

## NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Request for Proposals Greenway Project - Relocation Assistance Published: 9/29/23

#### OVERVIEW

The New Jersey Department of Environmental Protection (Department) issues this Request for Proposals (RFP) to solicit proposals for activities necessary to further certain planning and design activities to facilitate the creation of comprehensive master planning and detailed design documents (Master Plan & Designs) for the development of the 9-mile abandoned rail corridor in Essex and Hudson Counties (Greenway).

Under this RFP, the Department is seeking proposals for the development and implementation of a relocation assistance plan<sup>1</sup> to aid certain displaced persons who qualify due to their status as former tenants occupying land that will be used to develop the Greenway under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), 42 U.S.C. § 4601 et seq.), and the New Jersey Relocation Assistance Laws (NJRA), which include: the Relocation Assistance Law of 1967 (N.J.S.A. 52:31B-1 et seq.), the Relocation Assistance Act (N.J.S.A. 20:4-1 et seq.), and Landlord Tenant Proceedings in the Law Division, Special Civil Part (N.J.S.A. 2A:18-51 et seq.), as applicable, including the Eviction Law (N.J.S.A. 2A:18-61.1 et seq.) (collectively, the “Relocation Assistance Laws”).

#### PROJECT AREA

The Greenway consists of a long-dormant 8.63-mile rail line traversing two of the most densely populated counties in New Jersey and in the nation: Essex and Hudson Counties. Averaging 100 feet in width and encompassing approximately 135 acres, the Greenway passes through numerous, diverse commercial, industrial, and residential neighborhoods in eight New Jersey communities (Montclair, Glen Ridge, Bloomfield, Belleville, Newark, Kearny, Secaucus, and Jersey City), crossing both the Hackensack and Passaic Rivers in the process.

The Department envisions development of the Greenway, in coordination with other State agency partners, as a multimodal, walking, biking, and transit corridor providing new, safe, and equitable opportunities for outdoor recreation and open space enjoyment, improvement of regional transportation and stormwater performance, and spurring equitable economic growth and redevelopment in this heavily industrialized region. To maximize these opportunities, the Department acquired the corridor subject to appropriate reservations to allow use for transit, utility, and other economically beneficial uses consistent with the Greenway’s underlying recreational purpose. The Department’s acquisition of the Greenway may have resulted in the displacement of several commercial tenants along the Greenway corridor. Those former tenants’ properties are herein referred to as the “Greenway properties.”

Additionally, due to the legacy of industrial pollution in the vicinity of the Greenway and dilapidation of existing infrastructure, its development for public use requires the implementation of appropriate remedial safety measures to allow for public use.

While access to the property is currently restricted, the Department intends to open a portion(s) of the Greenway for public use and enjoyment by the end of 2025. As the development of the comprehensive

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<sup>1</sup> For the purposes of this RFP, a “relocation assistance plan” under the federal URA is used interchangeably with a “workable relocation assistance plan,” or “WRAP,” under New Jersey’s Relocation Assistance Laws.

master plan will necessitate extensive planning and deep, robust community and stakeholder engagement, the Department expects to undertake a phased approach to development that prioritizes initial investments in stormwater infrastructure, remediation, safety, and security and initial supportive public amenities. This phased approach would work in parallel to the development of the comprehensive Master Plan with further improvements and amenities subsequently incorporated into the Greenway in accordance with the finalized Master Plan. Additional information on the Greenway development project can be found here: <https://nj.gov/dep/parksandforests/parks/thegreenway.html>.

### **SCOPE OF WORK**

Recognizing that development of this unique land asset requires the acquisition and re-designation of certain land previously owned by Norfolk Southern Railway Company and leased by several commercial tenants, the Department seeks assistance in the development and implementation of a Workable Relocation Assistance Plan (WRAP) to fulfill its obligations under applicable Relocation Assistance Laws.

The WRAP would be utilized to: (1) ensure any and all displaced commercial tenants eligible for assistance under the Relocation Assistance Laws have been identified and provided proper notice of their rights under applicable laws; (2) inform recommendations for Department actions to assist eligible displaced tenants in assessing relocation options and ultimately assist in relocating their respective businesses; and (3) identify and provide recommendations for any other aspects of relocation assistance, as required by federal or State law; and (4) administer and manage the relocation process set forth in the approved WRAP.

The Department has terminated some of the tenant leases, with a vacate date of 9/30/23. Other leases are yet to be terminated. In all, there are approximately 15-20 leases. All information on leaseholders and terminations will be provided to the Consultant following the Kick Off Meeting.

The Consultant shall complete the scope of work as described herein.

The Contractor shall include in their response to this RFP the budget necessary to complete the scope of work.

All project deliverables shall be submitted to the Department for review in a timely manner. Contractor shall provide all deliverables in a format suitable for inclusion on the Department's website.

The Contractor shall be responsible for completing the following tasks as soon as feasible and no later than **December 29, 2023**. The Department, in its sole discretion, may extend this contract for up to two 3-month periods.

### **TASK 1 – WORKABLE RELOCATION ASSISTANCE PLAN**

The Contractor shall review relevant, available information, as well as the Relocation Assistance Laws, to assess the eligibility, status, and needs of the former tenants of the Greenway properties, as well as the extent of the Department's relocation assistance obligations to those tenants. Relevant information should include the property formerly occupied by each tenant, the previous lease agreement between the tenant and Norfolk Southern Railway Company, any current or pending relocation plans, the relevant business operations of the tenant(s), effective methods of communication and/or notice, and applicable regulatory or statutory frameworks. The Consultant shall use this information to develop a Workable Relocation Assistance Plan (WRAP) for the Department's review and Department of Community Affairs' (DCA) review, as necessary, pursuant to N.J.A.C. 5:11 and meeting the requirements of N.J.A.C. 5:11-6.1.

The Consultant shall develop the WRAP, which shall be designed to aid former tenants in relocating their respective businesses in accordance with the requirements of the Relocation Assistance Laws. See, e.g., N.J.S.A. 52:31B-5; N.J.A.C. 5:11. The WRAP will include, as necessary, recommendations to satisfy the requirements of a “workable relocation program,” as defined and explained in the New Jersey Relocation Assistance Law of 1967, including the following, as necessary:

- (1) determining the needs of displaced persons and business concerns for relocation assistance to supply information concerning programs offering assistance to displaced persons and business concerns and to assist in minimizing hardships to displaced persons in adjusting to relocation;
- (2) assisting each displaced person to secure decent, safe, and sanitary dwelling units at prices or rents within his means and in areas reasonably accessible to his place of employment and not generally less desirable in regard to public utilities and public and commercial facilities;
- (3) assisting owners of displaced business concerns in obtaining and becoming established in suitable business locations;
- (4) providing any displaced person or business a reasonable time from the date of displacement within which to apply for a relocation assistance payment, as required by section 4 of the New Jersey Relocation Assistance Law of 1967, and to encourage the prompt transmittal of any such relocation assistance payment upon proper application therefor;
- (5) providing for fair and reasonable relocation assistance payments pursuant to section 4 of the New Jersey Relocation Assistance Law of 1967; and
- (6) securing to the greatest extent practicable, the co-ordination of relocation activities with other project activities and other planned or proposed governmental actions in the community or nearby areas which may affect the execution of the WRAP.
- (7) See N.J.S.A. 52:31B-5(b); N.J.A.C. 5:11-6.1.

The Consultant shall identify former tenants who qualify as “displaced persons” under N.J.S.A. 20:4-14, assess whether any former tenants qualify as “displaced persons” under N.J.S.A. 2A:18-61.1g, and provide the Department with recommendations for providing notice and funding, as necessary, under those statutes as part of or in addition to the WRAP.

The Consultant shall recommend and facilitate communication between the former tenants and the Department to assess the current status of any ongoing relocation efforts and determine the needs of each former tenant’s business operations in order to best offer assistance under the applicable laws.

The input and assessments generated from the WRAP will be utilized to inform the recommendations required under this scope of work.

The Consultant shall:

1. Identify eligible former tenants under the URA and each of the NJRA;
2. Propose a WRAP meeting the requirements of N.J.S.A. 52:31B-5(b) and N.J.A.C. 5:11-6.1;
3. Provide timing estimates and a proposed schedule of all communication and reporting efforts; and
4. Describe the assessment process and communication methods used to inform recommendations required under this scope of work.

The Consultant shall provide a draft WRAP to the Department for review, comment, and modification, as necessary, prior to submittal to DCA for its final review and approval. The Department will return comments within one week of receipt. After Department approval, the Consultant will submit the WRAP to DCA as required by the applicable rules.

**Deliverable(s)**

1. Draft WRAP for review by Department and DCA, as necessary, by November 1, 2023;
2. Final WRAP revised, based on comments from Department and DCA, as necessary, by

November 15, 2023; and

3. Any supporting documentation used to form conclusions or recommendations in the WRAP for Department review and recordkeeping.

## **TASK 2 – WORKABLE RELOCATION ASSISTANCE PLAN EXECUTION**

The Consultant will implement the approved WRAP in accordance with the schedule and timing set forth therein and in compliance with applicable statutes and regulations.

The Consultant shall be responsible for identifying eligible former tenants and developing any necessary notice and communication materials for Department review and approval.

The Consultant shall apply an expedited timeline to ensure that any eligible displaced persons within the scope of this work order are provided effective assistance and that the Department's obligations are satisfied under applicable law and completed by the end of the contract term.

### **Deliverable(s)**

1. Any notice documents provided to former tenants (for preliminary Department review and approval);
2. Implementation of WRAP by December 29, 2023; and
3. Regular reports, including updates on costs provided or relocation of any eligible displaced person(s).

## **TASK 3 – MEETINGS, CONFERENCE CALLS, AND GENERAL PROJECT TEAM COORDINATION**

The Consultant shall schedule regular meetings with the Department to monitor progress, raise issues and collaborate on the tasks set forth in this scope of work including, but not limited to the following:

- Project Kick Off Meeting(s) – Within seven (7) business days of receiving the notice to proceed on execution of this scope of work, the Consultant's project manager and other key personnel shall participate in a project kick off meeting with the Department. At this meeting, contract requirements, timelines, and team member roles and responsibilities will be clarified.
- Status/Progress meetings – The Consultant shall meet with the Department at least every two (2) weeks to report on the progress of all tasks for the duration of the project. The Consultant Team shall:
  - Schedule all meetings;
  - Prepare meeting agenda;
  - Distribute a copy of the agenda to the meeting participants no later than two (2) business days prior to all meetings or conference calls; and
  - Prepare meeting summaries and transmit to Department no later than two (2) business days after the meeting.

### **Deliverable(s)**

1. Meeting summaries for Progress/Status meetings.

## **ADMINISTRATIVE REQUIREMENTS**

In addition to the tasks identified above, the Consultant will comply with administrative requirements listed below in accordance with Department requirements.

### **Progress Reporting**

The Consultant shall be responsible for reporting all project progress at least monthly, unless a different

frequency is set by the Department and Consultant, for the duration of the contract. This requires:

1. Ensuring that all progress reports are submitted in a mutually agreed upon format and include the following:
  - a. Task Name or description per the RFP;
  - b. Task Status;
  - c. Activities completed and anticipated for the next month; and
  - d. Percent completed.

### **Invoicing**

The Consultant's project manager shall ensure that all requests for payment:

1. Include employee timesheets;
2. Are signed by the employee's supervisor;
3. Are supported by completed activities/tasks described in the monthly progress reports; and
4. Include the Invoice Summary Table.

### **PROPOSAL REQUIREMENTS**

Bidders may submit questions no later than **12:00 p.m. October 4, 2023** to [julia.wong@dep.nj.gov](mailto:julia.wong@dep.nj.gov). Responses to questions will be emailed to all Bidders and posted online on the same webpage where the RFP was posted (<https://dep.nj.gov/bids/>).

One electronic copy of the proposal must be submitted to [julia.wong@dep.nj.gov](mailto:julia.wong@dep.nj.gov) by **12:00 p.m. on October 9, 2023**.

The proposal must include the following:

1. A statement demonstrating why the Bidder is uniquely qualified to complete the scope of work;
2. A detailed description of how the Bidder proposes to complete each task identified in the scope of work;
3. Name, title, and qualifications of personnel that will be assigned to each task and their experience to complete it successfully;
4. A schedule or timeline for completion of the specific tasks and deliverables set forth in the scope of work; and
5. A comprehensive budget showing the person-hours proposed to complete the activities set forth in the scope of work. Bidder shall submit an all-inclusive price to complete the scope of work. The all-inclusive price shall reflect the tasks, sub-tasks, or other work elements required by this RFP and shall set forth, for each task, sub-task or other work element, the total number of person-hours, by labor category, proposed to complete the assignment, based on all-inclusive hourly rates.

Contractors are required to complete and submit the following forms, along with any certificates identified below, which can be found here (<https://www.state.nj.us/treasury/purchase/forms.shtml>):

- Ownership Disclosure Form
- Disclosure of Investigations and Other Actions Involving Bidder Form
- Disclosure of Investment Activities in Iran Form.
- Two-Year Chapter 51/Executive Order 333 Vendor Certification and Disclosure of Political Contributions for Non-Fair and Open Contracts
- MacBride Principles Certification Form
- Business Registration Certificate
- Certificate of Insurance (ACORD form)

- Source Disclosure Certification Form
- Affirmative Action Compliance
- Subcontractor Utilization Plan, if applicable
- State of New Jersey Standard Terms and Conditions (SSTC)

As noted above, Contractor is subject to the SSTC provided via the links below:  
(<https://www.nj.gov/treasury/purchase/forms/StandardTermsandConditions.pdf>)

Contractor must also establish and maintain an active profile in NJSTART ([www.njstart.gov](http://www.njstart.gov)), the State of New Jersey's eProcurement system. Submission of forms, as available, through NJSTART is also acceptable. It is recommended that all potential Contractors read through all Quick Reference Guides (QRGs) located on the NJSTART Vendor Support Page (<https://www.state.nj.us/treasury/purchase/vendor.shtml>) for further information.

### **PROPOSAL EVALUATION**

The following criteria will be scored, and each score multiplied by a predetermined weight to develop the Technical Evaluation Score:

**Personnel:** The qualifications and experience of the Contractor's management, supervisory and key field personnel, and pool survey staff assigned to the contract.

**Experience of firm:** The Contractor's documented experience in successfully completing contracts of a similar size and scope in relation to the work required by this RFP; and direct experience providing services with governmental public health entities. Contractors shall have the experience of providing on-site assistance to healthcare facilities, specifically long-term care facilities.

**Ability of firm to complete the Scope of Work based on its Technical Proposal:** The Contractor's demonstration in the Proposal that the Contractor understands the requirements of the Scope of Work and presents an approach that would permit successful performance of the technical requirements of the RFP.

To determine Price Score:

**Price:** For evaluation purposes, Bidders will be ranked from lowest to highest according the Bidder's total proposal submitted in response to this RFP.

The intent of this RFP is to award a contract to that responsible Contractor whose Proposal conforming to this RFP is most advantageous to the State, Technical Evaluation Score and Price Score considered. The Department expects to make an award by **October 11, 2023**.

Notice of Executive Order 166 Requirement for Posting of Winning Proposal  
and Contract Documents

Principal State departments, agencies and independent State authorities must include the following notice in any solicitation:

Pursuant to Executive Order No. 166, signed by Governor Murphy on July 17, 2020, the Office of the State Comptroller (“OSC”) is required to make all approved State contracts for the allocation and expenditure of COVID-19 Recovery Funds available to the public by posting such contracts on an appropriate State website. Such contracts will be posted on the New Jersey transparency website developed by the Governor’s Disaster Recovery Office (GDRO Transparency Website).

The contract resulting from this RFQ is subject to the requirements of Executive Order No. 166. Accordingly, the OSC will post a copy of the contract, including the RFQ, the winning bidder’s proposal and other related contract documents for the above contract on the GDRO Transparency website.

In submitting its proposal, a bidder/proposer may designate specific information as not subject to disclosure. However, such bidder must have a good faith legal 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. A Bidder’s/Proposer’s failure to designate such information as confidential in submitting a bid/proposal shall result in waiver of such claim.

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