
**REQUEST FOR PROPOSALS:
LONG-RANGE TRANSPORTATION PLAN PUBLIC OUTREACH
QUESTIONS AND ANSWERS**

Responses to Questions raised at the March 27, 2024, Pre-proposal Meeting, issued on April 22, 2024

A pre-proposal meeting was held via Zoom on March 27, 2024, to provide a general overview of the Request for Proposals (RFP) for the Long-Range Transportation Plan Public Outreach. The following are questions asked by meeting attendees and the NJTPA's official responses.

Question 1: How frequently are project check-ins expected in this project?

Response 1: Formal project check-ins are required at least every two weeks to keep the effort on track. However, to review interim products or to prepare for outreach events, deliverables, communications products, etc., additional check-ins may be required, as needed.

Question 2: Is there a budget limit or "do not exceed" figure for this project?

Response 2: Consultants should prepare a scope of work that is responsive to the RFP and develop a budget accordingly. The review committee will determine the practicality of each consultant's proposed hours relative to completing the scope of work and in relation to that of other competitive proposals. There will be an opportunity to negotiate the budget with the top-ranked firm(s) after the Consultant Selection Committee has reviewed the technical proposals to ensure the proposed expenditures are reasonable and the project's outcomes justify the project's expenses.

Responses to Questions issued April 22, 2024.

Question 3: The section entitled **Insurance & Liability** starting on Pg. 12 of the RFP contains some problematic language pertaining to critical insurability issues. Is NJTPA amenable to the following revisions:

Paragraph 3, Sentence 3 under Insurance & Liability – "The foregoing statement of insurance requirements shall in no way relieve or limit the Consultants of its obligation to defend, indemnify, and save harmless NJTPA, NJIT, and the NJTPA's host agency, nor shall it relieve the Consultants of any obligation hereunder."

NOTE: The obligation to defend is a contractually assumed liability that is excluded from professional liability coverage and agreeing to it may lead to potential claims for which there is no available coverage.

Page 13, Paragraph 2, F. Cyber Liability (if applicable): "...including Network Security, Data Breach, Privacy, and cyber extortion coverage in the amount of not less than \$2M each occurrence ~~claim~~ and \$2M aggregate."

NOTE: Cyber Liability insurance is written on a claims' made basis, not occurrence.

Page 13, Paragraph 3, Sentence 1 – “...and coverages must be maintained in force throughout the term of the project for the prime and each subconsultant. NJTPA, and NJIT shall be ~~named~~ *included* as additional insureds on a primary and non-contributory basis on each policy of required insurance with a waiver of subrogation (excluding worker’s compensation *and professional liability*).”

NOTE: The firm can agree to include NJTPA and NJIT as additional insureds on a blanket additional insured endorsement, but cannot and should not be additional named insureds. In addition, waiver of subrogation should also be waived on professional liability insurance.

Response 3: During contract negotiations, the selected firm will have an opportunity to discuss and propose changes/amendments to insurance and liability requirements or request waivers of insurance. Any such changes/amendments to insurance and liability requirements or requests for waivers of insurance are subject to NJTPA and NJIT approval and will be dependent on the project scope and services provided.

Question 4: Pg. 13, Paragraph 4 in the RFP states that “The prime consultant shall assure that all subconsultants secure and maintain the same types and amounts of insurance required including compliance with the primary and noncontributory, waiver of subrogation, and additional insured requirements.” However, the required coverage limits will be extremely difficult for any small DBE firm to comply with. Is NJTPA willing to provide a waiver of this requirement for DBE subconsultants?

Response 4: See Response 3.