



City of Burlington
525 High Street
Burlington, New Jersey 08016
Request for Proposals (RFP)
Downtown Circulation Plan

The City of Burlington, New Jersey, is soliciting proposals through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq., for an amendment to the Circulation Element of the 2010 Master Plan as stated below.

Sealed RFP responses will be received by the Director of Housing and Community Development on **December 19, 2018, at 4:00 P.M., at City Hall, 525 High Street, Burlington, New Jersey 08016** in City Council Chambers at which time and place responses will be opened for a:
Downtown Circulation Plan.

Specifications and instructions may be obtained from the office of Housing and Community Development by phone or by email (609-3861-0200, ext. 130/wharris@burlingtonnj.us) or on the City of Burlington's website: www.burlingtonnj.us after **November 19, 2018**.

Proposals will be evaluated in the manner and on the basis of qualifications and suitability to handle the project, in accordance with criteria set forth in the RFP.

RFP Submission Instructions

Proposals may be mailed or delivered in sealed envelopes, marked "**Downtown Circulation Plan**," to the Department of Housing & Community Development at the above-listed address by 4 P.M. on **December 14, 2018**. At that time all proposals will be unsealed and opened in the City of Burlington Council Chambers, located at 525 High Street, Burlington, NJ, which opening shall be opened to the public.

Any response to this RFP shall be good for a period of 60 days from the date listed above.

This RFP is being solicited through a fair and open process in accordance with N.J.S.A. 19:44A:20.5 et seq. 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 et. seq.

GENERAL INFORMATION

1. The City of Burlington reserves the right to revise any part of the RFP by issuing an addendum.
2. Issuance of this RFP in no way constitutes a commitment by the City to award a contract. The City reserves the right to accept or reject, in whole or part, all qualifications statements submitted and/or cancel this announcement if it is determined to be in the City's best interest.
3. The City is not liable for any costs incurred by prospective proposer/respondents prior to issuance of or entering into a contract. Costs associated with developing the qualifications statement, preparing for oral presentations, and any other expenses incurred by the proposer/respondent in responding to this RFP are entirely the responsibility of the proposer/respondent, and shall not be reimbursed in any manner by City.
4. The City shall not be liable for any errors in qualifications statements. City of Burlington reserves the right to make corrections or amendments to the RFP due to errors identified in qualifications statements by the City or the proposer/respondent. The City at its option, has the right to request clarification or additional information from the proposer/respondents; if requested, such information shall be provided within fourteen (14) days of request.
5. The City reserves the right to enter into a Contract without further discussion of the qualifications statement submitted based on the initial offer received. The City reserves the right to contract for all or a partial list of services offered in the qualifications statement. The RFP and qualifications statement of the selected proposer/respondent shall become part of any contract initiated by the City.
6. The selected proposer/respondent shall be expected to enter into a contract. In no event shall a proposer/respondent submit its own standard contract terms and conditions as a response to this RFP. If the selected proposer/respondent fails to sign all contract documents within ten (10) calendar days of delivery, the City may elect to cancel the award and award the contract to another proposer/respondent.
7. Pay to Play: The proposer/respondent is advised of the responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-20.13 (P.L. 2005, c.271, s.3) if the proposer/respondent receives contracts in excess of \$50,000 from public entities in a calendar year. It is the proposer/respondent's responsibility to determine if filing is necessary. Additional information on this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us.

Background

The City of Burlington, New Jersey, is seeking proposals from qualified firms to prepare a Downtown Circulation Plan which will amend the Circulation Element of the City's 2010 Master Plan which is. **Please refer to Exhibit 'A' which is attached to and made part of this RFP.** The work is being funded by a USDOT Transportation & Community Development Initiative (TCDI) grant which is administered by the Delaware Valley Regional Planning Commission (DVRPC). The overall purpose of the Downtown Circulation Plan will provide strategies which enable the City to increase economic opportunities and capitalize on its unique position of having two light rail stations within its borders, multiple NJ Transit bus stops, two major waterways (the Delaware River and the Assiscunk Creek) and a major arterial highway (U.S. Route 130). Creating safe pedestrian and bicycle routes in the City as well as solutions to current and potential parking needs will also be addressed in the plan.

As stated in the 2010 Master Plan, "the City consists of 3.7 square miles, of which three square miles is land. Comprising .057% of Burlington County, the City is surrounded on three sides by Burlington Township, the Delaware River to its north, and is on the New Jersey – Pennsylvania border, connected via the Burlington-Bristol Bridge. With the exception of local redevelopment opportunities, Burlington City is fully built out. It also faces significant economic development issues to redevelop its existing business and transportation corridors and other infrastructure.

Burlington City's existing waterfront park is the result of urban renewal and flood control projects in the late 1960s and 1970s. The shoreline improvements -- revetments, walkways, etc. -- span the entire Delaware riverfront from the Burlington-Bristol Bridge to the Assiscunk Creek. The former waterfront industries, ferry terminals and docks have all been demolished and replaced by an open, grassy park and a tree-lined waterfront esplanade. City planning efforts seek to reinvigorate the downtown and riverfront by redeveloping 15 acres into the Burlington Riverfront Promenade, with active and passive recreation areas and an outdoor entertainment center.

It is a community far more diverse than Burlington County as a whole, with 36% of the City population in 2013 identifying as Black/African American and 8.4% identifying as Hispanic or Latino (compared to the County's respective percentages of 16% and 7%). In 2013, Burlington had a median household income of \$51,988, and a mean income of \$64,320, significantly lower than Burlington County, which had a median income of \$78,446 and a mean income of \$98,211. Of total City households in 2013, 21.8% made less than \$25,000 annually and 7.4% made less than \$10,000 annually.

At the time of the U.S. Census in 2010, Burlington had a total population of 9,920. Population growth in Burlington City declined from 1960 through 2000, and then increased by 184 residents from 2000 through 2010. The Delaware Valley Regional Planning Commission has predicted modest growth in the City's population from 2010 to 2040 by 3% (9,920 to 10,219). Source: Delaware Valley Regional Planning Commission, <http://www.dvrpc.org/webmaps/PopForecast>, County and Municipal-Level Population Forecasts, 2010-2040."

As a condition of receiving a TCDI grant, the DVRPC requires recipients to address at least one of the five core principles cited in the agency's *Connections 2045 Plan*. The City committed to address the following three core principles in its application:

“(2) Develop Livable Communities - The project seeks to promote and encourage continued redevelopment of and infill development in the downtown while coordinating and encouraging pedestrian and bicycle access to and from the two River Line stations and NJ Transit bus stops to best serve area businesses and residents, including those with disabilities.

(3) Expand the Economy – The intent of the project is to not only improve circulation (bicycle, Pedestrian, and motor vehicular) in the downtown, but also to promote continued downtown development and redevelopment as well as patronage of area businesses.

(4) Create an Integrated Multimodal Transportation Network – The proposed planning process is comprehensive, cooperative and coordinated in promoting the usage of pedestrian, bicycle, and mass transit modes of travel (especially for persons with disabilities), while seeking to reduce motor vehicular traffic on Route 130 and county and local roads.”

SCOPE OF SERVICES

The amendment to Circulation Element of the Master Plan will contain the following key elements:

- Conduct a thorough and effective community engagement process by working with the City's Land Use Board (LUB) Subcommittee consisting of LUB members, City officials, Burlington County officials, interested citizens, and representatives of various transportation groups,
- Identify a network of cycling and walking facilities in the City. The network should be safe, efficient, and comfortable, and be usable by all people of all ages and capabilities.
- Identify safety issues, including hazardous pedestrian behaviors, and develop strategies for safety education and countermeasures for crash prevention.
- Make feasible operational recommendations on support facilities, programs, and policies to enhance the overall walking and cycling environment in the City.
- Make feasible recommendations for physical improvements to the network for cycling and walking facilities including, but not limited to, eliminating gaps in the network, correcting insufficient and deteriorated facilities and upgrading facilities
- Provide operational guidance to the City on capital improvement projects.
- Provide practical and effective information for programing and designing Transportation Improvement Program projects.
- Incorporate transportation equity, public health, and economic impact into the planning process.

1. Understand the Current and Future Conditions

The consultant shall conduct a thorough evaluation of the current condition of non-motorized transportation in the City and project future conditions based on known factors relating to the built environment in the City.

Required tasks:

- Review the Circulation Element of the 2010 Master Plan and available documents related to pedestrians and bicycling in the area, and from that create an inventory of past recommendations.
- Document the need for walking and biking infrastructure by creating a GIS- based demand and supply model for non-motorized transportation in the area. The model should reflect both existing and future conditions.
- Document the current connectivity of non-motorized facilities in the area, including gap analysis and level-of-comfortability analysis for bicycling and walking.
- Evaluate the condition of the existing sidewalks and complete the City’s pedestrian infrastructure inventory.
- Conduct a safety analysis based on observed crashes and known risk factors.
- Assess the relationship between existing and future land use patterns and non-motorized transportation improvements in the City.
- Analyze and document the accessibility of pedestrians and cyclists to transit service.
- Identify, collect, and analyze demographic, health, and social equity data related to bicycling and walking.

2. Engage the Community

The purpose of this work is to introduce the community and stakeholders to the planning process as well as to gather input on challenges and opportunities for bike and pedestrian network improvements.

Through the outreach process, the consultant should identify community priorities and major public concerns as well as setting the vision, goals, and objectives for the plan.

Public engagement should include both key agencies and user groups including recreational and commuting walkers, cyclists, seniors, persons with disabilities, minority/low income populations, and transit users.

Seek creative ways to reach the population most affected. In addition to participating in the Land Use Board’s kick-off meeting held at a regularly scheduled meeting of the LUB, there will be a second public hearing on the draft Downtown Circulation Plan at the conclusion of the study as well as six (6) monthly meetings of the LUB Transportation Subcommittee during the Plan preparation process.

3. Recommendations

Based on the input from the community engagement process and the analysis of existing and future conditions, the consultant is required to make recommendations in the Downtown Circulation Plan which address the following components:

Analysis

An analysis of the study area's movement patterns and facilities for:

- Private vehicles
- Pedestrians (including pedestrian signals)
- Bicyclists (including bike paths)
- Public transit vehicles

Delivery truck traffic

Make recommendations on how these modes can circulate more safely and efficiently.

Ways to leverage future downtown development to facilitate and support expanded public transit service and visa-versa?

Vision, Goals, and Objectives

- Identify a vision for walking and bicycling in the City.
- Develop a set of coherent goals and objectives to achieve such a vision.

Network Projects

Network projects should consider closing gaps, transit access, and neighborhood service access. Each recommendation should include proposed infrastructure elements, starting locations, ending locations, distance, cost estimates, estimated potential impact on traffic, health, economy, and other pertinent aspects. The facility types should consider at least the following:

- Sidewalks
- Middle block crossings
- Alternative sidewalks
- Multi-use paths, especially along the Riverfront Promenade
- On-street bikeways
- Intersection/spot improvements
- Projects requiring future studies

Safety Projects

Projects that address immediate safety needs that should be addressed separately from network projects. Safety project recommendations should include all the elements that network project recommendations have and, in addition, should include:

- a description of identified safety concerns
- the expected effectiveness of suggested countermeasures
 - ways to mitigate traffic congestion and parking demand by encouraging the use of public transit.

Support Facility Projects

Support facilities are practical and necessary elements to enhance the overall walking and biking experience. They are needed to create a network that is convenient and comfortable to use from the beginning and to the end of a trip. They include but are not limited to:

- Seating
- Lighting
- Drinking fountains

- Public art
- Storefront awnings
- Bus stops
- Bike racks on buses
- Bike parking/storage
- Bike oriented wayfinding
- Ped-oriented wayfinding
- Suggesting possible public restrooms at appropriate locations or near public transit stops or stations

Programs and Policies

The Plan should provide an evaluation of current policies and make recommendations on maintaining existing programs/policies, enhancing existing programs/policies, creating new programs/policies, and updating existing programs/policies.

Potential programs include:

- Public safety education
- Law enforcement
- Walking and cycling events
- Bicycle user map
- Pedestrian map
- Complete Streets Policy

(Note: The Consultant should also incorporate the recommendations from the City's Complete Streets Policy into the Downtown Circulation Plan. That policy is attached as "Exhibit 'B' - City Council Resolution 248-2016" and made part of this RFP by reference.)

Potential policies include:

- Policies to increase and/or secure funding for non-motorized transportation infrastructure improvements.
- Land use regulations supporting non-motorized transportation infrastructure improvements.
- Policies to encourage the participation both non-motorized transportation advocates and cycling and walking experts in the decision-making for transportation planning and design.
 - Measures to reduce stormwater overflows, save energy, improve traffic flow and safety.
 - Policies to grow smarter and to utilize the City's compact mixed-use urban form as a tool to reduce greenhouse gas emissions.

4. Implementation

The Plan should prioritize recommended projects based on objective criteria such as need, expected benefit, cost, and subjective criteria such as community comments and stakeholder input. The Plan shall provide an Implementation and Capital Improvement Plan including the following components:

- Capital improvement programs for pedestrian and bicycle circulation-related improvements for inclusion in the City's Capital Budget. The programs shall outline capital improvements for the next five (5) years including priorities, cost estimates, right-of-way information, phases, and maintenance.
- An infrastructure improvement plan including estimated cost, expected outcomes, implementation time frame, and clearly identifiable implementation steps that are actionable and can be operationalized.
- A comprehensive list of matching and major funding sources for implementation of the plan at local, regional, state, and federal level, as well as strategies for applying those funds.
- A comprehensive list of key action steps for recommended policies.
- A comprehensive list of key action steps for recommended programs.

- Create a database management tool to track project progress over time.

CITY RESPONSIBILITIES

The CONSULTANT shall provide the necessary resources and services to execute the scope of services described above, and in coordination with the CONSULTANT, the City of Burlington will be responsible for the following items:

- Providing copies of available plans and existing documentation on file in the Public Works and Community Development Departments for the CONSULTANT's reference.
- Designating a staff person as a contact for the project
- Acting as a liaison with the appropriate decision-making bodies (City Council, Land Use Board, other City Departments, etc.).

If the CONSULTANT assumes that the City of Burlington will provide resources other than those specifically indicated above, those assumptions should be clearly stated and highlighted in its proposal.

DELIVERABLES

Below is a list of the minimum deliverables required for the Plan. If additional deliverables are to be created, please list them in your proposal. All deliverables must be included in the budget.

- A Downton Circulation Plan for Bicycle and Pedestrian Traffic, including executive summary, introduction, recommendations, and implementation steps.
- Documentation of existing conditions and needs assessment.
- Documentation of all meetings including key findings and stakeholder comments.
- Creation of a database of bicycle and pedestrian counts that can be maintained and updated by the City on annual or biannual basis.

SCHEDULE

The City of Burlington intends to award the contract for tasks to be completed to the successful CONSULTANT on **February 5, 2019**. After a written Notice to Proceed is issued by the City of Burlington, the CONSULTANT's work shall begin within 30 days. All work shall then be completed in accordance with the schedule stipulated. The selection process may include Consultant interviews. If necessary these interviews will take place between January 4 and 14, 2019

The Notice to Proceed issued by the City of Burlington will specify the work to be completed, and a schedule for work completion. The basis for payment and the limits of compensation shall be integrated within the contract. The CONSULTANT shall not begin work nor incur any costs associated with any task identified herein without an explicit written Notice to Proceed.

Tentative Schedule

Issue Request for Proposal
November 19, 2018

Proposals due to the City before 4:00 p.m.	December 19, 2018
Ranking and Selection (incl. interview(s), if necessary)	January 4 to 25, 2019
Award contract to Consultant	February 12, 2019
Complete work	February 12, 2020

COMPENSATION

The City of Burlington will negotiate a contract with the selected CONSULTANT based on the following assumptions and conditions:

For all services rendered as described in the Scope of the Work, including all labor, equipment, materials, and expenses, the CONSULTANT shall be compensated on a time and expense basis by task for work completed on a “time and materials, not to exceed basis.” Except in the unusual situation wherein the CONSULTANT encounters circumstances that could not be reasonably anticipated, the City of Burlington will not authorize payment beyond this amount.

VII. PROPOSAL REQUIREMENTS

A. Questions – Written questions regarding the project and this RFP will be accepted until 72 hours prior to the proposal due date. Questions may be submitted by fax or e-mail. The City of Burlington will make every effort to provide written answers no later than 48 hours via e-mail or fax to all questions submitted.

B. Submittals – Proposals shall be submitted in a sealed envelope clearly marked on the outside “**2019 Downtown Circulation Plan Update.**” All fee schedules shall be in a separate sealed envelope marked “**2019 Downtown Circulation Plan Update**”. Faxed copies will not be accepted. To be considered, proposals must be received before **4:00 p.m. on Friday, December 19, 2018**. Interested firms are invited to submit three (3) copies of their proposals to the following address:

City of Burlington
 Attn: Bill Harris
 525 High Street
 Burlington, NJ 08016

C. Contents of the Proposal – At a minimum, proposals should contain the information outlined herein. Additional information that the proposer deems relevant to the selection process may be included; however, concise and focused submittals are strongly encouraged. Graphic material illustrating design styles may be included. By submitting a proposal, and unless otherwise stated, it is understood that the CONSULTANT has reviewed the relevant information, and that based on that review, the CONSULTANT has developed an informed understanding of the projected scope of work and has satisfied itself with the applicable conditions and requirements expressed in those documents.

1. **Cover Letter** – Please include a cover letter describing your firm’s interest. Address the cover letter to: Bill Harris, Director of Housing & Community Development, at the above-listed address.

2. **Firm Background** – In two pages or less, provide a brief overview of the firm that will assume all contract responsibilities and identify all proposed sub-consultants.

3. Project Team – Provide an organization chart that identifies the individuals and sub-consultants if applicable, assigned to and responsible for the key elements of the work scope and their relationship to the other elements. Identify the project manager as well as other key personnel to be assigned, their qualifications, education, and experience. Provide resumes of key individuals who will be assigned to this project including sub-consultants. Indicate the number of hours each member has been budgeted and will be assigned to the project and explain how communication with the City will take place. Describe the roles and responsibilities of all the Project Team members involved in the Circulation Element Update.

If the Consultant has recently prepared a project similar in context and scope to the City's proposed update to its Circulation Element, please include a link to a copy of that document in your proposal.

4. Qualifications and Experience – List projects, including a brief description, which validates consultant experience in projects similar in scope of work to this project. Provide examples of recent projects; state the contract amount and completion date; and include the name, title and phone number of client references. Please do not list projects where major work was completed by staff no longer employed by the firm. Provide a statement of explanation of any instances where your firm has been removed from a project or disqualified from proposing on a project.

5. Statement of Understanding and Scope of Work – Proposals should provide a statement of your understanding of the project by highlighting the dominant issues and outlining your approach toward addressing those issues. Any recommendations regarding improvements to the process to more effectively meet the City of Burlington's stated objectives should be emphasized in your proposal and would be a clear means of demonstrating your understanding of the project requirements.

6. Schedule – Proposals should present a project schedule showing milestones, deliverable dates, and the duration of each task where it is known.

7. Proposal format – Sufficient information should be provided to justify the proposed fee and to serve as a basis for negotiating a contract and any Supplemental Agreements that may be warranted for out of scope services. In this regard, the fee proposal should identify personnel, estimated number of hours, and rate; type of equipment, hours, and rate; and any outside costs for each identified work element including travel and consultant associated costs for necessary meetings in Burlington City.

8. Fee – Consultant's Fee must be sealed in a separate envelope and will not be opened until all other factors have been considered. Unusually high or low fees may affect the ratings. Consultant compensation shall be on a "time and material, not to exceed" basis and shall include all items described in the scope of work on this project. The consultant team shall submit a fee estimate based upon:

■ The tasks to be performed.

■ A breakdown of the employees and professionals to be assigned to the tasks, the average hourly rates of each, and the man-hour cost assigned.

■ The project fee costs.

Regardless of the proposed method of compensation, any contract resulting from this solicitation will specify a maximum, not-to-exceed fee amount. Except in the unusual situation wherein the CONSULTANT encounters circumstances that could not be reasonably anticipated, the City of Burlington will not authorize payment beyond this amount.

In consideration of this, any assumptions and/or the need for any contingencies must be clearly spelled out in the Fee Proposal and used as a basis to compute a “not-to-exceed” figure for the project. This figure should be sufficient to provide for any reasonably anticipated circumstances that may be encountered during project execution and completion.

D. Commitment – The individual or company official with the power to bind the company in its proposal must sign the proposal. The contents of the proposal shall become a contractual obligation if a consultant’s bid is accepted.

VIII. SELECTION CRITERIA

Proposals will be evaluated by a review committee based on the following criteria:

A. Understanding of the Scope of Work to be Performed (20 pts)

1. Demonstrated understanding of the project objectives.
2. CONSULTANT’s approach to accomplishing the scope of work.
3. Timetable and costs for completing the project.

B. CONSULTANT’s Methods, Schedule and Procedures to be Used (25 pts)

1. CONSULTANT’s general approach to evaluating the issues.
2. CONSULTANT’s ability to accelerate the design and schedule.
3. Complete description of the procedures and method to be utilized.

C. Management, Personnel and Experience (45 pts)

1. Qualifications of each participant and overall qualification for the firm.
2. Experience and performance on similar projects.
3. Technical and Computer Capability.

D. CONSULTANT’s Consultation and Coordination with the City of Burlington (10 pts)

REQUIRED ATTACHMENTS TO PROPOSAL

In addition to the narrative submitted in response to this RFP, firms must complete and include the following documents:

1. Copy of New Jersey Business Registration Certificate. All firms (and their subcontractors) competing for municipal contracts must provide a copy of their Business Registration Certificate at the time the proposal is submitted.
2. Completed Bid Proposal Form
3. Completed Affirmative Action Compliance Notice
4. Acknowledged Appendix "A" Americans with Disabilities Act Form
5. Completed Disclosure of Activities in Iran Form
6. Completed Statement of Ownership Disclosure
7. Completed New Jersey Debarred List Affidavit
8. Completed Non-Collusion Affidavit
9. Acknowledgement of Receipt of Addenda Form

INSURANCE

Prior to the commencement of a contract, the successful proposer/respondent will be required to furnish a copy of their professional liability insurance certificate evidencing valid insurance coverage. Insurance coverage should be in place at the start of the contract term and must be maintained continuously for the duration of the contract. Any lapses in insurance coverage must be reported to the City immediately. The successful proposer/respondent shall procure insurance coverage against claims that may arise from, or in connection with the performance of the work hereunder by the successful proposer/respondent, his agents, representatives, employees or sub-contractors. The successful proposer/respondent shall keep all the required insurance in force continuously pursuant to their responsibility described in the contract, including any and all extensions. The successful proposer/respondent shall pay all costs, premiums, and charges earned and payable under the required insurance. For the purpose of this exhibit: the term "successful proposer/respondent" shall also include their respective agents, representatives, employees or sub-contractors; and the term "City of Burlington" (or "City") shall include their respective officers, agents, officials, employees, volunteers, boards and commissions.

AFFIRMATIVE ACTION

All contracts issued by a Public Agency must contain the mandatory affirmative action language set forth in N.J.A.C. 17:27 et seq. For all goods, general services and professional services vendors, Public Agency contracts must include the affirmative action language of Exhibit A which is included with this RFP.

P.L. 1975, C. 127 (N.J.A.C. 17:27) Mandatory Affirmative Action Language for Procurement, Professional and 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, sex, affectional or sexual orientation. The contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation. Such action 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, sex, affectional or sexual orientation.

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 the regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to attempt in good faith to employ minority and female workers consistent with the applicable county employment goals prescribed by N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time or in accordance with a binding determination of the applicable county employment goals determined by the Affirmative Action Office pursuant to N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time. The contractor or subcontractor agrees to inform in writing appropriate recruitment agencies in the area, including employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation, 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.

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, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation, and conform with the applicable employment goals, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor and its subcontractors shall furnish such reports or other documents to the Affirmative Action Office 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 Affirmative Action Office for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code (NJAC 17:27).

The contractor has attached a copy of their current "Certificate of Employee Information Report" to this Agreement; or contractor agrees to complete the Affirmative Action Employee Information Report, form AA-302 and forward same to the Affirmative Action Office within thirty (30) days of the date of this Agreement.

BID PROPOSAL FORM

(MUST BE SUBMITTED IN A SEPARATE SEALED ENVELOPE MARKED

"Downtown Circulation Plan")

The undersigned proposes to furnish and deliver the above goods/services pursuant to the RFP specification and made part hereof:

Dollar amount in words

\$ _____

Amount in numbers

Company Name

Federal I.D. # or Social Security #

Address

Municipality, State, and Zip Code

Signature of Authorized Agent

Type or Print Name

Title: _____

Telephone Number

Date

Fax Number

E-mail address

The City has the right to accept or reject any or all of the proposals by the offerors.

EXHIBIT A

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 take affirmative action to ensure that such applicants are recruited and employed, 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 action 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, 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 Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in

accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to 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, labor unions, that it does not discriminate on the basis of age, 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 applicable 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, 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

The contractor and its subcontractors shall furnish such reports or other documents to the Div. of Contract Compliance & EEO 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 Div. of Contract Compliance & EEO for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

AFFIRMATIVE ACTION COMPLIANCE NOTICE

N.J.S.A. 10:5-31 and N.J.A.C. 17:27

GOODS AND SERVICES CONTRACTS

(INCLUDING PROFESSIONAL SERVICES)

This form is a summary of the successful bidder's requirement to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et seq.

The successful bidder shall submit to the public agency, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

- (a) A photocopy of a valid letter that the contractor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter); OR
- (b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-4; OR
- (c) A photocopy of an Employee Information Report (Form AA302) provided by the Division and distributed to the public agency to be completed by the contractor in accordance with N.J.A.C. 17:27-4.

The successful vendor may obtain the Affirmative Action Employee Information Report (AA302) from the contracting unit during normal business hours.

The successful vendor(s) must submit the copies of the AA302 Report to the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (Division). The Public Agency copy is submitted to the public agency, and the vendor copy is retained by the vendor.

The undersigned vendor certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27.1 et seq. and agrees to furnish the required forms of evidence.

The undersigned vendor further understands that his/her bid shall be rejected as non-responsive if said contractor fails to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et seq.

COMPANY: _____

SIGNATURE: _____

PRINT NAME: _____

TITLE: _____

DATE: _____

APPENDIX A

AMERICANS WITH DISABILITIES ACT OF 1990

Equal Opportunity for Individuals with Disability

The contractor and the City of Burlington, NJ, (hereafter "owner") do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") (42 *U.S.C.* S121 01 et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant there unto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the owner pursuant to this contract, the contractor agrees that the performance shall be in strict compliance with the Act. In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the owner in any action or administrative proceeding commenced pursuant to this Act. The contractor shall indemnify, protect, and save harmless the owner, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The contractor shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the owner's grievance procedure, the contractor agrees to abide by any decision of the owner which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the owner, or if the owner incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the contractor shall satisfy and discharge the same at its own expense.

The owner shall, as soon as practicable after a claim has been made against it, give written notice thereof to the contractor along with full and complete particulars of the claim, if any action or administrative proceeding is brought against the owner or any of its agents, servants, and employees, the *owner shall* expeditiously forward or have forwarded to the contractor every demand, complaint, notice, summons, pleading, or other process received by the owner or its representatives.

It is expressly agreed and understood that any approval by the owner of the services provided by the contractor pursuant to this contract will not relieve the contractor of the obligation to comply with the Act and to defend, indemnify, protect, and save harmless the owner pursuant to this paragraph.

It is further agreed and understood that the owner assumes no obligation to indemnify or save harmless the contractor, its agents, servants, employees and subcontractors for any claim which may arise out of their performance of this Agreement. Furthermore, the contractor expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the contractor's obligations assumed in this Agreement, nor shall they be construed to relieve the contractor from any liability, nor preclude the owner from taking any other actions available to it under any other provisions of the Agreement or otherwise at law.

Name of Proposer: _____
(Person, Firm, or Corporation)

Date: _____

Signature and Title:

DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

RFP Title: _____ **“Downtown Circulation Plan”** _____

Proposer: _____

PART 1: CERTIFICATION

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 the person or entity, or one of the person or entity's parents, subsidiaries, or affiliates, is not identified on a list created and maintained by the New Jersey Department of the Treasury as a person or entity engaging in investment activities in Iran. If the Department of Treasury finds person or entity to be in violation of the principles which are the subject of this law, action shall be taken 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 person or entity. **Failure to complete the certification will rendered a respondent’s proposal as non-responsive.**

I certify, pursuant to Public Law 2012, c. 25, that the person or entity listed above, for which I am authorized to submit a proposal, nor any of the proposer’s parents, subsidiaries, or affiliates (check each box if appropriate):

_____ is not providing goods or services of \$20,000,000 or more in the energy sector of Iran, including a person or entities that provides oil or liquefied natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas, for the energy sector of Iran, AND

_____ is not a financial institution that extends \$20,000,000 or more in credit to another person or entity, for 45 days or more, if that person or entity will use the credit to provide goods or services in the energy sector in Iran.

In the event that a person or entity is unable to make the above certification because it or one of its parents, subsidiaries, or affiliates has engaged in the above-referenced activities, a detailed, accurate and precise description of the activities must be provided in Part 2 below to the City of Burlington under penalty of perjury. 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

Where appropriate, provide a detailed, accurate and precise description of the activities of the proposer, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below. Please provide thorough answers to each question. Provide an attachment if you need to make additional entries.

Name: _____ Relationship to Proposer:

Description of
Activities: _____

—

_____ Duration of Engagement: _____ Anticipated Cessation Date:

Proposer Contact Name: _____ Phone Number:

PART 3: 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 City of Burlington 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 Borough to notify the Borough 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 City of Burlington and that the Borough at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): _____

Signature:

Title: _____ Date: _____

STATEMENT OF OWNERSHIP DISCLOSURE

N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

This statement shall be completed, certified to, and included with all bid and proposal submissions. Failure to submit the required information is cause for automatic rejection of the bid or proposal.

Name of

Organization: _____

Organization

Address: _____

Part I Check the box that represents the type of business organization:

- Sole Proprietorship (skip Parts II and III, execute certification in Part IV)
- Non-Profit Corporation (skip Parts II and III, execute certification in Part IV)
- For-Profit Corporation (any type) Limited Liability Company (LLC)
- Partnership Limited Partnership Limited Liability Partnership (LLP)
- Other (be specific): _____

Part II

- The list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. **(COMPLETE THE LIST BELOW IN THIS SECTION)**

OR

- No one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. **(SKIP TO PART IV)**

(Please attach additional sheets if more space is needed):

Name of Individual or Business Entity	Home Address (for Individuals) or Business Address

Part III DISCLOSURE OF 10% OR GREATER OWNERSHIP IN THE STOCKHOLDERS, PARTNERS OR LLC MEMBERS LISTED IN PART II

If a bidder has a direct or indirect parent entity which is publicly traded, and any person holds a 10 percent or greater beneficial interest in the publicly traded parent entity as of the last annual federal Security and Exchange Commission (SEC) or foreign equivalent filing, ownership disclosure can be met by providing links to the website(s) containing the last annual filing(s) with the federal Securities and Exchange Commission (or foreign equivalent) that contain the name and address of each person holding a 10% or greater beneficial interest in the publicly traded parent entity, along with the relevant page numbers of the filing(s) that contain the information on each such person. **Attach additional sheets if more space is needed.**

Website (URL) containing the last annual SEC (or foreign equivalent) filing	Page #'s

Please list the names and addresses of each stockholder, partner or member owning a 10 percent or greater interest in any corresponding corporation, partnership and/or limited liability company (LLC) listed in Part II **other than for any publicly traded parent entities referenced above.** The disclosure shall be continued until names and addresses of every noncorporate stockholder, and individual partner, and member exceeding the 10 percent ownership criteria established pursuant to N.J.S.A. 52:25-24.2 has been listed. **Attach additional sheets if more space is needed.**

Stockholder/Partner/Member and Corresponding Entity Listed in Part II	Home Address (for Individuals) or Business Address

Part IV Certification

I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the bidder/proposer; that the **<name of contracting unit>** is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with **<type of contracting unit>** to notify the **<type of contracting unit>** in writing of any changes to the information contained herein; 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 am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the, permitting the **<type of contracting unit>** to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print):		Title:	
Signature:		Date:	

STATE OF NEW JERSEY DEBARRED LIST AFFIDAVIT

I, _____ of the _____ (city) in the County of _____ and the State of _____ being of full age and fully sworn according to law on my oath depose and say that:

I am _____ an officer of the firm of _____ the bidder making the Proposal for the above named work, and that I executed the said Proposal with full authority to do so; that said bidder at the time of making this bid is not included on the State of New Jersey, Treasurer’s List of Debarred, Suspended and Disqualified Bidders; and that all statements contained in said Proposal and in this affidavit are true and correct, and made with the full knowledge that the City of Burlington, as the Owner, relies upon the truth of the statements contained in said Proposal and in the statements contained in the affidavit in awarding the contract for said work.

The undersigned further warrants that should the name making this bid appear on the State Treasurer’s List of Debarred, Suspended and Disqualified Bidders at any time prior to, and during the life of this Contract including the Guarantee Period, that the Local Governing Unit shall be immediately so notified by the signatory of the Eligibility Affidavit.

The undersigned understands that the firm making the bid Contractor is subject to disbarment, suspension and/or disqualification in contracting with the State of New Jersey, if the Contractor pursuant to NJAC 7:1-5.2, commits any of the acts listed therein, and as determined according to applicable law and regulation.

_____ Contractor
_____ Name and Title of Affiant

Subscribed and sworn before me this ____ day of _____ 20__.

_____ (Notary Signature)

Notary Public of _____

My Commission Expires _____.

NON-COLLUSION AFFIDAVIT

State of New Jersey

County of _____

ss:

I, _____ residing in

(name of municipality)

(name of affiant)

in the County of _____ and State of

_____ of full age, being duly sworn according to law on my oath depose and say that:

I am _____ of the firm of _____
(title or position)

(name of firm)

_____ the bidder making this Proposal for the bid

entitled _____, and that I executed the said proposal with

(title of bid proposal)

full authority to do so that said bidder has not, directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above-named project; and that all statements contained in said proposal and in this affidavit, are true and correct, and made with full knowledge that the _____ relies upon the truth of the statements contained in said Proposal

(name of contracting unit)

and in the statements contained in this affidavit in awarding the contract for the said project.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by

_____.

Subscribed and sworn to

before me this day

Signature

_____, 2____

(Type or print name of affiant under signature)

Notary public of

My Commission expires _____

(Seal)

City of Burlington

ACKNOWLEDGMENT OF RECEIPT OF ADDENDA

The undersigned Bidder hereby acknowledges receipt of the following Addenda:

<u>Addendum Number</u>	<u>Dated</u>	<u>Acknowledge Receipt</u> (initial)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

No addenda were received:

Acknowledged for: _____
(Name of Bidder)

By: _____

(Signature of Authorized Representative)

Name: _____

(Print or Type)

Title: _____

Date: _____

Exhibit 'A'

Circulation Element of the City's 2010 Master Plan

Exhibit 'B'
Complete Streets Policy:
RESOLUTION NO. 248-2016
Adopted: October 18, 2016

This Complete Streets Policy shall be incorporated into the next Reexamination, update, revision, amendment or adoption of the Master Plan.

Purpose: To adopt a Complete Streets Policy that acknowledges and implements the concept that streets should be designed, built and retrofitted for all users: motor vehicles, pedestrians, bicyclists, transit users and people with disabilities. Implementation of this policy will integrate the needs of all users into everyday transportation and land use decision making, and will take place through the following methods:

1. Bicycle and pedestrian ways shall be established in new construction and reconstruction projects unless one or more of the following conditions are met:

§Bicyclists and pedestrians are prohibited by law from using the roadway.

§The cost of accommodations is excessively disproportionate to cost of project, at more than twenty percent (20%) of total cost.

§Where sparse population, travel or other factors indicate an absence of need as defined by any street with a paved roadway width greater than 28 feet and less than 100 vehicles per day.

§Detrimental environmental or social impacts outweigh the need for these accommodations

§The safety or timing of a project is compromised by the inclusion of Complete Streets.

2. Paved shoulders should be included in all new construction and reconstruction projects on roadways used by more than 1,000 vehicles per day consistent with NJDOT Complete Streets policy.

3. Sidewalks, shared use paths, street crossings, pedestrian signals, signs, street furniture, transit stops and facilities, and all connecting pathways shall be designed, constructed, operated and maintained so that all pedestrians, including people with disabilities, can travel safely and independently.

4. The design and development of the transportation infrastructure shall improve conditions for bicycling and walking through the following additional steps:

§Planning projects for the long-term. The design and construction of new facilities that meet the criteria in Item 1 above should anticipate likely future demand for bicycling and walking facilities and not preclude the provision of future improvements.

§Addressing the need for bicyclists and pedestrians to cross corridors as well as travel along them. The design of intersections and interchanges shall accommodate bicyclists and pedestrians in a manner that is safe, accessible and convenient.

§Getting exceptions approved at a senior level. Exceptions for the non-inclusion of bikeways and walkways shall be approved by a senior manager and be documented with supporting data that indicates the basis for the decision.

§Designing facilities to the best currently available standards and guidelines. The design of facilities for bicyclists and pedestrians should follow design guidelines and standards that are commonly used, such as the AASHTO Guide for the Development of Bicycle Facilities, AASHTO's A Policy on Geometric Design of Highways and Streets, and the ITE Recommended Practice "Design and Safety of Pedestrian Facilities".