



Atlantic County Utilities Authority

Request for Proposals for Annual Reports at the Atlantic County Utilities Authority

Issued by:

Atlantic County Utilities Authority
Solid Waste Division

Date: 10/23/2013

Proposals Due: 11/21/2013

I. Introduction

The Atlantic County Utilities Authority (ACUA) owns and operates a Solid Waste complex in Egg Harbor Township, Atlantic County, NJ, known as the Howard F. Haneman Environmental Park, and a Wastewater Treatment Facility in Atlantic City, Atlantic County, NJ.

The Solid Waste facility is home to an active landfill, a recycling center, composting site, and ancillary facilities. Also on site is the ACUA's primary administration building, constructed in 1992, which features a closed-loop geothermal HVAC system. The site is home to a 5.4 MW landfill methane gas to electricity project which provides 100% of the power needs of the Park. The ACUA's solid waste complex is located at 6700 Delilah Road, in Egg Harbor Township, New Jersey. The site consists of approximately 360 acres with approximately 102 acres representing the landfill footprint.

The Wastewater Treatment Facility has been in operation since 1978 and services 14 communities in Atlantic County. It is home to the Jersey-Atlantic Wind Farm, a 7.5 MW wind farm that is privately owned and from which the ACUA purchases approximately 12 million kWh per year of electricity. In addition the facility also houses a 500 kW solar PV system.

The ACUA is responsible to the residents of Atlantic County to be financially prudent and environmentally responsible.

II. General Information

A. Issuing Office and Point of Contact

Gary Conover, Solid Waste Director, is the ACUA contact and can be reached at:

Email: gconover@acua.com
 Phone: 609-272-6913
 Mailing Address: PO Box 996, Pleasantville, NJ 08232
 Street Address: 6700 Delilah Road, Egg Harbor Township, NJ 08234
 RFP reference: <http://www.acua.com/acua/rfps.aspx>

B. Limits of Liability

The Authority assumes no liability for any cost incurred by proposers in responding to this RFP or in responding to any further request for interviews, additional information, etc. prior to the issuance of the contract.

C. Type of Contract, Fees and Compensation

The Atlantic County Utilities Authority is requesting proposals to prepare its Annual Reports that are required by its Bond Indenture and the New Jersey Department of Environmental Protection and other services.

D. Target Dates

The following schedule shows the target dates for performance of the work:

Event	Date	Time
RFP Issued	10/23/2013	N/A
Site Visit (optional)	10/30/2013	10:00 AM
Questions Due	11/7/2013	4:30 PM
Proposals Due	11/21/2013	4:30 PM
Award Contract	12/19/2013	N/A
Start of Work	1/1/2014	N/A

E. Proposal Format

There is no restriction to length of proposals; however, proposers are encouraged to be as concise as possible. All proposals should include:

1. A letter of transmittal and proposal may be submitted to the ACUA via mail, or email. Should a response be sent via mail five (5) copies of the proposal will be required.

2. Qualifications: The proposer shall submit the following information to demonstrate their qualifications to perform the services described in this RFP:
 - a. All pertinent company information including Name, Business Address, Type of Organization, Authorized Representative(s), Contact Information, etc.
 - b. Personnel including resumes or professional biographies of Key Officers and other Project Team Leaders.
 - c. Experience of the Firm(s) including years in business, years and type of experience in the reporting industry, etc.
 - d. Recent project history for similar facilities in the northeast region (if applicable) and marketing revenue history as it compares to industry averages.
 - e. Organization chart.
 - f. Financial qualifications.
 - g. Bidders must provide a list of three (3) references including contact names, phone information, and e mail addresses.

3. Business Proposals: Proposals to be considered shall include the following information:

A. A letter proposal should be provided to the Authority no later than **November 21st, 2013**, by close of business (**4:30 pm**). Electronic Submittals are allowed. Please send your electronic submittals to: Gary Conover, ACUA's Solid Waste Director at the following e-mail address: gconover@acua.com. Proposers who use the electronic submittal option assume risk associated with electronic submittals. The Proposers were asked to provide resumes for project managers and key staff members. In addition, a cost breakdown for each task should be provided as well as an hourly rate schedule. The hourly rate schedule will be used if the selected consultant is asked to do other work not included in this request for proposal. The contract will follow the standard form that is acceptable by the Authority. The ACUA is requesting that all proposals provide for three years of Annual Reporting services from the Proposers. The ACUA will have the option to award for only one year, two years, or the entire three years from the proposals received. Please see the Proposal Submittal Form at the end of this document.

4. Meetings:

Meetings are a major component of all tasks in cooperation and interaction with the Authority on an as necessary basis. Meetings shall include but not be limited to an initial kick-off meeting to discuss the

essential goals of the project and continuous update on the status of the project throughout the term of the contract.

5. Evaluation Criteria:

The ACUA has established an evaluation committee that will work together to develop a score card to evaluate proposals. The score card will be established and approved by the Officer's of the Authority prior to proposals being received.

The following criteria will be rated by the committee for each proposal. The proposal with the highest overall score will be considered the most advantageous to the Authority.

- a. Cost
- b. Specialized Design, and Technical Competence
- c. Capacity and Capability
- d. Past Record of Performance (Management Criteria)
- e. Familiarity with the Contracting Agency
- f. Presentation and Understanding of the Proposal
- g. Evaluation of the site for future system improvements

The final score card will be released to the proposers, in written form by the ACUA, upon request. Any contract that is entered into by the ACUA will be required to be presented to our Board Members for approval.

If any of the evaluation criteria is incomplete or fails to address the questions in the proposal, the evaluation committee may reject the proposal. Each Proposer is responsible for reviewing technical and cost proposal requirements and preparing their responses in a clearly organized submittal.

Each technical and cost proposal is required to be in accordance with the terms of the specific RFP and shall be signed by an executive officer of the proposing organization, and, where applicable, a corporate officer of the parent organization, recognizing that both will have authority to bind the proponent.

Technical and cost proposals shall consider and be reflective of all federal, state, and local laws, statutes, ordinances, regulations, and other applicable laws that may affect cost, permitting, progress, performance or furnishing of the project including, but not limited to, applicable regulations concerning minimum wage rates, nondiscrimination in the employment of labor, protection of public and employee safety and health, environmental protection, protection of

natural resources, fire protection, solid waste handling facility standards and permits, other permits, fees, and similar subjects.

6. Clarification of the Proposal

- a. After the submission of proposals, unless requested by the ACUA, there will be no proposer contact permitted.
- b. After reviewing the proposals, the Evaluation Committee may ask one, some or all of the proposers to clarify certain aspects of their proposals. A request for clarification may be made in order to resolve minor ambiguities, irregularities, informalities or clerical errors.

7. After the Evaluation has been Completed

- a. All materials are kept on file at the ACUA.
- b. The evaluation committee makes a formal recommendation to the ACUA officers and authorized staff. **Note:** An ACUA officer may sit on the evaluation committee depending on the type of project. The officer will make the recommendation along with the entire evaluation committee to the rest of the officers.
- c. The most advantageous proposal will be chosen by the evaluation committee based on the score card evaluation.
- d. The ACUA Officers and authorized staff may at this point accept, reject or modify the recommendation of the Evaluation Committee.
 - 1) For any proposal that is accepted, a resolution will be presented to ACUA's Board for their consideration.
 - 2) For all rejected proposals the proposers will be notified in writing.

F. Examination of Existing Operation, Information and Questions

Questions must be in writing and addressed to Gary Conover before 4:30 pm EST on **November 7th, 2013**. A site visit is scheduled for 10:00 am EST on **October 30th, 2013**. Directions to the site are available on the ACUA web site (www.acua.com).

III. Project Description

A. General Description

The Atlantic County Utilities Authority is requesting proposals to prepare its Annual Reports that are required by its Bond Indenture and the New Jersey Department of Environmental Protection and other services.

B. Objective of and Benefit to the ACUA

The Main Objective is to fulfill NJDEP Regulatory and Bond Resolution Reporting Requirements. Secondary benefits, Annual Reports are used by ACUA Management to plan on-going and future system improvements.

C. Responsibilities of Contractor/Scope of Work

As referenced in Resolution Number 92-57 section 6.10 f and g, the annual report should be done during the fiscal year which ends on December 31st of each calendar year.

A Scope of Services will include the following four (4) tasks:

Task 1: GASB Closed Cell Topographic Survey and Volume Report

The selected consultant will compile an estimate of the landfill utilization and accrued liability for associated closure costs for the ACUA Landfill for the period ending **December 31, 2013** in accordance with GASB Standard 18.

The consultant will prepare a letter report that will present tables containing the utilization of total capacity and the accrued liability for anticipated closure costs for the landfill using the information provided and developed in earlier tasks.

The system reserve requirement does not have to wait on year end numbers. The system reserve can be started now as long as that is finished prior to the annual report along with the GAAP closure numbers. GASB closure report should be completed by no later than **February 28, 2014**.

Task 2: NJDEP Annual Topographic Survey and Report

The selected consultant will prepare an Annual Topographic Survey and Topographic Report for the ACUA to submit to the NJ Department of Environmental Protection. The topographic survey and report will be prepared pursuant to the requirements of N.J.A.C. 7:26-2A.8 (j) and Section 8 of the NJDEP Technical Manual for Sanitary Landfill Permits and Approval, May 1999 and any updates to this document.

The Atlantic County Utilities Authority will provide an electronic copy of a previous year's topographic map that contains site survey controls, groundwater monitoring wells, property

lines and landfill area boundary lines to be used in the preparation of the topographic map update.

The Authority requires that an **Aerial Topographic Survey** be completed under this task. The topographic survey shall include the entire currently permitted landfill area (approximately 220 acres in size), plus the adjacent features such as: Jarrett's Run and Abel's Run (water bodies), the landfill gas to energy facility, the landfill building and the leachate collection sediment tanks.

Topographic survey and volume report Draft due into ACUA by **April 1st, 2014** and Final Report to be submitted by consultant to NJDEP no later than **May 1st, 2014**.

Task 3: Miscellaneous Support

For Task number four (4) the Authority requests that a budgetary number for miscellaneous support. Please assume a total of 30 billable hours to fulfill the requirements of this task.

D. Permits and Licenses

Under N.J.A.C. 7:26-2A.8(i) the topographic survey shall be prepared by a licensed New Jersey Land Surveyor and the topographic survey report shall be certified by a licensed New Jersey Professional Engineer.

IV. State Purchasing Law Requirements

- A. **Bidders are required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C.17:27. The mandatory equal employment opportunity language includes the following:**

Goods, Professional Services 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 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, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act 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 American and Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to afford equal employment opportunities to minority and women workers consistent with Good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2, or Good faith efforts to meet targeted county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

B. Business Registration

Note that all proposers must comply with the Business Registration requirements of the New Jersey Department of Community Affairs in accordance with N.J.S.A. 25:32-44. **Firms must submit prior to the award of the contract a copy of their New Jersey Business Registration Certificate. Failure to do so will be cause for rejection of the firm's Proposal.**

C. New Jersey Pay to Play Regulations

This contract will be subject to New Jersey Pay to Play regulations. Upon receipt of the current Candidate Committee List from the Atlantic County Clerk, the Authority will provide to the Contractor and the Contractor as soon

as is reasonably possible will complete and submit a Business Entity Disclosure Certification which will certify that the Contractor has not made any reportable contributions to a political or candidate committee in the County of Atlantic (1) in the previous one year; (2) and from January, 2013 to the date of award; (3) that the contract will prohibit the Contractor from making any reportable contributions through the term of the contract.

D. Disclosure of Investment Activities in Iran

Pursuant to Public Law 2012, c.25, any person, or entity that submits a bid, or proposal or otherwise proposes to enter into, or renew a contract, must complete the Disclosure of Investment Activities in Iran Form contained herein.

E. General Insurance and Indemnity Requirements

See Attached

ATTACHMENTS:

- **Proposal Submittal Form**
- **Disclosure of Investment Activities in Iran Form**
- **General Insurance and Indemnity Forms**

PROPOSAL SUBMITTAL FORM:

Please submit completed form along with all other required documents.

	<u>Yr 1</u>	<u>Yr 2</u>	<u>Yr 3</u>
Task 1: GASB Closed Cell Topographic Survey and Volume Report	\$ _____	\$ _____	\$ _____
Task 2: NJDEP Annual Topographic Survey and Report	\$ _____	\$ _____	\$ _____
Task 3: Miscellaneous Support	\$ _____	\$ _____	\$ _____
Annual TOTAL COST	\$ _____	\$ _____	\$ _____

**STATE OF NEW JERSEY -- DIVISION OF PURCHASE AND PROPERTY
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN**

Quote Number:

Bidder/Offeree:

**PART 1: CERTIFICATION
BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX.
FAILURE TO CHECK ONE OF THE BOXES WILL RENDER THE PROPOSAL NON-RESPONSIVE.**

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran. The Chapter 25 list is found on the Division's website at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Bidders must review this list prior to completing the below certification. Failure to complete the certification will render a bidder's proposal non-responsive. If the Director finds a person or entity to be in violation of law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party.

PLEASE CHECK THE APPROPRIATE BOX:

I certify, pursuant to Public Law 2012, c. 25, that neither the bidder listed above nor any of the bidder's parents, subsidiaries, or affiliates is listed on the N.J. Department of the Treasury's list of entities determined to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c. 25 ("Chapter 25 List"). I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. I will skip Part 2 and sign and complete the Certification below.

OR

I am unable to certify as above because the bidder and/or one or more of its parents, subsidiaries, or affiliates is listed on the Department's Chapter 25 list. I will provide a detailed, accurate and precise description of the activities in Part 2 below and sign and complete the Certification below. Failure to provide such will result in the proposal being rendered as non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.

PART 2: PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN

You must provide a detailed, accurate and precise description of the activities of the bidding person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below.

EACH BOX WILL PROMPT YOU TO PROVIDE INFORMATION RELATIVE TO THE ABOVE QUESTIONS. PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, CLICK THE "ADD AN ADDITIONAL ACTIVITIES ENTRY" BUTTON.

Name	Relationship to Bidder/Offeree
Description of Activities	
Duration of Engagement	Anticipated Cessation Date
Bidder/Offeree Contact Name	Contact Phone Number

ADD AN ADDITIONAL ACTIVITIES ENTRY

Certification: I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the above-referenced person or entity. I acknowledge that the State of New Jersey is relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the State to notify the State in writing of any changes to the answers of information contained herein. I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with the State of New Jersey and that the State at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print):

Signature:

Title:

Date:

**ATLANTIC COUNTY UTILITIES AUTHORITY
GENERAL INSURANCE AND INDEMNITY REQUIREMENTS**

INSURANCE COVERAGE CHECK LIST

REQUIRED FOR ALL BIDS:

1. Forty five (45) Days Cancellation, non-renewal, material change or coverage reduction endorsement required.
2. Best's Rating for all carriers: "A-" VII or better, or its equivalent
3. Certificate must state bid number and bid title
4. ACUA and its officials, agents and employees named as additional insureds on other than W/C and auto. This coverage is primary to all other insurance and/or self-insurance available to ACUA.
5. Workers' Compensation & Employers' Liability: New Jersey statutory limits, employers' liability coverage minimum \$100,000 accident, \$100,000 disease, \$500,000 policy limit disease;
6. USL&H Employment: Statutory - if applicable to the project; and
7. CGL general aggregate is to apply per project.
Items marked "X" are required to be provided if award is made to your firm.

**ATLANTIC COUNTY UTILITIES AUTHORITY
GENERAL INSURANCE AND INDEMNITY REQUIREMENTS**

INSURANCE COVERAGE CHECK LIST (Continued)

<u>Coverage Required</u>	<u>Limits (Figures Denote Minimums)</u>
<u> X </u> 1. Workers' Compensation	Statutory limits of the State of New Jersey
<u> X </u> 2. Employers Liability	\$500,000 accident; \$500,000 each employee \$500,000 policy limit
<u> — </u> 3. USL&H Endorsement	Statutory
<u> X </u> 4. Commercial General Liability	Items Nos: 4 ,5,6,8 &10 require: <u>\$1,000,000.00</u> combined single limit for bodily injury and property damage each occurrence with <u>\$1,000,000.00</u> general aggregate per project
<u> X </u> 5. Premises/Operations	
<u> — </u> 6. Independent Contractors	
<u> — </u> 7. Products/Completed Operations	<u>Two (2) year(s)</u> \$1,000,000 aggregate
<u> — </u> 8. Contractual Liability	
<u> — </u> 9. Personal Injury Liability	\$1,000,000 each offense
<u> — </u> 10. XCU Coverage	
<u> X </u> 11. Automobile Liability	\$1,000,000 Bodily injury and Property Damage each accident (Items 11 & 12)
<u> X </u> 12. Owned, Hired & Non-owned	
<u> — </u> 13. Motor Carrier Act End.	
<u> X </u> 14. Umbrella Liability	\$1,000,000 BI & PD & PERS INJURY unless other limits stated below \$ _____ BI & PD, & Pers Injury
<u> X </u> 15. Other Insurance Required: Professional Liability	\$1,000,000.

The Authority and its officials, agents and employees are to be named as additional insureds on Commercial General Liability, and Umbrella if applicable. This coverage is primary to all other coverage the Authority may possess.

INFORMATION FOR BIDDERS
 (Continued)
INSURANCE AGENT'S STATEMENT

I CERTIFY that I have reviewed the insurance coverage requirements with the bidder named below and that the bidder can comply with all of those insurance requirements.

Name(s) and address(es) of bonding company(ies) or bank(s) submitting letter of credit, if applicable.

The policy(ies) carry the following deductibles:

Liability policies are (indicate):

Occurrence
 Claims Made

 NAME OF INSURANCE AGENT

 SIGNATURE

Date _____

BIDDER'S STATEMENT

I HEREBY CERTIFY the Insurance Coverage Requirements of these specifications and agree to comply in full if awarded this contract.

 NAME OF BIDDER

 SIGNATURE

Date _____