

CITY COUNCIL

The City of Orange Township, New Jersey

DATE October 18, 2022

NUMBER 406-2022

TITLE: A RESOLUTION AUTHORIZING BRIGHT VIEW ENGINEERING, 5 PITCAIRN DRIVE, ROSELAND, NEW JERSEY 07068 TO PROVIDE CONSTRUCTION ADMINISTRATION SERVICES RELATED TO THE HIGHLAND AVENUE TRAIN STATION REHABILITATION IN AN AMOUNT NOT TO EXCEED \$84,000.00.

WHEREAS, the City of Orange Township did duly advertise on November 19, 2021, for Request for Qualifications for Consulting Engineering Services; and

WHEREAS, on December 7, 2021, the City of Orange Township received ten (10) qualification proposals; and

WHEREAS, pursuant to the fair and open process, and based upon review of the qualifications and recommendations therefore, certain professionals are qualified to provide consulting engineering services on an "as needed" basis for the City of Orange Township; and

WHEREAS, the Director of Public Works & Engineering evaluated all proposal submitted based upon qualifications, experience with similar projects, and project understanding; and

WHEREAS, Municipal Council of the City of Orange Township did approve by Resolution #23-2022 the ten (10) bidders to provide professional consulting engineering services to the City of Orange Township on an "as needed" basis for the period of January 1, 2022, through December 31, 2022; and

WHEREAS, Resolution #23-2022 did not establish a contract and only listed qualified professionals for consideration on future projects; and

WHEREAS, a separate resolution is needed to enter into a contract to provide construction administration services related to the Highland Avenue Train Station Rehabilitation; and

WHEREAS, the Director of Public Works & Engineering agreed to select Bright View Engineering from the approved list of qualified professionals to provide construction administration services related to the Highland Avenue Train Station Rehabilitation; and

WHEREAS, the Chief Financial Officer of the City of Orange Township has prepared the necessary Certificate of Availability of Funds, a copy of which is attached hereto, certifying that funds are available for this purpose in Account No. C-04-05-005-000-000.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Orange Township, New Jersey as follows:

1. The Mayor is hereby authorized and directed to execute the attached Agreement with Bright View Engineering in an amount not to exceed \$84,000.00.

 A. MIZRAHI

2. Notice of this action shall be printed in the Orange Transcript as required by law within ten (10) days of its passage.
3. The agreement herein and this resolution are contingent upon certification of funds appropriate funding to render payment for services provided within.

Adopted: **October 18, 2022**

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President

CITY OF ORANGE
FINANCE DEPARTMENT

CERTIFICATION OF FUNDS
CAPITAL BUDGET

I, Nile Clements, Chief Financial Officer for the City of Orange, do hereby certify to the best of my knowledge and belief that there are now sufficient funds in the following Capital accounts to Contract with:

Vendor Name: Bright View Engineering
Address#1: 5 Pitcairn Drive

City: Roseland
State: New Jersey
Zip Code: 07068

Purpose: Construction Administration for Highland Ave. Train Station rehab

Fund: General Capital
Account Name : Orange Twp 5-05
Account Numbers(s): C-04-05-005-000-000
balance before 496,597.24
requested 84,000.00
balance after 412,597.24

Vendor ID: Bright View Engineering

Purchase Order #: 22-01852

PENDING RESOLUTION

Amount not to exceed: \$ 84,000.00

Division Head

Date

Nile Clements

9/28/2022

Chief Financial Officer

Date

AGREEMENT

This is an agreement made on _____ between the City of Orange Township, the “City” with an address at 29 North Day Street, Orange, New Jersey 07050, and Bright View Engineering, LLC, 5 Pitcairn Drive, Roseland, New Jersey 07068 (the “**Engineer**”).

RECITALS

WHEREAS, the City of Orange is a municipal corporation of the State of New Jersey, and has its principal place of business at 29 North Day Street, Orange, New Jersey 07050.

WHEREAS, the City hereby retains and employ the services of **Bright View Engineering, LLC** , as per **Resolution # ____-2022** to **provide construction administration services for the Highland Ave Train Station Rehabilitation** in accordance with the terms and conditions provided in this agreement and in the proposal dated _____.

WHEREAS, the “Engineer” is duly licensed to practice in the State of New Jersey and desires to render professional services for the City as provided in the agreement.

NOW, THEREFORE, the City engage the services of the “**Engineer**” and in consideration of the Recitals and the mutual promises contained in this agreement, the parties agree as follows:

1. This agreement shall be effective commencing on the date approved by resolution of the City Council of the City of Orange Township, and shall continue in effect until completion of the project, unless sooner terminated by the City by giving ten (10) days written notice to the other party.

SERVICES

2. The “**Engineer**” shall render **Bright View Engineering, LLC** in accordance with its proposal, dated _____, a copy of which is attached here to.

INSURANCE

7. The “**Engineer**” (1) shall be an independent contractor and not an employee of the City under this agreement; (2) shall maintain a policy of liability insurance in the minimum amount of \$1,000,000.00 to cover any claims arising out of the performance of the services under this agreement; and (3) shall further indemnify, save harmless, and defend the City from any claims arising from any act or omission of the “**Engineer**” of the agents.

NON-DISCRIMINATION AND AFFIRMATIVE ACTION

8. Non-Discrimination and Affirmative Action – The Engineer shall comply with the requirements of all statutes, laws and regulations regarding non-discrimination and affirmative action in the employment of workers. In particular, the Engineer will be required to comply with the requirements of New Jersey P.L. 1975, c. 127. (N.J.A.C. 17:27).

PRIOR AGREEMENTS SUPERSEDED

9. This agreement constitutes the sole agreement of the parties and supersedes any and all prior understandings or written or oral agreements between the parties to this agreement with respect to its subject matter. No other agreement, statement, or promise relating to the subject matter of this agreement that is not contained in it shall be valid or binding.

ASSIGNMENT

10. Neither this agreement nor any duties or obligations under this agreement shall be assigned or delegated by the “**Engineer**” without the prior written consent of the City except provided in Paragraph 3. In the event of an assignment and/or delegation by the “**Engineer**” to which the City has consented, the assignee or the assignee’s legal representative shall agree in writing with the City personally to assume, perform, and be bound by the covenants, obligations, and agreements contained in this agreement.

IN WITNESSED WHEREOF, the parties execute this agreement on the day and year first written above.

Attest:

City of Orange Township

Joyce L. Lanier
City Clerk

Dwayne D. Warren, Esq.
Mayor

Bright View Engineering, LLC
5 Pitcairn Drive
Roseland, New Jersey 07008

Approved as to Form and Sufficiency

Gracia R. Montilus, City Attorney

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

Bright View Engineering

2 Business name/disregarded entity name. If different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

Individual/sole proprietor or single-member LLC C Corporation S Corporation Partnership Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ S

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

5 Pitcairn Drive

6 City, state, and ZIP code

Roseland, NJ 07068

Requester's name and address (optional)

7 List account number(s) here (optional)

Print or type.
See Specific Instructions on page 3.

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

			-				-			
--	--	--	---	--	--	--	---	--	--	--

OR

Employer identification number

8	2	-	2	5	0	6	6	4	7
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Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here

Signature of U.S. person ▶

John John

Date ▶ 01/01/2019

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding*, later.

CITY COUNCIL

The City of Orange Township, New Jersey

DATE January 4, 2021

NUMBER 23-2022

TITLE: A RESOLUTION APPROVING QUALIFIED CONSULTANT ENGINEERS TO PROVIDE CONSULTING ENGINEERING ON AN "AS NEEDED" BASIS FOR ONE (1) YEAR COMMENCING JANUARY 1, 2022 THROUGH DECEMBER 31, 2022.

WHEREAS, the City of Orange Township did duly advertise on November 19, 2021, for Request for Qualifications for Consulting Engineering Services; and

WHEREAS, on December 7, 2021, the City of Orange Township received ten (10) qualification proposals; and

WHEREAS, pursuant to the fair and open process, and based upon review of the qualifications and recommendations therefore, certain professionals are qualified to provide consulting engineering services on an "as needed" basis by the City of Orange Township; and

WHEREAS, the Director of Public Works Engineering having evaluated all proposals submitted based upon qualifications, experience with similar projects, and project understanding; and

WHEREAS, this is not a contract and is only a list of qualified professionals. Another resolution shall be needed to enter a contract setting forth the rates and terms.


NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the City of Orange Township does hereby approve those listed below to provide professional consulting engineering services to the City of Orange Township on an "as needed" basis for the period of January 1, 2022 through December 31, 2022:

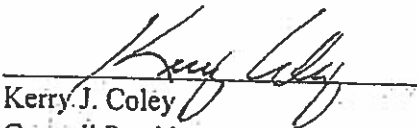
1. Remington & Vernick Engineers
One Harmon Plaza, Suite 210
Secaucus, New Jersey 07094
2. Pennoni Associates
24 Commerce Street, Suite 300
Newark, New Jersey 07102
3. Lewis Consulting Group
2604 Atlantic Avenue, Suite 600
Wall, New Jersey 07719
4. T&M Associates
1455 Broad Street, Suite 250
Bloomfield, New Jersey 07003

5. **Boswell Engineering**
330 Phillips Avenue
South Hackensack, New Jersey 07606
6. **Neglia Engineering**
34 Park Avenue
Lyndhurst, New Jersey 07071
7. **Mott MacDonald**
412 Mt Kemble Avenue Suite G22
Morristown, New Jersey 07960
8. **Brightview Engineering**
651 Old Mount Pleasant Avenue, Suite 100
Livingston, New Jersey 07039
9. **American Forensic Engineering**
7 Hilltop Road
Kinnelon, New Jersey 07405
10. **Matrix New World Engineering**
26 Columbia Turnpike
Florham Park, New Jersey 07932

BE IT FURTHER RESOLVED that a copy of this resolution shall remain on file in the Office of the Municipal Clerk of the City of Orange Township.

Adopted: January 4, 2022


Joyce L. Lanieri
City Clerk


Kerry J. Coley
Council President



Bright View Engineering
Moving you forward

September 19, 2022

VIA E-MAIL

Marty Mayes, CPWM
Director of Public Works
City of Orange Township
29 N. Day Street
Orange, NJ 07050
Office (973) 266-4201
Fax (973) 677-7847

Re: Proposal for Construction Administration Services
Highland Avenue Train Station Rehabilitation Project
City of Orange Township, Essex County
185103

Dear Mr. Mayes:

Bright View Engineering is pleased to submit this proposal to provide professional construction administration services for the Highland Avenue Train Station Rehabilitation Project in the Township of Orange, NJ. Based on our discussions, we understand that this project is utilizing federal funding and therefore requires full-time construction observation in accordance with Federal Aid Guidelines.

After a cursory review of the contract drawings and specification, we understand that the improvements are mostly related to rehabilitating the inside of the Highland Avenue Train Station.

It is important to note that this proposal assumes that Bright View Engineering will coordinate closely with Neighborhood Planning and Architectural Design, Inc. (NPAD) (Design Architect) on the construction. Our team will rely on NPAD throughout the project especially as it relates to shop drawing review, equipment testing, certifications, building department requirements and final acceptance.

This proposal is divided into four sections as follows:

- Section I - Scope of Services
- Section II - Business Terms and Conditions
- Section III - Technical Staff Hourly Rate Schedule and Reimbursable Expenses
- Section IV - Client Contract Authorization

The following scope of services has been separated into phases so that it may be more easily reviewed.

Bright View Engineering
5 Pitcairn Drive, Roseland, New Jersey 07068
732.236.7557
www.bvengr.com



SECTION 1 - SCOPE OF SERVICES

Based on our conversations and information noted above, we propose to complete the following:

PHASE 1.0 PRE-CONSTRUCTION TASKS

Upon award of contract, our Project manager and inspection staff will complete the following tasks.

- Establish a means of communication with the City including methods for maintaining open lines of communication between all parties and establishing a means for the transfer of information (correspondence with other agencies, progress reports, schedules, shop drawings, testing schedules and results, invoices, and engineering invoices). Our staff will have cellular phones in their possession to maintain constant communication with the City. Home telephone numbers of team members will also be furnished to City.
- Review contract documents for specific work to be performed, workload and time constraints, other agency coordination, material types, and construction procedures.
- Coordinate and conduct the pre-construction meeting. Document and distribute the minutes of meeting. Key issues include safety, M&PT, initial progress schedule and need for updates, timely and accurate shop drawing submittals, fabrication lead times, and means of communication.
- Review, analyze, and recommend the progress schedule for acceptance. The progress schedule needs to specifically show utility relocation, shop drawing milestones, and overall completion dates.

Fee

Time and Material



PHASE 2.0 CONSTRUCTION ADMINISTRATION TASKS

Bright View Engineering will work closely with the NPAD team on the following tasks:

Bright View Engineering has successfully completed several federally funded projects and is familiar with the documents as required on Federal projects. We anticipate working closely with the Responsible Charge/Project Manager assigned to this project from the City.

We will assist the Responsible Charge with the completion of the necessary forms and documents required to oversee and complete the project.

The responsible charge is accountable for the project and expected to perform the following duties and functions:

- Administers inherently Government project activities, including those dealing with cost, time, adherence to contract requirements, construction quality, and scope of Federal-aid projects.
- Maintains familiarity of day to day project operations, including project safety issues.
- Makes or participates in decisions about changed conditions or scope changes that require change orders or supplemental agreements.
- Visits and reviews the project on a frequency that is commensurate with the magnitude and complexity of the project.
- Reviews financial processes, transactions and documentation to ensure that safeguards are in place to minimize fraud, waste, and abuse; and
- Directs project staff, agency or consultant, to carry out project administration and contract oversight, including proper documentation.
- Is aware of the qualifications, assignments, and on-the-job performance of the agency and consultant staff at all stages of the project.

Federal regulations do not preclude the sharing of these duties and functions among a number of employees, nor do the regulations preclude one employee from having responsible charge of several projects and directing project managers assigned to specific projects.

- **Shop Drawing Review:** Bright View Engineering will coordinate and track all shop drawings, submittals and working drawing submissions. For the purposes of this project, it is assumed that NPAD will provide a technical review of each of these documents and Bright View Engineering will coordinate the submission and ensure proper turn around. We will remind the contractor of the critical need for timely and properly prepared submissions and responses. Improperly prepared submittals will be returned to the contractor with explanation. Shop drawings are typically one of the problem areas on construction projects that lead to delays and claims.



185103

- Requests for Information (RFI's): Bright View Engineering will review each RFI to determine the nature of the request. Whenever possible, Bright View Engineering will directly answer the RFIs, however it is assumed that some of the more complex requests should be vetted with NPAD. For the purposes of this proposal, we have assumed there will be 5 RFIs on this project.
- Architectural/Engineering Design Support/Coordination: During any construction, design support is often needed to modify designs based on issues that come up in the field. The Bright View Engineering team will coordinate directly with NPAD as needed on these tasks. The City will immediately be made aware of any potential changes that would impact the plans or specifications.

Fee

Time and Material

PHASE 3.0 CONSTRUCTION OBSERVATION TASKS

The Bright View Engineering team is extremely familiar with NJDOT field inspection and reporting procedures, along with any reporting the City will require for the close-out of this project. We will provide daily, detailed inspection reports with photos of the day's construction activities in electronic format, if required. Bright View Engineering's reports will be in an easy-to-read and understandable format, typically not exceeding two pages. We are extremely familiar with the Davis-Bacon process on wage rates, standard Federal Reporting documents, and most importantly, close-out documentation.

This could be the most important aspect of the project and can affect ultimate funding of the project. Bright View Engineering is extremely familiar with the requirements of Source Documentation and understands that funding is based upon accurate reporting. We want to aid in the City's responsibility of the LPA (Local Public Agency) requirements. We will perform the required tasks as required by NJDOT and the Federal Highway Administration. Our staff is diligent in report documentation, filing, and scanning documents to a central server to ensure no items are lost. We will monitor the contractor to ensure that all construction items are in compliance with all local, state, and federal laws, ordinances. We have prepared DC-29's on all NJDOT projects and have incorporated the Bright View Engineering forms to include all items that are on the DC-29's but have added additional entries to ensure compliance. Bright View Engineering has successfully completed several federally funded projects and is familiar with the following listed source documents as required on Federal projects:

- CR-266F: Schedule of Emerging Small Business Enterprise/Disadvantage Business Enterprise (ESBE/DBE) Participation.
- DC-18: Request for Approval to Sublet



- DC-ISA: NJDOT Request for approval to Sublet on projects utilizing 2007 specifications
 - DC-126: NJDOT Wage Rate Inspection
 - DC-127: NJDOT Monthly Certification of Contractor's Payroll
-
- DC-2891: Material Questionnaire
 - CR-347-2: New Jersey Department of State Compliance
 - CR-347: Payroll Certification Prepared by contractor
 - CC-257R: Monthly Employment Utilization Report (Prepared by contractor on-line)
 - CR-267: Monthly Report DBE/ESBE CR-268: Final DBE or ESBE Report Completed by Contractor reviewed by Resident Engineer & Signed by contractor.
 - CR-1: Apprentice/Trainee Approval Memorandum
 - CR-2: Bi-Weekly Training reports
 - CR-3: Training Certificate for Reporting to NJDOT prepared by contractor and signed by contractor, Trainee, & Sponsor's Resident Engineer. To be Sent to District Office
 - CR-1409: Contractor's Quarterly Training Report



The Bright View Engineering team is federally funded trained through Rutgers LTAP to ensure that the above listed documents, if required, are thoroughly reviewed and included in a monthly submission package on behalf of the LPA to NJDOT Local Aid.

During all periods of construction, Bright View Engineering's full time Field Observer will be responsible for overseeing all inspection staff, and for ensuring proper cost control, progress control, and quality control. The duties of the inspection staff and of the Project Manager will include the following:

- Provide full-time inspection for an assumed construction duration of 90 Days.
- Investigate all complaints and inquiries from the property owners, citizens and public officials. Keep a detailed written account of the issues with provided solutions for record.
- Should any situation remain unresolved they will be referred to the City in detail with the recommended solution.
- Assuring compliance with the specifications, and NJDOT/NJT/NJTPA/Fed Funded standard procedures.
- Reviewing, approving, and submitting requests for parking lot closings.
- Monitoring parking and traffic flow throughout the construction period. Developing recommendations for any changes or additional traffic protection measures that may be in the interest of the traveling public.
- Preparing and maintaining daily inspection reports, including photographs of the progress of the project and individual issues of significance.
- Coordinating with other City contracts and other agencies.
- Evaluating and approving the quality and workmanship of all contract work. Reporting on the quantities of materials furnished, numbers and classifications of workers employed, type of equipment used, and quantity of pay items constructed through inspector's daily reports. Noting any changes in weather, contractor's procedures, unusual incidents or findings, deterioration requiring special attention, additional work, or possible additional compensation. Required detailed inspection/progress reports with digital images will be prepared using proper forms and procedures as outlined in the NJDOT Manual for Construction. Maintaining as-builts.
- Maintaining computerized records of quantities and cost, preparing and approving Certificates for Payment, and forwarding them to the City. Forwarding to the City periodic progress summaries for each pay item and periodic narrative reports of progress, problems, or unusual conditions. Monitoring the contractor's staging areas, access areas, and disposal sites on City right-of way.
- Inspecting for compliance with all regulations, taking immediate action to correct nonconforming practices, ensuring sites are properly restored.
- Reviewing contractor's claims and requests for additional compensation and making



recommendations regarding payment. Prepare, recommend, and process for payment any required change orders.

- Scheduling, coordinating, attending, and documenting pre-construction and Utility Field meetings.
- Scheduling, coordinating, attending, and documenting bi-weekly meetings. Additional meetings will also be arranged as needed or requested by the City. These meetings are above and beyond the day-to-day contact and communication with the contractor. The City will be informed of all job meetings so that they can attend as desired.

Fee

Time and Material

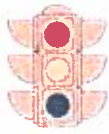
PHASE 4.0 PROJECT CLOSE-OUT TASKS

After substantial completion of all construction on this project, our Resident Engineer will be responsible for the following:

- Coordinating all Final testing and system integration tasks with NPAD.
- Preparing a preliminary deficiency list. Arranging for, coordinating, and participating in the final inspection. Ensuring that all pay items have been measured, certifying that the work has been completed in conformance with the plans and specifications, and verifying that the final estimate of payment to the contractor is correct.
- Preparing and submitting accurate and complete redline as-built drawings within 30 days of the final inspection. Turning over all records, documents, and requested information to City at the conclusion of the project.

Fee

Time and Material



SCHEDULE OF FEES

The Fee Proposal includes the tasks outlined in the Scope of Services. Based upon the foregoing scope of services, we offer the following fees. Our total fee is for complete project construction based upon working eight (8) hours per day. As you know, we can only estimate the effort of the contractor on the project. If the contractor should take significantly longer than estimated to perform the services, or if unforeseen conditions occur, we may require additional compensation.

The fees above include the completion of services as outlined in the scope of services. Bright View Engineering LLC reserves the right to modify this proposal based upon final acceptance of your office.

Fee Proposal

Bright View Engineering will perform the services outlined in the proposal for an **estimated fee of \$84,000**. All work shall be performed based on our hourly rates in effect.

This Scope of Service is subject to the terms, conditions and exclusions as noted herein. Hourly Rates and reproduction costs will be in accordance with the attached Schedule of Hourly Rates and fees. If extra services become necessary then Bright View Engineering LLC may prepare an addendum to this agreement for your review, outlining the scope of additional services and associated professional fees with regard to the extra service.



EXCLUSIONS AND UNDERSTANDINGS

Services relating to the following items are not anticipated for the project or cannot be quantified at this time. Therefore, any service associated with the following items is specifically excluded from the scope of professional services within this agreement.

- Services not specifically outlined above;
- Asbestos Management or Oversight Services;
- Construction Stake-Out and/or additional field surveying information;
- Construction Schedule Development;
- Any Equipment Testing - It is assumed that NPAD will lead these tasks;
- Any Field Testing of Concrete, Soil or Asphalt; and Interpretations or conclusions related to determination of potential chemical, toxic, radioactive or other type of contaminants on site;
- ADA compliance review or certification;
- Building sub-code requirements;
- Structural calculations or design for signs, special structures and/or retaining walls, if required by the various review agencies;
- Application fees and escrow deposits to the municipality or to any regulatory review agencies;
- Changes or revisions beyond our control or changes in basic concept after design service has been accomplished;
- Substantial plan revisions, changes, or preparation of additional design support requested by regulatory agencies during the course of project review; and
- All out-of-pocket expenses including, but not limited to, Mileage, postage, printing, application fees, laboratory testing costs, mylar copies, certified mailings, photographs, blueprints, and special deliveries will be charged at cost and passed on to you for payment.

If an item listed herein, or otherwise not specifically mentioned within this agreement, is deemed necessary Bright View Engineering may prepare an addendum to this agreement for your review, outlining the scope of additional services and associated professional fees with regard to the extra services.



Bright View Engineering
Moving you forward

Marty Mayes, CPWM
Director of Public Works
September 19, 2022
Page 10 of 12
185103

SECTION II – BUSINESS TERMS AND CONDITIONS

(Orange Terms and Conditions shall govern this contract.)



2022 RATE SCHEDULE
TECHNICAL STAFF RATES

BILLING TITLES	HOURLY RATES
Principal.....	175.00
Senior Technical Director.....	170.00
Senior Project Professional.....	165.00
Senior Project Manager.....	160.00
Project Professional.....	155.00
Technical Director.....	150.00
Project Manager.....	150.00
Senior Project Specialist.....	145.00
Senior Technical Professional.....	140.00
Project Specialist.....	140.00
Senior Technical Specialist.....	135.00
Technical Professional.....	130.00
Senior Specialist.....	125.00
Technical Specialist.....	125.00
Specialist.....	110.00
Senior Data Technician.....	95.00
Senior Technical Assistant.....	85.00
Technical Assistant.....	75.00
Data / Field Technician.....	65.00
Survey Crew – 2 Man.....	180.00
Survey Crew – 1 Man.....	150.00
Expert.....	250.00
Sr. LSRP.....	225.00
LSRP.....	190.00

REIMBURSABLE EXPENSES

General Expenses.....	Cost + 15%
Travel (Hotel, Airfare, Meals).....	Cost + 15%
Sub-Consultants/Sub-Contractors.....	Cost + 15%
Mileage Reimbursement*.....	0.56 / Per Mile
Plotting.....	3.50 / Each
Computer Mylars / Color Plots.....	45.00 / Each
Photocopies.....	0.25 / Each
Color Photocopies.....	1.50 / Each
Document Binding.....	3.00 / Each
Compact Disk CD/DVD.....	75.00 / Each
Exhibit Lamination (24" x 36" or larger).....	50.00 / Each

* Mileage reimbursement subject to change based upon IRS standard mileage rate.



SECTION IV – CLIENT CONTRACT AUTHORIZATION

I hereby declare that I am duly authorized to sign binding contractual documents. I also declare that I have read, understand, and accept this contract.

Signature

Date

Printed Name

Title

If you find this proposal acceptable, **please sign where indicated above in Section IV, and return one signed copy to this office.** Invoices are due within 30 days. This proposal is valid until October 30, 2022.

We very much appreciate the opportunity of submitting this proposal and look forward to performing these services for you.

Very truly yours,
BRIGHT VIEW ENGINEERING

John Jahr, P.E.P., T.S.O.S.

Principal

732-236-7557

]]]

<https://bvengr.sharepoint.com/sites/bvengr/proj/201501-orange-highland-construction-oversight/1-Proposals/old/Highland-ave-station-building-r4.docx>

REQUIRED EVIDENCE
AFFIRMATIVE ACTION REGULATIONS
P.L. 1975, C. 127 (N.J.A.C. 17:27-3.2)

Before being awarded a contract, bidders are required to comply with the requirements of P.L. 1975, C.127, (N.J.A.C. 17:27-3.2). Within seven (7) days after receipt of the notification of intent to award the contract or receipt of the contract, whichever is sooner, the contractor should present one of the following to the Purchasing Agent:

1. A photocopy of a valid letter from the U.S. Department of Labor that the contractor has an existing federally-approved or sanctioned Affirmative Action Plan (good for one year from the date of the letter);
OR
2. A photocopy of approved Certificate of Employee Information Report issued in accordance with N.J.A.C. 17:24-4;
OR
3. An initial Employee Information Report (Form AA302) provided by the Affirmative Action Office and completed by the bidder in accordance with N.J.A.C.17:27-4;
OR
4. All successful construction contractors must submit within three days of the signing of the contract an Initial Project Workforce Report (AA201) for any contract award that meets or exceeds the Public Agency bidding threshold (available upon request) in accordance with N.J.A.C.17:27-7.

NO FIRM MAY BE ISSUED A CONTRACT UNLESS IT COMPLIES WITH THE AFFIRMATIVE ACTION REGULATIONS OF P.L. 1975, C.127.

The following questions must be answered by all bidders:

1. Do you have a federally-approved or sanctioned Affirmative Action Program?

Yes _____ No x

If yes, please submit a copy of such approval

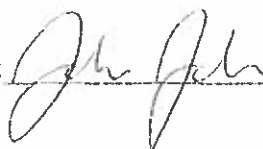
2. Do you have a Certificate of Employee Information Report Approval?

Yes x No _____

If yes, please submit a copy of such certificate

The undersigned contractor certifies that he is aware of the commitment to comply with the requirements of P.L. 1975, C.127 and agrees to furnish the required documentation pursuant to the law.

Company: Bright View Engineering

Signature: 

Title: Principal

Certification 58571

CERTIFICATE OF EMPLOYEE INFORMATION REPORT
INITIAL

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of **15-JAN-2018** to **15-JAN-2025**

BRIGHT VIEW ENGINEERING
5 PITCAIRN DRIVE
ROSELAND NJ 07068



Elizabeth Maher Muoio

ELIZABETH MAHER MUOIO
Acting State Treasurer

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)

N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302 (electronically provided by the Division and distributed to the public agency through the Division's website at www.state.nj.us/treasury/contract_compliance)

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

Vendor Signature:



Date: 11/29/2021

New Jersey Division of Revenue

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY/
DIVISION OF REVENUE
PO BOX 252
TRENTON, N J 08646-0252

TAXPAYER NAME:
BRIGHT VIEW ENGINEERING LLC

TRADE NAME:

ADDRESS:
5 PITCAIRN DR
ROSELAND NJ 07068

SEQUENCE NUMBER:
2162037

EFFECTIVE DATE:

ISSUANCE DATE:

08/17/17

08/17/17

James J. Gusmano

Director
New Jersey Division of Revenue