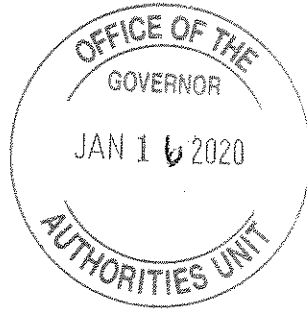




New Jersey Infrastructure Bank
 3131 Princeton Pike
 Building 4 Suite 216
 Lawrenceville, NJ 08648-2201

Roger Ellis, Treasurer
 Mark Longo, Secretary
 Jack Kocsis Jr.
 Elizabeth M. Muoio, State Treasurer
 Catherine R. McCabe, DEP Commissioner
 Diane Gutierrez-Scaccetti, DOT Commissioner
 Sheila Oliver, DCA Commissioner
 David E. Zimmer, Executive Director



January 16, 2020

Honorable Phil Murphy
 Governor of the State of New Jersey
 State House
 PO Box 001
 Trenton, New Jersey 08625

Dear Governor Murphy:

In accordance with the provisions of the New Jersey Infrastructure Trust Act, I hereby transmit for your review and consideration the minutes of the January 16, 2020 meeting of the New Jersey Infrastructure Bank. The New Jersey Infrastructure Trust Act provides that the Governor has ten days from the delivery of the minutes, excluding weekends and holidays, to review and accept such minutes. In the event that the minutes are not acted upon within the statutory time frame by you, the minutes become effective automatically.

Sincerely,

Mark Longo
 Secretary

Enclosure

Cc: Honorable Stephen Sweeney, President of the Senate
 Honorable Craig Coughlin, Speaker of the General Assembly

Minutes Date: 1/16 Meeting: 1/16 Veto: 1/31 Memo: 1/24



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Sheila Oliver, **DCA Commissioner**
David E. Zimmer, **Executive Director**

1/16/2020

NEW JERSEY INFRASTRUCTURE BANK

OPEN PUBLIC MEETING Thursday, January 16, 2020

1. CALL TO ORDER:

A meeting of the New Jersey Infrastructure Bank was convened on Thursday, January 16, 2020 in the conference room of 3131 Princeton Pike, Building 4, Suite 216, Lawrenceville, New Jersey. Secretary Longo called the meeting to order at 10:00 a.m.

2. OPEN PUBLIC MEETING ACT STATEMENT:

Executive Director Zimmer read the Open Public Meeting Act Statement into the record. Executive Director Zimmer introduced and welcomed new Board member Jack Kocsis, Jr., Chief Executive Officer of the Associated Construction Contractors of New Jersey, as a member of the Board.

3. ROLL CALL:

Ms. Nancy Collazo conducted roll call to which Mr. Ellis, Mr. Longo, Mr. Kocsis, Mr. Bruccoleri, Mr. Kanef, Ms. Holmes, and Ms. Brogle all responded affirmatively.

DIRECTORS

Roger Ellis, Treasurer
Mark Longo, Secretary
Jack Kocsis Jr.
Janice Brogle
(for DEP Commissioner Catherine R. McCabe)
Michael Kanef
(for State Treasurer Elizabeth M Muoio)
David Bruccoleri
(for DOT Commissioner Diane Gutierrez-Scaccetti)
Kimberly Holmes*
(for DCA Commissioner Sheila Oliver)

OTHERS

David E. Zimmer, Executive Director
Lauren Seidman Kaltman, Chief Financial Officer
Judy Karp, Legal and Compliance Officer
Leigh Peterson, Chief Operating Officer - Water
Chris Bruther, Comptroller
Bill Machotka, DEP, Municipal Finance & Construction Elem
Joy Johnson, Governor's Authorities Unit
Pamela Morone, Deputy Attorney General
Sean Duane, McCarter & English LLP
Tricia Gasparine, Chiesa Shahinian Giantomasi PC
Bob Lamb, Lamont Financial

(*) Participated via teleconference

4. APPROVAL OF THE MINUTES:

Secretary Longo opened discussion of the minutes of the I-Bank's December 2019 Board meeting.

There were no comments or questions. Secretary Longo requested a motion for approval.

Mr. Ellis moved for the approval of the minutes. Mr. Kanef seconded the motion.

The motion was carried 6 to 0 with 1 abstention from new member Mr. Kocsis as he was not present at the last month's meeting.

5. ANNOUNCEMENTS:

Executive Director Zimmer summarized a number of the substantive events and correspondence since the last Board meeting:

- On **January 10, 2020**, Executive Director Zimmer and Project Manager Rolon presented the Transportation Bank Financing Program to Ocean County and various member municipalities at the Ocean County Library in Toms River;
- On **January 6, 2020**, Executive Director Zimmer and Project Manager Rolon presented the Transportation Bank Financing Program to Somerset County and various member municipalities at the Somerset County Emergency Training Academy in Hillsborough Township;
- On **December 19, 2019**, Executive Director Zimmer convened the I-Bank's first Transportation Engineering Advisory Committee Meeting;
- On **December 13, 2019**, Executive Director Zimmer, COO Peterson and Legal Analyst Esposito attended the 2019 Jersey Water Works conference in New Brunswick; and
- On **December 12, 2019**, COO Peterson represented the I-Bank at the inaugural meeting of the Governor's Interagency Council on Climate Resilience Strategy.

The next I-Bank Board meeting is scheduled for Thursday, February 20, 2020 at 10:00 am at the I-Bank's offices.

A copy of the announcements is available on the I-Bank's webpage <https://www.njib.gov/nj/Board+Information.3> (locate under "Board Information", "2020 Board Meetings", then select "Minutes", the announcements will be at the end of the file.)

There were no comments or questions.

6. PUBLIC COMMENTS:

Secretary Longo invited comments from the public. There were no comments.

7. UNFINISHED BUSINESS:

A₁. COO Peterson discussed the status of review for Water Bank Loan applications reporting that 52 projects had been certified or received Authorization to Award since July 1, 2019 totaling \$225 million,

and an additional 36 projects had received Authorization to Advertise totaling \$742 million. There were no comments or questions.

- A₂. COO Peterson discussed the status of Transportation Bank Loan applications reporting that 6 projects had received certification since July 1, 2019 totaling \$25.8 million and an additional 8 projects with a total value of \$39 million are under design review.

There were no comments or questions.

- B₁. Mr. Bill Machotka, of the DEP's Municipal Finance and Construction Element, gave the Water Bank Construction status update stating that there are 305 active projects totaling \$1,816,777,911 and 1,344 closed projects with loans totaling \$6,065,043,368 for a grand total of 1,649 projects with loan totaling \$7,881,821,279.

There were no comments or questions.

- B₂. COO Peterson discussed the status of the Transportation Bank Construction process, noting that twelve projects have received funding allocations of which eight projects are fully certified and in the process of commencing construction and the remaining four projects are in the process of finalizing and submitting their construction contracts for review and certification.

There were no additional comments or questions.

- C. Executive Director Zimmer reported on the status of the Water Bank Construction and SAIL Loan Program noting that the I-Bank received 2 new **applications** since December 1, 2019 for loans totaling \$23.9 million. The Program received 32 Water Bank Loan applications as of December 31, 2019 totaling \$280.9 million. The Water Bank **closed** 3 Construction Loans since December 1, 2019 totaling \$1.3 million. The Program has 163 Construction and SAIL Loan's outstanding totaling \$987.3 million. The Program **disbursed** \$34.1 million of funds to 37 projects in December 2019. 160 projects with open Construction and SAIL Loans have received disbursements from the Water Bank through December 31, 2019 totaling \$510.1 million, or approximately 51.66% of the outstanding short-term loan balance.

Executive Director Zimmer next reported on the status of the Transportation Construction Loan Program noting that the Transportation Bank received no new **applications** for financing since December 1, 2019. The Transportation Bank has a total of 4 Loan applications outstanding as of December 31, 2019 for \$28.2 million. The Transportation Bank **closed** no loans since December 1, 2019. The Transportation Bank has 7 closed loans outstanding totaling \$30.6 million. The Transportation Bank **disbursed** \$2.7 million to 2 projects in December 2019. 7 projects with open Construction Loans have received disbursements from the Transportation Bank through December 31, 2019 totaling \$3.7 million.

There were no comments or questions.

- D. Executive Director Zimmer reported that there were no outstanding Requests for Proposals.

There were no comments or questions.

- E. COO Peterson reported on the Aged Loan Inventory.

There are a total of 12 Aged Loans outstanding from 2015 and earlier. I-Bank and DEP staff are working together with the borrowers to close these remaining loans.

There were no comments or questions.

- F. CFO Kaltman reported on setting the SFY2020-Q3 short-term interest rate for the Water and Transportation Bank Program. The rate for the quarter was set at 1.25% effective January 1, 2020. CFO Kaltman reaffirmed that, pursuant to Resolution No. 19-09, Water Bank borrowers will not be charged interest on short-term construction loans until such time that the I-Bank utilizes short-term funds from an external source. Mr. Kanef inquired whether the I-Bank is going to change the basis for rate calculation to an index other than LIBOR due to LIBOR being eliminated. CFO Kaltman responded that the new short-term loan resolution expected to be presented at the February meeting would contain a different index.

There were no comments or questions.

8. NEW BUSINESS:

- A. Executive Director Zimmer introduced Comptroller Bruther to present Resolution No. 20-01 accepting the November 2019 Treasurer's Report.

Comptroller Bruther asked if there were any comments or questions. Hearing none, Secretary Longo requested a motion for approval.

The resolution was moved for adoption by Mr. Ellis and seconded by Mr. Kanef. The motion was carried with all 7 members voting in favor of the motion.

- B. Executive Director Zimmer introduced COO Peterson to present Resolution No. 20-02 approving a one-year extension of the Internal Controls Auditing Services Contract. COO Peterson advised pursuant to Resolution No. 18-29, the Board recognized the potential need for a one-year contract extension, subject to further board approval. This resolution authorizes extending the Internal Controls Auditing services contract for the I-Bank for an additional one-year term, until February 28, 2021, pursuant to the terms and conditions set forth in the original agreement.

COO Peterson asked if there were any comments or questions. Hearing none, Secretary Longo requested a motion for approval.

The resolution was moved for adoption by Ms. Holmes and seconded by Mr. Ellis. The motion was carried with all 7 members voting in favor of the motion.

- C. Executive Director Zimmer introduced CFO Kaltman to present Resolution No. 20-03 authorizing the issuance of a Request for Proposals (“RFP”) for a Trustee and Escrow Agent for the SFY2021 & SFY2022 Financing Programs. CFO Kaltman advised this resolution authorizes the I-Bank to issue an RFP for Trustee and Escrow Agent services for all Water Bank and Transportation Bank bonds expected to be issued in State Fiscal Years 2021 and 2022 Financing Programs with an option to extend the contract for two additional years.

CFO Kaltman asked if there were any comments or questions. Hearing none, Secretary Longo requested a motion for approval.

The resolution was moved for adoption by Mr. Kanef and seconded by Ms. Holmes.

The motion was carried with all 7 members voting in favor of the motion.

- D. Executive Director Zimmer introduced Resolution No. 20-04. advising that the resolution restated and amended the terms and conditions of Resolution No. 17-38, the Disaster Relief Emergency Financing (“SAIL”) Program. This resolution effects two changes to the SAIL program: (i) it aligns the interest rate calculation for the SAIL Program with all other Water Bank short term loan programs, and (ii) it authorizes the issuance of an RFQ for a pool of prequalified engineering firms to position the SAIL Program to be ready to serve Water Bank disaster loan applicants in the event of a declared disaster by expediting the procurement process.

Executive Director Zimmer asked if there were any comments or questions. Mr. Kanef asked the basis upon which a firm would be selected for a contact. Mr. Zimmer advised that the terms are based on fee proposed and experience as set forth in the criteria in the RFQ attached to the resolution, Secretary Longo requested a motion for approval

The resolution was moved for adoption by Mr. Kanef and seconded by Mr. Ellis.

The motion was carried with all 7 members voting in favor of the motion.

9. EXECUTIVE SESSION:

Secretary Longo asked if there was a need for an Executive Session. Executive Director Zimmer responded there was not.

Secretary Longo asked Executive Director Zimmer if there was any further action required by the Board. Executive Director Zimmer answered there was not.

Secretary Longo then asked for a motion for an adjournment.

Mr. Ellis moved to adjourn the meeting. The motion was seconded by Mr. Kocsis.

The motion was carried with all 7 members voting in favor of the motion.

The meeting was adjourned at 10:39am.

RESOLUTION NO. 20 - 01

**RESOLUTION AUTHORIZING APPROVAL OF THE
NOVEMBER 2019 TREASURER'S REPORT**

WHEREAS, the New Jersey Infrastructure Bank (the "I-Bank") has reviewed the Treasurer's Report for November 2019; and

WHEREAS, the I-Bank has placed in its files certain correspondence relating to expenses incurred in relation to the I-Bank.

NOW THEREFORE, BE IT RESOLVED, that the I-Bank hereby accepts the Treasurer's Report for November 2019 and requests that the same be entered into the record.

Adopted Date: January 16, 2020

Motion Made By: Mr. Roger Ellis

Motion Seconded By: Mr. Michael Kanef

Ayes: 7

Nays: 0

Abstentions: 0

RESOLUTION NO. 20 - 02

**RESOLUTION OF THE NEW JERSEY INFRASTRUCTURE BANK AUTHORIZING
A ONE-YEAR EXTENSION OF ITS AGREEMENT WITH COHN REZNICK
FOR INTERNAL CONTROLS AUDITING SERVICES**

WHEREAS, pursuant to Section 5 of the New Jersey Infrastructure Trust Act, constituting Chapter 334 of the Pamphlet Laws of 1985 of the State of New Jersey (codified at N.J.S.A. 58:11B-1 et seq.), the New Jersey Infrastructure Bank (“I-Bank”) is authorized to enter agreements necessary to the performance of its duties; and

WHEREAS, pursuant to Resolution No. 18-02, the the Board of Directors of the I-Bank (“Board”) authorized the Executive Director of the I-Bank to solicit proposals for Internal Controls Auditing services; and

WHEREAS, the I-Bank competitively procured Internal Controls Auditing services through formal advertisement and distribution of a Request for Proposals (“RFP”) pursuant to I-Bank Policy and Procedure 4.0 and Executive Order No. 26; and

WHEREAS, pursuant to Resolution No. 18-29, the Board authorized the appointment of the highest ranked firm, CohnReznick, LLC (“CohnReznick”) for March 26, 2018 to February 28, 2020 with an option for a one-year extension subject to Board approval; and

WHEREAS, on August 10, 2018, an agreement was entered between the I-Bank and CohnReznick (“Original Contract”) appointing CohnReznick as provider of Internal Controls Auditing services; and

WHEREAS, the Original Contract approved by the Board pursuant to Resolution 18-29 provides for an extension for up to one year, subject to Board authorization; and

WHEREAS, it is the desire of the Board to exercise the one-year option to renew the Original Contract with CohnReznick as the Board deems continued appointment of CohnReznick for Internal Controls Auditing services to be appropriate.

NOW THEREFORE BE IT RESOLVED, as follows:

- a. The Board hereby authorizes the extension of the Original Contract with CohnReznick for one year under the same terms and conditions, including price, set forth in the Original Contract.
- b. The Secretary is authorized to issue a contract extension to CohnReznick in accordance with section (a) of this Resolution and to take such other actions as the Secretary deems necessary and appropriate to carry out the terms of this Resolution.

Adopted Date: January 16, 2020

Motion Made By: Ms. Kimberly Holmes

Motion Seconded By: Mr. Michael Kanef

Ayes: 7

Nays: 0

Abstentions: 0

RESOLUTION NO. 20 - 03

**RESOLUTION OF THE NEW JERSEY INFRASTRUCTURE BANK AUTHORIZING
THE ISSUANCE OF A REQUEST FOR PROPOSALS FOR A TRUSTEE/ESCROW AGENT**

WHEREAS, pursuant to Section 5 of the New Jersey Infrastructure Trust Act, constituting Chapter 334 of the Pamphlet Laws of 1985 of the State of New Jersey (codified at N.J.S.A. 58:11B-1 et seq.), the New Jersey Infrastructure Bank (“I-Bank”) is authorized to enter agreements necessary to the performance of its duties; and

WHEREAS, the services of an escrow agent are necessary in the implementation of the New Jersey Environmental Infrastructure Financing Program (“Water Bank”) and the New Jersey Transportation Financing Program (“Transportation Bank”) for various functions prior to the closing of pooled loans including but not limited to collecting and releasing loan closing documents at the beginning and end of the escrow period respectively; and

WHEREAS, the services of a trustee are necessary in the implementation of the Water Bank and Transportation Bank to perform various administrative functions set forth in the bond documents after bond sale such as to establish various accounts, make interest payments to bond holders, and represent the interests of bond holders in the event of default; and

WHEREAS, the I-Bank typically utilizes the services of a single financial institution to provide trustee and escrow agent services; and

WHEREAS, the I-Bank deems the services of a trustee and escrow agent necessary to the success of the SFY2021 and SFY2022 Financing Programs.

NOW THEREFORE BE IT RESOLVED, that the I-Bank Board of Directors (“Board”) hereby authorizes the Executive Director, in consultation with counsel, to prepare and distribute a Request for Proposals for Trustee/Escrow Agent services as may be determined in accordance with the provisions of Executive Order No. 26, and other laws of the State of New Jersey; and

BE IT FURTHER RESOLVED, that the Executive Director is further authorized to establish a committee to review all proposals in accordance with the I-Bank’s Policy and Procedures and to make a report and recommendation to the Executive Director as to the selection a Trustee/Escrow Agent for a contract period of two years with an option for an additional two-year period upon approval by the Board; and

BE IT FURTHER RESOLVED, that the Executive Director is authorized to take all other actions consistent with approved procedures to procure the services of a Trustee/Escrow Agent.

Adopted Date: January 16, 2020

Motion Made By: Mr. Michael Kanef

Motion Seconded By: Ms. Kimberly Holmes

Ayes: 7

Nays: 0

Abstentions: 0

RESOLUTION NO. 20 - 04

FOURTH AMENDED AND RESTATED RESOLUTION OF THE NEW JERSEY INFRASTRUCTURE BANK AUTHORIZING THE DISASTER RELIEF EMERGENCY FINANCING PROGRAM

WHEREAS, the New Jersey Infrastructure Bank (“I-Bank”), pursuant to and in accordance with the “New Jersey Infrastructure Trust Act,” constituting Chapter 334 of the Pamphlet Laws of 1985 of the State of New Jersey (“State”) (codified at N.J.S.A. 58:11B-1 et seq.), as the same has been, and in the future may from time to time be, amended and supplemented (“Act”), is authorized, pursuant to the Disaster Relief Emergency Financing Program, also known as the “Statewide Assistance Infrastructure Loan Program” or “SAIL,” to make loans (each, a “Relief Loan”) to eligible project sponsors (each, a “Borrower”) for the purpose of financing the allowable costs of eligible environmental infrastructure projects (each, a “Project”), provided that each such Relief Loan made by the I-Bank satisfies the requirements of the Act; and

WHEREAS, pursuant to the provisions of the Act, a proposed project sponsor is eligible to be a Borrower for a Relief Loan for the purposes of financing the allowable costs of the eligible Projects of such Borrower pursuant to SAIL, provided each of the following conditions (collectively, the “SAIL Funding Eligibility Conditions”) is satisfied in full: (i) the Commissioner of the New Jersey Department of Environmental Protection (“NJDEP”) has determined and certified in writing that the Project is necessary and appropriate to (a) repair damage to a wastewater treatment system or water supply facility directly arising from an act of terrorism, seismic activity or weather conditions that occurred within the three State Fiscal Years after a declaration by the Governor of the State (“Governor”) of a state of emergency, provided that such wastewater treatment system or water supply facility is located in a county included in the Governor’s state of emergency declaration, (b) mitigate the risk of future damage to a wastewater treatment system or water supply facility from an act of terrorism, seismic activity or weather conditions comparable in scope and severity to an act of terrorism, seismic activity or weather conditions that occurred within the three State Fiscal Years that gave rise to a declaration by the Governor of a state of emergency, provided that such wastewater treatment system or water supply facility is located in a county included in the Governor’s state of emergency declaration; (ii) the Project is listed on the Disaster Relief Emergency Financing Program Eligibility List for funding submitted to the Legislature in a form provided by the Commissioner of the NJDEP no more than three years after the conditions that gave rise to a declaration by the Governor of a state of emergency; (iii) the proposed Borrower has submitted a complete application for the Project to the I-Bank; (iv) the Board of Directors of the I-Bank has certified the Project; and (v) the proposed Borrower has not previously received a Relief Loan through SAIL for the same project scope; and

WHEREAS, it is the desire of the I-Bank, subject to the terms and provisions of the Act and this Resolution, to authorize the implementation of SAIL; and

WHEREAS, in order to provide a source of funding for the implementation of SAIL, there has been appropriated to the I-Bank (“Appropriation”), subject to the approval of the Commissioner of the NJDEP, (a) funds pursuant to the Disaster Relief Appropriations Act of 2013 (Public Law 113-2), (b) repayments of loans deposited in any account, including, without limitation, the Clean Water State Revolving Fund Accounts contained within the “Wastewater Treatment Fund,” the “1992 Wastewater Treatment Fund,” the “Water Supply Fund,” and the “Stormwater Management and Combined Sewer Overflow Abatement Fund,” the Drinking Water State Revolving Fund, and (c) net earnings received from the investment and reinvestment of such deposits; and such sums shall be deposited, upon the approval of the Commissioner of NJDEP, in the segregated fund created by the I-Bank pursuant to the Act for the purpose of funding SAIL; and

WHEREAS, in addition to the fund made available to the I-Bank pursuant to the Appropriation for purposes of SAIL, it is the desire of the I-Bank to provide, as additional sources of funding for SAIL, (i)(a) net earnings with respect to funds held by the I-Bank, which available I-Bank revenues may be made available by the I-Bank to Borrowers participating in SAIL at the election of an Authorized Officer (as hereinafter defined), and (b) operating funds of the I-Bank that are not required for, or committed to, the operations of the I-Bank for State Fiscal Years 2021, 2022, 2023, 2024 or 2025 (collectively, the “Available I-Bank Revenues”); and (iii) amounts drawn upon a line of credit or similar financial instrument procured by the I-Bank from a commercial bank or such other similar lending institution, pursuant to the terms of this Resolution (“Line of Credit;” the Appropriation, the Available Trust Revenues and the Line of credit shall be referred to collectively as the “Available Funds”); and

WHEREAS, the Board of Directors of the I-Bank (“Board”), on June 13, 2013, adopted that certain “Resolution of the New Jersey Environmental Infrastructure Trust Authorizing the Disaster Relief Emergency Financing Program” (Resolution No. 13-33) (“Initial Resolution”); and

WHEREAS, the Board, on August 8, 2013, adopted that certain “Amended and Restated Resolution of the New Jersey Environmental Infrastructure Trust Authorizing the Disaster Relief Emergency Financing Program” (Resolution No. 13-47) (“First Amended Resolution”), which amended and restated in its entirety the Initial Resolution; and

WHEREAS, the Board, on December 12, 2013, adopted that certain “Second Amended and Restated Resolution of the New Jersey Environmental Infrastructure Trust Authorizing the Disaster Relief Emergency Financing Program” (Resolution No. 13-73) (“Second Amended Resolution”), which amended and restated in its entirety the First Amended Resolution; and

WHEREAS, the Board, on June 15, 2017, adopted that certain “Third Amended and Restated Resolution of the New Jersey Environmental Infrastructure Trust Authorizing the

Disaster Relief Emergency Financing Program” (Resolution No. 17-38) (“Third Amended Resolution”), which amended and restated in its entirety the Second Amended Resolution; and

WHEREAS, the Board wants to amend and restate in its entirety the Third Amended Resolution for the purpose of amending certain provisions of the Third Amended Resolution in connection with further development and implementation of SAIL; and

WHEREAS, it is the desire of the I-Bank to offer consistent Water Bank short-term interest rates across the Program; and

WHEREAS, it is the desire of the I-Bank to have a standing authorization to issue a request for qualifications to establish a pool of qualified engineering firms, from which one or more firms may be selected for project assistance pursuant to a subsequent solicitation of proposals; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the New Jersey Infrastructure Bank, as follows:

Section 1. The Board of Directors of the I-Bank hereby restates the Third Amended Resolution in its entirety and amends it pursuant to the terms and provisions hereof; and

Section 2. The Board of Directors of the I-Bank hereby amends section 6(ii) of the Third Amended Resolution as follows:

The Interest Rate Calculation to be paid by a Borrower to the I-Bank with respect to the repayment of a Relief Loan shall be calculated in accordance with the interest rate calculation as set forth in the governing Water Bank Short Term Loan Resolution provided, however, that the portion of the Relief Loan that shall finance the NJDEP loan origination fee may be determined by an Authorized Officer, at his or her discretion, to bear interest at a rate of 0.00% as an alternative to the rate of interest that otherwise would be applicable to that portion of the Relief Loan pursuant to the provisions of this Section.

Section 3. The Board of Directors hereby authorizes the Executive Director to prepare and distribute a Request for Qualifications or a Request for Proposals (in either case, an “RFP”) consistent with the form attached hereto as Exhibit A for the purposes of establishing a pre-qualified pool of consulting engineering firms pursuant to Policy and Procedure No. 4.00 (“Procurement Policy”); and

(a) the Executive Director shall present the Board with a recommendation to establish the pool of engineering firms; and

(b) the award of any contract to one or more of the pre-qualified consulting engineering firm(s) in the pool shall be made only upon authorization by official action by the Board at a future Board meeting; and

(c) the Executive Director is authorized to take all other actions consistent with the Procurement Policy to procure a pool of consulting engineering firms to provide services for the SAIL Program consistent with the RFQ.

Adopted Date: January 16, 2020

Motion Made By: Mr. Michael Kanef

Motion Seconded By: Mr. Roger Ellis

Ayes: 7

Nays: 0

Abstentions: 0

Attachment A to Resolution 20 – 04



Request for Qualifications (RFQ)

**CONSULTING ENGINEERING SERVICES for
THE DISASTER RELIEF FINANCING PROGRAM**

**Issued by the
New Jersey Infrastructure Bank**

**Date Issued:
XXXXXXX**

**RFQ Question Submission Cut-Off Date:
5:00PM EST XXXXXXX**

**Proposals Due Date:
12:00 Noon EST XXXXXX**

**3131 Princeton Pike, Building 4, Suite 216
Lawrenceville, NJ 08648
(609) 219-8600**

**Please Label Proposals with Firm's Name and
"Proposal for Engineering Services"**

**NEW JERSEY INFRASTRUCTURE BANK
REQUEST FOR QUALIFICATIONS
FOR ENGINEERING SERVICES**

I. OBJECTIVE

The New Jersey Infrastructure I-Bank (“I-Bank”) is seeking to select a pool of qualified engineering firms (“Contractors”) to serve as the technical oversight contractors for the New Jersey Disaster Relief Financing Program, also known as the “Statewide Assistance Infrastructure Loan Program” (“SAIL Program”), to provide consulting environmental and engineering services, engineering design review and construction management services necessary for the approval of applications for financing of wastewater and drinking water environmental infrastructure projects (“Project Applicants”). Project Applicants should demonstrate knowledge and experience with respect to all aspects of engineering services required by a municipal entity. No more than four (4) Contractors that meet the requirements set forth herein will be included in the pool of pre-qualified engineering contractors. The I-Bank will select one or more Contractors from the pool upon solicitation of proposals of expertise, cost and hours to perform work relative to identified Project Applicants. The decision to proceed with such solicitation will be made by the I-Bank in its sole discretion. The award of work shall be made pursuant to the weights and criteria as set forth herein.

II. BACKGROUND

The I-Bank was created by the Legislature in 1985 in recognition of the State's need for an independent State Authority to manage the efficient and low-cost financing for environmental infrastructure projects. Through the New Jersey Environmental Infrastructure Financing Program (“Water Bank”), the New Jersey Department of Environmental Protection (“NJDEP”), together with the I-Bank, ensure that the State’s water infrastructure (which is critical in protecting public health, water quality, the State's natural resources and supporting economic growth) is properly constructed to meet State and Federal standards. The NJDEP and the I-Bank have partnered with a focus on cost and operational efficiencies to leverage State and Federal funds and loan repayments through I-Bank publicly issued bonds to provide the lowest possible interest rate loans to SAIL Program participants for the construction of environmental infrastructure projects.

Projects eligible for funding through the Water Bank involve a wide variety of wastewater systems, stormwater systems, and potable drinking water systems. Specific projects include, but are not limited to: waste water treatment plant construction, upgrades and improvements, combined sewer overflow abatement facilities, and stormwater management activities, including land preservation, all of which serve to keep pollutants out of the State’s rivers, lakes and other water bodies in order to create a cleaner, healthier environment while simultaneously promoting safer health and recreational opportunities. Projects that improve potable water treatment and distribution systems in order to provide safe drinking water to the residents of New Jersey are also eligible for funding through the Water Bank.

The NJDEP reviews clean water and drinking water project submissions to draft environmental assessments and evaluate the need for permits/approvals to implement these projects. The initial project submissions range in form from equipment purchases and water and sewer line repair or replacement to

complex regional treatment plant expansion, upgrade projects, backup power generation projects and generator purchases and flood resiliency projects.

The program has developed enterprise level software, H2LOans, to receive project applications, and manage application review. H2LOans is an online application utilized by approximately 1,000 members of the public and 150 program staff in the application review process. Specifically, H2LOans houses uploaded documents, gathers information via online forms, and tracks staff actions regarding each project application.

In addition to the base financing program, the Water Bank administers short-term funds as bridge loans through the SAIL Program in the aftermath of a declared disaster in advance of receipt of federal program grants offered in the form of reimbursement for water infrastructure projects. For example, New Jersey's critical environmental infrastructure, specifically wastewater treatment, drinking water and stormwater facilities, were heavily damaged during Superstorm Sandy. The numerous repair and improvement projects significantly strained local government resources as these impacted communities engaged contractors for their essential infrastructure projects prior to receipt of Federal Emergency Management Agency ("FEMA") reimbursement funds. The SAIL Program is instrumental in providing ready funds to local governments, eligible for FEMA public assistance, to help them meet their short-term cash flow needs.

Experienced technical engineering assistance in the review of documentation for construction design, construction management, and the disbursement of funds is critical to ensuring public funds for rehabilitation of wastewater and drinking water facilities together with related force mains, system interconnections and other subsurface infrastructure, are expended responsibly.

III. OVERVIEW OF ENGINEERING AND TECHNICAL SUPPORT FOR THE I-BANK/NJDEP

The objective of the requested work is to provide dedicated technical and engineering design and construction management review (hereafter "Engineering Services") for clean water and drinking water projects under the purview of the SAIL Program.

The Engineering Services sought herein will aid the SAIL Program to expedite processing and review of relevant projects, and to prevent, detect, and remediate waste, fraud, and abuse so that only eligible projects proceed to construction, based on costs determined to be eligible, so as to ensure consistency with state and federal program requirements.

The Contractor shall provide third-party technical and engineering oversight in the areas of environmental, engineering, and requisition reviews based on professional engineering standards as well as I-Bank checklists and standards. These are functions normally performed by NJDEP's Municipal Finance and Construction Element for the I-Bank's SAIL Program. The Contractor will comply with the Performance Surveillance Plan included with this Scope of Work. The Contractor must ensure that the reviews are designed and applied to eliminate any potential for waste, fraud and abuse.

Projects will be assigned by the I-Bank staff ("Program Staff") to the Contractor and the necessary reviews shall be completed in a short timeframe to meet project and funding deadlines. Due to the need to ensure thorough engineering review is conducted efficiently, the Contractor staff may be required to report to Trenton, New Jersey at the NJDEP offices from time to time as directed in order to have on-site access to necessary project documents and files. Feedback shall be sought from Program Staff so that the technical

and engineering assistance provided through the reviews ensure integrity of the project and the responsible disbursement of public funds while also recognizing the need to restore and protect the State's critical environmental infrastructure.

Note: If more than one firm is selected to the Engineering Consulting Pool, the I-Bank will then select one or more Firms for each specific assignment on a case-by-case basis from among the pool of Pre-Qualified Firms. In its solicitation of proposals to the Engineering Consulting Pool, the I-Bank will identify the specific tasks to be performed and the projects for which such tasks will be performed. Selection will be based upon the following criteria and weights: staff expertise (3), total price (5), and prior experience with FEMA reviews or the NJ Water Bank SAIL program (4).. Appointment to the Engineering Consulting Pool does not guarantee that a Pre-Qualified Firm will be assigned to a particular assignment, and the I-Bank further reserves the right to change firms on a particular assignment at any given time. Program Staff makes no representations as to the number of projects to be assigned to the Contractor (if any), and any references to projects to be reviewed by the Contractor herein is for illustration purposes only.

IV. PROJECT REVIEW - SCOPE OF WORK (SOW)

The winning proposers will be expected to serve in a pool of engineers to provide engineering consulting services for a period of two (2) years with a one (1) year option to renew. The Scope of Work ("SOW") to be provided to the I-Bank/NJDEP under this Agreement is organized into the major tasks as detailed below. The Contractor shall provide all personnel, services, materials and equipment required to conduct the Tasks assigned. The major tasks are complementary, and tasks typically performed in one task may be incorporated into another task as necessary to properly complete the work.

Task 1: Technical and Engineering Support Kick-Off Meeting

Within 10 days of work assignment approval, the Contractor shall hold a kick-off meeting with Program Staff to discuss all tasks and deliverables required under the Agreement.

Deliverables for Task 1: The Contractor shall provide a written summary of the meeting to the Program Staff within ten (10) calendar days of the kick-off meeting.

Task 2: Environmental Oversight and Review Assistance.

The Contractor may be asked to provide oversight and technical and engineering support to the I-Bank by assessing environmental and permitting compliance. A preliminary engineering and environmental review shall consist of identification of the required permits (**Attachment A**) and reviewing a FEMA produced record of environmental consideration report (**Attachment B**). The Contractor shall resolve any issues pertaining to the completion of the review, but should an issue or item arise as a result of the environmental review that requires State approval then the Contractor shall notify the I-Bank immediately in order to seek approval. During all contact with individuals outside of the I-Bank, Contractor staff shall identify themselves as a contractor with the I-Bank. For estimating purposes, it is expected that the Contractor will provide an average of 40 hours environmental oversight and review per project. Included in the 40-hour allotment are any administrative compliance reviews required precedent to the commencement of tasks 2 and 3.

The Contractor will also review an NJDEP produced environmental decision document ("EDD") to ensure project description and documents are consistent with all contract documents. The Contractor will

monitor any changes in the project during construction to establish if there are any environmental impacts related to such changes.

Deliverables for Task 2: A completed environmental review summary shall constitute the deliverable for this task. The completed environmental review summary must identify any permits that may be required, as well as whether the required permits have already been acquired for the project. If permits have not been acquired, the Contractor must work with both the project representative as well as NJDEP/I-Bank to ensure that all permits have been acquired as a prerequisite to project certification. The completed environmental review summary and supporting documentation shall be provided within five (5) calendar days after review completion. Additionally, completion of an environmental review for a project shall be documented in the weekly project progress tracking report required under Task 5 of this work assignment.

Task 3: Engineering Oversight and Monitoring.

The Contractor may be asked to provide technical and engineering support to Program Staff by conducting engineering reviews of projects funded through the SAIL Program. The technical review will be in compliance with Water Bank Program standards, using a checklist provided by the Water Bank. ***Attachment C*** is included with this work assignment to provide a sample checklist that shall be completed. These projects shall be assigned to the Contractor by Program staff on a rolling basis.

The purpose of the assistance shall be to provide a professional assessment of project contract documents using the Water Bank engineering review checklist and process. The Contractor must have knowledge of the NJ Water Bank, the Stafford Act and all applicable FEMA regulations as provided in Title 44 of the Code of Federal Regulations (CFR) and FEMA policies that govern the Public Assistance and/or Hazard Mitigation programs and shall adhere to the application of the Stafford Act and those applicable regulations and policies as a condition for the acceptance of and expenditure of said FEMA funding. The Contractor shall resolve any issues pertaining to the completion of the checklist or process but should an issue or item arise as a result of the engineering review that requires State approval, then the Contractor shall notify Program Staff immediately in order to obtain approval. During all contact with individuals outside of the I-Bank, Contractor staff shall identify themselves as a contractor with the I-Bank.

For estimating purposes, it is expected that the Contractor will provide an average of 40 hours of technical and engineering review assistance per project. The engineering reviews shall be completed in a short timeframe of four (4) weeks from the date of assignment or the date of receipt of full design plans and specifications. Due to the need of expedited engineering reviews, Contractor staff may be required to work in Trenton, NJ at the NJDEP offices at 401 East State Street in order to have on-site access to necessary project documents and files.

Subsequent to the engineering review, the Contractor may be asked to perform addendum and contract award review to ensure that all proper procurement laws were adhered to prior to any contract award and the commencement of Task 4.

Deliverables for Task 3: A completed NJEIFP engineering review checklist, supporting documentation, draft Authorization to Advertise, and draft Authorization to Award for each Contractor-reviewed Project shall constitute the deliverables for this task. The completed engineering review checklist and supporting documentation shall be provided within five (5) calendar days after review completion. Additionally, completion of an engineering review for a project shall be documented in the weekly project progress

tracking report required under Task 5 of this work assignment. In order to achieve approximately 6 engineering reviews in a twelve-week timeframe, the Contractor shall endeavor to complete 2 engineering reviews per month.

Task 4 – Request or Reimbursement (Requisition) Review and On-Site Inspection Assistance

The Contractor will provide technical and engineering support to the I-Bank by conducting multiple requisition reviews for all projects submitting a request for reimbursement (**Attachment D**). The purpose of the requisition review is to ensure that all amounts being requested by a Project Sponsor are eligible and properly justified as well as in line with the approved project scope. The Contractor will be required to regularly perform location based “on-site” inspections (**Attachment E**) at least every 90 days in order to verify that ongoing work is compliant with approved design and specifications and that any potential waste, fraud and abuse is eliminated.

For estimating purposes, it is expected that construction for the average project will take 18 months to complete requiring the Contractor to commit a total of approximately 720 hours per project for requisition review/approval and on-site inspections.

Deliverables for Task 4:

A completed approved or denied requisition package and supporting documentation including monthly site inspection reports for each Contractor-reviewed project shall constitute the deliverables for this task. A completed approved or denied requisition package and supporting documentation shall be provided within five (5) calendar days after receipt of each request for reimbursement. Additionally, all requisition approvals/denials shall be documented in the weekly project progress tracking report required under Task 5 of this work assignment. Any denials as a result of alleged waste, fraud or abuse must be reported to the I-Bank immediately.

Task 5: Project Progress Reports.

Due to the short timeframe to complete the necessary reviews, at the request of Program Staff, the Contractor will conduct interim meetings with Program Staff to ensure that any problems related to Tasks 2, 3 and 4 are quickly identified, discussed, and resolved with a minimum of delay and to minimize potential misunderstandings and costs. The monthly meetings shall range from thirty (30) minutes to one hour in length, and shall typically be held on Thursday unless scheduling conflicts occur at which point the meeting shall be rescheduled to another day in the same week that is convenient for Program Staff and the Contractor. The Contractor shall also provide a simple progress tracking sheet that lists the assigned projects, types of reviews complete (environmental, engineering, requisition), the start and end dates of the reviews, and the number of hours spent per review.

Deliverables for Task 5: Monthly project progress tracking sheets are due on the first Monday of every month.

Task 6: Miscellaneous Services.

The Contractor may be called upon by Program Staff to provide a variety of technical or administrative services relative to the DWSRF or CWSRF program. For any services requested, Program Staff will provide a Task Order which describes the requested services, the timeframe for providing the services, and

required deliverables. In response to the Task Order, the Contractor would provide a not-to-exceed budget with all anticipated labor and non-labor costs. I-Bank will pay the Contractor for services rendered pursuant to any such Task Order on a time and materials basis, up to the not-to-exceed budget amount.

V. PROPOSAL SCHEDULE

Schedule (subject to change as required)

RFQ published and distributed	xxxxxx
Deadline for RFQ questions	xxxxxx
Response to RFQ questions ¹	xxxxxx
Proposals due	xxxxxx
Finalists contacted for interviews	xxxxxx
Interviews w/ finalists (if needed)	xxxxxx
Selection and Board of Directors approval	xxxxxx

¹ All responses to RFQ questions will be posted on the I-Bank’s website.

SUBMISSION OF QUESTIONS REGARDING THIS RFQ

Note: Any questions regarding this RFQ must be submitted to the I-Bank. The I-Bank will accept questions and inquiries from all potential bidders electronically via email. To submit a question, please email the I-Bank at procurement@njib.gov referencing “Consulting Engineering Services RFQ Questions” in the subject line. Questions should be directly tied to the RFQ and asked in consecutive order, from beginning to end, following the organization of the RFQ. Each question should begin by referencing the RFQ page number and section number to which it relates. The cut-off date for electronic questions and inquiries relating to this RFQ is [X].

Bidders are not to contact the I-Bank directly, in person, or by telephone concerning this RFQ, only via email as described above.

Addenda to this RFQ, if any, will be posted on the I-Bank website, www.njib.gov, after the cut-off date.

The I-Bank reserves the right to request additional responses for qualified professionals to supplement the pool in accordance with its own policies and relevant New Jersey law, in its sole discretion.

RFQ respondents must identify any potential conflicts, included but not limited to, representation for applicants for SAIL Financing.

VI. RESPONSE TO REQUEST FOR QUALIFICATIONS

Each firm submitting a proposal must follow the instructions contained in this RFQ in preparing and submitting its proposal. Proposals should be completed in the most concise manner possible and must contain all of the information requested in the order and format requested.

The I-Bank established an RFQ Review Committee that will recommend to the Board those firm(s) deemed qualified to be members of the Consulting Engineering Pool. The Board shall adopt a Resolution

establishing the pool of qualified firms. Upon prequalification of one or more firm(s) to participate in the Consulting Engineering Pool, the I-Bank may issue a request for proposals (“RFP”) for the scope of work for the specific project to the prequalified firm(s) soliciting the number of hours necessary to perform such services and period of performance (as applicable). An amendment to the initial open-ended contract for the specific project contract will be executed with the highest ranked prequalified firm(s) submitting responsive proposals.

VII. PROPOSAL CONTENT

Each proposal should be economically prepared, with emphasis on completeness and clarity of content. A proposal, as well as any reference material presented, must be written in English and charts, spreadsheets, and oversize exhibits are permissible. All proposal pages must be numbered. It will be the proposing firm’s responsibility to provide all required information, including required attachments. No information beyond that specifically requested is required and proposing firms are requested to keep their submissions to the shortest length consistent with making a complete presentation of qualifications. Unless otherwise indicated, a proposal that does not provide all of the information requested below may be rejected.

The proposal should be submitted in one volume and that volume divided into three (3) sections with tabs (separators), and the content of the material located behind each tab, as follows:

- Sub-Section 1 – Technical Proposal
- Sub-Section 2 – Required Forms
- Sub-Section 3 – Fee (Include hourly rates only)
(Note – pricing for specific work engagement will be requested from designated pre-qualified firms pursuant to RFPs as described in Section VI above)

Each response to this RFQ must include a Technical Proposal as described below.

a. Sub-Section 1 - Technical Proposal

1. Responses - The Technical Proposal shall include responses to all of the information requested in this RFQ.
2. Contents – The Technical Proposal shall be organized as follows:

i. Letter of Transmittal

The Technical Proposal must provide the following information for those individuals who will be directly responsible for serving Program Staff on a day-to-day basis as well as identification of the individual who will lead the consulting effort if selected: names, addresses, telephone and facsimile numbers and email addresses.

- Include the signature of an authorized official of the firm who has been designated to submit the proposal on behalf of their firm. Provide the name and address of the firm, the name, telephone number, fax number, and e-mail address of individual or individuals responsible for the preparation of this proposal who may be contacted in the event of questions or notification, and the location of the office, if other than that shown above at which the services to be provided hereunder will be performed.
- A staffing plan listing those persons who will be assigned to the engagement if your firm is selected, including the designation of the person who would be responsible for the

engagement. This portion of the proposal should include the relevant resume information for the individuals who would be assigned, including at a minimum, a description of the person's relevant professional experience, years and type of experience, and number of years with the firm. Describe all licenses held and maintained by your firm, its directors, or officers and principals and any of the individuals who will be responsible for providing the services described in this RFQ that are required in order to do business in the State or elsewhere.

- Any subcontractors the contractor intends to work with to complete this engagement along with a detailed description and a clear explanation of why each subcontractor has been chosen.

ii. Business Information

The Technical Proposal should include the following information regarding the responding firm:

- The firm's experience and presence within the State of New Jersey, including the number of offices, the number of employees and the type of business activity conducted in the State as well as a description of the participation of women and minorities in the firm.
- A description of any material agreements, relationships, retainers or other employment that the firm or any employee of the firm has with any other local government units in the State of New Jersey.
- Identify any existing or potential conflicts of interest, as well as your representation of parties or other relationships that might be considered a conflict of interest, that may affect or involve transactions for the I-BANK.
- A description of any pending, concluded or threatened litigation and/or investigations, administrative proceedings or federal or state investigations or audits, subpoenas or other information requests of or involving the firm, its owners, principals or employees as well as a description of the nature and status of the matter and the resolution, if any.
- A listing of all current public clients, including information on the type of engagement.
- A listing of any potential conflicts, including but not limited to, representation for applicants for SAIL financing
- Six references, including at least three clients for whom services have been provided for at least three years. Provide the contact names, positions and phone numbers.

iii. Executive Summary

The Technical Proposal should include a well-organized summary of not more than four (4) pages with the first page dedicated to describing how the firm meets the minimum qualifications of this RFQ, and the remaining three pages identifying and substantiating the basis of your contention that you are the best qualified firm to provide the requested services.

iv. Program Management Approach

Each Proposer shall describe their approach to managing all activities required by this RFQ and to achieving the program goals and objectives as included within this RFQ and the attached documents. This section should include, but not be limited to, the following information:

- Delineation of roles assigned to team members and all sub-consultants
- Organization chart for the Proposer team members and sub-consultants

- Organization chart for key staff, including at least down to the task manager level and other key staff as the Proposer may deem important
 - Summary of the resources necessary to accomplish the program
 - Ability of the firm to increase resources as necessary to meet the needs of an increase in the number of assigned projects and/or the breadth of a project
 - The approach for coordination and communication with I-Bank/NJDEP staff
 - Other information as the Bidding Contractor may deem relevant
3. Experience and Qualification of Team Members – A description of the experience, capabilities and other qualifications of the Bidding Contractor’s team members, including but not limited to the following information:
- a. The experience of the Bidding Contractors firm (Prime or Joint Venture) and team members performed in the past ten (10) years, relative to the work described within this RFQ.
 - b. Three references from current and/or past clients and discuss the services that the firm has provided or is currently providing to them.
 - c. The Proposer’s experience and performance on similar programs including client references for at least three (but not more than five) projects that the Proposer believes to be relevant.
4. Other information as the Bidding Contractor may deem relevant

b. Sub-Section 2 - Required Forms

The following submissions are required. For form submissions see **Attachment F**.

1. Ownership Disclosure Form
2. Disclosure of Investigations/Actions
3. MacBride Principles Certification
4. Disclosure of Investment Activities in Iran
5. Affirmative Action Forms
6. Pursuant to N.J.S.A. 52:32-44, entities providing goods or services to the I-Bank must be registered with the New Jersey Department of the Treasury, Division of Revenue. Please provide a copy of your firm’s business registration certification (or interim registration). If the firm is not already registered with the New Jersey Division of Revenue, the form should be completed, online, at the Division of Revenue website:
www.state.nj.us/treasury/revenue/index.html
7. State agencies and independent authorities, such as the I-Bank, are limited in their ability to enter contracts with business entities that have made certain political contributions.
 - (i) If your firm has not previously submitted the certification and disclosure form(s) pursuant to P.L. 2005, c. 51/Executive Order No. 117, they must be completed. (see, P.L. 2005, c. 51, enacted March 22, 2005, which codified Executive Order No. 134 (McGreevey 2004), as amended by Executive Order No. 117 (Corzine 2008), (“P.L. 2005, c. 51/Executive Order No. 117”))
 - (ii) If your firm has previously submitted the certification and disclosure form(s) pursuant to P.L. 2005, c. 51/Executive Order No. 117 you are required only to submit the P.L. 2005, c. 51/Executive Order No. 117 “Certification of No Change.”

8. Firms are also advised of their responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Law Enforcement Commission (“ELEC”) pursuant to N.J.S.A. 19:44A-20.13 (P.L. 2005, c. 271, section 3) if the firm receives contracts with public entities in excess of \$50,000 or more in the aggregate from public entities, such as the I-Bank, in a calendar year. It is the firm’s responsibility to determine if filing is necessary. Failure to so file can result in the imposition of financial penalties by ELEC. Additional information about this requirement is available from ELEC at (888) 313-3532 or at www.elect.state.nj.us.
9. In compliance with NJSA 52:34-13.2 and P.L. 2005, c. 92, all service performed pursuant to this RFQ shall be performed within the United States.
10. Proposing Firm’s Emergency Preparedness Response Plans – To support continuity of operations during an emergency, including a pandemic, I-BANK needs a strategy for maintaining operations for an extended period of time. One part of this strategy is to ensure that essential contracts that provide critical business services to I-BANK have planned for such an emergency and put contingencies in place to provide needed goods and services.
 - (i) Describe how you anticipate such a crisis will impact your operations.
 - (ii) Describe your emergency response continuity of operations plan. Please attach a copy of your plan, or at a minimum, summarize how your plan addresses the following aspects of pandemic preparedness:
 - Employee training (describe your organization’s training plan, and how frequently your plan will be shared with employees).
 - Identify essential business functions and key employees (within your organization) necessary to carry them out.
 - Contingency plans for:
 - a. How your organization will handle staffing issues when a portion of key employees are incapacitated due to illness.
 - b. How employees in your organization will carry out the essential functions if contagion control measures prevent them from coming to the primary workplace.
 - c. How your organization will communicate with staff and suppliers when primary communications systems are overloaded or otherwise fail, including key contacts, chain of communications (including suppliers), etc.
 - d. How and when your emergency plan will be tested, and if the plan will be tested/audited by a third-party.

c. Sub-Section 3 - Fee Structure

Proposer must submit a detailed rate schedule (hourly rates to be charged for each category of professional staff) to perform the specific project objectives outlined in the SOW in the RFQ and the basis for assessing and calculating the various costs/fees for the retainer services. Include an hourly rate schedule and applicable administrative fees, if any. Please be advised that cost will not be the sole determining factor.

VIII. SUBMISSION REQUIREMENTS

Each Proposer must submit its Technical Proposal to the I-Bank in a sealed package that is clearly marked “Technical Proposal in Response to RFQ for Consulting Engineering Services – Do Not Open.”

Both electronic copy (via e-mail or a “soft copy” on a flash drive/stick) and one unbound original (via courier or overnight express mail) of your Proposal, which includes all Appendices and Forms required by Section VII (b) must be delivered **no later than 3:00 P.M. Eastern Standard Time on DATE to:**

David Zimmer
Executive Director
New Jersey Environmental Infrastructure Bank
3131 Princeton Pike, Office Building 4, Suite 216
Lawrenceville, NJ 08648
procurement@njib.gov
(609) 219-8600
Attn: Consulting Engineering

All questions must be received by 5:00 PM EST xxxxx. Questions received after this date and time will not be considered. Responses to all questions will be posted on the I-Bank’s website on xxxxxx.

All proposals must be received by 3:00 P.M., xxxxxxx. Proposals received after this date and time will not receive further consideration. If the I-Bank is interested in hearing presentations of the proposals from the three highest ranked firms, separate presentations will take place at a mutually agreeable time commencing DATE but not later than xxxxxx.

The I-Bank reserves the right; 1) to reject any and all proposals or 2) to waive any informalities or irregularities therein. The award will be made to the firm whose appointment as Consulting Engineer is deemed to be in the best interest of the I-Bank and the State.

IX. PERIOD OF SERVICES/ CONTRACT TERMS

a. Period of Services

The contract agreement shall be for the period commencing on or about DATE and shall continue until DATE. The I-Bank reserves the right to extend the term of the contract for one additional year, until DATE, at the option of the I-Bank Board of Directors.

b. Standard Terms and Conditions

The attached Standard Contract Terms and Conditions (**Attachment G**) are in addition to the terms and conditions set forth in the Request for Proposal (RFQ) and should be read in conjunction with same unless the RFQ specifically indicates otherwise. If a bidder proposes changes or modifications or takes exception to any of I-Bank’s terms and conditions, modification or exception in I-Bank’s terms and conditions by a bidder will be a factor in the determination of an award of the contract.

All of I-Bank’s terms and conditions will become a part of any contract(s) or order(s) awarded as a result of the RFQ, whether stated in part, in summary or by reference. In the event the bidder’s terms and conditions conflict with I-Bank’s, I-Bank’s terms and conditions will prevail, unless the bidder is notified in writing of I-Bank’s acceptance of the bidder’s terms and conditions.

Appointment of the consultant by the I-Bank is contingent upon the execution of an Agreement for Services.

c. Billing

Invoices submitted by the consultant shall be submitted to the I-Bank on the Consulting Engineering Services Invoice Form attached hereto as **Attachment H**.

X. EVALUATION PROCEDURE AND CRITERIA

The I-Bank has appointed a committee to review the proposals submitted in response to this request and make recommendations to the I-Bank Board of Directors. The committee will review all proposals in light of the major evaluation criteria set forth below and in the attached rating sheet (with corresponding weights).

- Experience and Ability of the Firm (2)

Provide a list of related project experience with pertinent project information. Provide the name of the project manager for each similar project completed. Present the proposed budget and schedule for each project in comparison to the final cost and completion time. References should be provided for each project.

- Personnel Assigned to Project (Project Team) (4)

For each project manager to be assigned, provide the name and a description of his or her experience, certifications, licenses and expertise. This person will direct and coordinate all phases of the project. Also, list the names of other key members of the project team, including environmental specialists or sub-consultants, along with their experience and expertise.

- Reputation of the Firm as a Respected Consulting Engineering Firm in the Field (2)

- Understanding of the Project (3)

Provide a brief statement as to the Consultant's understanding of the Scope of Work. Discuss the proposed planning, organization and management tools to be used to control schedule and costs.

- Fee (3)

Provide the hourly rates for each member of the team to be charged for all Consulting Engineering services necessary to perform the Scope of Work.

- Quality of Prior Relevant Service to the State or the I-Bank (3)

- Firm's Presence in New Jersey (1)

Presentation, if required. (the firms having the highest preliminary rankings based on the above criteria, may, in the I-Bank's discretion, be invited to conduct a presentation of their proposals at the I-Bank's Offices) (3).

Thereafter, evaluation committee members will separately finalize rankings and the evaluation committee will make a recommendation.

Oral Presentation(s) and/or Clarification of Proposal

The firms team members may be invited to make presentations for the limited purpose of reviewing the previously submitted proposals. The I-Bank may ask firms being interviewed to provide professional. The decision to conduct interviews or check references of one or more firms or members of their teams is at the sole discretion of the I-Bank.

The purpose of such communication with a bidder, either through an oral presentation or a letter of clarification, is to provide an opportunity for the bidder to clarify or elaborate on its bid proposal. Original bid proposals submitted, however, cannot be supplemented, changed, or corrected in any way. No comments regarding other bid proposals are permitted. Bidders may not attend presentations made by their competitors.

Attachments

- A. Permit Status Worksheet
- B. Sample FEMA Environmental Consideration Report
- C. Sample Technical Review Checklist
- D. Requisition Expense Review Checklist
- E. On-Site Construction Inspection Report
- F. Required Forms
 - I. Ownership Disclosure Form
 - II. Disclosure of Investigations/Actions
 - III. MacBride Principles Certification
 - IV. Disclosure of Investment Activities in Iran
 - V. Affirmative Action Forms
 - VI. NJ business registration certification (or interim registration) (N.J.S.A. 52:32-44)
 - VII. Political contributions (Pay-to-Play); E.O. No. 117
 - VIII. Political Contributions Form for ELEC (N.J.S.A. 19:44A-20.13)
 - IX. Certification of U.S. based work (NJSA 52:34-13.2)
- G. I-Bank Standard Form Contract and Standard Contract Terms and Conditions
- H. Consulting Engineering Services Invoice Form

I. Consulting Engineering Services Rating Sheet

Dated: xxxxxx

PERFORMANCE SURVEILLANCE PLAN

Performance Requirement	Measurable Performance Standards	Surveillance Methods	Incentives/Disincentives
<p>Management and Communications:</p> <p>During the life of this work assignment, the Contractor shall notify I-BANK immediately of any issues that may impact the timeliness of deliverables of the problems associated with the development of deliverables.</p>	<p>The Contractor shall maintain contact with I-BANK throughout the performance of the work assignment.</p> <p>The Contractor shall identify to I-BANK any delays with regard to deliverables not less than one week prior to the deliverable date that has been established in the work assignment or technical direction document.</p> <p>The Contractor shall identify to I-BANK any issues or concerns that have a direct impact on project schedules within three (3) days of occurrence.</p> <p>The Contractor shall provide options for I-BANK's consideration on resolving or mitigating the impacts identified.</p>	<p>I-BANK (as necessary) will allocate the time needed to discuss and address all issues identified by the Contractor. The I-BANK will document and maintain a complete record of the issues, agreements and outcome. The I-BANK will review monthly progress reports for indicators of problems not previously mentioned. The I-BANK will also monitor the timely receipt of deliverables. For those that are late without prior notice, the I-BANK will formally document to the Contracting Officer the late delivery.</p>	<p>If the Contractor fails to implement corrective actions after I-BANK identifies and provided written documentation of performance issues, I-BANK will rate this performance category "unsatisfactory."</p> <p>If three or more the active work assignments for the period are rated unsatisfactory, I-BANK will conduct a remedial review.</p>
<p>Cost Management and Control:</p> <p>The Contractor shall perform all work in an efficient and cost effective manner, applying cost control measures where practical.</p>	<p>The Contractor shall monitor, track and accurately report level of effort, labor cost, other direct cost and fee expenditures to I-BANK through monthly progress reports and approved special reporting requirements.</p> <p>The Contractor shall assign appropriately leveled and skilled personnel to all tasks. The Contractor should not exceed established work assignment ceilings and, in general, should expend dollars and hours at similar ratios. If either the expenditure of hours or dollars deviates significantly, the Contractor shall provide an explanation in its Monthly Progress Report.</p>	<p>The I-BANK will routinely meet with the Contractor's Project Manager to discuss the work progress and contract and individual work assignment level expenditures and may include the NJDEP and NJOEM to provide additional guidance in such meetings.</p> <p>The I-BANK shall review the Contractor's monthly progress reports and request the work assignment Managers to ensure that ceilings are not exceeded, that progress is being made, and that the Contractor is effectively utilizing the LOE provided under the work assignment. The I-BANK may NJDEP and NJOEM in the review of such report.</p>	<p>I-BANK will thoroughly review work assignment funding ceiling overruns to determine the Contractor's ability to control the situation. If I-BANK determines that the Contractor failed to control cost, the Contractor will be rated "unsatisfactory in this category."</p> <p>Multiple incidents of work assignment overrun that result in an overall cost overrun of greater than 4% of the approved total work assignment funding for the current contract period, I-BANK may determine that the cost shall be borne by the Contractor.</p>
<p>Quality of Product/Services:</p> <p>The Contractor shall ensure documents developed under this task order are quality products that are factual and based on sound science and engineering principles.</p>	<p>Products delivered under this work assignment must not contain any major factual errors. The analyses provided in each product shall be logical, consistent, and defensible.</p>	<p>The I-BANK will review all documents delivered under this work assignment for content accuracy.</p>	<p>If I-BANK determines that the Contractor's analyses is factually inaccurate or if significant technical errors are found in any documents produced by the Contractor, I-BANK may determine that the cost associated with redoing the work shall be borne by the Contractor.</p>

SUMMARY OF ANNOUNCEMENTS:

Executive Director Zimmer summarized the substantive events and correspondence issued since the last I-Bank Board meeting.

- On **January 10, 2020**, Executive Director Zimmer and Project Manager Rolon presented the Transportation Bank Financing Programs to Ocean County and various member municipalities at the Ocean County Library in Toms River;
- On **January 6, 2020**, Executive Director Zimmer and Project Manager Rolon presented the Transportation Bank Financing Programs to Somerset County and various member municipalities at the Somerset County Emergency Training Academy in Hillsborough Township;
- On **December 19, 2019**, Executive Director Zimmer convened the I-Bank's first Transportation Engineering Advisory Committee Meeting;
- On **December 13, 2019**, Executive Director Zimmer, COO Peterson and Legal Analyst Esposito attended the 2019 Jersey Water Works conference in New Brunswick;
- On **December 12, 2019**, COO Peterson represented the I-Bank at the inaugural meeting of the Interagency Council on Climate Resilience Strategy; and
- Program staff participated in various conference calls to discuss pre-planning and prospective financing program participation with:
 - Water Bank
 - Mendham Borough,
 - Hopatcong Borough, and
 - Sussex County MUA
 - Transportation Bank
 - Hackensack City
 - Plainfield City
- Executive Director Zimmer continues to serve as a Steering Committee member and co-Chair of the Jersey Water Works Asset Management and Finance Committee and co-host quarterly Finance Committee meetings;
- Assistant Director/Legal and Compliance Officer Karp is serving as the point person for the I-Bank, holding regular meetings with counterparts at NJDOT and NJDEP regarding the development and adoption of Program regulations for the Transportation Bank and Water Bank respectively; and
- The next Board meeting is scheduled for **Thursday, February 20, 2020 at 10:00 a.m.** at the I-Bank's offices. Please note, this is the **third Thursday** of the month.

SUMMARY OF CORRESPONDENCE:

During the past month, the I-Bank received or sent the noteworthy correspondence listed below. Pursuant to the I-Bank's Green Initiative, the agenda package does not include copies of the following correspondence. Board members should contact the I-Bank Administrative Assistant if they wish to receive hard copies.

- On **December 10, 2019**, a letter was sent to Mr. Adam D Loehner, Administrator for the Township of South Orange Village regarding Submission to DLGS of a Water Bank Financing Cost Estimate for Compliance with P.L. 2017, c.71 (WISE Act)

A copy of the announcements is available on the I-Bank's webpage (locate under "Board Information", "2019 Meetings", then select "Minutes", the announcements will be at the end of the file).

<https://www.njib.gov/nj/Board+Information.3>.