



THE BOROUGH OF EMERSON, NEW JERSEY

REQUEST FOR PROPOSALS (RFP)

For Architectural Services That Includes

1. ANALYSIS AND RECOMMENDATION FOR THE BEST USE OF MUNICIPAL OWNED PROPERTY
2. THE DESIGN AND PREPARATION OF PLANS AND
3. PREPARATION OF ALL CONSTRUCTION DOCUMENTS

FOR:

**RENOVATIONS AND ADDITION OF BOROUGH HALL*

OR

**A NEW MUNICIPAL BUILDING*

OR

BOTH

**RENOVATIONS OF FIREHOUSE*

**REPAIR AND RENOVATIONS TO DPW BUILDING(S)*

**DESIGN OF NEW AMBULANCE CORPS BUILDING*

**ANALYSIS AND RECOMMENDATIONS FOR THE BEST USE OF NEWLY ACQUIRED PROPERTIES*

**OTHER SERVICES AS REQUIRED FOR A FIVE (5) YEAR PERIOD SUCH AS A POTENTIAL RECREATION CENTER OR CONSOLIDATION OF SERVICES ON OR IN NEW OR RENOVATED FACILITIES*

{Including Construction Monitoring and Plan Compliance during Construction}

Section 1 - Project Scope - Scope of Services

The Borough of Emerson located in the Pascack Valley of Bergen County, New Jersey, is seeking proposals for professional architecture (the terms "Respondent", "Architecture" and "Architect" are meant to be one and the same and shall be used interchangeably in this RFP), engineering, landscape architecture, and site engineering services, including building construction and lot design (including parking lot and ancillary spaces). It is anticipated that over the next five (5) years Emerson will invest in capital infrastructure projects that will allow the Borough to continue to offer quality cost effective services for the next fifty (50) to seventy five (75) years. These projects include but are not limited to:

1. An analysis and recommendations for the best use of municipal parcels and facilities based on a needs analysis projected out over a fifty (50) year period.
2. a) If appropriate, the renovation of the current Borough Hall which would include an addition to meet the current and future service delivery needs to our residents.

b) If appropriate, the demolition of the current municipal building after the construction of a new structure on the same parcel.
3. a) Evaluate and recommend the best municipal use for the municipal properties known as 58 and 64 Locust Avenues (Administrative Offices, Public Safety including the Ambulance Corps, Recreation or other).

b) The construction of a new municipal facility at 58 and 64 Locust Avenue.
The response/proposal shall include a bid quote/price for:
 - A. Analysis and recommendations of best use of municipal parcels and facilities based on a needs analysis projected out over a fifty (50) year period.
 - B. The preparation of conceptual building plans and renderings, including but not limited to site plan(s), elevations, aerials, etc., as needed to describe the design intent.
 - C. The preparation of all construction documents-pertaining to the renovation or construction of a new municipal buildings-including, but not limited to, the:
 - i. Preparation of public bid documents, technical (construction) specifications (including complete drawings and plans) for: construction work, all {building} trades, and landscaping,
 - ii. Performing all surveys, elevations, colored renderings plans, etc. ALL INCLUSIVE,
 - iii. The design and work orders for ALL demolition and site work—including landscape design,

iv. The design, specification and ordering (procurement at the Borough's expense) from a qualified manufacturer of to-be installed items, pursuant to bids and construction contracts, of all finishing/specialized work (for example, but not limited to, the design and guarantee of the installation of jail cells, elevator(s), police dispatcher work areas, Court podium/dais, special glass etc.),

D. The presentation of complete construction documents to:

1. A professional Plan Review Committee (PRC) for critique and revision(s) if, and, as necessary (this shall be coordinated with the selected construction contractor). **IN THE EVENT OF BUILDING DESIGN/ CONSTRUCTION DISPUTES, THE RULING OF THE PRC SHALL TAKE PRECEDENCE OVER THE ARCHITECTURE FIRM, PROVIDED THAT THE PRC DECISION COMPLIES WITH NEW JERSEY BUILDING CODES;** and,
2. The Municipal Building Advisory Committee (MBAC), chaired by the Borough Administrator,

E. The weekly monitoring of all building/construction/demolition/fit-out work. Upon award by the Borough Council of the construction contract, the Respondent ("Architect") shall be on site a minimum of one-half day per week; upon the start date of construction (defined as any mobilization/staging of equipment or other common construction event. **THE RESPONDENT ("Architect") shall ensure and the contractor must guarantee that ALL construction and work shall conform to the Plans prepared and reviewed by the PRC. This requirement is to ensure construction plan compliance.**

F. The presentation, on at least six (6) separate occasions, of the Plans and work progress to the Borough Council and/or the Municipal Land Use Board. This shall be in addition to several, as needed, meetings with the committees identified in Paragraph C hereof.

G. Certification of Project Completion. Prior to receiving the final 10% of the contract price, quoted by the Respondent and agreed to by the Borough Council, the Respondent ("Architect") shall

1. Deliver as built drawings,
2. Deliver a "before and after" Project picture set, and,
3. Certify that all work has been done in accordance with the Project Plans and specifications.

Section 2 - Known description of the renovated municipal building or a new municipal building: as an example, a two and one-half story building (including a subterranean basement) which said building shall encompass approximately 22,000 square feet, plus the basement area (not to exceed 6,000 square feet). If recommended, the Borough plans to construct the new building to the north of the existing municipal building, on Borough-owned land. After the new building is constructed, the old building will be demolished and the site work, including all landscaping, will be installed/implemented and completed.

Section 3 - Formal Authorization of Project and Location.

- A. The new municipal building improvements or improvements to the current municipal building would be authorized by the Mayor and Borough Council. The purpose of this RFP is to recommend the best solution and value when cost and other factors are included. Should a new municipal building be constructed? If yes, then should the construction of a new municipal building in and by the Borough be on lands located at 1 Municipal Place and lands adjacent thereto? The building being two-stories and approximately 22,000 square feet and should be of not less than Class B construction (as such term is defined or referred to in Section 40A:2-22 of the New Jersey Local Bond Law). The construction includes offices, Court areas, public meeting rooms, storage facilities, police facilities, secured areas (jail cells, etc.) installation of telephone, computer, electrical, heating, ventilation and air conditioning systems, building/improvement of the site thereof, renovation or demolition of the existing municipal building, and the construction of a structure for municipal purposes on recently acquired property across the street known as 58 and 64 Locust Avenue and identified as Lots 13 and 12 in Block 420 on the official tax map of the Borough and demolition of buildings thereon, together with all easement acquisition, paving (parking lot construction), landscaping, primary and ancillary structures, equipment, furnishings, work and materials necessary, useful or convenient for said building, all as shown on and in accordance with the plans and specifications therefore prepared PURSUANT TO THIS RFP AND THE SELECTED AND ACCEPTED RESPONSE (PROPOSAL).
- B. The new municipal building or buildings shall include the Borough Administrative Offices, Police Department and Courtroom functions, currently housed in the existing building. All New Jersey Police and Court building standards in compliance with Administrative Office of the Courts, County Court and New Jersey Department of Corrections MUST be adhered to and all ADA building requirements must be satisfied per Code.

Section 4 - Merging of Sections 2 and 3 hereinbefore set forth. The requirements of, and the standards recited in, the preceding Sections 2 and 3 inclusive, are intended to complement each other. Therefore, all responses/proposals must completely satisfy BOTH sections.

Section 5 - Services included. The Architect will provide all necessary related services such as: structural, civil mechanical, electrical, plumbing and geotechnical engineering, interior and exterior design, and landscape architecture, and all other sub-consultants necessary to deliver a complete, state-of- the-art municipal facility, ON BUDGET AND ON TIME, without any change orders contemplated.

Section 6 - This RFP as Contract. By signing this RFP, and upon acceptance by the Mayor or Borough Administrator, after the adoption of a resolution by the Council, this RFP shall be considered a contract and work may commence at the Borough's sole discretion. The hourly rate paid for these preliminary services shall be the hourly rate indicated in this RFP.

Section 7 - Events of Default.

- A. **General Default.** A general default will occur, with respect to this RFP, and any Contract executed hereto, if final construction bids and initial building plans, in sufficient detail to satisfy the Borough Administrator, are NOT delivered by the selected firm prior to June 15, 2017 or the date agreed to by the Borough.
- B. **Project Costs.** A default will occur if there is (are) any PROJECT cost overruns ("over expenditures") NOT approved by the Borough Administrator.
- i. ALL Project Costs (including costs incurred hereto and construction costs) will be certified by: 1-the licensed Architect, on a traditional AIA "G702/G703 drawdown forms" or similar document; and 2-by the Borough's Financial Advisor (FA)/Redevelopment Consultant prior to payment being processed and made in connection with any expense incurred regarding this Project.
 - ii. The Borough Auditor will perform a 100% veracity test on ALL transactions involving this Project.
 - iii. There shall be NO force majeure provisions in this RFP or related Contract. There shall be a force majeure provision in the construction contract, which, and if, invoked by the Borough Administrator, shall be extended to this RFP/contract; but only AFTER June 15, 2017.

Section 8 - Base Fee.

The "base fee" for all preliminary services shall be an hourly rate stated in the Proposal. The Borough of Emerson through either its: 1-Mayor; 2-Borough Administrator; or, 3-the PRC may, at their sole discretion, and at any time prior to June 15, 2017 cancel this RFP/contract/Project with or without reason, or cause, and without any legal recourse by the selected firm; except that the base hourly fee shall be paid, and said fee shall be determined by multiplying the actual number of hours worked by the hourly rate stated in this proposal.

Section 9 - Plans and Maps: this RFP explicitly requires several sets of Plans and Maps/Drawings be prepared and submitted, with all required information and certifications. This includes ALL construction documents, construction bid documents, elevations, poster sized renderings, aerial "shots" of the Project site, site plan(s), etc. The PRC may, at their sole discretion, request Plan modifications. In no event will the successful respondent be required to make copies of more than three (3) complete sets of construction plans.

Section 10 - Project Scheduling. The Respondent ("Architect") shall present a reasonable yet "tight" timeframe, Project schedule, to the Borough Administrator. The timeframe, Project schedule, shall be made a part of the construction bid and Contract awarded thereto.

Section 11 - Submission Particulars. All questions pertaining to this RFP must be submitted via email to Borough Administrator Robert S. Hoffmann at the following address, administrator@emersonnj.org, with a "CC" email to clerk@emersonnj.org, no later than 4:00 p.m., September 27, 2016. Failure by the Borough or its representatives to respond to inquiries is of no consequence and does NOT bar any potential respondent from submitting a proposal.

Proposals are due by Tuesday, October 4, 2016, at 4:00 p.m.

An original and four original signed copies and 2 copies on CD shall be delivered to:
Robert S. Hoffmann, Borough Administrator
Borough of Emerson
1 Municipal Place
Emerson, New Jersey 07630

Section 12 - Required PROPOSAL Format.

Please provide the Borough of Emerson with a concise presentation of your firm's qualifications. Focus must be on the aforementioned (specific) information requested. Inclusion of excessive or unrelated "boiler plate" information will adversely affect the consideration of your firm's qualifications.

The Respondent shall provide the following:

- A. Name, address, phone, and email information of the firm, and PARTNER in charge. The name and a description of the credentials of all professionals assigned to this Project.
- B. Type of organization (individual, partnership, corporation or other).
- C. Size of staff, with breakdown by specialty, of the Principal professional/consultants. Identify the staff members who will be assigned to this project.
- D. Identify the proposed project team "firm". Include a brief history of the firm and include names of the key individuals that will be involved with this project and their responsibilities. Include the Architect's license number.
- E. Describe the working relationship and experience between the Architect and any Consultants/Consulting Engineers. Include structural, mechanical, electrical, plumbing, geo-technical and civil engineering firms as well as landscape architecture qualifications.
- F. Describe the firm's (Architects') experience in designing public projects, including public-private redevelopment projects. Identify three completed public buildings that best represent the present skills of the project team members to design a functional municipal building. For each referenced project include:
 - o Brief description of project and photographs
 - o Design architecture elements and project program/design elements
- G. Four (4) references, including phone number/address of the client, must be provided with any submission.
- H. Describe the firm's experience managing project schedules.
- I. Describe your team's experience with designing energy efficient systems, and LEED programs.
- J. Submit one copy your firm's latest audited financial statement/federal tax return (this will be "in-camera" only, and returned within 96 hours of receipt).

Section 13 - Outstanding Litigation: if the Respondent is involved in any lawsuit, arbitration, or other form of litigation/legal dispute, it MUST be disclosed in the proposal. Any active case will automatically disqualify the Respondent unless the Borough's designated Legal Counsel and FA waives this Section (and determines the litigation will not impact this Project, at their sole discretion).

Section 14 - Legal Representation. Please furnish the name, firm name, and address of the Architect's lawyer—who shall be licensed to practice in New Jersey.

Section 15 - Evaluation Procedure.

- A. The Borough Administrator shall review, screen, and rank all proposals. The Administrator and/or Governing Body may rely on a committee or other sources to evaluate proposals at their sole discretion. Award will be made to the overall highest ranked firm. PRICE, PAST PROJECT HISTORY, TECHNICAL SKILL AND PRESENTATION(S) TO THE GOVERNING BODY WILL ALL BE CONSIDERED. The final Contract is subject to formal Borough Council approval.

- B. If a satisfactory contract cannot be negotiated with the selected Respondent ("Architect"), negotiations will be formally terminated after 30 (thirty) days from the date of the award. Negotiations may then be undertaken with the next ranked Respondent(s). However, notwithstanding the foregoing, the Respondent, upon submitting a Proposal and being accepted by the Borough, shall be immediately bound by the terms and conditions of this RFP. Should this provision be unacceptable, please do not submit a Proposal.

Section 16 - INSURANCE.

Awarded A/E firms (vendors) shall be required to provide proof of insurance as indicated below:

Insurance:

1. Comprehensive General Liability insurance coverage, written on an occurrence basis, and must not be altered by any endorsement limiting coverage. Limits of liability shall not be less than the following:

\$2,000,000 General Aggregate per location/per job
\$2,000,000 Products/Completed Operations
\$1,000,000 Personal Injury & Advertising Injury
\$1,000,000 Each Occurrence Combined Single Limit for Bodily Injury and Property Damage

The coverage shall include:

- a. Premises/Operations
- b. Independent Contractors/ contingent liability for the operations of subcontractors involved in the performance of work
- c. Contractual liability
- d. Broad form property damage including completed operations
Coverage for liability arising from explosion, collapse and underground damage.
- e. Personal injury coverage, including coverage for liability arising from false arrest, malicious prosecution, willful detention, libel, slander, defamation of character, invasion of privacy and wrongful egress or entry.
- f. Products and completed operations.
- g. Limited Pollution Cleanup at a limit of \$100,000.

2. Comprehensive Automobile Liability insurance covering use of all owned, non owned, hired or leased automobiles with limits of liability not less than \$1,000,000 combined single limit for bodily injury and property damage. Coverage should include uninsured/underinsured motorist at limits of \$1,000,000.
3. Workers' Compensation insurance in accordance with laws of the State of New Jersey as well as Employers Liability Insurance with limits not less than \$500,000/\$500,000/\$500,000.
4. Umbrella Liability Insurance policy written on an occurrence basis with a minimum combined single limit of \$4 million as "follow form" excess of the Professional's Employers Liability, Commercial General Liability, Comprehensive Automobile Liability.
5. Professional Liability/Errors & Omissions covering the professional services to be rendered with minimum limits of \$5,000,000 per occurrence/aggregate.

Additional Requirements:

1. The municipality, their officers, officials, agents, employees and consultants shall be named as an additional insured for the work to be performed and the contractual obligations contained herein under the contract on policies listed in 1,2,&4 above
2. Certified copies of all insurance policies provided above or certificates thereof satisfactory to municipality shall be furnished forthwith. Each such policy or certificate shall contain a provision that it is not subject to change, cancellation or non renewal unless 30 days prior notice have been given to the municipality via certified mail/return by the contractor's insurer. These must be received 30 days prior to commencement of work.
3. The architect agrees that is will defend, indemnify and save harmless the municipality, its officers, agents, and employees from any and all liability, suits, actions, and demands and all damages, costs or fees on account of injuries to persons, or property, including accidental death, arising out of or in connection with the work, or by reason of the operations under this agreement.
4. All insurance coverage evidenced by the Professional in accordance with this contract shall be from A.M. Best's rated A- VIII" or better Insurance Company licensed to do business in the State of New Jersey.

Section 17 - Respondent's Contract Price Quote and Required Stipulated Price Certification.

- A. This is a stipulated price Contract (to be clear: a binding RFP leading to a Contract), with all-inclusive work to be performed and quoted as a single price. NO CHANGE ORDERS ARE TO BE CONTEMPLATED BY ANY PARTY. The following price/quote/service fee must be submitted:
- i. Hourly rate to be charged during the preliminary Project phase, should the Contract NOT be entered into, and work performed on or before June 15, 2017.
 - ii. It is understood that the addition to a municipal structure if recommended and approved requires a separate scope and fee than that of a new structure. Please provide a stipulated price for an addition and renovation.

B. Required Certification. By submitting a response to this RFP the Respondent ("Architect") understands completely and without recourse if misunderstood:

THAT:

- i. All professional services shall be guaranteed, and performed to the highest standards, meeting or exceeding all best practices and building code standards and requirements,
- ii. This is a stipulated price Contract and NO change orders are contemplated.
- iii. The response to this RFP shall be a binding Contract on the Respondent (Architect"), upon formal approval and acceptance by the Borough of Emerson.

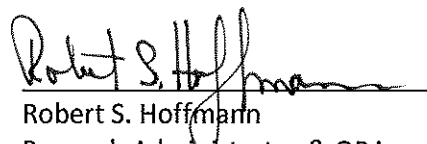
Section 18 - If awarded a contract, your company/firm shall be required to comply with the requirements of N.J.S.A. 10:5-31 et. Seq. and N.J.A.C. 17:27. Please provide a copy of your Affirmative Action Employee Information Certificate and a copy of your Business Registration Certificate.

Section 19 – The proposal must be submitted on company letterhead. The proposal must be dated and signed by an Officer of the Corporation or Principal Partner of the firm.

THIS PROPOSAL IS BEING SOLICITED THROUGH A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A.19:44A-20.5 et seq.

By order of the Borough Council
Resolution 85-16


Jane Dietsche, RMC
Borough Clerk


Robert S. Hoffmann
Borough Administrator & QPA