

**ROWAN UNIVERSITY/RUTGERS CAMDEN BOARD OF
GOVERNORS**

REQUEST FOR PROPOSALS

RFP# 2020-01

**CONSTRUCTION FIT-OUT OF CAFÉ SPACE AT JOINT HEALTH
SCIENCES CENTER**

**For the
Rowan University/Rutgers – Camden Board of Governors**

**RFP Issued: March 9th, 2020
Pre-Bid Conference and Walk-Through March 18th, 2020
Contractor Question Period Ends: March 25th, 2020
Proposals Due: April 7th, 2020
Board Meeting: April 14th, 2020
Conditional Notice of Intent to Award Contract: April 15th, 2020
Contract Executed: April 29th, 2020
Commencement Date: May 4th, 2020**

The above dates are provided to prospective bidders for planning purposes only. These are estimated timeline dates and do not represent a firm commitment dates by which the Board will take action.

**ISSUED BY:
Rowan University/Rutgers-Camden Board of Governors**

ROWAN UNIVERSITY / RUTGERS CAMDEN BOARD OF GOVERNORS

NOTICE TO PROPOSERS RFP # 2020-01

CONSTRUCTION FIT-OUT OF CAFÉ SPACE AT JOINT HEALTH SCIENCES CENTER

The Rowan University/Rutgers-Camden Board of Governors (“Board”) is soliciting proposals from qualified contractors to perform the construction fit-out of the café space at the Joint Health Sciences Center, as more fully described in the design plans (“Design Plans”) available at the Board’s website (rurcbog.com) and available for purchase at the McKernan Architects & Associates office located at 100 Dobbs Lane, Suite 204, Cherry Hill NJ 08034 for a fee of \$50.00. The office is open weekdays between the hours of 8:30 am to 4:30 pm. The office may also be reached via phone at 856-616-2960. Proposals must be submitted in the form provided in the proposal packet.

All replies to this RFP must be received at the Rowan University/Rutgers-Camden Board of Governors office located in the Joint Health Sciences Center at 201 South Broadway, Suite 440, Camden, NJ on or before **April 7th, 2020 at 3:00 PM (Eastern Time)**. One (1) original and three (3) copies of the proposal must be sealed with the name of the RFP clearly marked on the outside of the envelope. Any proposals received after said time and date, whether by mail or otherwise will be returned unopened. No proposals will be accepted after the above referenced date. Proposals may not be emailed, faxed or transmitted over the telephone.

Optional Pre-Bid Conference and Walk-Through of the café space will be held on **March 18th, 2020, at 10:00 AM (Eastern Time)** at the Joint Health Sciences Center, located at 201 South Broadway, Camden, New Jersey 08103.

This project is being bid pursuant to N.J.S.A. 19:44A-20.5, et seq. The contract will be awarded by the Board at a public meeting(s), in accordance with the criteria set forth in the Request for Proposals and applicable laws.

Respondents are 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.

Request for Proposals

Description of Project

The Board is seeking a qualified contractor to perform the construction fit-out of the café space at the Joint Health Sciences Center in accordance with the Design Plans.

The Rowan University/Rutgers - Camden Board of Governors

The Board is an instrumentality of the State of New Jersey. On August 22, 2012, Governor Chris Christie signed into law the Restructuring Act. Specifically, Sections 33 and 34 of the law created the Board and gave it broad powers. The Legislature created the Board with the vision that it would leverage existing education, research and medical assets in Camden to create and sustain economic growth and civic engagement in the city and the broader South Jersey region. The Board's mission translates into three overarching themes: (1) education; (2) economic development; and (3) civic engagement.

Scope of Work (the "Project")

The scope-of-work for this project consists of performing the construction fit-out of the café space at the Joint Health Sciences Center in accordance with the Design Plans, under the direction and supervision of the Board's Director of Capital Planning, Construction & Facilities (the "Project"):

Statement of Qualifications

A statement of qualifications shall be submitted and presented in the following listed order:

- (1) Description of organizational/individual experience, expertise and support and explanation of how it relates to the Project;
- (2) Examples of relevant projects performed for higher-educational institutions and/or non-profit organizations within the past five years;
- (3) Credentials and resumes of key individual(s) who would be working on the Project; and

- (4) References from three past clients for whom the bidder has completed comparable projects.

Attachments that demonstrate experience relevant to the Engagement are welcome.

Pricing

The bidder must submit a lump sum price for the Project.

Proposal Evaluation Process

Pursuant to the Board's procurement policy, the following process will be used to evaluate the proposals:

1. The Board will designate a Committee to evaluate proposals submitted in response to the RFP ("Evaluation Committee"). The Evaluation Committee will review the information contained in the proposals, any supplemental information provided by bidders, and information gathered during interviews with bidders, if conducted. The Evaluation Committee will consider the following criteria in ranking the proposals:
 - a) Compliance with the requirements stated in the RFP;
 - b) Experience specific to the Project;
 - c) Experience performing comparable work for public entities in the State of New Jersey and the City and County of Camden;
 - d) Understanding the requirements of the Project and presentation of a plan to perform the Project within the time parameters;
 - e) Financial and human resources to perform the Project; and
 - f) Cost to perform the Project.
2. Following receipt of proposals, the Evaluation Committee may, in its sole discretion, schedule interviews with some bidders, no bidders, or all bidders, as determined by the Evaluation Committee. These interviews will be for the purpose of clarification, verification of evaluations, review of personnel, etc. Upon a decision to interview a bidder, the Evaluation Committee may ask the bidder being interviewed to have specific personnel from its staff attend the interview. If selected for an interview, bidders will be contacted to schedule the date and time of the interview.

3. In accordance with applicable law, the Board expressly reserves the right (i) to reject any submission which is not in compliance with the terms of the RFP or any part thereof, (ii) to request clarifications of a document or the contents thereof submitted in response to this RFP, (iii) to terminate this RFP, and (iv) to terminate or modify the RFP process at any time. In addition, the Board reserves the right to allow for a clarification by a bidder, as may be permitted by law and which is in the best interest of the Board.
4. The Board expressly reserves the right, in its sole and absolute discretion, to waive any non-material provisions of this RFP in accordance with applicable law.
5. The Board reserves the right, in its sole discretion, to waive minor elements of non-compliance of any bidder's submission with regard to the requirements outlined in this RFP.

Contract Award

The contract award shall be made with reasonable promptness by written notice to that responsible bidder, whose bid proposal, conforming to this RFP, is deemed most advantageous to the Board based on the evaluation criteria. Any or all bid proposals may be rejected in accordance with applicable law.

Business Registration

Bidders must provide as part of their response to this RFP proof of a valid Business Registration Certificate (BRC) from the Department of the Treasury, Division of Revenue. Any questions in this regard can be directed to the Division of Revenue at (609) 292-1730. Form NJ-REG. can be filed online at www.state.nj.us/njbgs/services/html.

Ownership Disclosure

Pursuant to N.J.S.A. 52:25-24.2, in the event that the bidder is a corporation, partnership or limited liability company, the bidder must complete and execute an Ownership Disclosure Form and submit it with its proposal. A bidder's failure to submit a completed and executed Ownership Disclosure Form will result in the rejection of the proposal as non-responsive and preclude the award of a contract to the bidder.

In the alternative, to comply with N.J.S.A. 52:25-24.2, a bidder with any direct or indirect parent entity that is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10% or greater beneficial interest in the publicly traded entity as of the last annual filing with the Federal Securities and Exchange Commission, or the foreign equivalent, and, if there is any person that holds a 10% or greater beneficial interest, also submit links to the websites

containing the last annual filings with the Federal Securities and Exchange Commission, or the foreign equivalent, and the relevant page numbers of the filings that contain the information on each person that holds a 10% or greater beneficial interest.

Other Bid Requirements

Bidders must provide as part of their response to this RFP the following certifications and disclosures:

- This project is subject to a Project Labor Agreement
- Disclosure of Investment Activities in Iran.
- Certification regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion.
- Equal Employment Opportunity/Affirmative Action Evidence.
- MacBride Principles Form.
- Request for Taxpayer Identification Number and Certification (IRS Form W-9).

To assist bidders, the Board has provided Vendor Forms on its website for use by bidders in complying with all required certifications and disclosures described in this RFP. All such certifications and disclosures must be submitted as part of the bidder's response to this RFP. A bidder's failure to submit the required certifications and disclosures may result in the rejection of the proposal as non-responsive and preclude the award of a contract to the bidder.

Contract Award

1. Award of a contract for the Project will be conditioned on the successful bidder entering into a contract acceptable to the Board that will contain, among other provisions specific to the Project, the Standard Contract Terms and Conditions set forth in Attachment A.
2. The Board reserves the right to solely determine, at any time, not to proceed with the Project, or any portion of the Project, and, in such circumstances, to modify the Project if such action is in the Board's best interest based upon budgetary and fiscal considerations.
3. The Board retains the discretion to modify, expand or delete any portion of the Scope of Services outlined in this RFP, in accordance with applicable law.
4. The award of a Contract under this RFP is subject to the approval of the Board at its public meeting.
5. Any bidder attempting to contact government officials (elected or appointed) or any member or staff of the Board in an effort to influence the selection process shall

immediately have its proposal summarily rejected and disqualified.

6. Any proposal submitted in response to this RFP will be considered an offer by the bidder to perform the Scope of Services, as outlined in the RFP. By submitting a bid proposal in response to this RFP, the bidder agrees to hold its bid offer open for at least 60 days after the response due date. Any provision in a submitted bid that attempts to limit or condition the time that a bid offer is open for consideration by the Board will not be binding on the Board. The Board may, in its sole discretion, and subject to applicable law, upon good cause shown to the Board's satisfaction, allow a bidder to withdraw its bid after submission.

7. Any unsuccessful bidder may protest a contract award by the Board. In order for a protest to be timely, it must be received by the Board in writing via email and letter via regular U.S. Mail delivery within ten (10) business days after notification that its bid was unsuccessful. The notifications will be sent via email and letter via regular US mail delivery.

In order to be considered complete, a protest must: (i) identify the protestor, (ii) identify the contract award that is being protested, (iii) specify all grounds for the protest (including all arguments, materials and/or documents that support the protest), and (iv) indicate whether an oral presentation is requested, and if so, the reason for the oral presentation. A Hearing Officer will be designated by the Board's Chief Executive Officer. The designated Hearing Officer will review all timely and complete protests and will have sole discretion to determine if an oral presentation by the protestor is necessary to reach an informed decision on the matter(s) of the protest.

After completing his or her review of the protest, the Hearing Officer will write a report making a recommendation regarding the merits of the contract award protest. The protestor will receive a copy of the "Hearing Officer's Report" and be given a ten (10) business day "Exceptions Period" to refute the findings of the Hearing Officer. The "Hearing Officer's Report" and any exceptions submitted by the protestor will be submitted to the Board for a final decision.

It is the Board's intent not to award the contract for the Project until it has completed all the review procedures described above. If, however, in the Board's sole discretion, it is determined that such an award is necessary to support the efficient operations of the Joint Health Sciences Center, the contract may be awarded. The decision by the Board to make a final award of the contract will be a final action that is appealable to the Appellate Division of the Superior Court of New Jersey.

8. Proposals submitted in response to this RFP will be available, upon request, for public inspection. The Board will make every effort to maintain confidentiality of information received as part of the RFP. However, all bidders are cautioned that the Board is subject to the provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. and the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

("OPRA") and are bound by the requirements of both statutes and relevant case law.

9. Proposals can be released to the public during the protest period or after contract award under OPRA or the common law right to know as established under New Jersey case law. A bidder may designate specific information as not subject to disclosure pursuant to the exceptions to OPRA found at N.J.S.A. 47:1A-1.1, when a good faith legal and/or factual basis for such assertion exists. Any proprietary and/or confidential information contained in a proposal will be redacted by the Board; however, the Board reserves the right to make a determination as to what is proprietary or confidential and will advise the bidder accordingly. The location in the proposal of any such designation should be clearly stated in a cover letter. The Board will not honor any attempt by a bidder to designate its entire proposal as proprietary, confidential and/or to claim copyright protection for its entire proposal. In the event of any challenge to the bidder's assertion of confidentiality to which the Board does not concur, the bidder shall be solely responsible for defending its designation and the Board shall have no responsibility therefore.

Proposal Deadline

One (1) original and Three (3) copies of the bid proposal must be submitted to the Rowan University/Rutgers-Camden Board of Governors office located in the Joint Health Sciences Center at 201 South Broadway, Suite 440, Camden, NJ on or before 3:00 PM on April 7th, 2020. Late bids will not be considered.

Attachment A

ROWAN UNIVERSITY / RUTGERS CAMDEN BOARD OF GOVERNORS

STANDARD CONTRACT TERMS AND CONDITIONS

The following terms and conditions (collectively the "Board's Standard Terms and Conditions") will be incorporated into any contract awarded by the Board.

1. ANTI-DISCRIMINATION

The contractor agrees not to discriminate in employment and agrees to abide by all anti-discrimination laws including those contained within N.J.S.A. 10:2-1 through N.J.S.A. 10:2-4, N.J.S.A.10:6-1 et seq. and N.J.S.A.10 :5-31 through 10:5-38, and all rules and regulations issued there under.

2. AMERICANS WITH DISABILITIES ACT

The contractor must comply with all provisions of the Americans with Disabilities Act (ADA), P.L. 101-336, in accordance with 42 U.S.C. 12101 et seq.

3. COMPLIANCE WITH N.J.S.A. 19:44A-20 .13 et seq. ("Pay to Play" Act).

The Board will provide the contractor with a "Vendor Certification and Disclosure of Political Contribution" form" to complete. The Board will forward the completed Form to the State Treasurer or his designee for review pursuant to the Act. In the event the State Treasurer determines that the Act precludes a contract award to the contractor, a contract award will not be made. In the event a contract award is made, the contractor is under a continuing duty to disclose all contributions that may be made during the term of the contract. In such event, the contractor must immediately complete the Continuing Disclosure of Political Contributions Form and submit the completed Form to the Board.

4. POLITICAL CONTRIBUTION DISCLOSURE BY CONTRACTOR

If the contract is in excess of \$17,500, the contractor must comply with P.L. 2005, c.271, by completing and submitting to the Board the required Chapter 271 Vendor Certification and Political Contribution Disclosure Form, before the effective date of the contract. Failure to comply with this political contribution disclosure requirement may result in the cancellation of the contract award and/or imposition of financial penalties by the New Jersey Election Law Enforcement Commission ("ELEC"). Additional information about this requirement is available from ELEC at 888-313-3532 or at <http://www.elec.state.nj.us>.

5. BIDDER ANNUAL ELECTION DISCLOSURE OBLIGATION

The contractor is advised of its responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Law Enforcement Commission (ELEC), pursuant to P.L. 2005, c. 271, section 3, if the contractor receives contracts in excess of \$50,000 from a public entity in a calendar year. It is the contractor's responsibility to determine if filing is necessary. Failure to so file can result in the imposition of financial penalties by ELEC. Additional information about this requirement is available from ELEC at 886--313-3532 or at <http://www.elec.state.nj.us>.

6. SUBCONTRACTING OR ASSIGNMENT

The contract may not be subcontracted or assigned by the bidder, in whole or in part, without the prior written consent of the Board. Such consent, if granted, shall not relieve the bidder of any responsibilities under the contract. Nothing contained in the specifications shall be construed as creating a contractual relationship between any subcontractor and the Board.

7. TAX CHARGES

The Board is exempt from State sales or use taxes and Federal excise taxes. Prices charged must not include such taxes.

8. CLAIMS

Claims asserted by bidders shall be subject to the New Jersey Tort Claims Act, N.J.S.A. 59:1-1, et seq., and/or the New Jersey Contractual Liability Act, N.J.S.A. 59:13 1, et seq.