJ 07105-2246
973-491-7000

May 15, 2015

Mr. Joseph Deluca
Thacher Associates, LLC
845 Third Avenue, 13th Floor,
New York, NY 10022

**RE: NJ TRANSIT Contract No. 14-033D
Integrity Oversight Monitoring Services**

**Subject: Work Authorization No. 1
Gladstone Line Poles and Foundations Replacement Project**

Dear Mr. Deluca:

Enclosed for your use and files please find one (1) fully executed copy of Work Authorization No. 1 in the amount of \$322,380.00 to NJ TRANSIT Contract No. 14-033D Integrity Oversight Monitoring Services accompanied by NJ TRANSIT's Purchase Order No. B-51391-001 in the amount of \$322,380.00.

The total Work Authorization amount of \$322,380.00 shall not to be exceeded by Thacher Associates, LLC without written authorization from NJ TRANSIT's Procurement Department.

The Office of Business Development (OBD) issued 10% participation, DBE goal on the Integrity Oversight Monitoring Program which applies to any Work Authorization issued against the program.

Based on the Cost Proposal submitted for Work Authorization No. 1, Thacher Associates, LLC has identified 11.94% DBE participation by utilizing DBE subconsultant, Crescent Consulting Associates, Inc.

Please be advised of the following:

As per the post award deliverables for the contract, Thacher Associates, LLC is expected to provide the following to OBD:

- Monthly DBE Payment Report & Payment Certification—Form E (due by the 7th of each month) which begins the 7th of the month immediately following the award of the Work Authorization.
- Copies of executed subcontract agreements for the DBE firms listed on their team.

Mr. Joseph Deluca
NJ TRANSIT Contract No. 14-033D
Work Authorization No. 1
May 15, 2015
Page 2 of 2

Thacher Associates, LLC is also responsible to ensure that its DBE subconsultant(s) submits the following to the OBD in a timely manner in accordance with the post award deliverables of the contract:

- Monthly DBE Payment Report – Form E2 (due by the 7th of each month) which is to begin the 7th of the month immediately following the award of the Work Authorization.

Be advised that Senior Business Development Specialist Jacquelin Rush-Gilbert has been assigned this contract. All DBE documentation is to be forwarded to her accordingly at:

NJ TRANSIT Corporation
One Penn Plaza East
Newark, NJ 07105-2246
Attn: Jacquelin Rush-Gilbert
Office of Business Development – 6th Floor

If you have any questions, please feel free to contact me via phone, fax or e-mail.

Sincerely,



Taishida S. Chapman
Principal Contract Specialist
Procurement Department
Phone No. 973-491-8476
Fax No. 973-232-4829
E-Mail: tchapman@njtransit.com

Enclosures

cc: D. Blazina
E. Daleo
W. Hersh
A. Marvi
J. Rush-Gilbert
F. Savino
K. Sundstrom
R. Koval (NJ Dept. of Treasury)
D. Ridolfino (NJ Dept. of Treasury)

**NJ TRANSIT Contract No. 14-033D
Integrity Oversight Monitoring Services
Work Authorization No. 1
Gladstone Line Poles and Foundations Replacement Project**

Executed Work Authorization No. 1

**NEW JERSEY TRANSIT
CHANGE ORDER FORM**

**NEW JERSEY TRANSIT CORPORATION
HEADQUARTERS**

Work Authorization No: 1 Revision No.: 0 Effective Date: 5/15/2015
Contract No: 14-033D Purchase Order No: B-51391-001

Contractor: **Thacher Associates, LLC**
845 Third Avenue, 13th Floor, New York, NY 10022
Attention: Mr. Joseph Deluca

NJ TRANSIT hereby incorporates Work Authorization No. 1 entitled "Integrity Oversight Monitoring Services for Gladstone Line Poles and Foundations Replacement Project" into NJ TRANSIT's Contract No. 14-033D as follows:

Section 1: Scope of Work

Work Authorization No. 1 is issued to Thacher Associates, LLC to provide Integrity Oversight Monitoring Services for the Gladstone Line Poles and Foundations Replacement Project in accordance with NJ TRANSIT Contract No. 14-033D Exhibit A, Project Services, and the attached Scope of Work, Attachment A to this Work Authorization.

Section 2: Cost Information

Thacher Associates, LLC 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. 14-033D Exhibit B, Cost Information, and the Attachment B, Cost Proposal dated February 24, 2015 to this Work Authorization No. 1. The total cost for Work Authorization No. 1 is an amount not to exceed \$322,380.00.

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 December 31, 2017.

Section 4: Disadvantaged Business Enterprise Requirements

Thacher Associates, LLC 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. 14-033D. Thacher Associates, LLC has identified a 11.94% DBE participation for this Work Authorization No. 1 as detailed in Exhibit C attached hereto.

Total Value of Work Authorization No. 1\$322,380.00

**NEW JERSEY TRANSIT
CHANGE ORDER FORM**

**NEW JERSEY TRANSIT CORPORATION
HEADQUARTERS**

Work Authorization No: 1 Revision No.: 0 Effective Date: 5/15/2015
 Contract No: 14-033D Purchase Order No: B-51391-001

Contractor: Thacher Associates, LLC
845 Third Avenue, 13th Floor, New York, NY 10022
Attention: Mr. Joseph Deluca

WORK AUTHORIZATION NO. 1 SUMMARY

Initial Work Authorization Amount:.....\$0.00
 Modifications to Date:\$0.00
 Value of this Work Authorization Modification:\$322,380.00
 Present Total Amount of this Work Authorization:.....\$322,380.00

SUMMARY OF WORK AUTHORIZATIONS ISSUED TO DATE

Work Authorization No. 1 – IOM Services for Gladstone Line Poles and Foundations Replacement Project	\$ 322,380.00
Total of All Work Authorizations Issued to Date:	\$ 322,380.00

NJ TRANSIT CONTRACT NO. 14-033D CONTRACT SUMMARY

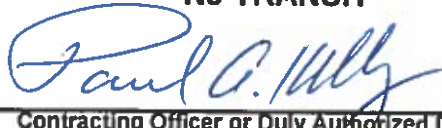
Original Contract Amount:.....\$0.00
 Total of All Work Authorizations Issued to Date:\$0.00
 Amount of this Modification:\$322,380.00
 Present Total Contact Amount:.....\$322,380.00

CONTRACTOR



 President or Duly Authorized Designee

NJ TRANSIT



 Contracting Officer or Duly Authorized Designee

**NJ TRANSIT Contract No. 14-033D
Integrity Oversight Monitoring Services
Work Authorization No. 1
Gladstone Line Poles and Foundations Replacement Project**

Attachment A – Scope of Work

**NJ TRANSIT Contract No. 14-033D
Integrity Oversight Monitoring (IOM) Services
Gladstone Line Poles and Foundations Replacement Project**

A. SCOPE OF WORK:

Tasks and services to be performed by the Consultant may include, but are not limited to:

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

1. Monitoring the compliance of contractors, vendors, and consultants 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 NJ TRANSIT Internal Auditing Department.
3. The IOM firm will provide monitoring services for the contracted services for construction, design and project management.

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 NJ TRANSIT; Procedures should 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, through measures such as education and awareness, posters, leaflets, hotlines, etc.
3. Training (If Applicable) -The IOM firm will provide fraud, waste and abuse awareness or other training as may be required by NJ TRANSIT.

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, etc.;
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.

**NJ TRANSIT Contract No. 14-033D
Integrity Oversight Monitoring (IOM) Services
Gladstone Line Poles and Foundations Replacement Project**

Task D – Reporting

1. Quarterly to the State Treasurer utilizing prescribed forms as to each assigned contract under a Work Authorization in a timely manner as to activities performed in accordance with N.J.S.A. 52:15-D-2.
2. Report integrity monitoring activities and results periodically to NJ TRANSIT as required
3. 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, to New Jersey Attorney General and Comptroller.

Task E – Preparing and Maintaining a Fraud Risk Assessment.

Provide a fraud risk assessment for the Gladstone Line Poles and Foundations Replacement Project including, but not be limited to, the identification of:

- a) Potential fraud, waste, abuse and/or potential criminal activity risks/scenarios/schemes including prioritization and probability and potential impact.
 - i. Included should be a review of all applicable procedures 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) 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.
 - 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) Provide the strategy and deliverables that the IOM firm will utilize to assess contractor(s) compliance with Disadvantaged Business Enterprise (DBE) requirements as specified in Section B below.
- e) Specific deliverables for each work program/audit program/other procedures.

**NJ TRANSIT Contract No. 14-033D
Integrity Oversight Monitoring (IOM) Services
Gladstone Line Poles and Foundations Replacement Project**

Activities to be conducted by the IOM firm personnel, may include, but not be limited to the following:

1. Attending site meetings as to ongoing construction work where warranted.
2. Attending agency meetings as needed, e.g., job/progress, pre-bid, pre-construction, and any other necessary meetings.
3. Attending scopes reviews and meetings with prospective contractors and vendors in order to ensure procurements are conducted in accordance with NJ TRANSIT Rules and Regulations and that a level playing field is maintained.
4. Reviewing information and activities in relation to project contract/program.
5. Auditing to ensure procurement compliance.
6. Addressing work quality, safety, environmental and historic preservation issues.
7. Taking actions to detect, investigate, prevent and remediate, waste, fraud, and abuse.
8. Making unannounced periodic headcounts of construction site workers in order to deter no-show jobs.
9. Other activities that may be defined or required.

B. IOM FIRM DBE PROGRAM COMPLIANCE MONITORING OF CONTRACTORS

The IOM firm shall provide DBE Program Compliance Monitoring of Contractors 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

**NJ TRANSIT Contract No. 14-033D
Integrity Oversight Monitoring (IOM) Services
Gladstone Line Poles and Foundations Replacement Project**

- viii. Reporting non-compliance in Weekly reports to NJ TRANSIT 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 NJ TRANSIT, and the DBE by prime contractor
 - xii. Other relevant data as required by NJ TRANSIT
- b) Specific deliverables for each work program/audit program/other procedures.
- c) Detailed plan for IOM firm's to assessment and monitoring 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.

C. DELIVERABLES

All deliverables must be in sufficient detail to allow:

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

The IOM must ensure compliance with the following:

A. Work Authorization Deliverables

At a minimum, the following deliverables will be provided to the NJ TRANSIT Internal Audit Project Manager based on the approved plan. Deliverables to support work will include but not be limited to the following:

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

NJ TRANSIT Contract No. 14-033D
Integrity Oversight Monitoring (IOM) Services
Gladstone Line Poles and Foundations Replacement Project

3. Presenting reports, findings and other results of audits, reviews, investigations and other assigned tasks, and incorporating comments provided by NJ TRANSIT 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 NJ TRANSIT Auditor General **immediately** consistent with the requirements of N.J.S.A. 52:15D-2.
 2. Weekly Status Reports
A weekly status report will be required each Monday by noon following the prior week's work in the NJ TRANSIT prescribed format (to be provided upon engagement). The report will include at a minimum, but not be limited to: the week's accomplishments by deliverable and/or task; status of deliverables; work-in-progress; next steps; listings and status of documents/data requested; significant risks identified; items or issues identified; total weekly and cumulative hours by task, deliverable, and person; projected hours to complete each task/deliverable; and any other information NJ TRANSIT may require.
 3. Monthly Status Reports
Provide NJ TRANSIT with updates on activities conducted on, or for, each task to include the type of activity, analysis, results, recommendations, resolutions, and/or preventative measures; and follow up on any previous outstanding issues.
 4. 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

NJ TRANSIT Contract No. 14-033D
Integrity Oversight Monitoring (IOM) Services
Gladstone Line Poles and Foundations Replacement Project

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.

5. FTA Quarterly Report

Two weeks after the quarter ends, the IOM firm is required to provide all information as identified by NJ TRANSIT Internal Auditing Department to meet the FTA quarterly reporting requirements.

6. 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.

**NJ TRANSIT Contract No. 14-033D
Integrity Oversight Monitoring Services
Work Authorization No. 1
Gladstone Line Poles and Foundations Replacement Project**

Attachment B – Cost Proposal

NJ TRANSIT Contract No. 14-033
 Integrity Oversight Monitoring Services
 Attachment 5 - Cost Proposal Format
 Firm Name: Thacher Associates LLC

Staffing Category	Employee	Task	Prepare Fraud Risk Assessment & Detailed Work Plans		Integrity Monitoring Program, Training & DBE Compliance		Reporting		Total Hours Per Staff Category	Total \$ Per Staff Category
			Hourly Billing Rate (\$)	Hours	Amount (\$)	Hours	Amount (\$)	Hours		
Partner/Principal/Director	Joe DeLuca	\$ 300.00	0	\$ -	0	\$ -	0	\$ -	0	\$ -
Program Manager/Project Manager	Brad Breslin	\$ 250.00	8	\$ 2,000.00	60	\$ 15,000.00	56	\$ 14,000.00	124	\$ 31,000.00
	Rich Vermuelen	\$ 250.00	10	\$ 2,500.00	42	\$ 10,500.00	0	\$ -	52	\$ 13,000.00
	Ken Casado	\$ 250.00	10	\$ 2,500.00	42	\$ 10,500.00	0	\$ -	52	\$ 13,000.00
	Bob Cecere	\$ 250.00	40	\$ 10,000.00	111	\$ 27,750.00	0	\$ -	151	\$ 37,750.00
Supervisor/Senior Consultant	Angela Della Universita	\$ 160.00	48	\$ 7,680.00	276	\$ 44,160.00	0	\$ -	324	\$ 51,840.00
	Eric Palummieri	\$ 160.00	56	\$ 8,960.00	118	\$ 18,880.00	0	\$ -	174	\$ 27,840.00
Consultant/Associate/Staff	Phil LaRock	\$ 137.50	74	\$ 10,175.00	368	\$ 50,600.00	0	\$ -	442	\$ 60,775.00
	Rob Thompson	\$ 137.50	74	\$ 10,175.00	280	\$ 38,500.00	0	\$ -	354	\$ 48,675.00
THACHER ASSOCIATES LLC TOTALS			320	\$ 53,990.00	1297	\$ 215,890.00	56	\$ 14,000.00	1673	\$ 283,880.00
Consultant/Associate/Staff	Crescent Consulting (DBE)	\$ 137.50	0	\$ -	280	\$ 38,500.00	0	\$ -	280	\$ 38,500.00
Crescent Consulting (DBE) TOTALS			0	\$ -	280	\$ 38,500.00	0	\$ -	280	\$ 38,500.00

Total Direct Cost	\$ -
Total Travel Cost	\$ -
GRAND TOTAL	\$ 322,380.00

**NJ TRANSIT Contract No. 14-033D
Integrity Oversight Monitoring Services
Work Authorization No. 1
Gladstone Line Poles and Foundations Replacement Project**

Attachment C – DBE Forms

First Tier DBE UTILIZATION - FORM A

Project Name: Superstorm Sandy Integrity Oversight Monitoring Services for Gladstone Line Poles & Foundations Replacement Project

NJT Contract No: 14-033

Assigned DBE Goal %: 10% NJT Procurement Specialist: Tashida S. Chapman

Contract Value (\$): \$322,380.00

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 (%)
Crescent Consulting Associates, Inc. 914-788-9244 2 Stowe Road, Suite 3A Peekskill, NY 10566	On-site field investigative services to ensure contractor compliance.	\$38,500.00	11.94 %
			%
			%
			%
			%
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	\$ 38,500.00	11.94 %

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: Thacher Associates, LLC

Authorized Signature: 

Company Address: 845 Third Avenue, 13th Floor
New York, NY 10022

Print Name: Michael Wilmer

Federal Tax ID #: [REDACTED]

Title: Chief Operating Officer

Company Tel #: 212-845-7500

Prime Contractor's DBE Liaison Officer: Stephanie Casado

Date Signed: 2/24/15

BIDDER SOLICITATION & CONTRACTOR INFORMATION - FORM A1

Superstorm Sandy Integrity Oversight Monitoring Services for Gladstone Line Poles

JT Contract No: 14-033

Project Title: & Foundations Replacement Project

Prime Contractor: Thacher Associates, LLC

Telephone #: 212-845-7500

Effective Date: 2/24/15

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	Thacher Associates, LLC		
Address	845 Third Avenue, 13th Floor		
City	New York		
Zip	10022		
County	New York		
Phone	212-845-7500		
Fax			
E-mail	bbreslin@thacherassociates.com		
Owner	K2 Intelligence, Inc.		
Date Established	11/16/96		
Date Certified	N/A		
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 Indicate the letter that applies	E - \$5M and over		
Primary NAICS Code:	541611		

BIDDER SOLICITATION & CONTRACTOR INFORMATION - FORM A1

IJT Contract No: 14-033
 Prime Contractor: Thacher Associates, LLC
 Date: 2/24/15

Superstorm Sandy Integrity Oversight Monitoring Services for Gladstone Line Poles
 Project Title: & Foundations Replacement Project
 Telephone #: 212-845-7500

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	Crescent Consulting Associates, Inc.		
Address	2 Stowe Road, Suite 3A		
City	Peekskill		
Zip	10566		
County	Westchester		
Phone	914-788-9244		
Fax			
E-mail	rdefreitas@crescentconsult.com		
Owner	Rohan DeFreitas / Luis Segarra		
Date Established	Established 2001; Incorporated 2004		
Date Certified	DBE certified 2005		
Ethnicity	African American / Hispanic		
Gender	Male / Male		
Certification Status: DBE or Non-DBE	DBE		
Federal Tax ID # / SSN #			
Annual Gross Receipts: 0 - Less than \$500K 1 - \$500K to \$1M 2 - \$1M to \$2M 3 - \$2M to \$5M 4 - \$5M and over Indicate the letter that applies	D - \$2M - \$5M		
Primary NAICS Code:	8742		

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: 2/25/15

Prime Contract Value: \$322,380.00

Superstorm Sandy Integrity Oversight Monitoring Services for Gladstone Line Poles

Bidder/Proposer Prime Name: Thacher Associates, LLC

Project Title: & Foundations Replacement Project

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 (%)
NONE			\$ 0	0 %
			\$	%
			\$	%
			\$	%
			\$	%
Must provide a detailed scope of work; one-word descriptions are not acceptable.			\$	%
	TOTALS		\$ 0	0 %

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.

Thacher Associates LLC
Name of Bidder/Proposer/Prime:

Crescent Consulting Associates Inc.
Name of DBE Firm:

Project/Contract Name: Services for the Gladstone Lines Poles & Foundations Replacement Project

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)).*

On-site Field Investigative services to ensure Contractor Compliance.

Dollar Value of DBE Subcontract: \$ 38,500

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: TBD DBE Contract Completion Date January 2017

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.

Luis Segarra
Signature of 1st Tier DBE

Principal, CFO
Title

Luis Segarra
Print Name

914-788-9244
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.

Chris Christie, Governor
Kim Guadagno, Lieutenant Governor
James S. Simpson, Board Chairman
Veronique Hakim, Executive Director

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

April 24, 2014

Luis Segarra, Principal
Crescent Consulting Associates, Inc.
2 Stowe Road, Suite 3A
Peekskill, NY 10566

Re: Renewal for Advantage Crescent Consulting Associates, Inc

Dear Mr. Segarra:

Congratulations! We are pleased to inform you that your firm has been found eligible to continue as a Disadvantaged Business Enterprise (DBE) by NJ TRANSIT on behalf of the New Jersey Unified Certification Program (NJ UCP).

Your certification status with the NJ UCP will remain in effect as long as your firm continues to meet all DBE certification eligibility requirements and the ownership and control of the firm, established by Federal Regulation Title 49 CFR Part 26 upon which DBE certification was granted, does not change. On an annual basis, you must provide an affidavit and supporting documentation affirming that there have been no changes within your company that would affect your eligibility for certification as a DBE. It is your responsibility to notify this office in writing within 30 days of any changes. Failure to do so may result in the removal of DBE certification.

Your firm's NJ UCP Identification Number: **0041243M**
Certification Anniversary Date: **Annually on October 10th**

The following table below lists the North American Industry Classification System (NAICS) Code(s) and description(s) that have been assigned to your company in accordance with the service(s) your company render(s):

NAICS CODE	DESCRIPTION
541611	Administrative Management and General Management Consulting Services

Your firm will continue to be listed on the NJ UCP Directory (WWW.NJUCP.NET) which will indicate the type of work that your firm has been certified to perform.

We are pleased to have you as a participant in the NJ UCP and wish you much success.

Should you have any questions, please contact Lauren Williams at (973) 491-8065.

Sincerely,



L.A. Hernández,
Manager, Certification & Outreach
Office of Civil Rights & Diversity Programs
Business Development

New Jersey Unified Certification Program

NJ UCP



THE PORT AUTHORITY OF NY & NJ

CERTIFIED

DISADVANTAGED BUSINESS ENTERPRISE

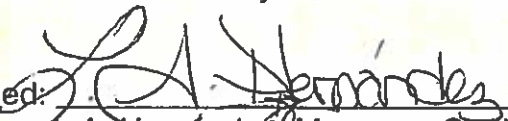
CRESCENT CONSULTING ASSOCIATES, INC.

This certificate acknowledges that the above named firm is certified as a Disadvantaged Business Enterprise as defined in Title 49, Part 26 of the US Code of Federal Regulations. This certificate will remain in effect for three years from the certification date and must be updated annually. NJ TRANSIT must be notified within 30 days of any changes in the business that may affect ownership and control.

Your firm will be listed in the NJ UCP directory under the following NAICS Code(s).

NAICS CODE	541611 Administrative Management and General Management Consulting Services
-------------------	---

NJ TRANSIT certified your firm as a DBE on behalf of all NJ UCP partners.

Signed: 
L.A. Hernandez, Manager, Certification & Outreach
Office of Civil Rights

Signed: _____
Lauren Williams, S.B.D.S.
Office of Civil Rights

ISSUE DATE: April 24, 2014

ANNIVERSARY DATE: October 10th

**NJ TRANSIT Contract No. 14-033B
Integrity Oversight Monitoring Services
Work Authorization No. 1
Gladstone Line Poles and Foundations Replacement Project**

Purchase Order



ONE PENN PLAZA EAST
NEWARK, NJ 07105-2246

PURCHASE ORDER INSTRUCTIONS

- ALL PACKAGES MUST BE ACCOMPANIED BY A PACKING SLIP.
- REFERENCE PURCHASE ORDER NUMBER AND NJT CATALOG NUMBER ON ALL INVOICES, PACKING SLIPS AND BILLS OF LADING.
- VENDOR MUST SUPPLY ORIGINAL INVOICE AND ANY FREIGHT BILLS IN EXCESS OF \$100 TO:
NJ TRANSIT ACCOUNTS PAYABLE
P.O. BOX 5519
NEWARK, NJ 07105-5519
- VENDOR MUST ALSO SUPPLY COPY OF INVOICE TO CONSIGNEE.
- VENDOR: IF PRICE ON PO DOES NOT MATCH, DO NOT SHIP MATERIAL, CONTACT BUYER.

HOW TO CONTACT ACCOUNTS PAYABLE
VOICE: 973-491-8399 FAX: 973-491-4621
E-MAIL: APHELP@NJTRANSIT.COM

PURCHASE ORDER & RELEASE NO		REV NO
B-51391-001		0
VENDOR NO	ISSUE DATE	
70104727	04/17/15	
DATE CHANGED	PAGE NO	
	1	
PURCHASING FAX:		
973-491-7547		

VENDOR: THACHER ASSOCIATES LLC
330 WEST 42ND STREET, 2ND FLOOR
NEW YORK, NY 10036

SHIP TO: NJ TRANSIT HEADQUARTERS
*DELIVER 9-11 AM OR 2-4 PM ONL
ONE PENN PLAZA EAST
NEWARK, NJ 07105

BUYER: Taishida Chapman 973-491-8476 CPRCTSC@NJTRANSIT.COM

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.: 22-228-1352
TAX EXEMPT #'S 21-60000928 (NJ)
22-75-0050K (FEDERAL)

TERMS	FREIGHT TERMS	FOB	SHIP VIA	BUYER NO
NET 30 D	PREPAID	DELIVERED	BEST WAY	081

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 CONTAIN UNEQUIVOCAL AND STRINGENT RESTRICTIONS RELATING TO GIFTS AND GRATUITIES BY ANY NJ TRANSIT EMPLOYEE OR ANY PERSON, COMPANY OR ENTITY DOING BUSINESS WITH OR WANTING TO DO BUSINESS WITH NJ TRANSIT. THE TERM "GIFT" INCLUDES ALL THINGS AND OBJECTS, TANGIBLE OR INTANGIBLE INCLUDING SERVICES, GRATUITIES, MEALS, ENTERTAINMENT, EVENT TICKETS, MEMBERSHIP CLUB ACCESS, 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 ITEM	QUANTITY	UNIT OF MEASURE	NJT CATALOG NUMBER	DESCRIPTION	UNIT PRICE	AMOUNT
1	332,380.00	EA	95	CONTRACT/BID NO: 14-033D NJ TRANSIT CONTRACT NO. 14-033D INTEGRITY OVERSIGHT MONITORING SERVICES PROJECT MANAGER: WARREN HERSH THIS AGREEMENT IS A COST REIMBURSABLE CONTRACT BASED UPON THE CUMULATIVE VALUE OF THE WORK AUTHORIZATIONS ISSUED BY NJ TRANSIT FOR A THREE (3) YEAR CONTRACT TERM. *REFER TO CONTRACT NO. 14-033D FOR THE COMPLETE TERMS OF THIS AGREEMENT.* ***** MR# NONE PROM DATE: 05/30/22 GL#0030 99950303 PAH9200 NJ TRANSIT CONTRACT NO. 14-033D INTEGRITY OVERSIGHT MONITORING SERVICES WORK AUTHORIZATION NO. 1	1.0000	332,380.0000

CONTINUE

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

see page 2 AUTHORIZED NJ TRANSIT SIGNATURE/DATE



ONE PENN PLAZA EAST
NEWARK, NJ 07105-2246

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- VENDOR MUST SUPPLY ORIGINAL INVOICE AND ANY FREIGHT BILLS IN EXCESS OF \$100 TO:
NJ TRANSIT ACCOUNTS PAYABLE
P.O. BOX 5519
NEWARK, NJ 07105-5519
- VENDOR MUST ALSO SUPPLY COPY OF INVOICE TO CONSIGNEE.
- VENDOR: IF PRICE ON PO DOES NOT MATCH, DO NOT SHIP MATERIAL, CONTACT BUYER.

PURCHASE ORDER & RELEASE NO		REV NO
R-51391-001		0
VENDOR NO	ISSUE DATE	
70104727	04/17/15	
DATE CHANGED	PAGE NO	
	2	
PURCHASING FAX: 973-491-7547		

HOW TO CONTACT ACCOUNTS PAYABLE
VOICE: 973-491-8399 FAX: 973-491-4621
E-MAIL: APHELP@NJTRANSIT.COM

VENDOR:
THACHER ASSOCIATES LLC
330 WEST 42ND STREET, 2ND FLOOR
NEW YORK, NY 10036

SHIP TO:
NJ TRANSIT HEADQUARTERS
*DELIVER 9-11 AM OR 2-4 PM ONL
ONE PENN PLAZA EAST
NEWARK, NJ 07105

BUYER: Taishida Chapman 973-491-8476 CPRCTSC@NJTRANSIT.COM

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.: 22-228-1352
TAX EXEMPT #'S 21-60000928 (NJ)
22-75-0050K (FEDERAL)

TERMS	FREIGHT TERMS	FOB	SHIP VIA	BUYER NO
NET 30 D	PREPAID	DELIVERED	BEST WAY	081

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LINE ITEM	QUANTITY	UNIT OF MEASURE	NJT CATALOG NUMBER	DESCRIPTION	UNIT PRICE	AMOUNT
				GLADSTONE LINE POLES & FOUNDATIONS REPLACEMENT PROJECT PM: F. SAVINO / A. MARVI THE TOTAL EXPENDITURE AMOUNT FOR THIS LINE SHALL NOT EXCEED \$332,380.00 REFER TO CONTRACT NO. 14-033D AND WORK AUTHORIZATION NO. 1 FOR THE COMPLETE TERMS OF THIS AGREEMENT. THIS LINE SATISFIES E-REQ. ERO89727. *****		
** TOTAL:						\$332,380.00

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

AUTHORIZED NJ TRANSIT SIGNATURE/DATE
Paul C. M... 5/15/2015

**NJ TRANSIT Contract No. 14-033B
Integrity Oversight Monitoring Services
Work Authorization No. 1
Gladstone Line Poles and Foundations Replacement Project**

**DBE Monthly Payment Report
DBE Form E and DBE Form E-2**

PRIME CONTRACTOR Monthly DBE Payment Report - Form E

Name of Project: _____

NJT Contract #: _____

Prime Original Contract Value: _____

Report for the Month of: _____

Change Orders (Overall Inc/Dec.): _____

Notice to Proceed Date: _____

Total Contract Amount to Date: _____

NJT Project Mgr Name: _____

Total Payments Received from NJT Date: _____

Assigned DBE Goal %: _____

Name of DBE Subcontractor	Work Task Performed	Original Contract Amount \$	Change Order Amount \$ (+/-)	Amount of Invoice Received this Month (\$)	Date of Invoice Received in this Month	Payment(s) Made to DBE in this Month in \$\$ (Itemize)	Date(s) Payment Made This Month	Total DBE Payments made to Date in (\$)	% Overall Work Finished	Final Pmt (Y/N)
Total(s)→		\$	\$	\$	Total(s)	\$	Total(s)	\$		

Itemize payments/invoices and dates if paid/received more than one payment/invoice between the 1st and 31st of THIS Month.

Prime Contractor Information:

Prime Firm Name: _____

Project Director Name: _____

Address: _____

Project Director Signature: _____

Telephone #: _____ Date: _____

Federal TIN #: _____

Prime's Past Due Invoice Information: List any invoice more than 40 days past due from the date submitted to NJT at the time you complete this form.

Invoice #	Invoice Date	Invoice Amount (\$)	Number of Days Past Due	Comments:

Form E - Prime Contractor's DBE Payment Certification

1. Have all DBE subcontractors with executed subcontracts been paid amounts due from previous progress payments?

- If yes, skip the next section and go to number 3.
- If no, please complete fields in box below: (Use additional paper, if needed)

DBE SubContractor Name	Amount Withheld From Invoice (\$)	Total of Invoice Amount (\$)	Invoice Number	Invoice Date	Specific Reason for Withholding

2. Have you notified the DBE subcontractor(s) that you are withholding payment and the reason(s) why?

- If yes, provide a copy of written notification to the DBE subcontractor with this form, indicating the date of notification.
- If no, lack of prior written notification to the DBE(s) that you are withholding payment violates the prompt payment clause guidelines. Please contact the DBE immediately, and provide a copy of written notification to the subcontractor with this form.

3. By signing this form, I certify that all of the above represent true and accurate information.

Note: CFO or equivalent Sr. Manager must complete and sign off on this form.

PROJECT DIRECTOR NAME (PRINT)

PROJECT DIRECTOR (SIGNATURE)

____/____/____
DATE

Additional Reasons/Comments for Withholding Payment:

DO NOT WRITE BELOW. DEPARTMENTAL USE ONLY.

- Approved
- Denied

THIS FORM IS DUE ON THE 7TH OF EACH MONTH Please forward to:
Office of Civil Rights and Diversity Programs
Business Development
NJ TRANSIT
One Penn Plaza East, 6th Fl
Newark, New Jersey 07105-2246

DBE SUBCONTRACTOR Monthly Payment Report - Form E2

Name of DBE Firm: _____

Report for the Month of: _____

DBE's FEIN#: _____

Contract Number: _____

DBE Address: _____

Contract Name: _____

DBE Telephone #: _____

DBE Contract Start Date: _____

Prime Contractor's Information:

Name of Prime: _____ Address: _____ Telephone #: _____

DBE PAYMENT INFO: Itemize payments/invoices and dates if received/submitted more than one payment/invoice between the 1st and 31st of THIS Month.

Work Task Performed	Original Subcontract Amount \$	Change Order Amount (+/-)	Invoice #(s) Submitted in this month	Dollar Amount of Each Invoice Submitted in this Month	Date of Invoice(s) Submitted this Month	Total Payments Received by DBE In this Month * (\$)	Date Payment(s) Received in this Month	Total Payments Received by DBE To Date (\$)	Total % Work To Date	Final Payment? Y or N
TOTALS →	\$	\$	TOTALS →	\$	TOTALS →	\$	TOTALS →	\$		

Is retainage held on your subcontract? Yes or No (circle one) If yes, how much? \$ _____. Did your final payment include retainage? Yes or No (circle one)

Past Due Invoice(s) Information: List any invoice more than 40 days past due from date submitted to prime at the time you complete this form.

Invoice #	Invoice Date	Invoice Amount (\$)	Number of Days Past Due	Comments: use additional paper if necessary

Note: CFO or equivalent Sr. Manager must complete and sign off on this form.

Name: _____ Signature: _____ Title: _____ Date: _____

THIS FORM IS DUE ON THE 7TH OF EACH MONTH IMMEDIATELY FOLLOWING DBE's SUBCONTRACT START DATE, EVEN IF PAYMENT NOT RECEIVED.

Please mail this form to:

NJ TRANSIT, Office of Business Development, One Penn Plaza East, 6th Fl, Newark, New Jersey 07105-2246