

Chris Christie, Governor
Kim Guadagno, Lieutenant Governor
Richard T. Hammer, Commissioner
Steven H. Santoro, Executive Director

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

January 24, 2017

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

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

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

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

**Re: NJ TRANSIT Contract No. 14-033
Integrity Oversight Monitoring Services for the
BEM Environmental Services for the Superstorm Sandy Program**

Subject: Request for Proposal

Dear Integrity Oversight Monitoring Firms:

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

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

Questions or requests for clarification regarding the Request for Proposal are to be submitted in writing no later than 4:00 p.m. on Tuesday, January 31, 2017 and are to be submitted to the attention of the undersigned at [REDACTED]. Questions are to be submitted in a non-scanned Word format.

One (1) original and seven (7) copies of your technical proposal and one (1) original and three (3) copies of your cost proposal are to be submitted no later than **2:00 p.m. on Tuesday, February 14, 2017** and addressed as follows:

[REDACTED]
Principal Contract Specialist
NJ TRANSIT
Procurement Department
One Penn Plaza East, 6th Floor
Newark, New Jersey 07105

NJ TRANSIT Contract No. 14-033
Integrity Oversight Monitoring Services
Request for Proposal: Integrity Oversight Monitoring Services
for the BEM Environmental Services for the Superstorm Sandy Program

A. GENERAL INFORMATION:

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

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

The services of the Integrity Oversight Monitors (IOMs) shall generally consist of performing integrity monitoring (fraud, waste, and abuse) pursuant to NJT Contract No. 14-033 (the “Contract”) 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 NJT Internal Audit Department in consultation with the NJT Accountability Officer under Executive Order No. 125 and the New Jersey Department of the Treasury.

B. PROJECT DESCRIPTION

The IOM firm selected for this Work Authorization shall provide integrity monitoring services in connection with BEM’s (“Consultant’s”) scope of work under Task Order Contract (TOC), 13-002B governing the provision of environmental consulting services for the following federally funded Task Order Assignments (TOA):

TOA #	TITLE	VALUE
TOA 2 REV 1	NEPA Planning and Scoping	\$ 1,745,253
TOA 2 REV 2	Environmental Project Management	\$ 1,361,735
TOA 12	Delco	\$ 858,120
TOA 13	Long Slip	\$ 1,415,490
TOA 14	TransitGrid	\$ 3,097,720
TOA 15	Raritan River Drawbridge	\$ 1,938,067
TOA 16	Signals and Communications	\$ 593,755
Program Total		\$ 11,010,140

Details of these Task Order Assignments are provided in Attachment 1.

C. 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 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 BEM Environmental Services for the Superstorm Sandy Program noted in Section B – 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 by Section D 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 BEM Environmental Services for the Superstorm Sandy Program noted in Section B – 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 of all applicable TOC 13-002B contract requirements and processes for susceptibility to fraud, waste, abuse and/or potential criminal activity.
- b)
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 assesment.
 - 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.
- a) 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.
- b) Strategy and deliverables that the IOM firm will utilize to assess Consultants compliance with DBE requirements as specified in Section VI below.
- c) Specific deliverables for each work program/audit program/other procedures.

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 various Task Order Assignments to BEM with respect to efficiency and effectiveness.

2. Reviewing information and activities in relation to various tasks under the BEM Environmental Services for the Superstorm Sandy Program noted in Section B – 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.

D. DELIVERABLES:

All deliverables must be in sufficient detail to allow:

1. NJT to verify and evaluate the conclusions, recommendations, plans, documentation, etc. provided.
2. NJT to assess, in its sole judgment, the quality and acceptance of deliverables provided.
3. The IOM firm, NJT or a third party to execute the detailed monitoring 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 in Attachment 7. Deliverables to support work will include but not be limited to the following:

Fraud Risk Mitigation Strategy and Detailed Monitoring Work Plan

1. Workpapers, reports and other required documentation in the format and content required by NJT to support all work.
2. 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.
3. Audits as required under the Work Authorization.
4. 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. See Attachment 2 for reporting instructions and form.

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 (Attachment 3)

On the first business day of each calendar quarter, the IOM firm shall provide to the State Treasurer, for distribution to the Legislature and the Governor, a 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”.

E. DBE PROGRAM REQUIREMENTS FOR THE IOM FIRM

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

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

F. IOM FIRM DBE PROGRAM COMPLIANCE MONITORING OF CONSULTANTS

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

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

- a) Specific methodology and detailed work programs/audit programs/other procedures that will be employed by the IOM firm to assess and monitor Consultant’s compliance with DBE Program Requirements and deliverables. DBE Program requirements of the BEM Environmental Services for the Superstorm Sandy Program noted in Section B – Project Description above include, at minimum:
 - i. Prompt payment of invoices.
 - ii. Prompt payment of retainage.
 - iii. Commercially Useful Function (CUF).
 - iv. Pass-throughs.
 - v. All contract deliverables.
 - vi. Award versus spend.
 - vii. Actual DBE work performed matches credit.
 - viii. Reporting non-compliance in weekly reports to NJT IAD.

- ix. Written requests and approvals for the addition or removal/replacement of a DBE firm.
 - x. Good faith effort on contract(s) being monitored including change orders/revisions.
 - xi. Evidence of payment to prime contractor by NJT, and the DBE by prime contractor.
 - xii. Other relevant data as required by NJT.
- b) Specific deliverables for each work program/audit program/other procedures.
- c) Detailed plan for IOM firm's assessment and monitoring of Consultant's DBE compliance. This plan must include but not be limited to:
- i. Prioritized risks to Consultant 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.
 - vi. Other relevant data.

G. SCHEDULE

The services to be provided by the IOM under this Work Authorization are scheduled to be completed by June 2018. The term of this Work Authorization is based upon the projected schedule of the BEM TOAs and may be amended at the discretion of NJT.

H. BACKGROUND CHECKS

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

I. CONFLICT OF INTEREST

IOMs shall not be a firm or an affiliate thereof involved in Superstorm Sandy Program Management or in the design, preparation or delivery of NJT Resiliency Program contracts, task orders, projects and programs. The IOM firm should provide NJT at the time it submits its proposal any anticipated or potential or suspected conflicts that it may incur during the projected course of a Work Authorization. The Consultant and subconsultants for the contract which the Work Authorization applies are as follows:


BEM Systems, Inc.
Subconsultants:
American Electrical Testing Co, Inc.
ASHOKA Consulting, LLC
ATA Consulting LLC
BET
CH2M Hill, Inc.
Fitzgerald & Halliday, Inc.
Integrated Strategic Resources
JCMS, Inc.
LTK Engineering Services
NewGen Strategies and Solutions, LLC
PACO Group
SWM Consulting

The IOM firm shall certify as part of its proposal that neither it nor any of affiliates or subsidiaries or sub-consultants currently provides directly or indirectly construction management or similar or related services that could be in conflict with providing IOM services to NJT under its current IOM agreement either directly or as a member of a joint venture, partnership, or as a subconsultants or subcontractor of any tier. An IOM firm, or its affiliates, or subsidiaries, or sub-consultants which during the course of this engagement responds to a procurement or enters into a joint venture, partnership or sub-contract relationship of any tier to provide directly or indirectly construction management or similar or related services to NJT that could be in conflict with providing IOM services to NJT shall be subject to appropriate action by NJT with respect to any then active Work Authorizations, in the event a conflict is found to have arisen by such action on the part of the IOM or its affiliates subsidiaries, or subconsultants as determined within the sole discretion of NJT.

NJT will determine whether a particular IOM firm has a conflict on a case-by-case basis. The IOM firm is required to consult with NJT where there is concern on the part of the IOM firm that a conflict may exist. NJT's determination regarding any question(s) of conflict of interest shall be final.

J. PROPOSAL CONTENT

One original and seven (7) copies of your Technical Proposal and one original three (3) copies of your Cost Proposal are to be submitted no later than 2:00 p.m. on Tuesday, February 14, 2017 and addressed as follows:


 Principal Contract Specialist
 NJ TRANSIT
 Procurement Department
 One Penn Plaza East, 6th Floor
 Newark, New Jersey 07105

Re: 14-033 IOM Services for the BEM Environmental Services
for the Superstorm Sandy Program

IOM firms are also requested to submit an electronic copy of the Technical and Cost Proposal no later than 4:00 p.m. on Tuesday, February 14, 2017 to [REDACTED]

Questions or requests for clarification regarding this Work Authorization are to be submitted in writing no later than 4:00 p.m. on Tuesday, January 31, 2017 and are to be submitted [REDACTED]. Questions are to be submitted using the attached template (Attachment 4). The compilation of all questions and answers will be sent to the group prior to the RFP response due date. Communications regarding this RFP are to be conducted through NJT's Procurement Department. All other contacts are considered improper and are prohibited.

If the IOM firm is unable to submit a proposal because of a conflict of interest or scheduling, the IOM firm must provide notice to NJT within **three (3)** business days of the receipt of the Request for Proposal.

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

Technical Proposals shall follow the format outlined below.

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

The IOM firm will identify disadvantaged owned business enterprises (DBEs) that will or may act as subconsultants in accordance with NJT's established goals.

The IOM firm shall certify that the listed 'key personnel' will be employed by the IOM firm and will be assigned to the project in the manner prescribed. The 'key personnel' identified by the IOM firm shall not be removed from the Work

Authorization without written approval from NJT. Therefore, if a 'key personnel' member leaves the firm, NJT must be notified in writing within five (5) business days of their termination/separation.

The following information shall also be included in this section:

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

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

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

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

8. **SCHEDULE:** A schedule that shall identify the performance milestones and associated deliverable items to be submitted as evidence of completion of each task and/or sub-task.
9. **QUALITY ASSURANCE PLAN (QAP):** This section shall contain a summary of the IOM firm QAP outlining the process which will be followed for checking, reviewing and approving of the Consultant's work product to ensure it is consistent with NJT and New Jersey Department of the Treasury expectations, requirements and standards. Typical titles of responsible individuals shall be identified along with descriptions of experience and other qualifications required for these positions. A complete QAP is not required; however the IOM firm shall provide sufficient detail of its quality assurance program in order to permit a clear understanding.

10. **CONFLICTS:** In accordance with Section I above, an IOM firm shall certify as part of its proposal that neither it nor any of its affiliates or subsidiaries or subconsultants currently provides directly or indirectly construction management or similar or related services that could be in conflict with providing IOM services to NJT under its current IOM agreement either directly or as a member of a joint venture, partnership, or as a subconsultants or subcontractor of any tier.

If the IOM firm or any employee, agent or sub-consultant of the IOM firm may have, or may give the appearance of a possible conflict of interest, the IOM firm shall include in its proposal a statement indicating the nature of the conflict. Also, provide a description of how the IOM firm avoids or addresses potential conflicts of interest. NJT reserves the right to disqualify the IOM firm if, in its sole discretion, any interest disclosed from any source could create, or give the appearance of, a conflict of interest. NJT's determination regarding any question(s) of conflict of interest shall be final.

The IOM's Cost Proposal must contain the following elements:

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

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

As to Subject Matter Experts (SMEs), only costs of travel and stays in hotel as well as breakfast and dinner will be reimbursable where SME attendance is required in New Jersey and has been previously approved in writing by NJT Internal Audit Division for periods of 30 or fewer consecutive days. Travel in relation to assigned duties shall not be reimbursable. Stays of SMEs for more than 30 days will be

reimbursed for reasonable, documented relocation costs as provided above as it applies to staff members and managers. All reimbursable travel expenses shall be in accordance with NJT's Travel & Business Reimbursement Guidelines.

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

K. SELECTION PROCESS

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

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

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

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

The Work Authorization award is subject to the availability of federal funding. The level and amount of work to be awarded to the IOM is not guaranteed.

L. ADMINISTRATION OF THE IOM FIRM – STANDARD PROJECT INITIATION

The IOM firm will be managed by NJT's Internal Audit Department in consultation with the New Jersey Department of the Treasury, NJT Accountability Officer and NJT's authorized Procurement representative with responsibility for initiating all contractual work and the administration of and resolution of all Work Authorization items.

A. Work Authorization

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

Work Authorizations are intended to provide oversight monitoring of specific contracts from conception where practicable under the circumstances. An assigned IOM firm is to have its staff familiarize itself with the proposed Work Authorization scope and schedule and get to know the project management and design staff. The IOM firm is to become familiar with the Consultant's contract (TOC 13-002B) and TOAs to which it is assigned prior to the commencement of work. Work Authorizations can be varied in scope and length of time.

B. Acceptance

(1) Any items which the IOM firm must deliver to NJT as noted in a Work Authorization shall be delivered to the NJT Internal Audit Department. NJT Internal Audit Department will review the deliverables and shall have the right, in its sole judgment, to refuse the acceptance of any items if they do not meet the performance standards established by NJT in the Contract and Work Authorization. Such review does not relieve the IOM firm of its liability for errors and omissions.

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

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

(4) NJ TRANSIT and New Jersey Department of Treasury reserve the right to seek reimbursement of all costs, expenses or damages incurred, because of any act, error or omission, neglect or negligence, or misconduct of said IOM firm or its Sub-consultants in the performance of the work outlined in this Agreement. In such an event, NJ TRANSIT may withhold payment pending resolution of disputed claim not to exceed the amount due under the item of dispute, but without limitation to the amount NJ TRANSIT or New Jersey Department of Treasury may seek or claim to the extent allowed by law or equity. NJ TRANSIT shall not be obligated to make any payment for work that is unsatisfactory or does not comply with the terms of this Agreement. Furthermore, the

IOM firm shall not receive additional compensation for the cost of redoing, correcting or otherwise revising work by reason of any act, error or omission, neglect or negligence, or misconduct of said IOM firm or its Sub-consultants in the performance of the work outlined in this Agreement.

C. Responsibilities

(1) NJ TRANSIT Responsibilities

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

(2) IOM Firm Responsibilities

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

M. ADMINISTRATION OF THE IOM FIRM - TEAM CHANGES

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

NJ TRANSIT Internal Audit Department and New Jersey Department of Treasury shall have the right to pre-approve staffing and removal of particular staff members at its discretion.

If the IOM firm will be adding, removing and/or replacing a DBE Sub-consultant firm/employee on its team, it must be in accordance with Exhibit D, Articles 4.2, 4.3 and 4.4 of NJT's DBE Requirements.

N. ADMINISTRATION OF THE IOM FIRM – COMPENSATION

Payment for services to be rendered shall be on an hourly fee basis with a maximum not-to-exceed cost established for each individual Work Authorization authorized in accordance with the procedures described herein, and subject to the terms and

conditions established for the Contract. Payments of invoices will be made within thirty (30) days of approval by NJ TRANSIT Auditor General or his designee. No charges for work directed by unauthorized NJ TRANSIT or New Jersey Department of Treasury personnel shall be binding upon NJ TRANSIT, and any work performed pursuant to such authorization shall be entirely at the risk of the Consultant. Additionally, no compensation will be allowed for the revision of work which has been rejected as failing to satisfy the requirements of a specific Work Authorization. The IOM Firm shall use a standard invoice form detailing the particular tasks, deliverables completed, particular work completed, hours expended by personnel, cost basis and total cost, and other detailed information that may be required by NJ TRANSIT. The IOM Firm shall submit all itemized bills separately for each Work Authorization. Each invoice may be reviewed by NJ TRANSIT Internal Audit Department and New Jersey Department of Treasury as well as by the Accountability Officer, the Board's representatives and NJ TRANSIT staff.

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

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

O. OWNERSHIP OF WORK

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

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

Pursuant to Executive Order No. 125, signed by Governor Christie on February 8, 2013, the Office of the State Comptroller (OSC) is required to make all approved New Jersey State contracts for the allocation and expenditure of federal reconstruction resources

available to the public by posting such contracts on an appropriate state website. Such contracts are posted on the New Jersey Sandy Transparency website located at:

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

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

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

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

Q. ATTACHMENTS

Attachment 1: BEM Environmental Services Project Information

Attachment 2: Disaster Fraud Theft Reporting Form

Attachment 3: Quarterly Report Template

Attachment 4: Question Submittal Template

Attachment 5: Cost Proposal Format

Attachment 6: DBE Forms

Attachment 7: Detailed Monitoring Work Plan Template

**NJ TRANSIT Contract No. 14-033
Integrity Oversight Monitoring Services
Request for Proposal:
BEM Environmental Services for the Superstorm Sandy Program**

Attachment 1: Project Information

**BEM ENVIRONMENTAL SERVICES
FOR THE SUPERSTORM SANDY PROGRAM
PROJECT INFORMATION**

Task Order Assignment No. 2, Rev 1

BEM Systems, Inc. (BEM) will assist the New Jersey Transit Corporation (NJ TRANSIT) with environmental scoping and planning related to repair and rehabilitation of the physical assets impacted by Superstorm Sandy in 2012. Specifically, BEM will provide an initial assessment of the projects/target areas identified by NJ TRANSIT that may require documentation to comply with the National Environmental Policy Act (NEPA). Additionally, BEM will provide overall programmatic support to support this effort, including working with NJ TRANSIT and the design engineer leading overall Program Management and robust data management/information technology services. The list of high priority projects being considered by NJ TRANSIT currently is preliminary and **is subject to change and increase.**

The main objective of this assignment is to provide NJ TRANSIT with a roadmap for each of these projects in terms of:

- A. whether the nature of the damages each asset suffered and the plans for restoring and/or mitigating against future damages would trigger the NEPA and/or state equivalent regulations; and
- B. a procedural framework for how NJ TRANSIT would develop and implement their NEPA compliance strategy.

This roadmap will be guided by the recently published Federal Transit Administration (FTA) and Federal Highway Administration final rule regarding revisions to NEPA as they pertain to each identified project area (Docket Number FTA-2011-0056, published in the Federal Register Volume 78, Number 26 on February 07, 2013 and Docket No. FHW A-2012--D092, published in the Federal Register Volume 78, No. 33 on February 19, 2013).

BEM's assessment will include a site visit to each property or project area; exploring and documenting the impacts from the storm as well as future potential impacts, and reviewing the design engineer's assessment of the facility or equipment impacts, proposed solutions and the categorization of the improvements in terms of NEPA and other applicable federal and state regulations, including Section 106 requirements under the National Historic Preservation Act of 1966. Ultimately, in collaboration with NJ TRANSIT, the results of the assessment will be used to develop an approach for each project a real site to prioritize mitigation areas and streamline the environmental review process.

The assessment will also provide an evaluation of what requirements need to be met and what types of mitigation efforts will be reimbursed by the FTA under current and future provisions of the Disaster Relief Appropriations Act of 2013 (Pub. L. 113-2) and Section 20017(b) of the Moving Ahead for Progress in the 21st Century Act (MAP-21, Pub. L. 112-141).

**BEM ENVIRONMENTAL SERVICES
FOR THE SUPERSTORM SANDY PROGRAM
PROJECT INFORMATION**

The above listed steps are the minimum that BEM assumes will be required as part of the initial assessment. Additionally, BEM will also be providing programmatic support, including data management and documentation throughout the engineering, environmental and construction process to advance specific projects. At this time, the exact breadth of the initial planning and scoping phase is difficult to quantify due to the limited definitions of the projects to address repairs and upgrades to projects initiated pursuant to Superstorm Sandy which in turn limits the detailing of the corresponding associated costs.

As the program progresses, additional tasks will be developed with greater detail. Therefore the BEM work will be performed as directed by NJ TRANSIT as per the existing rate structure approved under Task Order Contract 13-002B.

In general, CE documents will be written by NJ TRANSIT with BEM support for graphics, adaptation of design drawings for reports, printing and distribution.

Task Order Assignment No. 2, Rev 2

BEM to provide support for the environmental program management services related to the Superstorm Sandy Recovery and Resiliency Program for the period of May 1, 2014 through April 30, 2015. The Consultant will assist NJ TRANSIT with environmental scoping and planning related to repair and rehabilitation of the physical assets impacted by Superstorm Sandy in 2012. The Consultant will perform an assessment of the projects/target areas identified by NJ TRANSIT that may require National Environmental Policy Act (NEPA) and/or historical documentation, permitting, and site-remediation compliance. Additionally, the Consultant will provide overall programmatic support, including working with NJ TRANSIT and HNTB, Inc. (HNTB), the engineering company leading overall Program Management for the Superstorm Sandy Recovery and Resiliency Program.

NJ TRANSIT's main objective is to develop a roadmap for each of the Sandy projects in terms of

- 1) Whether the nature of the damages each asset suffered and the plans for restoring and/or mitigating against future damages would trigger NEPA and/or equivalent state regulations; and
- 2) A procedural framework for how NJ TRANSIT would develop and implement their NEPA, historical and permitting compliance strategy.

This roadmap will be guided by the Federal Transit Administration (FTA) and Federal Highway Administration final rule regarding revisions to NEPA as they pertain to each identified project area (Docket Number FTA-2011-0056, published in the Federal Register Volume 78, Number 26 on February 07, 2013; Docket No. FHWA-2012-D092, published in Volume 78, No. 33 on February 19, 2013; and Docket Nos. FTA- 2013-

**BEM ENVIRONMENTAL SERVICES
FOR THE SUPERSTORM SANDY PROGRAM
PROJECT INFORMATION**

0004 [Emergency Relief Program] and FTA-2013-07268 [Allocation of Emergency Public Transportation ERF in Response to Hurricane Sandy], published in the Volume 78, No. 61 on March 29,2013). The Consultant's assessment may require a site visit to each property or project area; review of existing documentation, websites and plans; and a review of various design engineers' assessments of the facility or equipment impacts, proposed solutions, and the categorization of the improvements in terms of NEPA and other applicable federal and state regulations, including Section 106 requirements under the National Historic Preservation Act of 1966. A permitting strategy and approach will be developed for each applicable project, applications will be prepared and permits will be pursued. Ultimately, in collaboration with NJ TRANSIT, the results of the assessment will be used to develop an approach for each project to satisfy the environmental review process. The assessment will also provide an evaluation of what requirements need to be met and what types of mitigation efforts will be reimbursed by the FTA under current and future provisions of the Disaster Relief Appropriations Act (DRRA) of 2013 (Pub. L 113-2) and Section 20017(b) of the Moving Ahead for Progress in the 21st Century Act (MAP-21, Pub. L 112-141).

The above listed steps are the minimum that will be required as part of the initial assessment, including for sites identified in the future. Additionally, the Consultant will also provide programmatic support, including environmental management and documentation throughout the engineering, environmental, and construction process to advance specific projects. At this time, the exact breadth of the initial planning and scoping phase is difficult to quantify due to the limited definitions of many of the projects to address repairs and upgrades to projects initiated. Pursuant to Superstorm Sandy, which in turn limits the detailing of the corresponding associated costs. As the program progresses, additional tasks will be developed with greater detail, including permitting and reporting efforts.

Task Order Assignment No. 12

Provide environmental professional services to NJ TRANSIT for the County Yard/Delco Lead Safe Haven Storage & Re-Inspection Facility and the primary objective is to comply with NEPA, Section 4(f) and Section 106 requirements, support the permitting process that will be performed by a separate Consultant, and property acquisition and remediation efforts. Specific tasks to be conducted as part of the SOW include:

- National Environmental Policy Act (NEPA) compliance documentation: Support NJ TRANSIT in the preparation of an Environmental Assessment;
- National Historic Preservation Act compliance documentation: Support NJ TRANSIT with the Section 106 consultation process and New Jersey Historic Preservation Office (NJHPO) coordination, and prepare of the required documents and agreements;
- Section 4(f) of the USDOT Act compliance documentation:

**BEM ENVIRONMENTAL SERVICES
FOR THE SUPERSTORM SANDY PROGRAM
PROJECT INFORMATION**

- Support NJ TRANSIT in the preparation of a Section 4(f) Statement;
- Review land use permit applications developed by the design engineering team lead by Jacobs Engineering, Inc.;
 - Coordinate as directed by NJ Transit, with the project designer and regulatory agencies to achieve permit approval;
 - Conduct due diligence for the property acquisition areas, Property Acquisition and Environmental Cost Estimating (P AECE) Reports; and
 - Conduct pre-construction environmental sampling, and sampling results report for Delco Lead portion of the project.

To support NJ TRANSIT with the Delco/County project, following five tasks have been identified:

- Task 1 - Project Management
- Task 2 - NEPA / Section 4(f)/ Section 106
- Task 3 - Required State, Federal Permits and Mitigation
- Task 4 - Site Remediation
- Task 5 - Public Outreach Support

Task Order Assignment No. 13

LONG SLIP FILL AND RAIL ENHANCEMENT PROJECT

Task 1- Environmental Project Management

Task 2 - FTA Re-Evaluation Consultation Support.

Task 3 - State, Federal Permits and Mitigation

The Consultant will identify survey, reporting, modeling, and administrative completeness requirements to support permit preparation. As required, Consultant will identify and coordinate any required compensatory mitigation of regulated riparian zone, freshwater wetlands, or open water required by the approved permits.

Task 4 - Site Remediation

The environmental investigation activities to characterize materials within the footprint of the Long Slip Flood Protection Project will be completed in accordance with NJDEP Field Sampling Procedure Manual (FSPM), August 2005. The Long Slip project remedial investigation is being conducted pursuant to the NJDEP Licensed Site Remediation Professional (LSRP) program regulations under the Site Remediation Reform Act (SRRA, New Jersey Statutes Annotated [N.J.S.A.]S8:IOC. The investigation will be performed under the oversight of a New Jersey licensed LSRP in general

**BEM ENVIRONMENTAL SERVICES
FOR THE SUPERSTORM SANDY PROGRAM
PROJECT INFORMATION**

accordance with the NJDEP's Technical Requirements for Site Remediation (TRSR), New Jersey Administrative Code (N.J.A.C.) 7:26E, amended in May 2012.

Task 5 - Public Outreach Support

Under direction from NJ TRANSIT, the Consultant will provide communications and public outreach support for this project whenever necessary.

Task Order Assignment No. 14

Provide environmental professional services to NJ TRANSIT to complete the NEPA and permitting processes via the preparation of a DEIS and FEIS/ROD for the NJ TRANSITGRID Traction Power System, and one or more Categorical Exclusion document for the various elements of the NJ TRANSITGRID Distributive Generation System. The SOW also includes the preparation of all land use and Title V and other required air permits, site remediation approvals as required and in conjunction with any existing site LSRP's for property not owned by NJ Transit, and coordination with agencies that have regulatory jurisdiction over operation of the various facilities and/or their construction.

To support TRANSITGRID, following tasks have been identified:

TASK 1 - PROJECT MANAGEMENT

TASK 2 - AGENCY AND PUBLIC INVOLVEMENT PROGRAM AND SCOPING PROCESS

TASK 3 - NEPA ENVIRONMENTAL IMPACT STATEMENT

TASK 4 - NEPA CATEGORICAL EXCLUSION DOCUMENTATION

TASK 5 - STATE, FEDERAL PERMITS AND MITIGATION

TASK 6 - STATIONARY SOURCE AIR QUALITY ANALYSIS & PERMITTING

TASK 7 - SITE REMEDIATION

TASK 8 - COMMUNICATION AND PUBLIC OUTREACH SUPPORT

Task Order Assignment No. 15

To support Raritan River Drawbridge, the Consultant's scope of work for NEPA documentation, Section 106 process and other related procedures, the following six tasks have been identified:

Task 1 – Project Management, which includes:

- Task 1.1: Program Management Support
- Task 1.2: Project Management
- Task 1.3: Working Group Meetings and Coordination
- Task 1.4: Flood Analysis

Task 2 – Early Action Items

**BEM ENVIRONMENTAL SERVICES
FOR THE SUPERSTORM SANDY PROGRAM
PROJECT INFORMATION**

NEPA documentation must reflect the design information developed as part of the Concept Study, which will be prepared under a separate contract by a different Consultant team. Information on the alternatives developed during that study-including the location of the new bridge and approach tracks, location of piers in the riverbed, proposed modifications to interlockings, proposed modifications to the marine channel, and other project elements-must be evaluated in the NEPA document as well as in accordance with Section 106 and other related regulatory procedures. Prior to completion of the Concept Study, the Consultant Team will conduct certain "early action" items in advance of other task work-i.e., studies that do not depend on project-specific information. The information developed for the early action items can be used to inform the design process being conducted for the Concept Study.

Task 3 – Agency Coordination and Public Involvement

Task 4 – NEPA Section 4(f) Documentation

Task 5 – State and Federal Permits and Mitigation

Task 6 – Site Remediation – Deliverables include Preliminary Site Assessment and Hazardous Materials Report.

Task Order Assignment No. 16

The train control systems include Remote Terminal Units (RTUs), Central Instrument Houses (CIHs), and associated cabling for the Main Line, Morris & Essex (M&E) Line, Bergen County Line, Pascack Valley Line and a single asset on the Raritan Valley Line. Similar work will also be performed on the Hudson Bergen Light Rail Line (HBLR). These assets require repair and resiliency measures to be implemented in the wake of Superstorm Sandy. All of these activities are proposed to occur within the existing railroad right of way.

This Scope of Work (SOW) is to provide environmental professional services to NJ TRANSIT to achieve compliance with the National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act.

To support the Train Controls Project, four tasks have been identified and are further described herein:

Task 1 – Project Management, which includes:

- Task 1.1: Program Management Support
- Task 1.2: Project Management
- Task 1.3: Working Group Meetings and Coordination
- Task 1.4: Flood Analysis

Task 2 – NEPA Categorical Exclusion Documentation

Task 3 – State and Federal Permits and Mitigation

Task 4 – Site Remediation

**NJ TRANSIT Contract No. 14-033
Integrity Oversight Monitoring Services
Request for Proposal:
BEM Environmental Services for the Superstorm Sandy Program**

Attachment 2: Disaster Fraud Theft Reporting Form



**OFFICE OF THE ATTORNEY GENERAL
STATE OF NEW JERSEY**



Disaster Fraud/Theft Reporting Form

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

VICTIM / COMPLAINANT SECTION

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

Insurance Company Involved: <i>(if applicable)</i>	Policy No.:
Insurance Company Address:	Telephone No.:

DEFENDANT / SUSPECT SECTION
(attach additional defendants if applicable or forward department incident report with this form)

Defendant's Name:	D.O.B.:	Telephone No.:			
Address:	Municipality:	County:	State:	Zip Code:	
Vehicle Year:	Make:	Model:	Color:	Type:	Registration No. & State:
Business/Company Representing: <i>(if applicable)</i>	Telephone No.:	NJ Contractor License No. (plumbing, electrical etc.):			
Business Address:	Web-Site / E-Mail of business:				

Check ALL that apply:

Arrested Complaints Filed Under Investigation Contacted by Police Only Reported to Police / NJ Division of Consumer Affairs

NARRATIVE SECTION
(provide a brief narrative of the incident)

E-MAIL COMPLETED FORMS TO SANDYFRAUD@NJDCJ.ORG

**NJ TRANSIT Contract No. 14-033
Integrity Oversight Monitoring Services
Request for Proposal:
BEM Environmental Services for the Superstorm Sandy Program**

Attachment 3: Quarterly Report Template

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

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

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

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

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

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

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

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

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

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

**NJ TRANSIT Contract No. 14-033
Integrity Oversight Monitoring Services
Request for Proposal:
BEM Environmental Services for the Superstorm Sandy Program**

Attachment 4: Question Submittal Template

NJ TRANSIT Contact No. 14-033
Integrity Oversight Monitoring Services for the
BEM Environmental Services for the Superstorm Sandy Program

Questions or Request for Clarification

FIRM NAME: _____

Page #	RFP Section	Question

**NJ TRANSIT Contract No. 14-033
Integrity Oversight Monitoring Services
Request for Proposal:
BEM Environmental Services for the Superstorm Sandy Program**

Attachment 5: Cost Proposal Format

NJ TRANSIT Contract No. 14-033
 Integrity Oversight Monitoring Services
 Attachment 5 - Cost Proposal Format

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

Employee Name	Staffing Category	Fill in Work plan Risk Categories	Hourly Billing Rate (\$)	Category 1		Category 2		Category 3		Category 4		Total Hours	Total \$ Amount
				Hours	Amount (\$)	Hours	Amount (\$)	Hours	Amount (\$)	Hours	Amount (\$)		
	Partner/Principal/Director												
	Program Manager/Project Manager												
	Subject Matter Expert												
	Supervisor/Senior Consultant												
	ConsultantAssociate/Staff												
	Administrative Support												
TOTALS													

Total Direct Cost	
Total Travel Cost	
GRAND TOTAL	

NJ TRANSIT Contract No. 14-033
 Integrity Oversight Monitoring Services
 Attachment 5 - Cost Proposal Format

Firm Name: (SUBCONSULTANT)

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

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

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

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

**NJ TRANSIT Contract No. 14-033
Integrity Oversight Monitoring Services
Request for Proposal:
BEM Environmental Services for the Superstorm Sandy Program**

Attachment 6: DBE Forms

REQUIRED FORMS

ENCLOSED FOR COMPLETION (MANDATORY):

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

TO BE OBTAINED AND SUBMITTED (MANDATORY):

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

Consult DBE Program Requirements for further guidance.

First Tier DBE UTILIZATION - FORM A

Project Name: _____

NJT Contract No: _____

Assigned DBE Goal %: _____ NJT Procurement Specialist: _____

Contract Value (\$): _____

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

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

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

Company Name: _____

Authorized Signature: _____

Company Address: _____

Print Name: _____

Title: _____

Federal Tax ID #: _____

Prime Contractor's DBE Liaison Officer: _____

Company Tel #: _____

Date Signed: _____

To Add Subs Use Additional Forms

BIDDER SOLICITATION & CONTRACTOR INFORMATION - FORM A1

NJT Contract No: _____

Project Title: _____

Prime Contractor: _____

Telephone #: _____

Date: _____

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

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

BIDDER SOLICITATION & CONTRACTOR INFORMATION - FORM A1

NJT Contract No: _____

Project Title: _____

Prime Contractor: _____

Telephone #: _____

Date: _____

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

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

NON-DBE SUBCONTRACTOR UTILIZATION - FORM A2

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

NJ Transit Contract No: _____

Date: _____

Prime Contract Value: _____

Bidder/Proposer Prime Name: _____

Project Title: _____

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

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

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

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

Name of Bidder/Proposer/Prime:

Name of DBE Firm:

Project/Contract Name:

IFB/RFP Contract Number:

Does the undersigned DBE (Answer Accordingly):

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

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

Dollar Value of DBE Subcontract: \$ _____

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

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

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

DBE Contract Start Date: _____ DBE Contract Completion Date _____

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

Signature of 1st Tier DBE

Date

Title

Print Name

Telephone #:

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

ADDENDUM

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

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

Important

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

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

Guidelines to Bidder/Proposer/Prime:

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

Instructions:

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

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

DBE GOOD FAITH EFFORT- FORM D

IFB/RFP Number: _____

Project Title: _____

Bidder/Proposer/Prime Name: _____

Address: _____

Phone: _____ Email: _____

Date Signed: _____

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

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

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

SUPPLEMENTAL SECTION REQUIRED FORMS

ENCLOSED FOR COMPLETION (IF APPLICABLE):

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

TO BE OBTAINED AND SUBMITTED (IF APPLICABLE):

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

Consult DBE Program Requirements for further guidance.

SECOND TIER DBE UTILIZATION- FORM AA

Project Name: _____

NJT Contract No: _____

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

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

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

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

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

DBE Sub-Prime Firm: _____

Authorized Signature: _____

Company Address: _____

Print Name: _____

Title: _____

Federal Tax ID #: _____

Sub-Prime's DBE Liaison Officer: _____

Company Tel #: _____

Date Signed: _____

BIDDER SOLICITATION & CONTRACTOR INFORMATION - FORM AA1

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

Project Title: _____
 Telephone #: _____

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

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

NON-DBE SECOND TIER SUBCONTRACTOR UTILIZATION - FORM AA2

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

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

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

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

INTENT TO PERFORM AS A SECOND TIER DBE - FORM BB

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

Name of First Tier DBE/Sub-Prime: _____

Name of Second Tier DBE Firm: _____

Project/Contract Name: _____

IFB/RFP Contract Number: _____

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

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

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

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

Dollar Value of DBE Subcontract: \$ _____

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

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

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

DBE Contract Start Date: _____ DBE Contract Completion Date _____

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

Signature of Second Tier DBE _____

Date

Title

Print Name _____

Telephone #: _____

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

**NJ TRANSIT Contract No. 14-033
Integrity Oversight Monitoring Services
Request for Proposal:
BEM Environmental Services for the Superstorm Sandy Program**

Attachment 7: Work Plan Template

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

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

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

DRAFT
New Jersey Transit Corporation-Fraud Risk
Monitoring Work Plan

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

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

DRAFT
New Jersey Transit Corporation-Fraud Risk
Monitoring Work Plan

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

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

DRAFT
New Jersey Transit Corporation-Fraud Risk
Monitoring Work Plan

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

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

DRAFT
New Jersey Transit Corporation-Fraud Risk
Monitoring Work Plan

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

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

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

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

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

DRAFT
New Jersey Transit Corporation-Fraud Risk
Monitoring Work Plan

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Draft

New Jersey Transit Corporation

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

Potential Fraud Indicators

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

Project: _____ IOM: _____

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

Draft

New Jersey Transit Corporation

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

Potential Fraud Indicators

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

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

Draft

New Jersey Transit Corporation

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

Potential Fraud Indicators

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

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

Draft

New Jersey Transit Corporation

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

Potential Fraud Indicators

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

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

Draft

New Jersey Transit Corporation

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

Potential Fraud Indicators

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

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

Draft

New Jersey Transit Corporation

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

Potential Fraud Indicators

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

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

Draft

New Jersey Transit Corporation

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

Potential Fraud Indicators

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

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

Draft
New Jersey Transit Corporation
DBE Compliance Work Plan

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

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

Draft
New Jersey Transit Corporation
DBE Compliance Work Plan

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

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

Draft
New Jersey Transit Corporation
DBE Compliance Work Plan

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

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

If Required - Insert additional Monitoring Procedures

Total 0 0 0 0 0 0 0

DBE Sub-consultant Hours													
Net Prime Hours													
Total Hours													