

1. Conference Meeting Agenda

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2. Public Meeting Agenda

Documents:

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3. Resolution(S)

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3.II. 137-24

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[137-24 RESOLUTION-2024 E-VAN.PDF](#)

3.III. 138-24

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[138-24 EXHIBIT TO RESOLUTION ADOPTING THE TOWNSHIP OF WEST ORANGE VISION ZERO ACTION PLAN.PDF](#)

3.IV. 139-24

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[139-24 RESOLUTION AUTHORIZING LICENSE AGREEMENT MONTCLAIR YMCA FOR USE OF THE GINNY DUENKEL POOL - 2024.PDF](#)
[139-24 EXHIBIT - MONTCLAIR YMCA FOR USE OF THE GINNY DUENKEL POOL - 2024.PDF](#)

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REVISED

Township of West Orange
CONFERENCE MEETING AGENDA
Council Chambers – 66 Main Street
Tuesday, April 24, 2024
Meeting No. 8

This is to inform the general public that this meeting is being held in compliance with Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975. The annual notice was emailed to the Star Ledger and filed in the Township Clerk’s office on November 21, 2023, and published in the West Orange Chronicle on November 30, 2023.

Roll Call – Councilwoman Casalino, Councilwoman Ghebremicael, Councilwoman Scarpa, Councilwoman Williams, Council President Rutherford, Mayor McCartney

=====

6:30 P.M.

- **Proclamation – Autism Awareness Month**
- **Presentation – BE KIND-Public Relations Commission
Dr. Josie Velez & Patrecia West**
- **Council Liaison Announcements**
- **Public Meeting – 7:00 p.m.**

PUBLIC MEETING AGENDA
Township of West Orange
66 Main Street – 7:00 p.m.
Wednesday, April 24, 2024-Meeting No. 8

This is to inform the general public that this meeting is being held in compliance with Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975. The annual notice was emailed to the Star Ledger and filed in the Township Clerk's office on November 21, 2023, and published in the West Orange Chronicle on November 30, 2023.

Statement of Decorum

In all matters not provided for in subsection 3-15.1 and except upon consent of the Council President, each person addressing the Council pursuant to this subsection shall be required to limit his or her remarks to five (5) minutes and shall at no time engage in any personally offensive or abusive remarks. The chair shall call any speaker to order who violates any provision of this rule.
(1972 Code § 3-15.2)

Roll Call – Councilwoman Casalino, Councilwoman Ghebremicael, Councilwoman Scarpa, Councilwoman Williams, Council President Rutherford, Mayor McCartney

- 1. Public Comment (Agenda Items Only)**
- 2. *Consent Agenda**
- 3. *Approval of Minutes of Previous Meeting – *Public Meeting 4.9.24 and Executive Session(s) 4.9.24 (Part 1) and 4.9.24 (Part 2)***
- 4. *Report of Township Officers - None**
- 5. *Reading of Petitions and Communications and Bids-None**
- 6. *Bill List 4.9.24 and 4.24.24**
- 7. *Resolutions**
 - a. 136-24 Resolution Authorizing the Issuance of Raffle Licenses (Clerk)**
 - b. 137-24 Resolution Authorizing an Award of Contract to Rohrer School and Commercial Bus Sales, Inc., 314 Dickinson St., Ewing Township, NJ 08638, for Two (2) Electric Powered Transit Vans Or Equivalent Vehicles in the Amount of \$208,150.00 (Carballo)**
 - c. 138-24 Resolution Adopting Vision Zero Task Action Plan for the Township of West Orange – 2024 (Mayor)**
 - d. 139-24 Resolution Authorizing License Agreement Montclair YMCA for Use of the Ginny Duenkel Pool – 2024 (Legal-Moon)**
 - e. 140-24 Resolution Rejecting Return of Performance Bond to RNC Developers, Inc. (Legal-Gengaro)**
 - f. 141-24 Resolution Appointing Lou Reynolds as Director of the Department of Public Works (Legal-Gengaro)**
 - g. 142-24 Resolution to Adopt Procedures for Administration and Inspection of Federal Aid Highway Projects (Carballo)**

- h. **143-24** Resolution Authorizing the Department of Public Works of the Township of West Orange to Assume Responsibility for Maintenance and Repair of the Decorative Stamped Concrete Crosswalks to be Installed at Two Intersections Along Main Street (Carballo)
- i. **144-24** Resolution Authorizing the Purchase of New Police Equipment and Related Accessories for the West Orange Police Department through a State Contract Vendor-Lawmen Supply Company in the Amount of \$61,800.63 (P. Reynolds)
- j. **145-24** Resolution Authorizing Execution of Professional Services Agreement with the Nishuane Group for Township Planner (Legal-Gengaro)
- k. **146-24** Resolution Authorizing an Agreement with LEW Environmental Services, 181 U.S. Highway 46, Mine Hill, NJ 07803, to Administer and Manage Lead-Based Paint Inspections on behalf of the Township on the Terms and Conditions Set Forth in the Agreement (Legal-Gengaro)
- l. **147-24** Resolution Authorizing an Agreement with Fox Rothschild, LLP, 49 Market Street, Morristown, NJ to Provide Services as Special Labor Counsel to Complete the Appellate Division Appeal of NJ Civil Service Commission Determination with a Cap of \$20,000. (Legal-Trenk)

8. Ordinances on Second and Final Reading

- a. **TABLED 2846-24** An Ordinance Repealing and Replacing Chapter 25, Sections 27 of the Revised General Ordinances of the Township of West Orange and Establishing Chapter ____ for Environmental Protection (Tree Protection, Removal And Replacement) (Legal-Trenk)
WILL BE HEARD ON 5.7.24
- b. **2849-24** An Ordinance Amending Chapter 16, Section 3 of the Revised General Ordinances of the Township of West Orange (Swimming Pools—Plot Plan Required; Review Fee) (Legal-Gengaro)
- c. **2850-24** An Ordinance Amending Chapter 16, Section 4 Of The Revised General Ordinances Of The Township Of West Orange (Swimming Pools—License Fees) (Legal-Gengaro)

9. Ordinances on First Reading-None

10. Public Comment (Non-Agenda Items-if needed)

11. Pending Matters/New Matters/Council Discussion

- CCRB Representative
- Approval of the Older Adults Advisory Board By-Laws
- Resolution to Move Forward with Litigation – Docket No. ESX-L-4867-23
- Town Hall meetings

12. ABC Hearing-None

13. Adjournment

The Council President may at his/her discretion modify with consent the order of business at any meeting of the Council if he/she deems it necessary and appropriate.
(1972 Code § 3-8; Ord. No. 726-84; Ord. No. 1157-93; Ord. No. 2128-07 § II)

Please click the link below to join the webinar:

https://us06web.zoom.us/j/87381468252?pwd=FCBbUtg4iaNmQnC2bmYUCPIv2YDfw.XfJIwa9RstN_fy8f

Webinar ID: 873 8146 8252

Passcode: 988708

Public Comment – In Person Only

Next Meeting Date(s): May 7, 2024

Agenda is subject to change.

RESOLUTION

WHEREAS, the following charitable organization(s) have applied for a Raffle License which raffle is to be conducted within the Township of West Orange,

NOW THEREFORE, BE IT RESOLVED by the Township Council of *the Township of West Orange, that the Municipal Clerk is hereby authorized to* issue a license to conduct a raffle by the following organization (s) at the place (s) and time(s) set opposite their respective name(s):

<u>Organization</u>	<u>Type of Event/Date</u>	<u>Place</u>	<u>RL No.</u>
RENEW International	6.6.24 On Premise Merchandise	757 Eagle Rock Ave.	7869
RENEW International	6.6.24 Off Premise 50/50	757 Eagle Rock Ave.	7870
PBA Local #25 W.O. Civic Association I	5.7.24 On Premise Merchandise	19 Ralph Road	7871
Cooperman Barnabas Medical Center	10.17.24 Off Premise 50/50	750 Eagle Rock Avenue	7872
Cancer Hope Network	6.10.24 On Premise Merchandise	750 Eagle Rock Avenue	7873
Cancer Hope Network	6.10.24 Off Premise 50/50	750 Eagle Rock Avenue	7874

Karen J. Carnevale, R.M.C.
Municipal Clerk

Bill Rutherford
Council President

Adopted: April 24, 2024

RESOLUTION

WHEREAS, the Township of West Orange advertised for bids for the receipt of two Electric powered transit vans or equivalent vehicles; and

WHEREAS, three bids were received on March 14, 2024 by Model 1 Commercial Vehicles, Inc., Rohrer School and Commercial Bus Sales, and Factory Bus Sales; and

WHEREAS, the bids were reviewed by the Purchasing Agent for document compliance and found all compliant, the review of the Municipal Engineer found all bids to be non-compliant; and

WHEREAS, the Municipal Engineer reported that Model 1 Commercial Vehicles, Inc, and Factory Bus Sales were both not responsive to the Township's specifications with exceptions including Model 1 not meeting the delivery date and two (2) other exceptions, and Factory Bus Sales taking four (4) exceptions and presenting the highest price; and

WHEREAS, Rohrer School and Commercial Bus Sales, Inc. submitted the most responsive and responsible bid with only two (2) exceptions, for the following vehicles:

TWO (2) ELECTRIC POWERED TRANSIT VANS OR EQUIVALENT VEHICLES
TOTAL PURCHASE: \$208,150.00

WHEREAS, the Municipal Engineer recommends awarding the contract to Rohrer School and Commercial Bus Sales, Inc.; and

WHEREAS, the Township Council concurs in the foregoing.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of West Orange that an award of contract be made to Rohrer School and Commercial Bus Sales, Inc. in accordance with their proposal dated March 14, 2024.

BE IT FURTHER RESOLVED, that the Purchasing Agent is hereby authorized to arrange to pay for the foregoing in accordance with the terms of said Purchase Order on behalf of the Township of West Orange with funds certified available by the Chief Financial Officer. Funding for this purchase will be reimbursed through a grant from the NJ Department of Environmental Protection pursuant to the Volkswagen Settlement.

Karen J. Carnevale, R.M.C.
Municipal Clerk

Bill Rutherford,
Council President

Adopted: April 24, 2024

I hereby certify funds are available from: _____

Account No.

John O. Gross, Chief Financial Officer

RESOLUTION

WHEREAS, on September 14, 2021, the Township Council for the Township of West Orange (the “Township”) adopted Resolution #238-21 authorizing the establishment of a Vision Zero Task Force to prepare an Action Plan to eliminate all traffic-related deaths and serious injuries, while increasing safety, health and mobility for all; and

WHEREAS, the Vision Zero Task Force has prepared and issued a Vision Zero Action Plan outlining strategies and actions to reduce traffic deaths and serious injuries within the Township (the “Action Plan”), annexed hereto as Exhibit “A;” and

WHEREAS, the Vision Zero Task Force has also prepared and issued a Vision Zero Toolkit, annexed hereto as Exhibit “B,” providing information and resources to help engage the community within the Township towards the goals articulated in the Action Plan;

WHEREAS, the Township reiterates its commitment to creating streets, corridors and intersections that safely accommodate all users of all ages and abilities; and

WHEREAS, the Action Plan provides data compiled from 2015 through 2021 which shows that within the Township: (i) more than two fatal motor vehicle crashes occur on an annual basis; (ii) seven pedestrian fatalities occur on an annual basis; (iii) twenty-eight motor vehicle crashes occur with server injuries; and (iv) three bicyclist and pedestrian accidents occur with severe injuries; and

WHEREAS, the Action Plan provides recommendations and countermeasures aimed at eliminating the number of fatalities and severe injuries for both motorists and pedestrians within the Township.

NOW, BE IT HEREBY RESOLVED, by the Township Council of the Township of West Orange that the Township hereby expresses reiterates its support of the policies and

principles of Vision Zero and supports the efforts to reach the goals of Vision Zero; and be it further

RESOLVED that the Township hereby adopts the Action Plan prepared and issued by the Vision Zero Task Force, annexed hereto as Exhibit “**B,**” in order to achieve the goal of zero traffic fatalities and severe injuries in the Township by the year 2030.

Karen J. Carnevale, R.M.C.
Municipal Clerk

Bill Rutherford,
Council President

Adopted: April 24, 2024

Exhibit “A”

Vision

Zero

WEST ORANGE TOWNSHIP

Vision Zero Action Plan (2023-2030)
*Strategies and Actions to Reduce Traffic Deaths and
Serious Injuries to **Zero***

December 2023



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Disclaimer:

This publication has been financed with federal funds provided by the United State Department of Transportation's Federal Highway Administration as administered by the New Jersey Department of Transportation (NJDOT). The United States Government assumes no liability for its contents or its use thereof.

Acknowledgments

The project team would like to recognize and express appreciation to the numerous individuals who contributed information, attended a meeting or workshop, sent in a comment, or otherwise participated in the development of the West Orange Vision Zero Action Plan.

Special thanks to the West Orange Vision Zero Task Force for their time and on-going commitment to making roads safer for all users in West Orange Township.

Vision Zero Task Force

Anthony Vecchio, West Orange Fire Department, Chief

Bill Riviere, NJDOT, Office of Bicycle and Pedestrian Programs, Project Manager

Dorothy Sanders, West Orange Health Department, Senior Livability Coordinator

Eugene Pinkney, Nikhil Badlani Foundation Youth Advisory Board

James P. Abbott, West Orange Police Department, Chief

Jeffery Rutzky, Pedestrian Safety Advisory Board

Jennifer Tunnicliffe, West Orange Board of Education, President

Jerry Guarino, Pedestrian Safety Advisory Board, President

John Gross, West Orange Township, Chief of Staff

Ken Alper, West Orange Planning Board

Laura Van Dyke, West Orange Senior Services

Lee Klein, Pedestrian Safety Advisory Board

Leonard Lepore, West Orange Township

Lisa Lee, EZ Ride TMA; Pedestrian Safety Advisory Board

Lori Kapferer, Pedestrian Safety Advisory Board

Project Team

The Office of Bicycle and Pedestrian Programs, New Jersey Department of Transportation and the Township of West Orange.



With



And



Matt Reiss, West Orange Police Department

Megan Brill, Pedestrian Safety Advisory Board

Michael Dannemiller, Pedestrian Safety Advisory Board

Michael Fonzino, West Orange Health Department

Pat Matullo, West Orange Police Department, Lieutenant

Paul Grygiel, Pedestrian Safety Advisory Board

Ricardo Valderrama, Essex County Engineering, Principal Traffic Engineer

Robert Bagoff, West Orange Planning Board, Chair

Roz Moskovitz-Bielski, Pedestrian Safety Advisory Board

Sangeeta Badlani, Nikhil Badlani Foundation, Trustee

Sanjeev Varghese, Essex County Public Works, Director

Sunil Badlani, Nikhil Badlani Foundation, Trustee

Susan McCartney, West Orange Township, Mayor

Thomas Ross, Thomas Edison National Historic Park, Superintendent; Pedestrian Safety Advisory Board

Zayibeth Carballo, West Orange Public Works/Engineering, Assistant Municipal Engineer

Zoe Gilson, Nikhil Badlani Foundation Youth Advisory Board

A LETTER FROM THE MAYOR

Hello West Orange,

As your Mayor, I am writing to explain my support for implementing the Vision Zero Action Plan for the Township.

My primary reason is the call-to-action for safety and the quality of life for every resident and visitor to our town. Vision Zero is a comprehensive approach to road safety that aims to eliminate traffic fatalities and severe injuries; while promoting safe, healthy, and equitable mobility for all.

Vision Zero is a safety Action Plan that lays out actionable, measurable strategies, emphasizing design and policy solutions and promoting a transportation system that prioritizes the well-being of all individuals. As your Mayor, my primary concern is the safety and quality of life for every resident of our town. Therefore, I am committed to the implementation of Vision Zero principles to ensure that our streets are as safe as they can possibly be.

Our Township is the 5th largest municipality in Essex County with an area of approximately 12 square miles and a population of approximately 49,000 residents. More than 20% of our population are children under the age of eighteen, while 18% are adults 65 years of age and over. Since the Township is both culturally and economically diverse, this leads to the population relying on various modes of transportation.

Over the years West Orange has grown with enhanced economic investments, residential development bringing with it transportation needs and responsibilities. As such, it is imperative the Township provides proper walking, biking corridors and vehicular patterns to ensure the safety of our residents.

The Vision Zero Action Plan will enable the Township to implement policies and regulations that protect motorists, cyclists, and pedestrians and allow our municipal government to act as a liaison between various entities to ensure safety initiatives are successfully put into place. The Township intends to collaborate Vision Zero planning efforts with the West Orange Police Department, Downtown West Orange Alliance, West Orange Board of Education, the Pleasant Valley Civic Association, West Orange Pedestrian Safety Advisory Board, the West Orange Youth Advisory Board, West Orange Council of PTA's, NJ Bike/Walk Coalition, EZ Ride TMA, NBF and you.



Bureau of Safety,
Bicycle, and
Pedestrian Programs



Administration, Schools, Police/
Safety, Fire, Senior Services, Health,
Engineering Planning,
Environmental



Engineering,
Planning

West Orange Pedestrian Safety
Advisory Board (WOPSAB)



nbf
nikhil badlani foundation



Thomas Edison
National Historical Park



To achieve the Vision Zero Action Plan goals, the Township will initiate the following key components:

- **For Safer Streets:** The Township will invest in engineering measures that improve the safety of our roadways. This includes the redesign of intersections, the installation of better signage and lighting, and the creation of pedestrian-friendly walkways and dedicated bike lanes.
- **Education:** The Township is committed to increasing awareness and understanding of road safety. We will work closely with schools, community organizations, and the local media to promote safe behavior for all road users.
- **Enforcement:** Our law enforcement agencies will play a crucial role in ensuring that traffic laws are obeyed. We will support their efforts to make our streets safer by addressing speeding, reckless driving, and impaired driving.
- **Data Collection:** The Township will gather and analyze data on traffic crashes and their causes to make informed decisions about improving road safety.
- **Community Engagement:** The Township values constructive input and participation. We will hold community meetings, workshops, and surveys to understand the community's concerns and preferences regarding road safety measures.
- **Inclusivity:** Vision Zero is about creating safer streets for all members of our community, regardless of age, ability, or mode of transportation. We are dedicated to making our Township accessible and safe for everyone.

I urge you to get involved and volunteer if you can in this important effort. Your support and active engagement will be instrumental in making our streets safer for all. Please look for announcements about community meetings and initiatives related to Vision Zero, to make your voice heard.

Together, we can work towards a goal where our children can play on our streets without fear, pedestrians and bicyclists can travel without anxiety, and where traffic crashes are a thing of the past. The Vision Zero initiative is not just a program: it's both a commitment and an investment in our future toward the safety and well-being of our community.

Respectfully,



Mayor Susan McCartney

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GLOSSARY OF TERMS

Vision Zero

Vision Zero is a strategy to eliminate fatalities and serious injuries in the road system. This was first implemented in Sweden in the 1990s, has become standard and successful across Europe, and has begun to spread across the world. Vision Zero reframes traffic safety, from severe car crashes being inevitable accidents that are part of modern living to being preventable crashes to be prevented in as many ways as possible to save lives. Vision Zero acknowledges human error, systems over individual responsibility, and that saving lives is not expensive.

Safe System Approach

The Safe System Approach is a framework to address roadway safety that has been adopted by the US Department of Transportation. It builds multiple layers of protection for road users to both prevent crashes and mitigate the harm caused in crashes.

KSI Crash

KSI Crashes are crashes where a victim is killed (K) or severely injured (SI).

Proven Safety Countermeasures

The Federal Highway Administration (FHWA) has identified 28 countermeasures and strategies with proven effectiveness in reducing crash rates and/or crash severity. These are context- and user-specific but can make significant improvements to the safety of a road system when applied broadly.

Complete Streets

Complete Streets are streets designed to safely support all road users. This applies to both all modes of travel and also all abilities of the road users, including people with disabilities, children and seniors, and more. Complete Streets require varying degrees of intervention depending on the context, both in terms of land use and in terms of traffic volumes and speeds.

Environmental Justice

Environmental Justice is, as defined by the EPA, “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.”

High-Injury Network

Vision Zero Action Plans identify a High-Injury Network (HIN), the roadways in a municipality or city's road system with the highest prevalence of crashes or greatest crash severity. Actions to address these issues are concentrated on the HIN.

Vulnerable Road Users

Certain Users of the road system are those not protected inside a vehicle when using the road system. This includes pedestrians, cyclists, skateboarders, rollerskaters and more.

VISION ZERO GOAL

West Orange Township will eliminate traffic deaths and life-altering injuries by the year 2030.

WHY VISION ZERO? BY THE NUMBERS*

More than

2



people have lost their lives in a crash every year

28



Number of severe injury crashes



Pedestrian Fatalities



Bicyclist and Pedestrian Severe Injury Crashes

* Source: Safety Voyager crash data (2015-2021). Crashes on Route 280 are included.

VISION ZERO SAFETY PLEDGE

Our vision for zero deaths and serious injuries can only be achieved if all community members support and do their part to reach the goal of zero. A traffic safety pledge (in English and Spanish) was developed with the Vision Zero Task Force and was available for the community to sign online and in-person at the public workshops. The Vision Zero Pledge for West Orange will continue to be an important part of engaging and sharing responsibility with the community, well beyond the year 2030.



VISION ZERO SAFETY PLEDGE

I understand that it is possible to eliminate traffic-related deaths and serious injuries in West Orange Township by doing my part while also supporting the Township in developing a Safe System with Safe Street Design and Safe Speeds in West Orange.

I PLEDGE TO:

- *Only drive when I am sober, alert and without distractions such as my phone or other devices and keep my eyes on the street at all times.*
- *Slow down, drive carefully and give at least four feet of space when possible, or slow down to 25 mph when passing bicyclists¹.*
- *Follow all laws and regulations on West Orange's streets, especially yielding to all vulnerable users such as pedestrians and bicyclists.*
- *Never flee a crash scene because I can save lives by calling 911 immediately.*
- *Recognize that as speed increases the risk of fatality and serious injury increases drastically.*

sign to pledge

¹NJ Safe Passing Law (<https://www.njoag.gov/about/divisions-and-offices/division-of-highway-traffic-safety-home/division-of-highway-traffic-safety-pedestrian-safety/>)



ZERO TRAFFIC-RELATED DEATHS AND SERIOUS INJURIES IN WEST ORANGE TOWNSHIP BY 2030!





Vision Zero
WEST ORANGE TOWNSHIP

VISION ZERO SAFETY PLEDGE

I understand that it is possible to eliminate traffic-related deaths and serious injuries in West Orange Township by doing my part while also supporting the Township in developing a Safe System with Safe Street Design and Safe Speeds in West Orange.

I PLEDGE TO:

- ☒ Only drive when I am sober, alert and without distractions such as my phone or other devices and keep my eyes on the street at all times.
- ☒ Slow down, drive carefully and give at least four feet of space when possible, or slow down to 25 mph when passing bicyclists.
- ☒ Follow all laws and regulations on West Orange's streets, especially yielding to all vulnerable users such as pedestrians and bicyclists.
- ☒ Never flee a crash scene because I can save lives by calling 911 immediately.
- ☒ Recognize that as speed increases the risk of fatality and serious injury increases drastically.

Keslie Tarnay



ZERO TRAFFIC-RELATED DEATHS AND SERIOUS INJURIES IN WEST ORANGE TOWNSHIP BY 2050

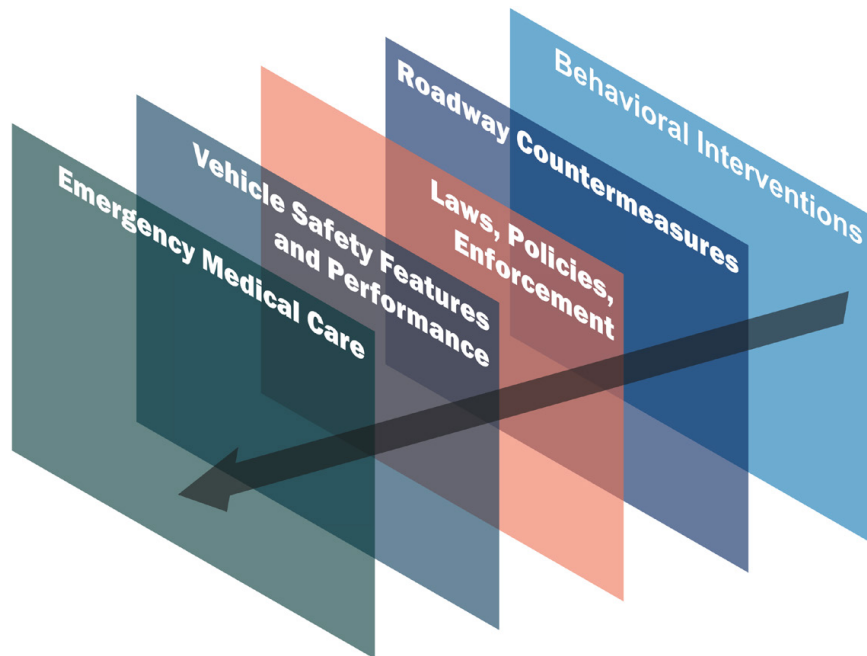
USDOT ROADWAY SAFETY STRATEGY

The USDOT National Roadway Safety Strategy (NRSS), published January 2022, recognizes that the United States is at a critical juncture in terms of roadway safety¹. The rate of fatalities on US roadways decreased consistently from 1980 to 2010, but stagnated after 2010 and spiked nationwide in 2020 (which also occurred in West Orange). An estimated 38,680 people died in motor vehicle crashes in 2020, of which an estimated 6,236 were pedestrians. In 2021, this increased by an additional 10.5 percent to 42,915 fatalities including 7,342 pedestrian fatalities. These alarming statistics presented a call to action to make the US roadway system safer for all users, which is why the NRSS sets a vision and goal for the safety of US roadways: zero roadway fatalities.

As stated in the NRSS document, "zero is the only acceptable number of deaths on our highways, roads and streets." In order to achieve this, this strategy promotes the adoption of the Safe System Approach, which has seen success in its early adopters such as Sweden, the Netherlands, and more. The Safe System Approach involves anticipating human error by designing the roadway system to keep the risk/impact of the human error low. It takes into account human vulnerability and consists of six principles and five elements.

Additionally, roadway safety is an important foundation to achieving success in addressing two other major priorities: equity and climate. By implementing ways to encourage safe multi-modal travel, lower dependency on single-occupancy vehicles and through sustainable and environmentally-friendly street design, this plan will help address climate change. In addition, equity is a defining factor of the West Orange Vision Zero Action Plan.

All layers of a Safe System Approach are critical.



Source: USDOT National Roadway Safety Strategy

1 <https://www.transportation.gov/nrss/usdot-national-roadway-safety-strategy>

ROADMAP TO VISION ZERO

HOW WILL WEST ORANGE ACHIEVE VISION ZERO?

This Vision Zero Action Plan provides a roadmap to achieve Vision Zero in West Orange. It outlines key strategies and actions based on the Safe System Approach that are developed through a robust data-driven process and community input, with direction from a multidisciplinary and engaged Vision Zero Task Force.



SAFE SYSTEM APPROACH

By adopting a Safe System Approach, West Orange Township will steadily progress towards Vision Zero. A Safe System Approach, at its core, focuses on the two main factors in roadway safety - Roadway Speed and Design. It also emphasizes that safety is a shared responsibility.

A Safe System Approach incorporates the following six principles:

- 1. DEATH AND SERIOUS INJURIES ARE UNACCEPTABLE.** While no crashes are desirable, the Safe System Approach prioritizes the elimination of crashes that result in death and serious injuries since no one should experience either when using the transportation system.
- 2. HUMANS MAKE MISTAKES.** People will inevitably make mistakes and decisions that can lead or contribute to crashes, but the transportation system can be designed and operated to accommodate certain types and levels of human mistakes, and avoid death and serious injuries when a crash occurs.
- 3. HUMANS ARE VULNERABLE.** People have physical limits for tolerating crash forces before death or serious injury occurs; therefore, it is critical to design and operate a transportation system that is human-centric and accommodates physical human vulnerabilities.
- 4. RESPONSIBILITY IS SHARED.** All stakeholders – including government at all levels, industry, non-profit/advocacy, researchers, and the public – are vital to preventing fatalities and serious injuries on our roadways.
- 5. SAFETY IS PROACTIVE.** Proactive tools should be used to identify and address safety issues in the transportation system, rather than waiting for crashes to occur and reacting afterwards.
- 6. REDUNDANCY IS CRUCIAL.** Reducing risks requires that all parts of the transportation system be strengthened, so that if one part fails, the other parts still protect people.



Source: USDOT FHWA

The Safe System Approach is based on the following five elements:

	SAFER ROADS Design roadway environments to mitigate human mistakes and account for injury tolerances, to encourage safer behaviors, and to facilitate safe travel by the most vulnerable users.
	SAFER SPEEDS Promote safer speeds in all roadway environments through a combination of thoughtful, equitable, context-appropriate roadway design, appropriate speed-limit setting, targeted education, outreach campaigns, and enforcement.
	SAFER PEOPLE Encourage safe, responsible driving and behavior by people who use our roads and create conditions that prioritize their ability to reach their destination unharmed.
	SAFER VEHICLES Expand the availability of vehicle systems and features that help to prevent crashes and minimize the impact of crashes on both occupants and non-occupants.
	POST-CRASH CARE Enhance the survivability of crashes through expedient access to emergency medical care, while creating a safe working environment for vital first responders and preventing secondary crashes through robust traffic incident management practices.

Through improvements in these five areas, the goal of zero fatalities and life-altering injuries from car crashes can be achieved. The Safe System Approach guiding principles and elements are reflected in the West Orange Vision Zero Action Plan.

STRONG COLLABORATION WITH ESSEX COUNTY

West Orange Township will achieve its Vision Zero goal through its partnership with Essex County since County roadways account for the majority of the high-injury network (HIN) in West Orange. Essex County has been a valuable member of the West Orange Vision Zero Task Force and will soon be developing a countywide Vision Zero Action Plan funded through the federal Safe Streets and Roads for All (SS4A) Grant Program. West Orange Township must continue to collaborate with Essex County through the implementation of the actions in this plan and inform and support the development of the Essex County Vision Zero Action Plan.



IMPLEMENTATION/FUNDING

West Orange Township will achieve its Vision Zero goal by building on national momentum for Vision Zero and pursuing funding for the action plan. At the top of the list of funding sources is the Safe Streets and Roads for All implementation grant. Additionally, West Orange should ensure that the Safe System Approach is central to all roadway infrastructural decision-making in the Township. Appendix C includes a list of funding sources for implementation.

MONITORING AND EVALUATION

This plan is intended to be a living document and should be updated annually, tracked, and evaluated on a regular basis. As actions are implemented, West Orange Township should monitor progress utilizing performance measures developed in this plan. The results of the progress tracking will help inform future projects related to roadway safety in the Township and ensure that the West Orange is steadily moving towards the goal of zero deaths and serious injuries.

"WE ALL HAVE A RESPONSIBILITY TO MAKE OUR ROADWAYS SAFER FOR EVERYONE" - USDOT



I PLEDGE TO:

- Only drive when I am sober, alert and without distractions such as my phone or other devices and keep my eyes on the street at all times.
- Slow down, drive carefully and give at least four feet of space when possible, or slow down to 25 mph when passing bicyclists¹.
- Follow all laws and regulations on West Orange's streets, especially yielding to all vulnerable users such as pedestrians and bicyclists.
- Never flee a crash scene because I can save lives by calling 911 immediately.
- Recognize that as speed increases the risk of fatality and serious injury increases drastically.

VISION ZERO SAFETY PLEDGE

I understand that it is possible to eliminate traffic-related deaths and serious injuries in West Orange township by doing my part while also supporting the Township in developing a Safe System with Safe Street Design and Safe Speeds in West Orange.

¹NJ Safe Passing Law (<https://www.njoag.gov/about/divisions-and-offices/division-of-highway-traffic-safety-home/division-of-highway-traffic-safety-pedestrian-safety/>)



ZERO TRAFFIC-RELATED DEATHS AND SERIOUS INJURIES IN WEST ORANGE TOWNSHIP BY 2030!

SIGN TO PLEDGE

Joe Mawizaca
PAUL GONZALEZ
Christian A. Lopez
Marie DeMaio
Robert Rashkes
Javon Ross
Roz Moskowitz
LORI KAPFERER
Vishnu Kommani
Eugene Pinkney
Susan Dammiller
Alvaro Quevedo
Leslie Tamay
Breanna Baptiste
Carlos Gonzalez
Bryant Castro
Christy Castro
Zoe Gilson
Mater
AI

Angelina Bilcarema
Ryan Gajawala
Sage Gajawala
Olivia GALT
maya Kirtan
Bianca Gonzalez
Jacqueline Aguilar
Cristina Pariona
Jocelyn Pataquachi
Oralia Giles
Daniel Carroll (word)
Tom McManis (word)
Chickie X
Sangeeta Badlani
Maha Khan
Rockell Alves
Quipano Boldan
Matthew Brown
C. R. J.
Antoniella DeLeon
Flora's Lorenzini
Josh Zimmerman
Nate Craig

Alexa Casanova
Spiderman
Black Panther
Thor
Tom Slattery
Chanda Skyrni
Miriam Frolow
Nichole Marlette
Sam Bennis
Kimya Woodridge
Mike Dammiller
Am Jendeli
Ashley Phillips
Ahsanuram Daise
Susan Sarver
Jade Brick
Luis Giron
Hannah Taylor

Dee Smith
Carina Smith
Imani Akbar
Mori Ayers
Lynn Riker
Abby O'Connell
Gaston Costa
Allana Smith
Marjorie Rojas
April Torres
Michael Montoya Ruiz
Bryce Mayfield
Burhan Khurram
David Tamay
Nia Rowe
Reya Deshpande
Tatiana Garcia
Olivia Rines
Jacqueline Landino
Dale Kagan
Emma Wilson
Harrell
Marey Gadeck
Kayla Interiano
St. Badlani
Sachin Choudhary

Luz Finkler
Izzy Pincham
Nikogan Miller
Doe Bawther
Udalogo Mela

TRAFFIC SAFETY TRENDS

CRASH DATA ANALYSIS OVERVIEW

Vision Zero is data-driven, with fatal and severe injury (KSI)¹ crashes as the focus of the analysis.

The process began with an understanding of where and why fatal and injury crashes occurred in West Orange, revealing the factors that contributed to the crashes and suggesting the appropriate countermeasures to address them.

In November 2022, the project team obtained crash data from NJDOT's Safety Voyager crash tool, and from NJDHTS's Numetric Tool. Seven (7) years of crash data were downloaded (2015 through 2021) for analysis. A technical memorandum of the detailed crash data analysis was submitted and is on file with West Orange Township and NJDOT. Key findings are highlighted in the following pages.

According to Safety Voyager data, a total of 8,548 crashes occurred within West Orange Township from 2015-2021. This is equivalent to over three crashes occurring every single day in West Orange. During the same time period, there occurred 17 fatal crashes and 28 severe injury crashes, averaging over two fatal crashes and four severe injury crashes per year. While acknowledging that West Orange Township will only have direct control over crashes occurring on local streets, this analysis includes all crashes within the Township including county roads and state highways such as I-280 and Route 10. Overall, the total number of fatal crashes has stayed the same over the 7-year period; however, severe injury crashes have steadily increased.²

Vision Zero focuses on crashes where victims are seriously injured or killed

From 2015-2021 in West Orange Township:

- 17 fatal crashes
- 28 crashes with serious injuries

Serious injuries have increased from 2018



¹ Crashes where victims are Killed or Seriously Injured

² In 2019, New Jersey updated the police crash report to be consistent with the federally required injury classifications that may have resulted in the jump in severe injuries in 2019. The HIN development takes into account fatal, severe and minor injury crashes to account for this change.

Figure 1. All Crashes Map (2015-2021)

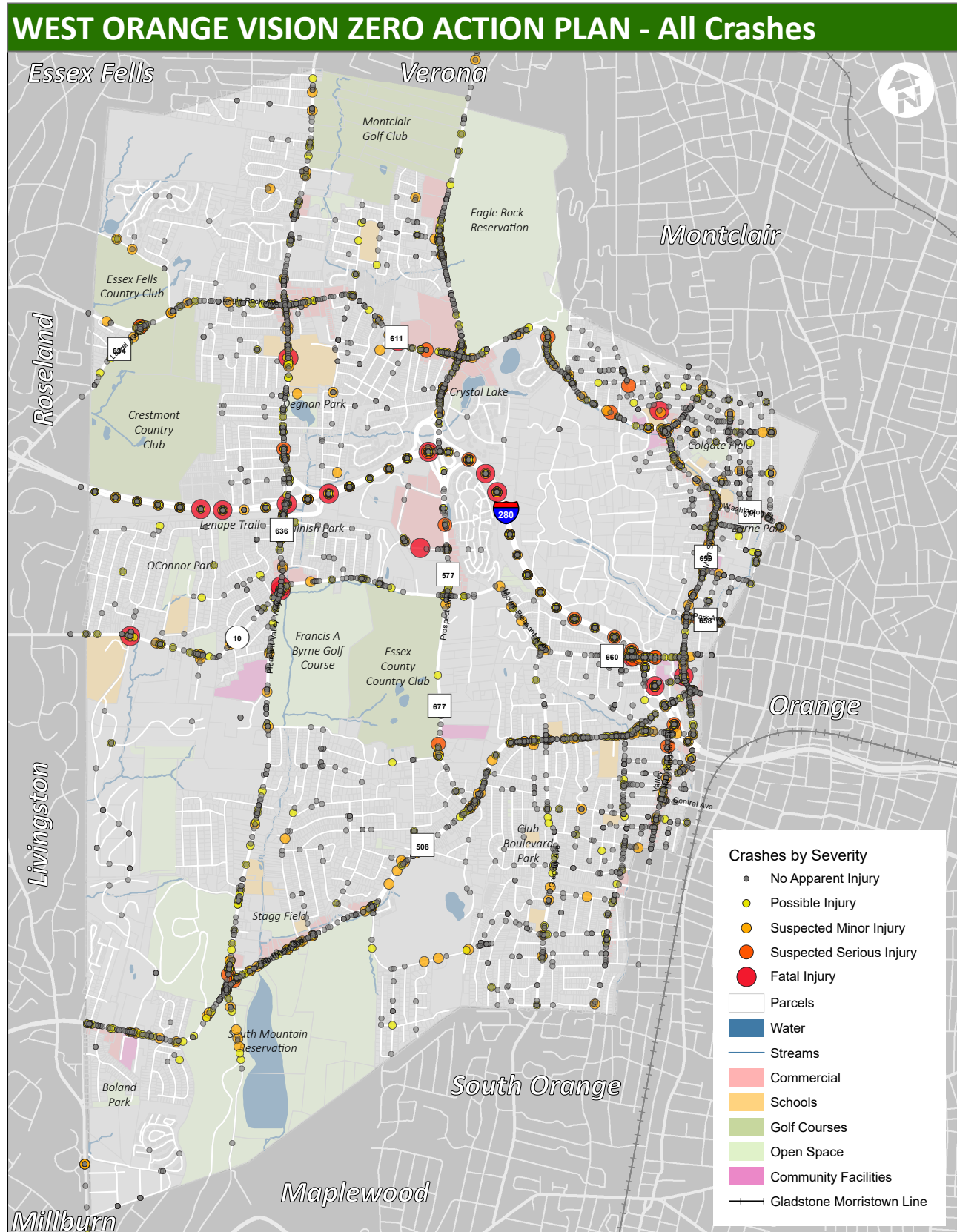
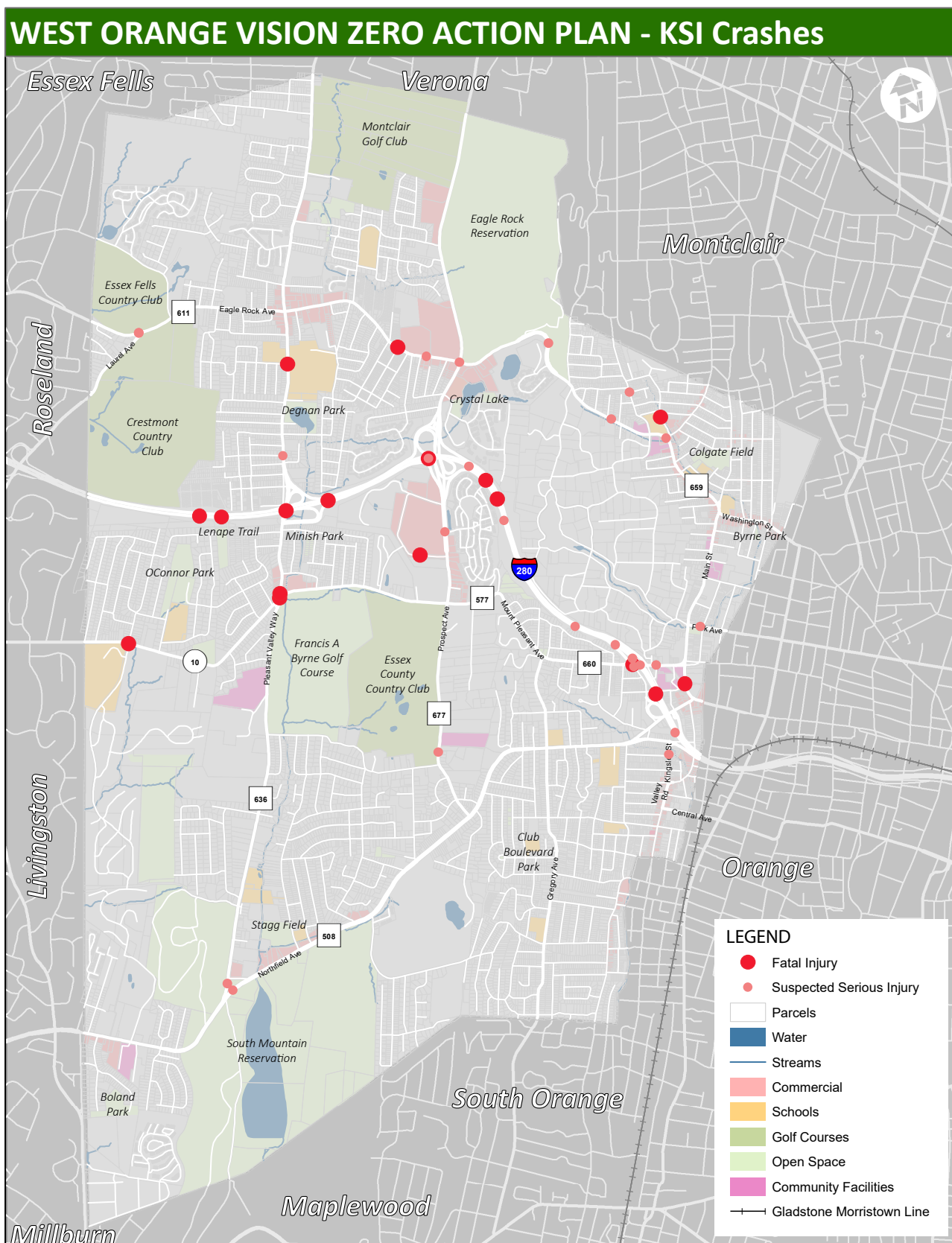


Figure 2. Severe and Fatal Injury (KSI) Crash Map (2015-2021)



Seniors and minors are more at risk of serious injury and death in crashes

Of all Crashes in West Orange

- Young People involved: **23%**
- Seniors Involved: **30%**

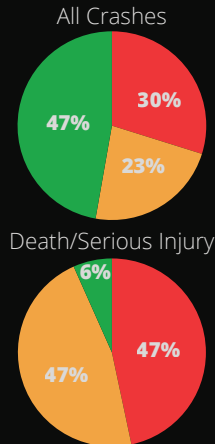
Of all Death & Serious Injuries

- Young People: **47%**
- Seniors: **47%**

● **Adults (20-64)**

● **Young People (<20)**

● **Seniors (65+)**



Source: NJDOT Safety Voyager & NJDHTS Numetric, Crash Data from 2015-2021

Pedestrians and bicyclists have high death and injury rates in crashes

In West Orange:

- 1% of **crashes** involved PEDESTRIANS
- 0.4% involved BICYCLISTS

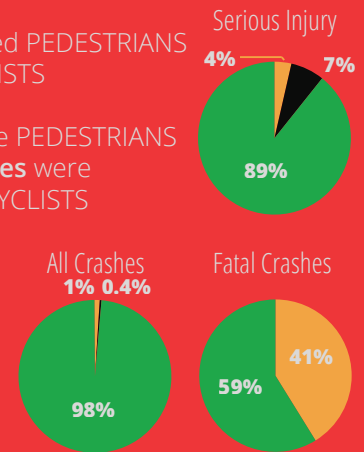
yet:

- 41% of **fatalities** were PEDESTRIANS
- 11% of **serious injuries** were PEDESTRIANS OR BICYCLISTS

● **Vehicles**

● **Pedestrians**

● **Bicyclists**

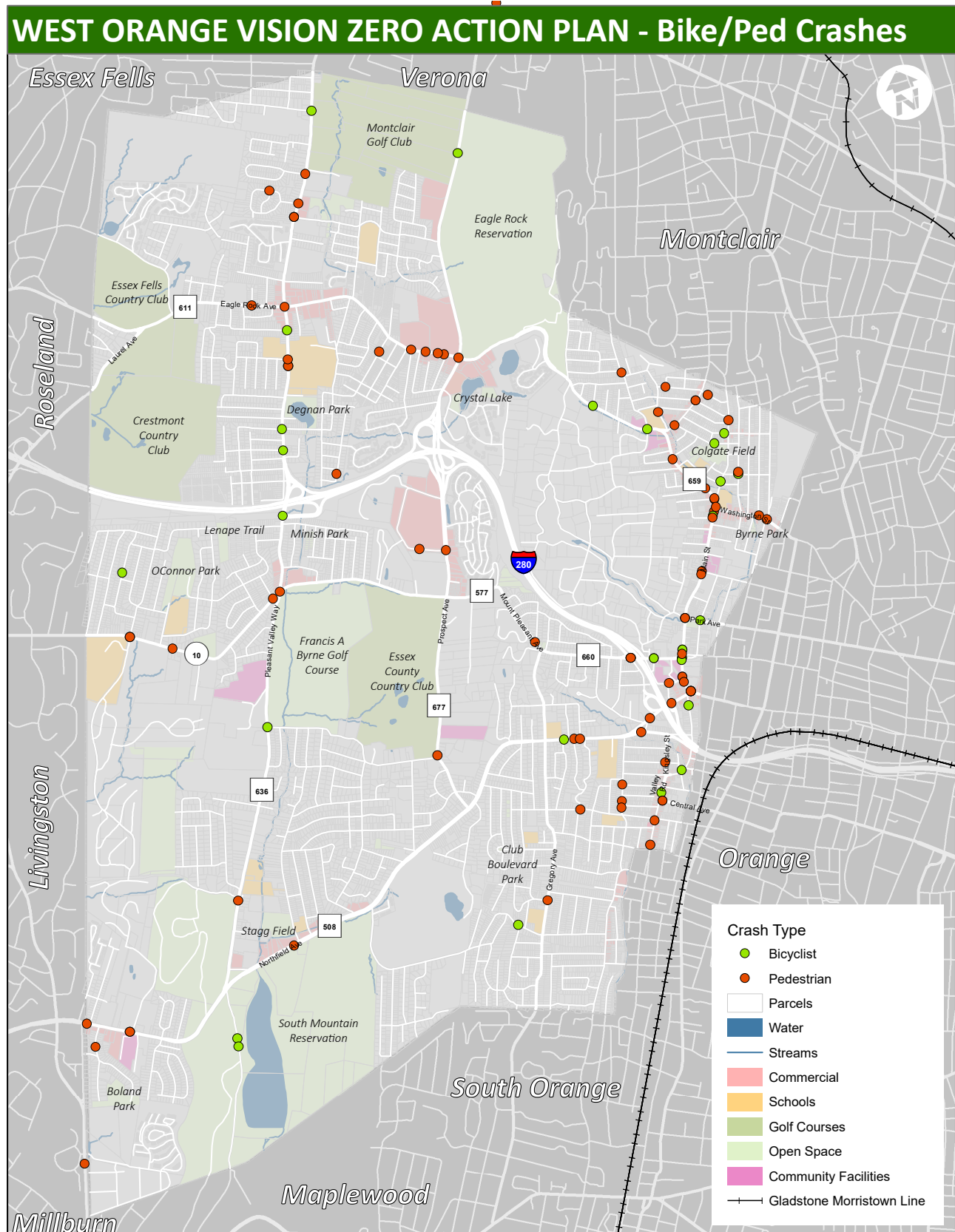


Vulnerable road users such as seniors, minors, pedestrians and bicyclists are most at risk of a fatal or severe injury.

During the study period, children (19 and under) were involved in 23% of all crashes, but 47% of KSI crashes. Similarly, seniors (65+ years) were involved in 30% of all crashes but 47% of KSI crashes. Pedestrian and bicyclist crashes accounted for 1.4% of all crashes from 2015-2021 in West Orange Township, but 41 % of the fatalities involved pedestrians and 11 % of KSI crashes involved bicyclists or pedestrians.



Figure 3. Bicyclist and Pedestrian Crash Map (2015-2021)



Source: NJDOT Safety Voyager data, 2015-2021

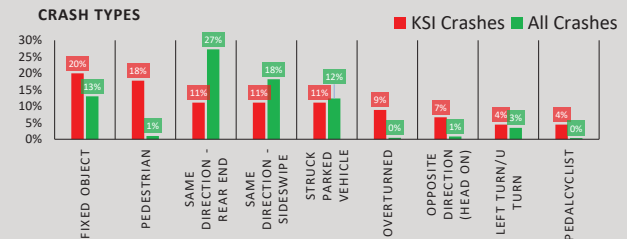
Pedestrian, rear-end, and certain other types of crashes are particularly dangerous.

Of the 8,548 crashes from 2015-2021, the most common type was a rear-end crash, with 2,332 (27%), and the other most common types were same-direction sideswipes (1,556, 18%), fixed object crashes (1,114, 13%), crashes with parked vehicles (1,059, 12%) and right angle ("T-bone") crashes (787, 9%).

As mentioned earlier, crashes involving pedestrians and bicyclists tended to be more severe than other crash types. In addition, more than 53% of the collisions were either fixed object, rear-end/sideswipe or vehicles striking parked car crashes.

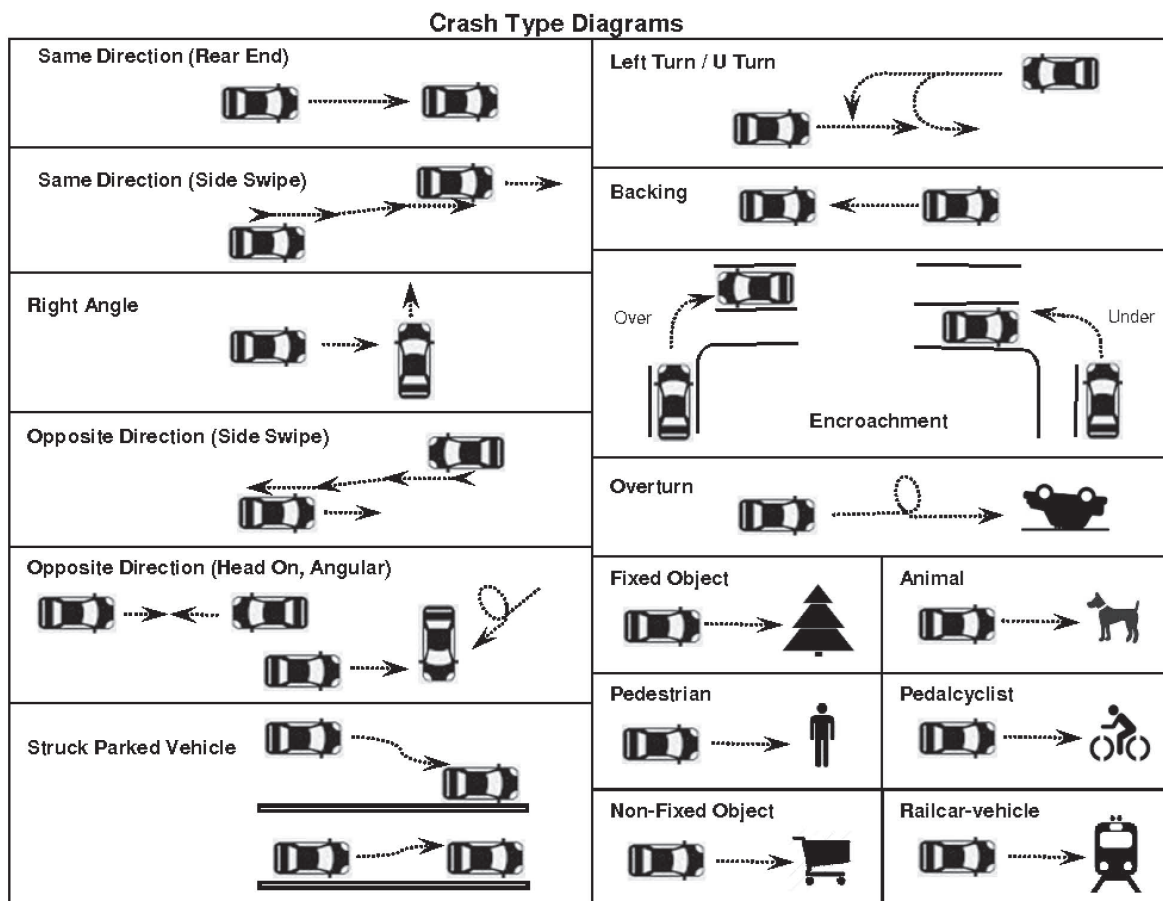
Some crash types can be more severe than others

While the most common kinds of crash in West Orange involve cars hitting cars (Rear-End 27%, Same-Direction Sideswipe 18%), the most common kinds of crash with serious injury or death involve cars hitting other things (Fixed Object 20% [13% of all crashes], Pedestrian 18% [1% of all crashes]).



Source: NJDOT Safety Voyager & NJDHITS Numetric, Crash Data from 2015-2021

Figure 4. Crash Types (NJTR-1 Form)



At intersections, right-angle, rear-end, and sideswipe crashes are the most common types of crashes, with pedestrian, bicyclist and left-turn/u-turn making up the majority of the KSI crashes.

Of 2,044 intersection crashes from 2015-2021 in West Orange, there were three primary crash types: right angle (499, 24.75%), rear-end (495, 24.55%), and same direction - sideswipe (365, 18.11%). Two additional types were common: left turn / u-turn (195, 9.67%) and fixed object (156, 7.74%).

Twelve KSI crashes occurred at intersections. The most common type was pedestrian crashes (5, 41.67%), and the others with more than one death or serious injury were left turn / u-turn and bicyclist (2 of each, or 16.67%).

Distracted driving and unsafe speed were the top driver-contributing factors in all crashes and KSI crashes.

Distracted driving accounted for nearly 56% of the KSI crashes and 56% of all crashes in West Orange from 2015 to 2021. Unsafe speed was a factor in almost 13% of the KSI crashes and 8% of all crashes. Of the other KSI crash causes, alcohol involvement contributed to 2% of all crashes but 9% of KSI crashes, drowsy/fatigued driving contributed to 1% of all crashes, drugged driving contributed to 2% of all crashes but 4% of KSI crashes, and cell phone use contributed to 0.6% of all crashes but 2% of KSI crashes.

Driving straight ahead, negotiating curves and being parked are the top pre-crash actions for KSI crashes.

From 2015 to 2021, driving straight ahead was the most common pre-crash action in both KSI crashes (71%) and crashes at large (67%) in West Orange Township. Being parked is the second most common pre-crash action in all crashes (17%) and third most common pre-crash action in KSI crashes (13%). However, while being stopped in traffic is the third most common pre-crash action in all crashes (15%), it is not common in KSI crashes (4%). Conversely, the second most common pre-crash action in KSI crashes is negotiating a curve (18%), a behavior which is present in 3% of all crashes.

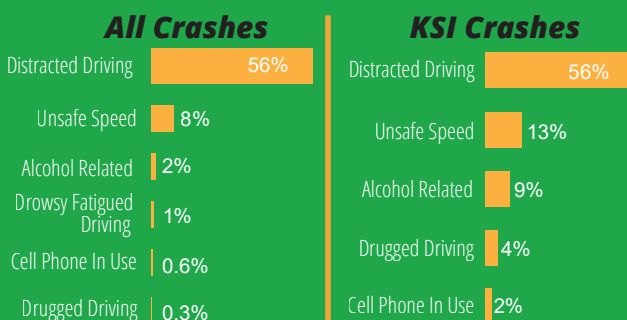
What are the leading causes of crashes?

In West Orange:

Distracted Driving - most common cause of crashes (57%); 56% of crashes in which victims were killed or seriously injured (KSI)

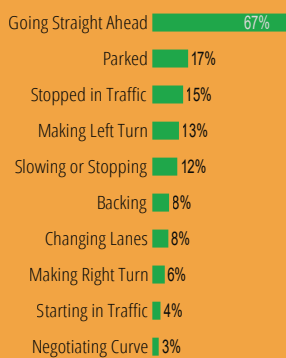
Unsafe Speed - 8% of all crashes; 13% of KSI

Alcohol-related - 2% of all crashes; 9% of KSI

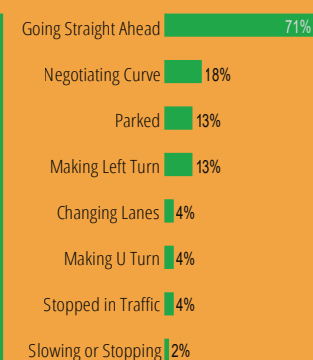


What are people doing when they crash in West Orange Township?

The most common pre-crash actions in all crashes:



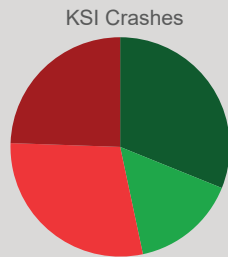
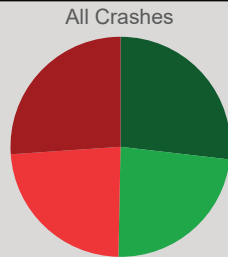
In crashes where people were killed or seriously injured:



Which seasons see the most crashes?

In West Orange, **crashes** were distributed roughly **evenly throughout the seasons**, with slightly more in Fall and Winter. **KSI crashes** occurred **more frequently in Winter** than any other season, and **Spring saw fewer** than the other seasons.

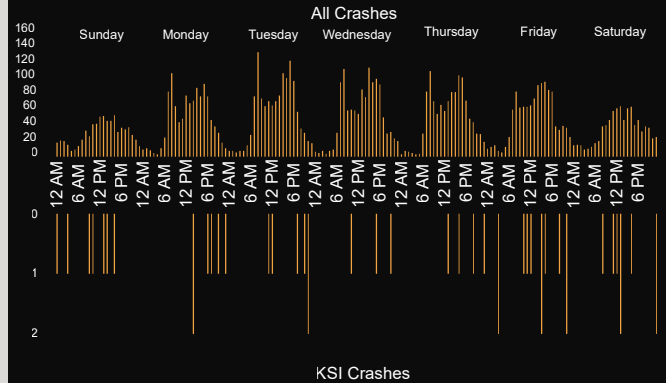
- **Spring (Mar-May)**
- **Summer (Jun-Aug)**
- **Fall (Sep-Nov)**
- **Winter (Dec-Feb)**



When do crashes happen?

In West Orange, there were more crashes **on weekdays**, spiking at **rush hour**. **Sunday** had the least crashes overall.

Conversely, KSI crashes occurred most often **on weekends**, with many occurring at night.



Source: NJDOT Safety Voyager & NJDHTS Numetric, Crash Data from 2015-2021

More fatal crashes occurred in the winter months (December-February) and more severe injury crashes occurred in the summer months (June-August).

Of the 8,548 total crashes from 2015-2021, October and January had the highest crashes (845 and 830 respectively). In terms of day of the week, Tuesday accounted for the highest percentage (approximately 17%) of crashes with the remainder of weekday crashes distributed relatively evenly over the other four days. By comparison, there were fewer crashes on the weekend than weekdays. Weekdays saw a consistent trend of crashes during rush hours, with the largest spikes coming during the morning rush hour.

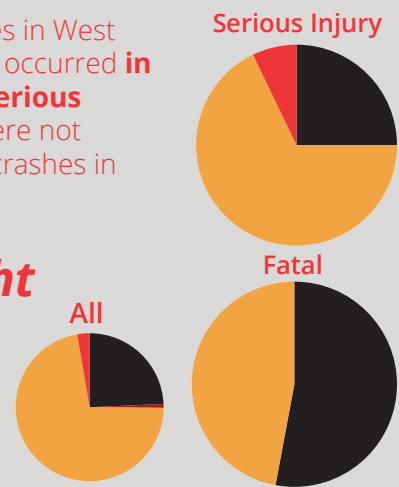
More than half of the fatal crashes and a quarter of the severe injury crashes occurred in the dark.

From 2015-2021, nine of the 17 fatal crashes (53%) occurred in the dark in West Orange, with seven of those fatalities occurring in locations with streetlights. While a majority of all crashes (71%) and KSI crashes (60%) occurred during daylight conditions, about 20% of all collisions and 27% of KSI collisions occurred in the dark in locations with street lights on, suggesting a need for further lighting analysis. About 4% of all crashes and 9% of KSI crashes occurred in the dark at locations with no street lights or street lights off. Majority of all crashes (76%) and KSI crashes (87%) took place during dry and clear roadway conditions

Light conditions were a factor in fatal crashes

Most **fatal** crashes in West Orange Township occurred **in the dark**, while **serious injury** crashes were not different than all crashes in terms of lighting

- **Daylight**
- **Dark**
- **Dawn**
- **Dusk**



Source: NJDOT Safety Voyager & NJDHTS Numetric, Crash Data from 2015-2021

Source: NJDOT Safety Voyager data, 2015-2021

Almost half of KSI crashes occurred on County roads, and a third occurred on I-280.

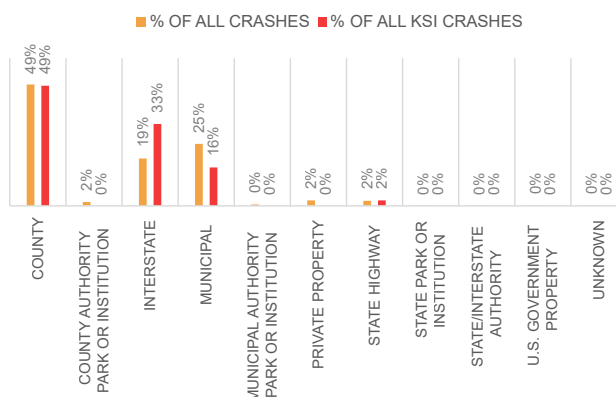
Almost half of all crashes in West Orange from 2015-2021 took place on County roadways, which also saw 49% of KSI crashes. Municipal roadways accounted for 25% of all crashes and 16% of KSI crashes. State roads only saw 2% of crashes and 2% of KSI crashes, and I-280 (the only Interstate in West Orange) saw 19% of crashes and 33% of KSI crashes.

Significant numbers of crashes (34%) and KSI crashes (27%) took place on roads with a posted speed limit of 25 MPH, including 59% of all crashes involving bicyclists or pedestrians.

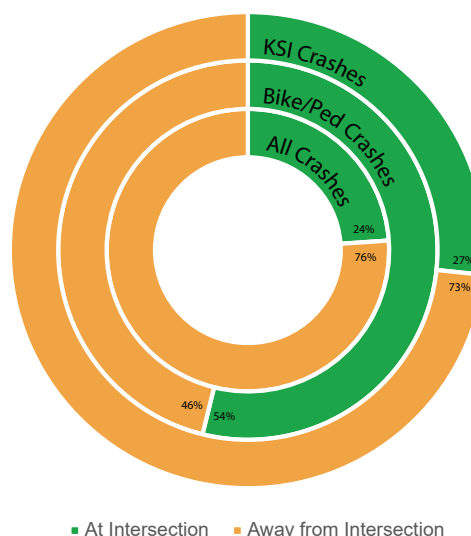
Majority of the bicyclist and pedestrian crashes occurred at intersections, while majority of KSI crashes occurred in locations away from intersections.

Approximately 24% of all crashes and 27% of KSI crashes in West Orange from 2015-2021 occurred at intersections. Of the KSI crashes, 29% of fatal crashes and 25% of serious injury crashes occurred at intersections. Over half (54%) of all crashes involving bicycles or pedestrians occurred at intersections, and seven of the ten total KSI crashes involving pedestrians or bicyclists occurred at intersections.

CRASHES BY ROAD SYSTEM



Crashes at Intersections



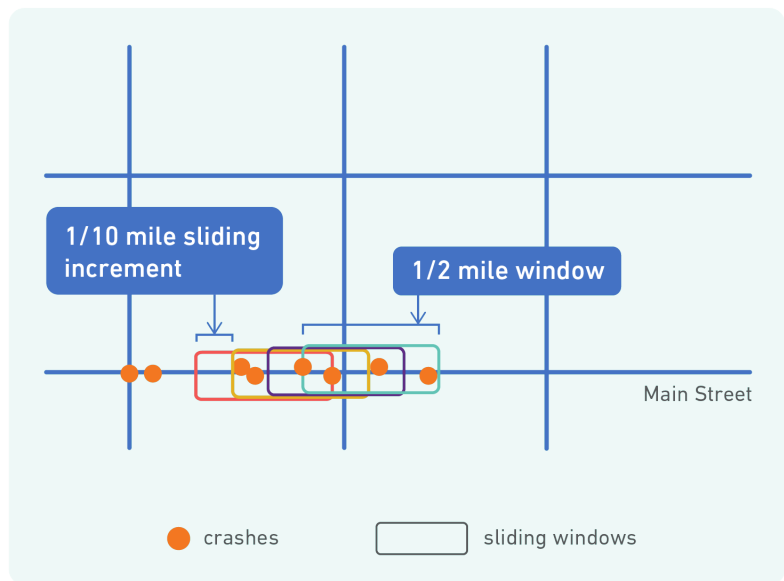
HIGH-INJURY NETWORK

A High-Injury Network (HIN) identifies focus areas and strategies for the Vision Zero Action Plan. A HIN is typically a network of streets with a high incidence of fatal and severe injury crashes. The HIN network also incorporates additional factors such as environmental justice data, roadway characteristics, and local context.

Methodology

HINs are typically developed by analyzing only fatal and severe (KSI) crashes. However, in certain places where the fatal and severe crash counts are lower, this may result in sparse or patchy results. Therefore, moderate injury crash data was used along with fatal and severe crashes. In addition, for vulnerable users such as pedestrians and bicyclists, the difference in circumstances that result in a minor injury opposed to severe injury crash is minimal and a minor injury crash can become a severe injury for a vulnerable user if the speed or angle of crash is only slightly higher. For the purposes of this HIN development, the fatal (K), severe (A), and moderate injury (B) crashes were analyzed for the study period (2015-2021)³.

Figure 5. Sliding Window Analysis Methodology



The project team developed the HIN using the Safer Streets Priority tool by Toole Design Group that utilizes a sliding window analysis to develop high-injury corridors for pedestrians, bicyclists and vehicles (or other crashes). The sliding window analysis uses a 1/2 mile window and 1/10 mile increment across all corridors to identify high-injury crash concentration for each segment of roads in West Orange (see Figure 5).

³New Jersey utilizes the KABCO Injury Classification scale to evaluate the severity of a car crash. The scale is setup as:

K: Killed (Victim is deceased),

A: Incapacitated (Victim has a non-fatal injury. Cannot walk, drive or normally continue the activities that they could perform before the motor vehicle crash),

B: Moderate Injury (An evident injury, other than fatal and incapacitating. Injury is visible, such as a lump on head, abrasion, bleeding or lacerations.)

C: Complaint of Pain (A reported or claims of injury that is not fatal, incapacitating or moderate. Injury is not visible to the investigating officer.)

O: Property Damage Only (No injury)

The HIN score assigns a higher weight to the most severe crashes. The HIN score is calculated by multiplying the number of Fatal (K) and Incapacitating Injury (A) crashes by 3, and multiplying the number of Non-Incapacitating Injury (B) crashes by 1. Once the weights are established and applied to the crashes, the total number of crashes are aggregated along a corridor while incorporating the crash severity weighting. Possible Injury (C) crashes and Property Damage Only (O) crashes are not reflected.

Separate weighted HINs were developed for each mode (pedestrian, bicycle and motor vehicle) based on different thresholds. The Pedestrian HIN includes all segments with a score of 1 or greater and covers ~17 miles or 10% of West Orange roads. The Bicyclist HIN includes all segments with a score of 1 or greater and covers ~8 miles or 5% of West Orange roads. The Vehicular HIN includes all segments with a score of 5 or greater and covers ~22 miles or 13% of West Orange roads. The combined HIN included all three of the individual-mode HINs and covers about ~34 miles or 20% of all West Orange roads.

HIN Intersections

Intersections were rated using the same criteria the project team developed to create the High-Injury Network. The top two, Eagle Rock Avenue (Route 611) and Laurel Avenue (Route 634) and Mt Pleasant Avenue (Route 660) and Laird Drive, were also the only intersections with multiple KSI crashes. The next three, with ratings of 5, were also intersections with a KSI crash.

Table 1. High-Injury Crash Intersections

High-Injury Crash Intersections		
Crash Location	Cross Street	Rating
Eagle Rock Avenue (CR 611)	Laurel Avenue (CR 634)	10
Mt Pleasant Avenue (CR 660)	Laird Drive	9
Pleasant Valley Way (CR 636)	Mt Pleasant Avenue (NJ 10)	5
Mt Pleasant Avenue (CR 660)	Brennan Drive	5
Park Avenue (CR 658)	Main Street (CR 659)	4
Main Street (CR 659)	Northfield Avenue (CR 508 Spur)	4
Harrison Avenue	Mississippi Avenue	4
Northfield Avenue (CR 508)	Cherry Lane / Pleasant Valley Way (CR 636)	3
Cobane Terrace	Northfield Avenue (CR 508)	3
Eagle Rock Avenue (CR 611)	Pleasant Valley Way (CR 636)	3
Eagle Rock Avenue (CR 611)	Valley Way	3
Pleasant Valley Way (CR 636)	Hoover Avenue	3
Kingsley Street	Valley Road	3
Main Street (CR 659)	Lindsley Avenue	3
Mt Pleasant Avenue (NJ 10)	Kelly Drive / Merklin Avenue	3
Northfield Avenue (CR 508)	Giraffe Way	3
Northfield Avenue (CR 508)	Walker Road	3
Prospect Avenue (CR 577)	Guerino Drive	3

Figure 6. High-Injury Network Map

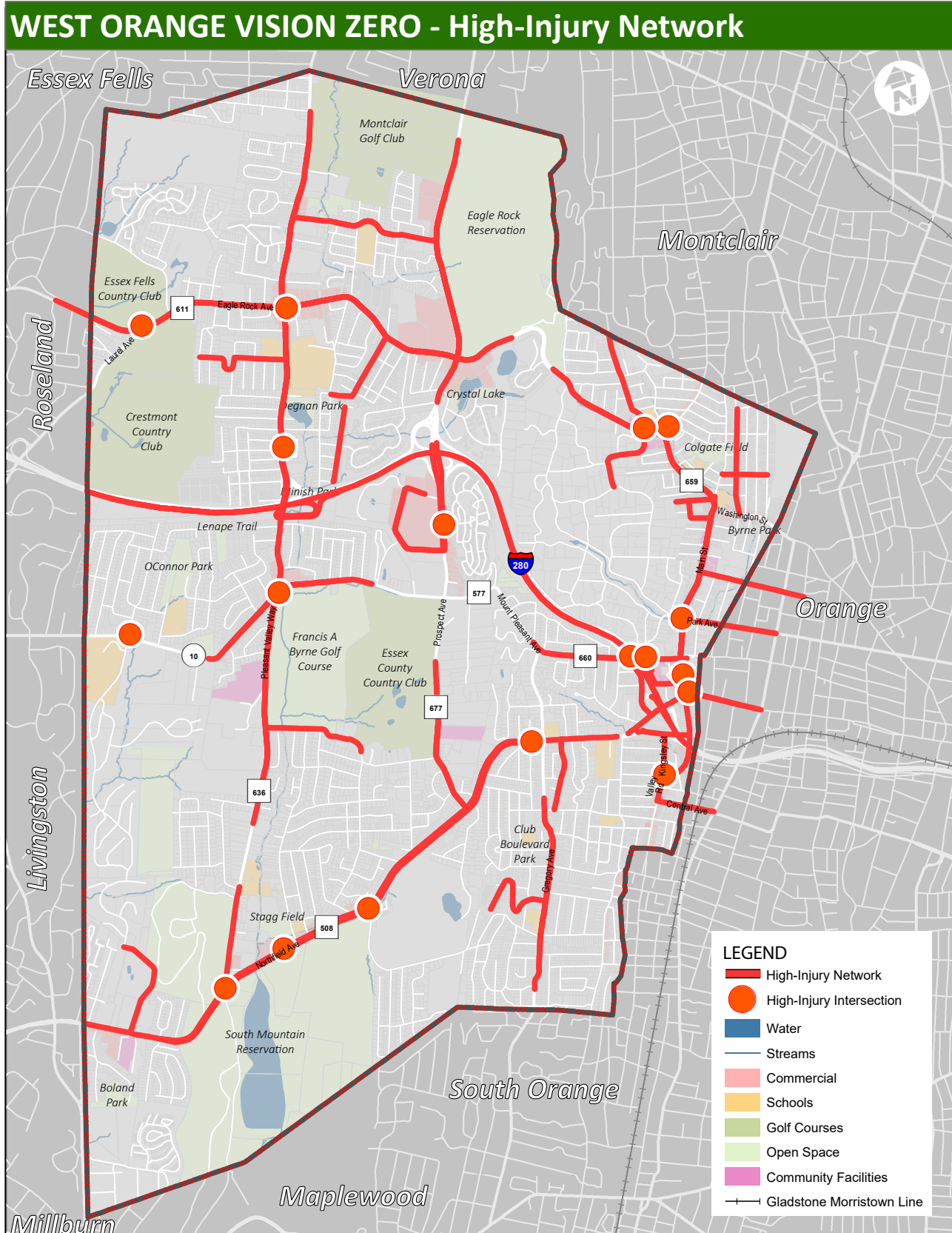
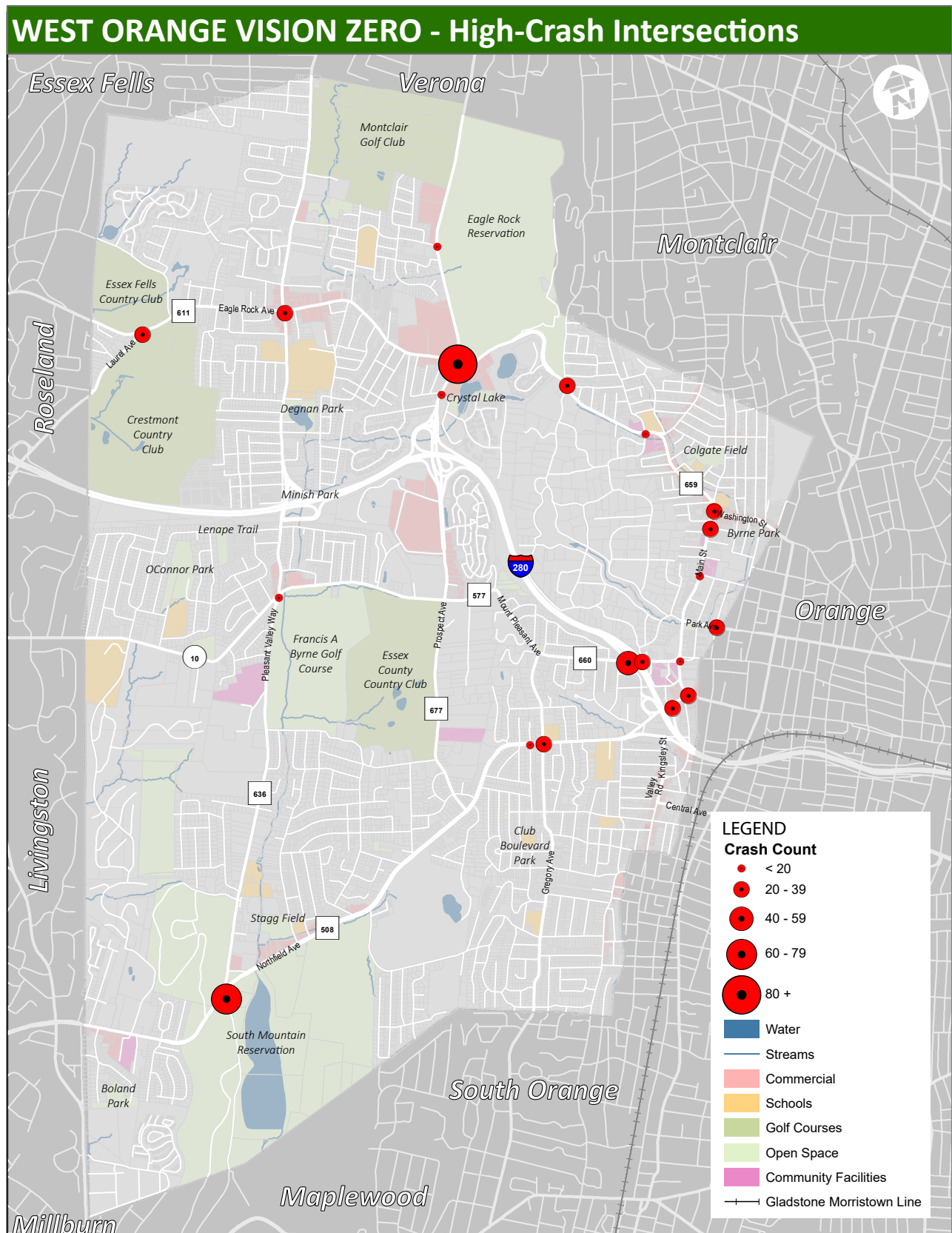


Figure 7. High Crash Intersections Map (2015-2021)



Source: NJDOT Safety Voyager data, 2015-2021

ENVIRONMENTAL JUSTICE

In the context of Vision Zero, it is important to acknowledge that many groups face different barriers to safe travel on the road network. Because the needs of certain groups vary, identifying the locations of various vulnerable groups is important for the prioritization of improvements across West Orange.

Equity Factors

The North Jersey Transportation Planning Authority's Equity Analysis Tool assesses census tracts based on the status of populations included in US Executive Order 12898 on Environmental Justice and in Title VI of the US Civil Rights Act. There are 11 factors through which populations are assessed in this tool based on their respective share of each: Minority, Low Income, Limited English Proficiency, Disability, Age (<5 years old, 5-17 years old, 65+ years old), Foreign-Born, Female Population, Zero-Vehicle Households, and Educational Attainment (less than high school degree).

For this demographic analysis, the team analyzed the following nine factors, as identified by the Vision Zero Task Force, per NJTPA's Equity Analysis Tool:

- *Minority - The minority factor identifies populations described in Title VI of the Civil Rights Act, FHWA and FTA's Title VI guidelines and Executive Order 12898, all of which prohibit discrimination based on race. Data collected for this factor include all persons who are not single-race White and Non-Hispanic or Latino.*
- *Low Income Households - The low income factor addresses one of the population groups defined in Executive Order 12898 on Environmental Justice (EJ) as well as the Federal Highway Administration and Federal Transit Administration's guidance on EJ policy. These policies seek to identify impacts of transportation investments, programs and projects on low-income people. Data collected for the factor represents a percentage of a specific geographic area's population in households where the household income is less than or equal to twice the federal poverty level.*
- *Limited English Proficiency - This factor addresses Title VI and Executive Order 13166, as well as FTA's Title VI guidance that requires recipients of federal funding to "take reasonable steps to ensure meaningful access to their programs and activities by LEP persons." Data collected for the factor represents all people in the region who speak a language other than English, and those who speak English less than very well.*
- *Disability - Title VI requires agencies receiving federal funding to adhere to Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990. These acts protect people with disabilities against discrimination. Data collected for this factor represents any person who indicated having one or more physical or mental disabilities.*
- *Age: FHWA's EJ recommendation and Additional Nondiscrimination Requirement suggests including children and elderly populations in discussions regarding traditionally underserved populations. Three factors were created to represent distinct age cohorts: youth, adolescents and elderly populations. Data collected for the factors represents individuals under 5 years of age, individuals between 5 and 17, and individuals 65 years old and older.*

- **Foreign-Born** - *The foreign-born factor represents populations included in Title VI of the Civil Rights Act and FHWA's and FTA's Title VI requirements and guidelines, all of which prohibit discrimination of persons in the United States based on national origin. Data collected for the factor represents all people who have indicated that they were not born in the United States.*
- **Zero-Vehicle Households** - *The zero-vehicle households factor should be interpreted in concert with other measures. For example, a community well served by various mass transit modes may have a larger share of zero vehicle households, because a personal vehicle is not considered a necessity. For some, not owning a car is a lifestyle choice and not an indicator of an economically disadvantaged population. Looking at this measure alone may not provide an accurate picture of communities most in need. Data collected for the factor represent all households who have indicated that they do not have a car.*

The percentage of the population falling into these categories is statistically assessed relative to regional averages, with a following scale of:

0 = Very Below Average

1= Below Average

2 = Average

3 = Above Average

4 = Very Above Average

These numeric ratings are based on the standard deviation from the NJTPA regional averages for each factor, with 0 and 1 being beyond two and one standard deviations below the average respectively, and 3 and 4 being beyond one and two standard deviations above the average respectively.

Overall Equity Analysis

There are nine census tracts in West Orange as shown in Figure 9. These maps show the location of census tracts in West Orange that fall into the "Above Average" rating for each equity factor. It is worth noting that West Orange does not have any tracts with a rating of Very Above Average for any of these categories. The following table shows the overall West Orange Township equity data compared to Essex County data.

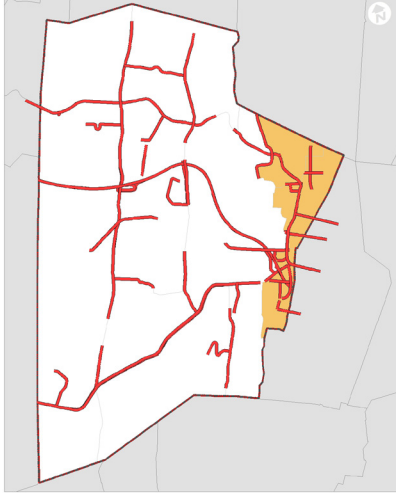
Table 2. Equity Factors in West Orange and Essex County

Equity Factor	West Orange	Essex County
Minority	55.5%	70.9%
Low Income Households	10.5%	31.8%
Limited English Proficiency	10.5%	15.6%
Disability	9%	11.5%
Children (Under 5 Years old)	5.1%	6.5%
Youth (5-17 Years old)	15.1%	17.4%
Seniors (65+ Years old)	19.3%	13.6%
Foreign Born	29.5%	28.7%
Zero-Vehicle Households	7.7%	22%

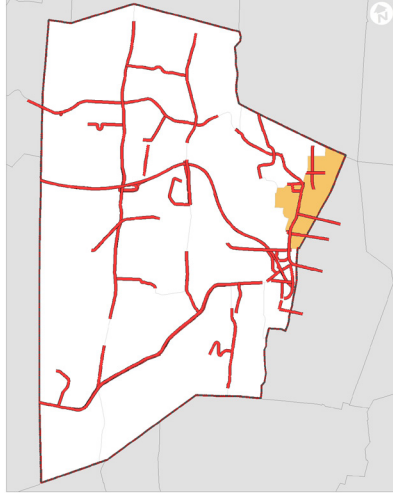
Figure 8. Equity Factors by Census Tract

Census Tracts with an "Above Average" Rating
— High-Injury Network

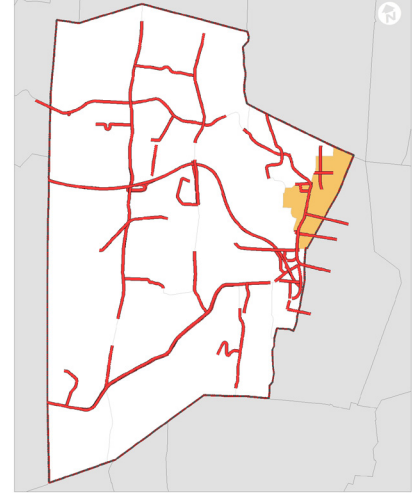
Minority



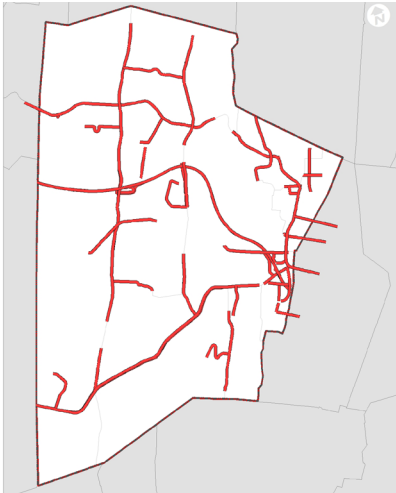
Low Income



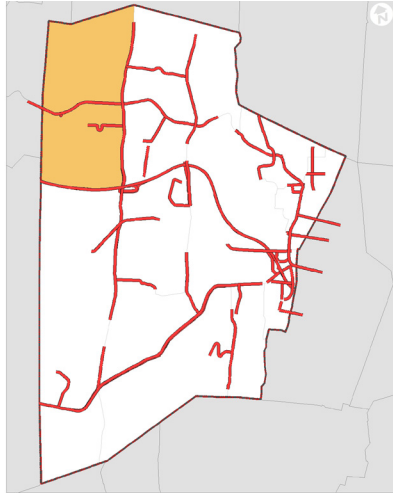
Limited English Proficiency



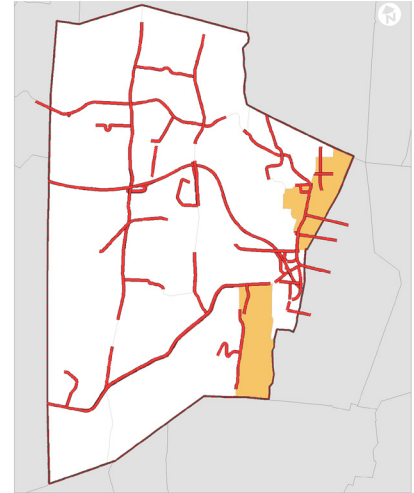
Disability



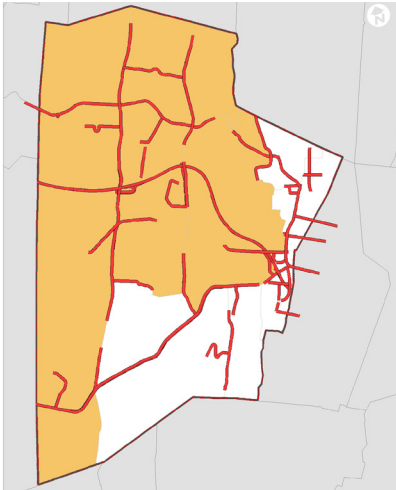
Children (Under 5 Years Old)



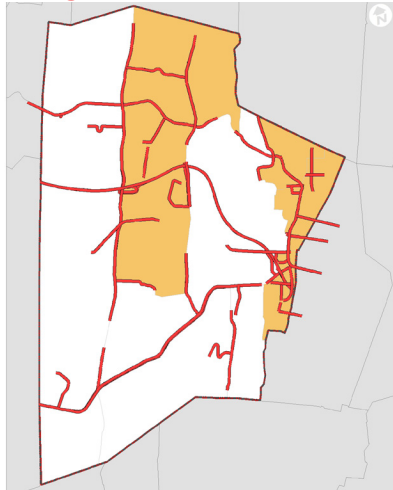
Youth (5-17 Years Old)



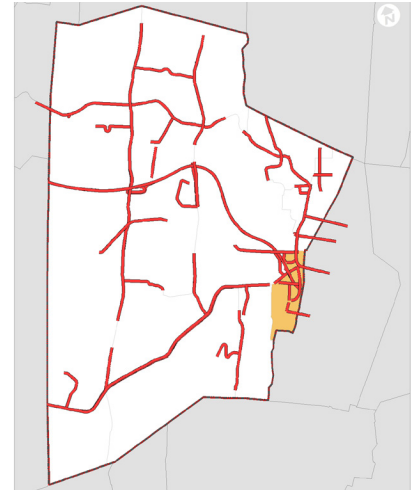
Seniors (Over 65 Years Old)



Foreign-Born



Zero-Vehicle Households

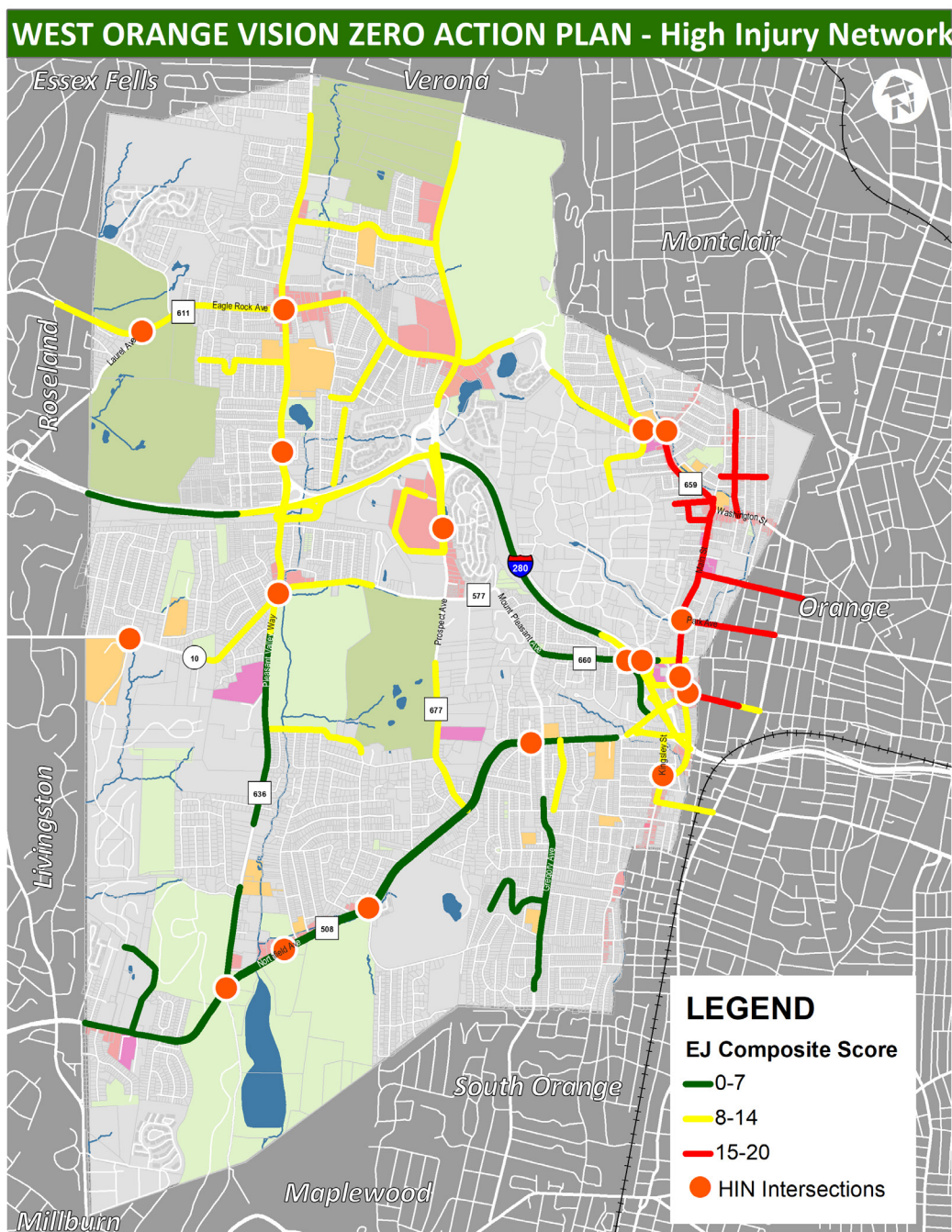


Source: NJTPA Equity Analysis Tool (2017-2021) and NJDOT Safety Voyager (2015-2021)

Environmental Justice Composite Score

The team then assigned an environmental justice score to each network segment using these factors to identify which network segments should be prioritized based on equity factors. All HIN network segments were given a composite score based on the highest average score for each factor. The figure below shows the HIN with priority segments based on the composite EJ score. The scores for each segment ranges from 0-20 with Main Street receiving the highest composite EJ score of 20.

Figure 9. High-Injury Network Environmental Justice Composite Score



Note: HIN corridors are all 0.5 miles, so some extend beyond West Orange borders

Source: NJDOT Safety Voyager data, 2015-2021

PRIORITIZED HIGH-INJURY NETWORK

Prioritized HIN

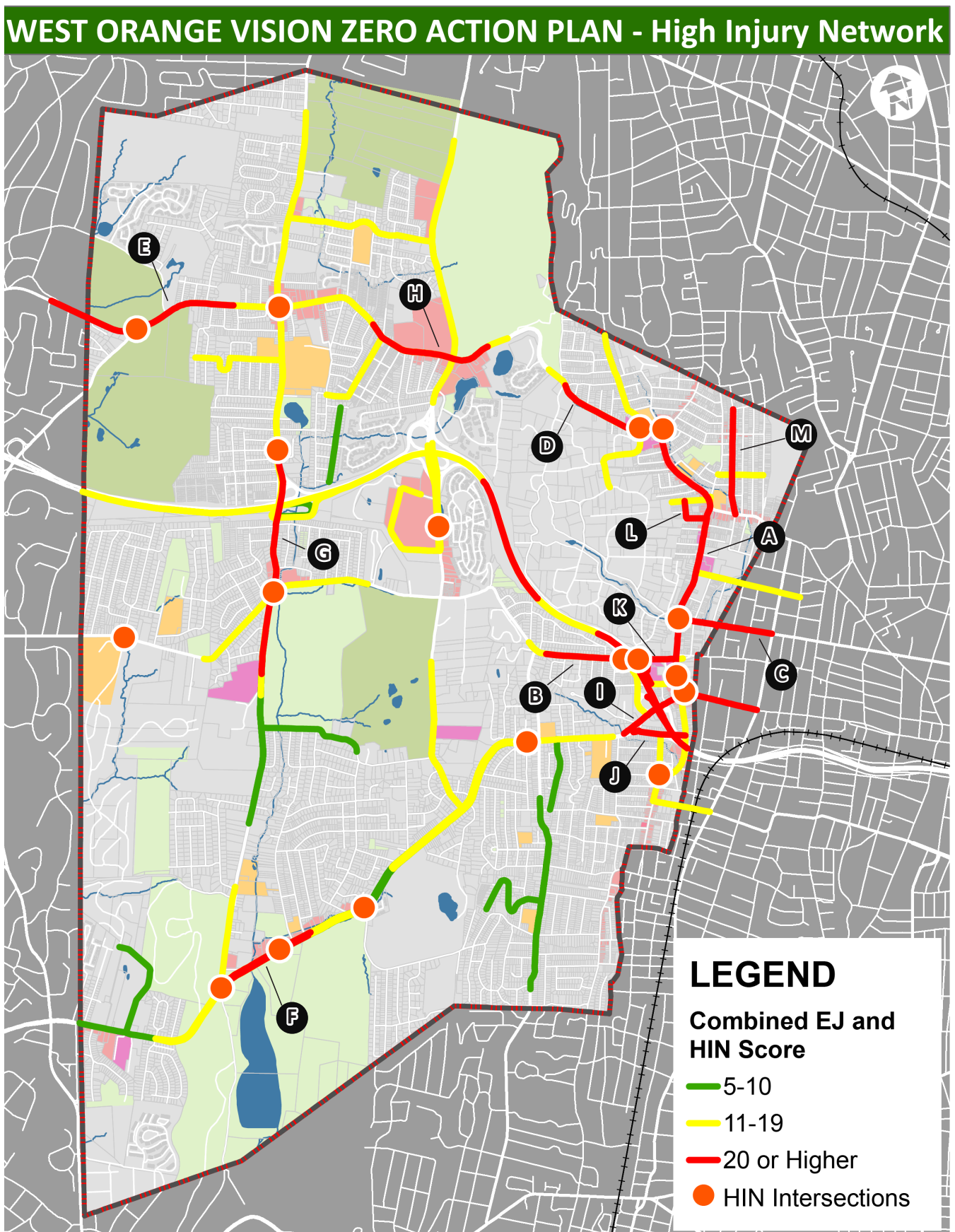
The project team developed the final recommended HIN by combining the EJ composite score and the HIN crash score. This HIN represents the high-injury (fatal, severe and moderate injury) crash corridors and intersections prioritized based on the equity analysis. While the entire HIN should be given consideration for safety enhancements, these highest-scored corridors are the highest priority based on this analysis. As noted in the earlier section, nine factors were analyzed to develop the composite EJ score. The individual and composite EJ scores for the corridors with a combined score above 20, shown in red in Figure 10, are given in Table 1. The scores for the rest of the segments are provided in Appendix D.

Table 3. Prioritized HIN Corridors - Road Details

HIN SEGMENT NO.	HIN Corridor	CROSS STREET 1	CROSS STREET 2	ROAD CLASSIFICATION	JURISDICTION	SPEED LIMIT	NO. OF LANES	COMPOSITE EJ / HIN SCORE
A	Main Street	Harrison Avenue	Township Border	Major Arterial	County	25	4	44
B	Mount Pleasant Avenue	Gregory Avenue	Main Street	Major Arterial	County	40	2 to 4	39
C	Park Avenue	Main Street	Township Border	Major Arterial	County	35	4	28
D	Eagle Rock Avenue	Harrison Avenue	Fairmont Terrace	Major Arterial	County	35	3 to 4	26
E	Eagle Rock Avenue	Township Border	Sherwood Place	Major Arterial	County	35	4	24
F	Northfield Avenue	Pleasant Valley Way	Sheridan Avenue	Major Arterial	County	40	4	23
G	Pleasant Valley Way	Old Indian Road	Mellon Avenue	Major Arterial	County	50	2 to 4	23
H	Eagle Rock Avenue	Phyllis Road	Smith Manor Boulevard	Major Arterial	County	35	4	22
I	Northfield Avenue	Whittingham Place	Main Street	Major Arterial	County	35	3 to 4	21
J	Whittingham Place	Northfield Avenue	Valley Road	Major Arterial	County	25	2 to 3	21
K	Gaston Street	Mount Pleasant	Lindsley Avenue	Local Road	Municipal	25	2	20
L	Sayres Place	Llewellyn Avenue	Main Street	Local Road	Municipal	25	1	20
M	Whittlesey Avenue	Samuel Street	Washington Street	Local Road	Municipal	25	2	20

Source: NJTPA Equity Analysis Tool (2017-2021) and NJDOT Safety Voyager (2015-2021)

Figure 10. Prioritized High-Injury Network



ENGAGEMENT OVERVIEW

The project team developed a multi-pronged approach to involve the community in developing the Vision Zero Action Plan. This included assembling a Vision Zero Task Force consisting of representatives from the various organizations in town.

To engage the public, the project team developed project flyers and outreach tools/materials that were presented and used at multiple public workshops and also posted on the Township's webpage.

The following engagement tools were created and engagement activities were conducted:

1. Vision Zero Website
2. Vision Zero Video Series
3. Vision Zero Safety Map
4. Vision Zero Safety Survey
5. Vision Zero Public Workshops



Pictured (from left): Brian Stankus, Lt. Pat Matullo, Sangeeta Badlani, Mayor Susan McCartney, Rachana Sheth, William Riviere, Ricardo Valderrama, Paul Grygiel, Jerry Guarino

VISION ZERO TASK FORCE

Vision Zero Task Force Members

The following organizations made up the West Orange Vision Zero Task Force:

- New Jersey Department of Transportation
 - Bureau of Safety, Bicycle, and Pedestrian Programs
- West Orange Township
 - Administration
 - Schools
 - Police/Safety
 - Fire
 - Senior Services
 - Health
 - Engineering
 - Planning
 - Environmental
- Essex County
 - Engineering
 - Planning
- West Orange Pedestrian Safety Advisory Board
- Families for Safe Streets New Jersey
- Nikhil Badlani Foundation
- Thomas Edison National Historical Park
- Downtown West Orange
- EZ Ride

The Vision Zero Task Force assisted with organizing outreach, providing valuable context and knowledge, and evaluation of the findings of this project. Meetings were held monthly to discuss these findings and to guide the continued efforts involved in creating the Vision Zero Action Plan. In these monthly meetings, the progress of the project was discussed along with new findings, and the Task Force's input was taken into consideration for future actions by the project team.



NJDOT BUREAU
OF SAFETY,
BICYCLE, AND
PEDESTRIAN
PROGRAMS



ENGINEERING,
PLANNING



ADMINISTRATION,
SCHOOLS, POLICE/
SAFETY, FIRE, SENIOR
SERVICES, HEALTH,
ENGINEERING,
PLANNING,
ENVIRONMENTAL

WEST ORANGE
PEDESTRIAN
SAFETY
ADVISORY
BOARD
(WOPSAB)



nikhil badlani foundation



THOMAS
EDISON
NATIONAL
HISTORIC
PARK



OUTREACH TOOLS AND SUMMARY OF RESULTS

Project Website

An ArcGIS Hub website was created for this project as a central source for information regarding the Vision Zero Action Plan. This website contained links to surveys and mapping tools, relevant statistics and contact information for members and organizations involved in the project. The website included an interactive data dashboard where website visitors could view the locations of severe and fatal crashes as well as the top ten pedestrian, bicycle and vehicular crash corridors in West Orange.



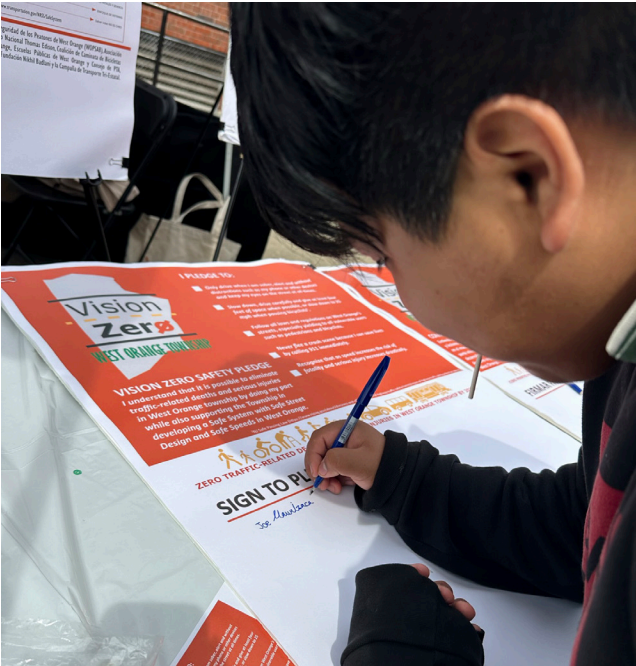
Safety Pledge

A safety pledge was developed for West Orange residents to sign, encouraging safe and responsible behavior on roadways. This pledge was distributed as a handout and made available on a large board with room for signatures at the two public workshops. The safety pledge ultimately accumulated over 70 signatures.



Vision Zero Community Safety Survey

To support the West Orange Vision Zero Action Plan, the project team created a survey that incorporated questions regarding the community's travel behaviors, knowledge of Vision Zero, interest in and prioritization of the various concepts and intents of Vision Zero, perceptions of safety across travel modes and perception of the community's present day needs. The survey was available in both English and Spanish, and was open from March to July 2023. A total of 454 surveys were completed. The team also created paper surveys with a mapping exercise to be shared with the Seniors and Older Adults Advisory Board. A detailed technical memorandum of the outreach summary was submitted and is on file with West Orange Township and NJDOT. Key findings are highlighted in the following pages, and all survey results are located in Appendix F.



Vision Zero and Safe System Approach

Respondents were asked about their awareness of Vision Zero and the Safe System Approach. 241 respondents (53%) were not aware of Vision Zero or the Safe System Approach. Of those who were, 96 (21%) were aware of both, 101 (22%) only knew about Vision Zero, and just 5 were only familiar with the Safe System Approach.

One question asked how important they felt a "policy and plan in West Orange Township that aims to eliminate deaths and serious injuries from traffic crashes" was to adopt in West Orange. Respondents overwhelmingly felt it was important: 379 respondents (83.5%) answered with "Very Important" with an additional 42 (9.3%) selecting "Important." Of those choosing a lower option, 14 (3%) selected "Moderately Important" and 2 (0.4%) selected "Of Little Importance."

Travel Modes and Concerns

Survey respondents were asked how often they typically travel using a variety of modes. In terms of walking, 312 respondents (69%) indicated "sometimes," with 107 (24%) selecting "most often" and 23 (5%) selecting "never". Bicycling was less common among these respondents, with 272 (60%) selecting "never," 120 (26%) selecting "sometimes" and just 15 (3%) selecting "most often."

When asked how safe they perceive walking to be, respondents were mixed, with "somewhat safe" the most common response (34%) but "very unsafe" (13%) more common than "very safe" (9%). Because bicycling was so uncommon, most chose the "not applicable" option (48%), but those that do bicycle largely perceive it as an unsafe activity in West Orange, with "very unsafe" (17%) the most common response and "somewhat unsafe" (14%) the second most common response; only 8% of respondents selected "somewhat safe" and just 1.5% selected "very safe."

Survey respondents were asked about the barriers to non-motorized forms of travel, with the ability to select all they felt applied. The most commonly selected barrier was that "the sidewalk network is incomplete/in need of repair" (63%); "speeding cars" (52%), "crossings feel unsafe" (46%), "distracted drivers" (44%), "there are no safe ways to bike such as bike lanes" (43%) and "driving is practical" (42%) were all selected by over 40% of respondents.

Equity and Safety Trade-Offs

Realistically, any safety improvements to the transportation network will require trade-offs in other areas; making the public aware of these helps them give informed opinions on these safety

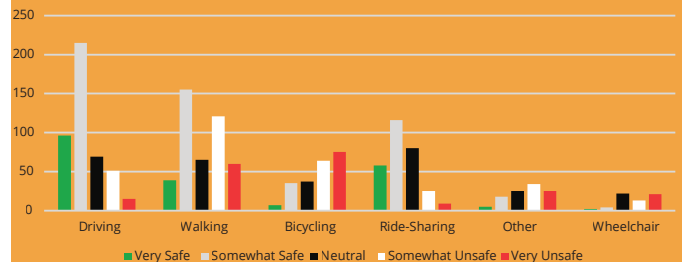
West Orange residents don't find walking or biking as safe as driving

Active Transportation Modes

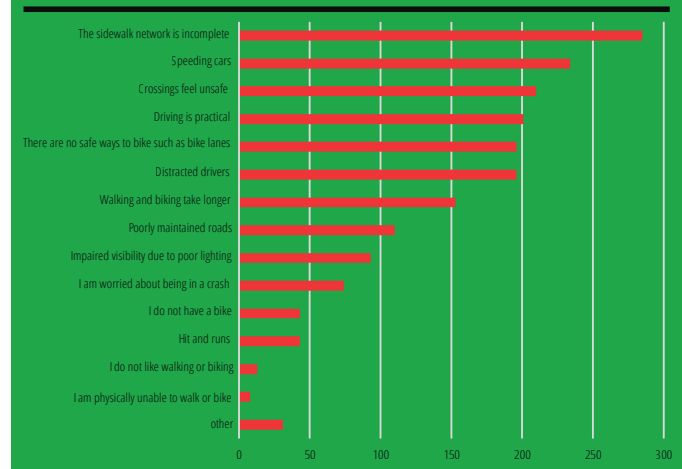
- Walking Safety - 9% "Very" & 35% "Somewhat"
- Bicycling Safety - 3% "Very" & 16% "Somewhat"

Motorized Transportation Modes

- Driving Safety - 22% "Very" & 48% "Somewhat"
- Ridesharing Safety - 20% "Very" & 40% "Somewhat"



Common barriers to active transportation in West Orange Township

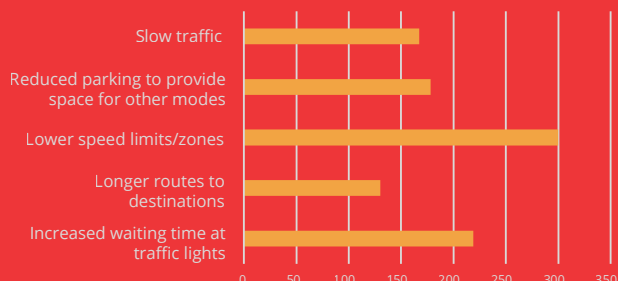


What would people accept for safer roads?

The most common tradeoffs to achieve safer roads for West Orange residents were:

- Lower speed limits/zones (66%)
- Increased waiting time at traffic lights (48%)

People were less enthusiastic about longer routes to destinations (29%)



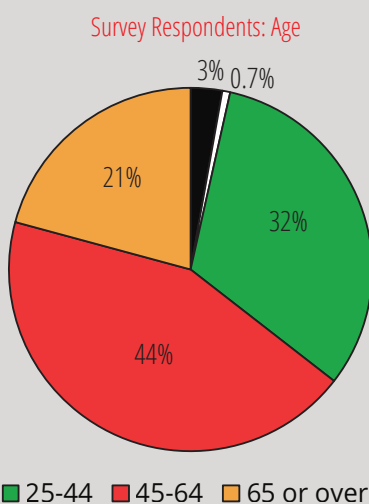
improvements. When asked about a selection of trade-offs in terms of their willingness to accept them, there were none with universal approval but also none that were broadly rejected. Lower speed limits/zones (66%) was the only option with over 50% acceptance; the remaining options were increased waiting time at traffic lights (48%), reduced parking to provide space for other modes (39%), slow traffic (36%) and longer routes to destinations (29%).

Respondents were asked about equity concerns in the implementation of traffic safety improvements for West Orange. Of the options presented, the most common selection (with multiple selections allowed) was "ensuring investment is equitably distributed" with 201 selections (44%), while "targeted enforcement in communities of color" received 120 selections (26%) and "cost of ticketing for limited income households" received 100 selections (22%).

Who did we hear from?

Of all the people who answered our survey:

- Most were 45 or older (65%)
- Few were under 24 years old (under 4%)
- 24% were either under 18 or a parent of a child under 18
- 98% were West Orange residents



Demographics

Vulnerable road users are a priority in Vision Zero analysis, and in the case of this survey the most represented groups of vulnerable users were: 136 Seniors (55+), 109 children or parents of children, and 65 non-motorists. 83 respondents skipped this question, and there were only 23 transit riders, 21 community members that reported experiencing racial, ethnic or socioeconomic disparities, and 17 people with disabilities.

Over 97% of survey respondents reported living in West Orange, while just over 6% reported working in the Township and just over 3% were local business owners.

Respondents were also asked where in town they lived. Using a word cloud tool to summarize responses, the project team found that some of the most common roads included the major arterials of

West Orange including Gregory Avenue, Pleasant Valley Way, Mt. Pleasant Avenue, Eagle Rock Avenue and Main Street.

Nearly all responses came from working-age adults or older, with 25-44 year olds comprising over 30% of respondents and 45-64 year olds the most common age group with over 41% of responses. Nearly 20% of respondents were seniors. Just 12 responses (2.64%) came from people under 18 years old and just 3 responses from people aged 18-24.

**Vision
Zero**
WEST COAST WIMBORNE

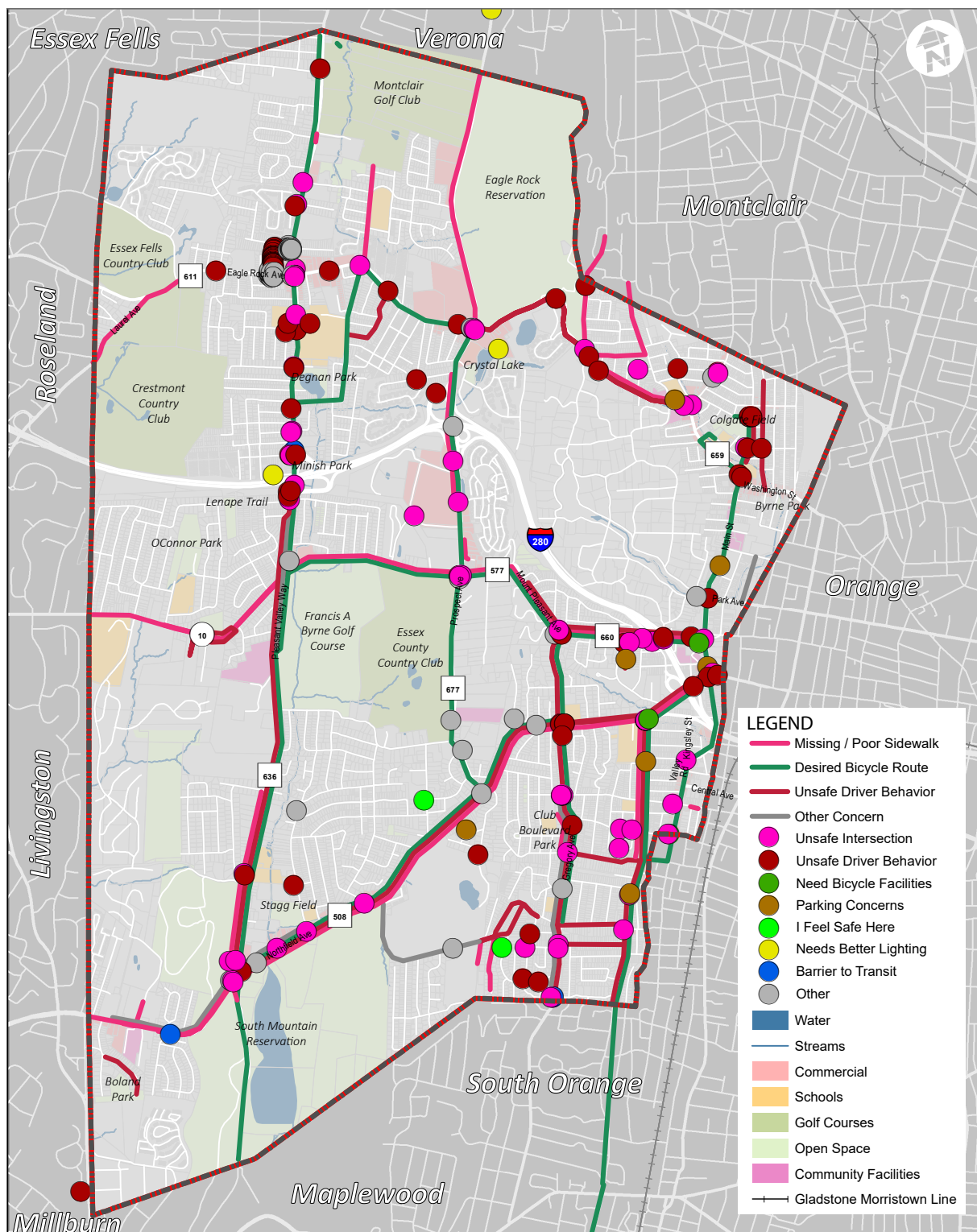
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An interactive mapping tool was also provided using WikiMapping. Respondents were asked to identify points and corridors that concerned them, and they were able to categorize and elaborate on their markings with a caption on their entry. In all, 214 points were placed and 63 polylines were drawn; this does not necessarily indicate the total number of individuals participating in the safety map, as many people submitted several entries. A large paper map for marking up was provided at public workshops, and these markings were added to this online map. Additionally, 73 location-specific entries from the survey were added to the online map, with 12 added as new points or lines and the remaining 61 added as comments to previously-added features. Points and lines could identify: sidewalk/pedestrian network issues, bicycle network issues, locations of concentrated unsafe driver behavior, lighting issues, parking concerns and barriers to transit. Additionally, respondents could leave positive remarks in places with adequate safety conditions.

Respondents were asked about additional ideas they may have for improving roadway safety in West Orange. 149 responses included an additional comment, with 79 of them identifying locations and 73 of these related to a specific location. Because of this, these responses were added to the WikiMapping tool either as new features or as comments on existing ones.

Comments were placed into categories, with a secondary category assigned to some comments that included multiple topics. Of all the comments, four stood out as the most common concerns: 52 included a comment supportive of pedestrian mobility or safety improvements, 35 included a request for stricter enforcement of traffic laws in some capacity, 30 were general comments regarding changes to traffic management (including lane

Figure 11. Wikimapping input: points and lines



Add Points / Añadir Puntos

- Safe Pedestrian Crossing Needed / Paso de peatones seguro necesario
- Unsafe Location for Bicyclists / Ubicación insegura para ciclistas
- Unsafe Driver Behavior / Comportamiento inseguro del conductor
- Lighting Improvement Needed / Se necesita mejorar la iluminación

- Parking Concerns / Problemas de estacionamiento
- Barriers To Transit / Barreras al tránsito
- Other Traffic or Travel Concerns / Otras inquietudes de tránsito o viaje
- I feel safe traveling here / Me siento segura viajando aquí

Add Lines / Añadir Líneas

- Sidewalk Improvement or Missing / Mejora de la acera o faltante
- Desired Biking Routes / Ruta ciclista deseada
- Unsafe Driver Behavior / Comportamiento inseguro del conductor
- Other Traffic or Travel Concerns / Otras inquietudes de tránsito o viaje
- I feel safe traveling here / Me siento segura viajando aquí

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Lines <i>(representing issues along a corridor)</i>	63
Desired Biking Route	22
Other Traffic / Travel Concern	6
Sidewalk Improvement/Missing	27
Unsafe Driver Behavior	28
Points <i>(representing issues in individual locations)</i>	260
Barrier to Transit	3
Bicycle Facilities Needed	2
I Feel Safe Here	3
Needs Better Lighting	3
Other Travel Concerns	74
Parking Concerns	7
Unsafe Driver Behavior	98
Unsafe Intersection	70
Grand Total	343

Many points and lines included comments which were translated into a word cloud as shown. It can be seen that common concerns include speeding, texting, disregard of other road users, and dangerous behavior. The comments were then grouped by category to identify recurring issues and recommendations.

The options for line drawing were to identify: desired routes for a bicycle network, sidewalk gaps/deteriorated sidewalks, corridors of unsafe driving, and any other concerns.

Table 5. Roads of Concern by Category

Category of Concern	Roads Identified (Bold indicates the entire distance of the road)
Missing / Poor Sidewalk	Northfield Avenue, Laurel Avenue, Mt. Pleasant Avenue, Forest Avenue, Pleasant Valley Way, Prospect Avenue, Mountain Avenue/Undercliff Road, Fairmount Terrace, Valley Way, Rollinson Street, Undercliff Terrace, Burnett Terrace
Desired Bicycle Route	Pleasant Valley Way, Northfield Avenue, Prospect Avenue, Mt. Pleasant Avenue, Main Street, Eagle Rock Avenue, Hooper Avenue/Conforti Avenue, Valley Road, Rollinson Street, Gregory Avenue, Franklin Avenue
Unsafe Driver Behavior	Mt. Pleasant Avenue, Pleasant Valley Way, Northfield Avenue, Gregory Avenue, Rollinson Street, Eagle Rock Avenue, Franklin Avenue, Whittlesey Avenue, Walker Road, Lawrence Avenue, Forest Hill Road, Burnett Terrace, Dogwood Drive, Phyllis Road
Other	Pleasant Valley Way, Northfield Avenue, Gregory Avenue, Walker Road, Standish Avenue

The lines categorized as "other" included complaints about road striping on Northfield Avenue near Pleasant Valley Way, dissatisfaction with speed humps on Walker Road, poor road quality on Standish Avenue, and the width of Pleasant Valley Way.

The options for point placement were to identify: unsafe intersections, unsafe driver behavior, need for bicycle facilities, parking concerns, need for lighting improvement, barriers to transit, and other concerns as well as places people feel safe. Points identified across West Orange were well-mixed, with concentrations of points identifying the various topics scattered across the municipality. Below is a list of some common themes for each.

- Unsafe Intersections

- Many intersections were marked as unsafe across West Orange. Common areas include:
 - Eagle Rock Avenue and Pleasant Valley Way and the intersections nearby
 - Pleasant Valley Way and the Interstate 280 ramps, Eagle Rock Avenue and Prospect Avenue

- Northfield Avenue and Pleasant Valley Way and the nearby intersections on Northfield Avenue
- Mt. Pleasant Avenue and Prospect Avenue
- Mt. Pleasant Avenue and Gregory Avenue
- Junctions surrounding the Essex Green Mall
- Main Street and both Mt. Pleasant Avenue and Northfield Avenue
- Eagle Rock Avenue and both Harrison Avenue and Mountain Avenue
- Northfield Avenue and the Interstate 280 ramps
- Several intersections along Gregory Avenue and Rollinson Street in the southeastern portion of the municipality

- Unsafe Driver Behavior
 - Unsafe Driver Behavior was identified across the municipality, including concentrated areas of reporting along Pleasant Valley Way, Eagle Rock Avenue, Northfield Avenue, Main Street and Gregory Avenue.
 - Other areas include:
 - neighborhoods off of the eastern portion of Eagle Rock Avenue
 - neighborhoods surrounding Gregory Avenue
 - the area surrounding the intersection of Eagle Rock Avenue and Pleasant Valley Way
- Need Bicycle Facilities
 - While this concern was primarily addressed through line-based submissions, the WikiMap contained points where bicycle facilities are needed, identified at the intersection of Main Street and Mt. Pleasant Avenue and at the intersection of Northfield Avenue and Rollinson Street.
- Parking Concerns
 - Parking Concerns were centered around the areas closer to Downtown West Orange, with points placed along Rollinson Street, Main Street, Northfield Avenue, Mt. Pleasant Avenue and Eagle Rock Avenue, all of which were located in the eastern portion of the municipality.
 - Comments about this issue were largely related to illegal parking or parking in ways that block visibility, but others were concerned about parking availability for those without personal driveways and equitable parking enforcement.
- Need Lighting Improvement
 - Of the two points placed within the West Orange boundary, one was related to lighting along the path at Crystal Lake Park and the other requests better lighting near the intersection of Pleasant Valley Way and Interstate 280 due to reports of criminal activity in the area.
- Barrier to Transit
 - Multiple comments involved buses. People noted difficulty reaching buses at both the intersection of Interstate 280 and Pleasant Valley Way and at the intersection of Woods End Road and Northfield Avenue, both of which were due to a lack of sidewalk access to the bus stop. Another difficulty was reaching the school bus along Gregory Avenue.
- I feel safe here
 - Three points were placed where people felt safe: the intersection of Mountain Way and Sylvan Place, the intersection of Benvenue Avenue and Ridgeway Avenue, and the intersection of Valley Road and Freeman Street.

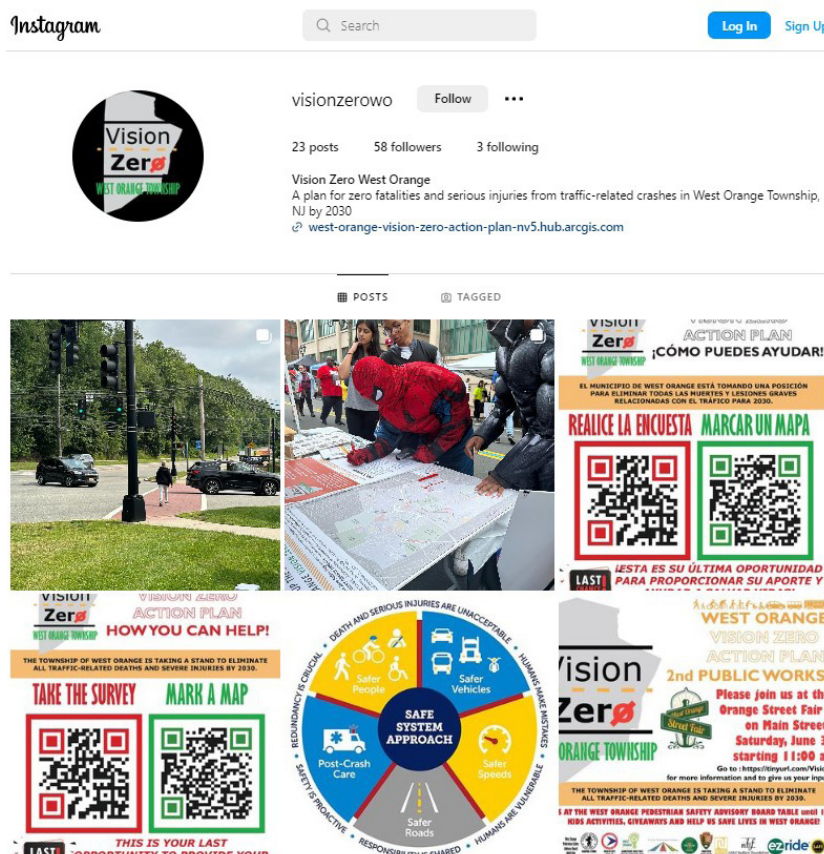
Safety Videos

Two promotional videos to educate the community were included as part of this project. Civic Eye Collaborative worked with NV5 and the Task Force to develop the videos to help inform the West Orange community about the Vision Zero Action Plan. The first is a project overview, providing meaningful statistics, an overview of Vision Zero, and a general summary of the project goals. The second video (currently in development) will be an update on the project, providing elements of the Action Plan and the proven safety countermeasures that may be used to improve roadway safety in West Orange.



Social Media/Newsletter

The project team created and maintained a project Instagram account with regular updates regarding the project status, workshop announcements and outreach tool links. West Orange also developed a Vision Zero page with links to the project website, outreach tools, workshop and project overview flyers (English/Spanish). The Township regularly posted updates on the its Facebook page and in the monthly newsletter.



PUBLIC WORKSHOPS

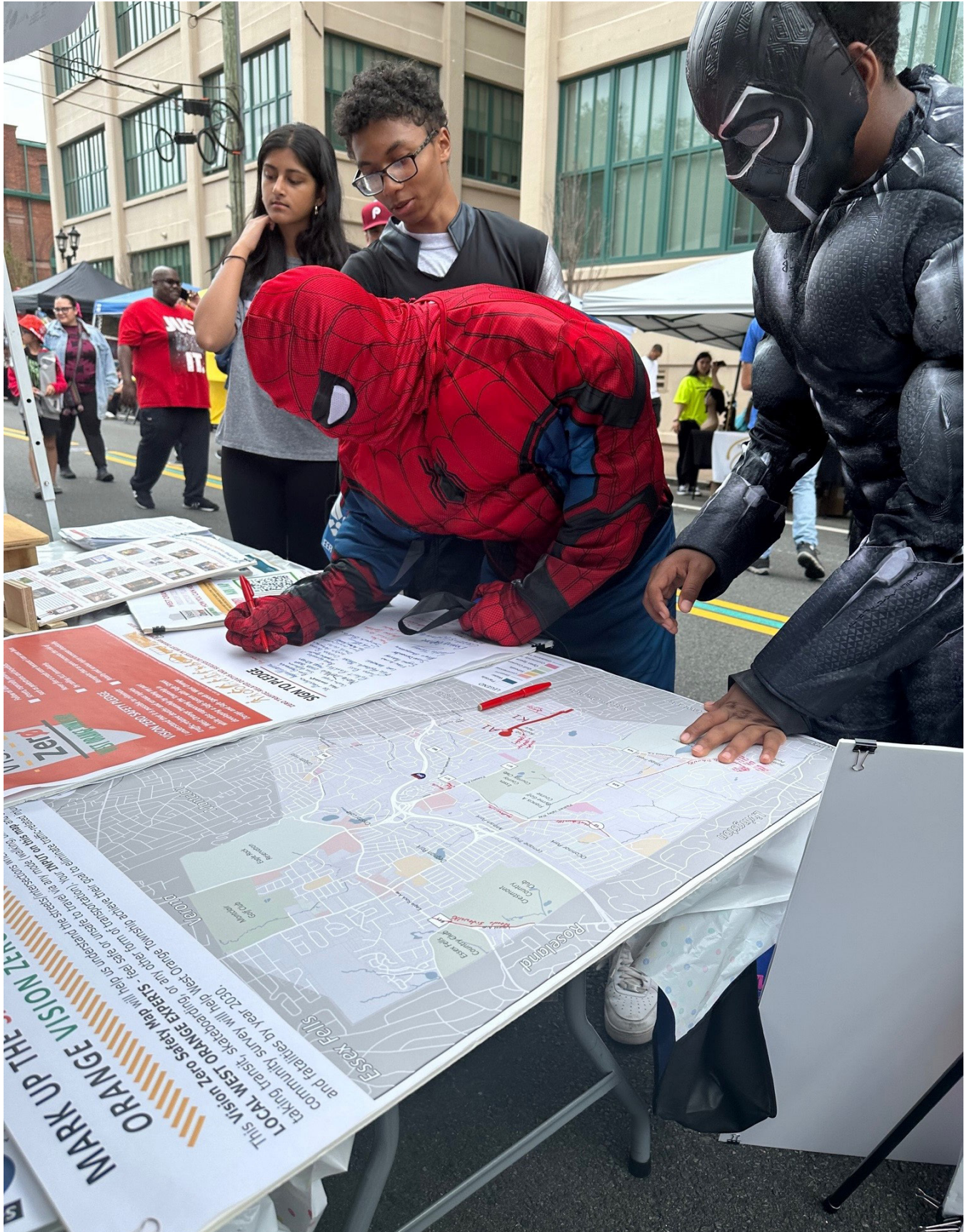
Public Workshop 1, April 22, 2023

On April 22, 2023, the first West Orange Vision Zero Public Workshop was held at Washington School. Members of the community were invited to learn about current road safety conditions in West Orange, and were given tools to add their own input including a community survey and an interactive map where they could identify areas of interest. Additionally, a pledge to be a safe driver was provided (both physically and online). All materials were presented in English and Spanish versions. EZ Ride TMA, the West Orange Pedestrian Safety Advisory Board and the Nikhil Badlani Foundation also had booths where community members could engage and discuss road safety awareness, and there were activities for kids including face painting and coloring pages.



Public Workshop 2, June 3, 2023

The West Orange Street Fair on June 3, 2023 hosted food vendors, craftspeople and many other booths and attracted a robust turnout. One booth at the street fair was home to the West Orange Vision Zero Action Plan team, including representatives of both the New Jersey Department of Transportation and NV5. Members of the public were invited to take the survey on their personal devices or on a tablet, as well as to add locations to the online interactive map or the physical map where there were safety concerns or desired improvements. Common themes community members mentioned included elements such as sidewalk gaps, speeding hotspots, illegal parking, safe routes to school and more. Survey responses and map markups from both workshops are summarized in the description of outreach tools earlier in this report.



VISION ZERO ACTION PLAN

West Orange Township is committed to using a Safe System approach to achieve Vision Zero. The strategies and actions to achieve zero traffic fatalities or serious injuries by the year 2030 were identified by the project team based on the data analysis and outreach findings with input from the Vision Zero Task Force and are organized into the five elements of the Safe System Approach.

As noted earlier, the Plan follows the six principles of the Safe System Approach:

1. **DEATH AND SERIOUS INJURIES ARE UNACCEPTABLE.** While no crashes are desirable, the Safe System Approach prioritizes the elimination of crashes that result in death and serious injuries since no one should experience either when using the transportation system.
2. **HUMANS MAKE MISTAKES.** People will inevitably make mistakes and decisions that can lead or contribute to crashes, but the transportation system can be designed and operated to accommodate certain types and levels of human mistakes, and avoid death and serious injuries when a crash occurs.
3. **HUMANS ARE VULNERABLE.** People have physical limits for tolerating crash forces before death or serious injury occurs; therefore, it is critical to design and operate a transportation system that is human-centric and accommodates physical human vulnerabilities.
4. **RESPONSIBILITY IS SHARED.** All stakeholders – including government at all levels, industry, non-profit/advocacy, researchers, and the public – are vital to preventing fatalities and serious injuries on our roadways.
5. **SAFETY IS PROACTIVE.** Proactive tools should be used to identify and address safety issues in the transportation system, rather than waiting for crashes to occur and reacting afterwards.
6. **REDUNDANCY IS CRUCIAL.** Reducing risks requires that all parts of the transportation system be strengthened, so that if one part fails, the other parts still protect people



APPROACH

Zero is our goal. A Safe System is how we get there.

Source: USDOT FHWA

SAFE SYSTEM APPROACH ELEMENTS

The goal is zero deaths and serious injuries and adopting the five elements of the Safe System Approach will help West Orange Township achieve its goal by 2030. FHWA's Proven Safety Countermeasures were utilized in identifying specific improvements to address the various crash types along the High-Injury Network.

The Safe System Approach can improve safety for all users, including children and seniors. West Orange is an *Age-Friendly community*¹ and one where residents can age in place, and the Vision Zero Action Plan will influence the quality of life of older adults. It will support senior residents by giving them a safe transportation system to remain physically, socially, and mentally engaged and help to make West Orange a great place to live.

The five elements of the Safe System Approach are:

	SAFER ROADS Design roadway environments to mitigate human mistakes and account for injury tolerances, to encourage safer behaviors, and to facilitate safe travel by the most vulnerable users.
	SAFER SPEEDS Promote safer speeds in all roadway environments through a combination of thoughtful, equitable, context-appropriate roadway design, appropriate speed-limit setting, targeted education, outreach campaigns, and enforcement.
	SAFER PEOPLE Encourage safe, responsible driving and behavior by people who use our roads and create conditions that prioritize their ability to reach their destination unharmed.
	SAFER VEHICLES Expand the availability of vehicle systems and features that help to prevent crashes and minimize the impact of crashes on both occupants and non-occupants.
	POST-CRASH CARE Enhance the survivability of crashes through expedient access to emergency medical care, while creating a safe working environment for vital first responders and preventing secondary crashes through robust traffic incident management practices.

In addition to the action plan table in the following pages, specific recommendations and countermeasures were developed for the top Prioritized HIN corridors in Appendix A: Priority HIN Projects: Fact Sheets.

¹ <https://www.westorange.org/DocumentCenter/View/6813/Age-Friendly-Designation->



SAFER SPEEDS

Supporting Safer Speeds is a priority in the Safe System Approach and is integral to Vision Zero. As speed increases, the chance of survivability decreases. This is especially true for vulnerable users such as bicyclists and pedestrians. Per the Safe System Approach by the FHWA, "humans are unlikely to survive high-speed crashes. Reducing speeds can accommodate human injury tolerances in three ways: reducing impact forces, providing additional time for drivers to stop, and improving visibility."

While safer roads and safer people also play a big role in managing speeds, the actions for this element primarily focus on speed limit policy changes, programs to slow vehicles, and education.

Per the crash data analysis, unsafe speed was a factor in 18% of KSI crashes, and 7.6% of all crashes in West Orange Township. Speeding was observed on several HIN corridors with a speed limit of 35 - 40 mph by the project team and was also noted in community surveys and on the interactive safety map.

Lowering the speed limit is a safety trade-off as slowing cars can impact traffic time. In West Orange, survey responses indicate that the West Orange community supports lowering speed limits and having neighborhood slow zones to help improve traffic safety.

While speed-camera programs are an important component of Vision Zero, in New Jersey they are currently not permitted. However, efforts to reduce speed should look beyond enforcement and focus on infrastructure changes to ensure that the posted speed limits are followed.

SAFE SPEEDS: REDUCING PEDESTRIAN FATALITIES

Hit by a vehicle
traveling at

23

MPH

10% risk of death



Hit by a vehicle
traveling at

42

MPH

50% risk of death



Hit by a vehicle
traveling at

58

MPH

90% risk of death



Source: FHWA. Adapted from USDOT Pedestrian Safety Action Plan

"SPEED IS AT THE HEART OF A FORGIVING ROAD TRANSPORT SYSTEM. IT TRANSCENDS ALL ASPECTS OF SAFETY: WITHOUT SPEED THERE CAN BE NO MOVEMENT, BUT WITH SPEED COMES KINETIC ENERGY AND WITH KINETIC ENERGY AND HUMAN ERROR COME CRASHES, INJURIES, AND EVEN DEATHS."

*ORGANIZATION FOR ECONOMIC COOPERATION
AND DEVELOPMENT*

Table 6. Safer Speeds Actions



SAFER SPEEDS

Promote safer speeds in all roadway environments through a combination of thoughtful, equitable, context-appropriate roadway design, appropriate speed-limit setting, targeted education, outreach campaigns, and enforcement.

#	Action Description	Partners	Time Frame Short/ Medium/ Long	Cost (High- Medium- Low)	
SS1	Advocate for setting appropriate speed limits (including using the USDOT USLIMITS2 tool), traffic calming and safety countermeasures on County roads along the HIN network. Ensure that measures to improve safety along County roads align with the future Essex County Vision Zero Action Plan.	Essex County	Medium	Low	
SS2	Implement roadway design to achieve appropriate speed limits on the municipal HIN roads based on land use context.	West Orange Township	Medium	Medium	
SS3	Create a neighborhood slow zone program, utilizing traffic calming features.	Community Members	Medium	Medium	
SS4	Create a traffic calming toolkit for West Orange to empower the community to assist the Township in addressing traffic safety needs.	West Orange Township	Short	Low	
SS5	Advocate to legalize camera-based ticketing for speeding and red light running.	State of New Jersey, Essex County	Medium	Medium	

TIMEFRAME:

- Short - Under 2 years
- Medium - 2-5 years
- Long - 5+ years

ESTIMATED COST:

- Low - < \$100,000
- Medium - \$100,000 - \$1 Million
- Long - \$1 Million +

	Performance Measures	Equity Priority (Yes/No)	Impact on Safety (High / Medium /Low)
	Speed limit re-evaluation undertaken and recommendations implemented on applicable roads	Yes	High
	Speed monitoring showing target speeds are being consistently followed	Yes	High
	Neighborhood slow zones identified and and miles of roadways with traffic calming measures in neighborhood slow zones	Yes	High
	Traffic calming toolkit created and provided to relevant organizations; number of locations where traffic calming is recommended by community members	Yes	Medium
	Camera-based ticketing legalized and implemented at all high-crash intersections and corridors	Yes	High

SAFER ROADS

Designing roads that encourage safe travel behavior, encourage compliance with safe speeds, enhance visibility, and reduce distractions is key to a Safe System Approach. The Vision Zero Action Plan identifies safety improvements along the entire HIN based on FHWA's Proven Safety Countermeasures.

The actions identified in this plan support and enhance the work already being done by the Township to support safety. From implementing a road diet on Main Street to adopting a Complete Streets Policy, the Township of West Orange has been working towards improving safety.

The HIN identifies corridors and intersections that, when improved, will have a direct impact on safety in West Orange and help achieve the Vision Zero goal.

The Township will prioritize improvements on the HIN starting with the corridors identified as Priority HIN Corridors based on a combination of the crash and equity analysis. In addition, the Township will monitor locations that were identified through community input but did not meet the threshold for inclusion based on crash and equity analysis.

Key findings of the data analysis include:

- » County roads make up the majority of the HIN (59.5%)
- » I-280 and Route 10 account for 35.5% of KSI crashes

- » Municipal roads account for 24.5% of the HIN
- » HIN corridors account for 75% of all crashes and 89% of KSI crashes between 2015-2021
- » Prioritized HIN Corridors account for almost 50% of all fatal crashes, 50% of all severe injury crashes, and 40% of all crashes between 2015-2021
- » HIN Intersections account for 21.4% of all intersection crashes
- » Vulnerable users such as seniors, minors, pedestrians and bicyclists are most at risk of a fatal or severe injury
- » Pedestrian and rear-end crashes are particularly dangerous
- » At intersections, right-angle, rear-end and sideswipe crashes are the most common types of crashes with pedestrian, bicyclist and left-turn/u-turn making up the majority of KSI crashes
- » Distracted driving and unsafe speed were the top driver contributing factors in all crashes and KSI crashes
- » Driving straight ahead, negotiating curves and striking a parked car are the top pre-crash actions for KSI crashes
- » More fatal crashes occurred in the winter



months (December - February) and more severe injury crashes occurred in the summer months (June-August)

- » Street lighting was a factor in more than half of the fatal crashes and a quarter of the severe injury crashes
- » Majority of the bicyclist and pedestrian crashes occurred at intersections, while majority of KSI crashes occurred in locations away from intersections
- » Almost half of KSI crashes occurred on County roads, and a third occurred on I-280

The safety improvements identified are based on the data analysis findings and engineering judgement. The key Proven Safety Countermeasures that will help address safety in West Orange include but are not limited to the 10 listed below:

Appendix A includes factsheets about each of the countermeasures and their impact on safety.

Safer Roads actions aim to implement features appropriate for the intended road use and environment and reduce the likelihood of error and the consequence of error. This is achieved by separating users in space (such as bike lanes, sidewalks etc.), separating users in time (such as lead pedestrian interval timing, traffic signal operations, etc.) and increasing awareness and reducing distractions (increased signage, daylighting intersections, backplates with retroreflective borders, RRFBs, etc.). Managing the angle of crash reduces impact of a crash; for example, installing a roundabout could change a potential head on collision to a less deadly side swipe collision.

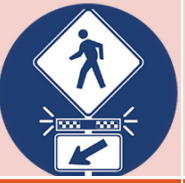
	Road Diets/ Roadway Configuration		Roundabouts
	Leading Pedestrian Interval		Rectangular Rapid Flashing Beacons (RRFB)
	Walkways / Sidewalks		Bike Lanes
	Dedicated Left & Right Turn		Backplates with Retroreflective Borders
	Crosswalk Visibility Enhancements		Appropriate Speed Limits

Table 7. Safer Roads Actions



SAFER ROADS

Design roadway environments to mitigate human mistakes and account for injury tolerances, to encourage safer behaviors, and to facilitate safe travel by the most vulnerable users.

#	Action Description	Partners	Time Frame Short/ Medium/ Long	Cost (High- Medium- Low)	
SR1	Implement short-term street safety improvements (Proven Safety Countermeasures) along the HIN systematically, starting with the Prioritized HIN segments (Appendix A).	Essex County, NJDOT, West Orange	Short	Medium	
SR2	Implement roundabouts/traffic circles.	Essex County, West Orange	Long	High	
SR3	Implement traffic signal phasing improvements such as protected left turns and lead pedestrian interval timing.	Essex County, West Orange	Short	Low	
SR4	Implement street lighting improvements.	Essex County, West Orange, PSE&G	Medium	Medium	
SR5	Implement road diets and create center turning lanes on same roads.	Essex County, West Orange	Long	Low	
SR6	Implement pedestrian visibility improvements.	Essex County, West Orange	Short	Medium	
SR7	Create pedestrian malls and other pedestrian-friendly places.	Essex County, Local Business Owners	Medium	High	
SR8	Assess existing sidewalks for ADA-compliance and assess segments in need of maintenance or repair.	Essex County, West Orange	Medium	Medium	
SR9	Identify streets that would benefit from proactive safety improvements but did not meet the threshold for inclusion in the HIN.	Essex County, NJDOT, West Orange	Medium	Medium	

TIMEFRAME:

- Short - Under 2 years
- Medium - 2-5 years
- Long - 5+ years

ESTIMATED COST:

- Low - < \$100,000
- Medium - \$100,000 - \$1 Million
- Long - \$1 Million +

	Performance Measures	Equity Priority (Yes/No)	Impact on Safety (High / Medium /Low)
	Proven Safety Countermeasures implemented Township-wide along the HIN	No	High
	Number of roundabouts installed with additional studies and analysis	No	High
	Protected left turns and lead pedestrian intervals implemented Township-wide as applicable	No	Medium
	Street lighting improvements implemented as indicated in future study of lighting conditions	No	Medium
	Road diets and center turning lanes implemented on relevant roads	No	Medium
	Pedestrian visibility improvements implemented Township-wide	Yes	Medium
	Pedestrian malls implemented on commercial corridors, including creation of "streateries" (on-road restaurant seating)	Yes	Medium
	Study of sidewalk gaps undertaken and all applicable gaps filled	Yes	High
	List of streets for potential improvements that are not on the HIN	Yes	Low



SAFER ROADS (CONTD.)

Design roadway environments to mitigate human mistakes and account for injury tolerances, to encourage safer behaviors, and to facilitate safe travel by the most vulnerable users.

#	Action Description	Partners	Time Frame Short/ Medium/ Long	Cost (High- Medium- Low)	
SR10	Develop a quick-build program to implement safety treatments with maximum impact throughout the Township.	Essex County, West Orange	Short	Medium	
SR12	Expand the Township's biking and walking network to key destinations and encourage multi-modal travel.	Essex County, West Orange	Long	High	
SR13	Support the continuation of the jitney and additional improvements to improve access to and comfort of transit shelters.	Essex County, NJ TRANSIT, West Orange	Short	Low	
SR14	Evaluate street safety improvements on a regular basis to assess the impact on safety.	West Orange	Medium	Medium	
SR15	Support and assist in advancing regional efforts for Vision Zero and active transportation such as the future Essex County Vision Zero Action Plan, NJTPA's Active Transportation Plan.	Essex County, NJTPA, West Orange	Long	Low	
SR16	Support and engage local community organizations to build consensus on traffic safety investments.	West Orange	Short	Medium	
SR17	Develop a Vision Zero checklist for development review to include safety countermeasures.	West Orange	Short	Low	

TIMEFRAME:

- Short - Under 2 years
- Medium - 2-5 years
- Long - 5+ years

ESTIMATED COST:

- Low - < \$100,000
- Medium - \$100,000 - \$1 Million
- Long - \$1 Million +

	Performance Measures	Equity Priority (Yes/No)	Impact on Safety (High / Medium /Low)
	Development of a quick-build program	Yes	Medium
	Miles of bicycle facilities and sidewalks installed and bicycle and pedestrian network developed	Yes	High
	Number of bus shelters installed and jitney route assessed annually	No	Medium
	Before and after studies of implemented safety improvements	No	Medium
	Appoint Township staff on steering committees or similar committees of regional plans	No	Medium
	Township staff to contact local organizations prior to quick-build and safety improvements	Yes	Medium
	Development and inclusion of safety countermeasures as a checklist for site plan review	Yes	Medium

SAFER PEOPLE

Promote a culture of safety by frequent and ongoing public communication and providing ample opportunity prioritizing traffic safety in the community. This includes all members of the community from residents to Township staff. Education campaigns supported by fair and equitable enforcement can help improve traffic safety. Continued community engagement on Vision Zero efforts will enhance knowledge about safe travel behaviors and Vision Zero progress.

Automated traffic enforcement is proven to improve safety; however, it is currently illegal in New Jersey to use speed safety cameras. The Township must support legislation to allow speed safety cameras. As of September 2023, over 200 communities have

implemented red light safety camera programs in 20 states and Washington D.C.

The top crash factors in West Orange included:

- » distracted driving
- » unsafe speed
- » unsafe turning movements
- » negotiating curves

The Township should formally establish a Vision Zero Committee in charge of implementation and monitoring progress.





Table 8. Safer People Actions



SAFER PEOPLE

Encourage safe, responsible driving and behavior by people who use our roads and create conditions that prioritize their ability to reach their destination unharmed.

#	Action Description	Partners	Time Frame Short/ Medium/ Long	Cost (High- Medium- Low)	
SP1	Establish a culture of safety and institutionalize Vision Zero concepts in local government .	West Orange	Medium	Low	
SP2	Shift road improvement priorities from vehicle speed and capacity to vulnerable road user safety.	Essex County	Short	Low	
SP3	Communicate openly and actively with local businesses, transportation/logistics companies, and taxi/ride-hailing companies.	Local Businesses, Transportation/ Logistics and Taxi/Ride-Hailing Companies	Medium	Low	
SP4	Conduct regular outreach to schools, older adults, and senior citizens.	West Orange schools, Senior Services, Older Adults Advisory Board, EZ Ride TMA	Medium	Low	
SR5	Implement high-visibility and automated enforcement along the HIN.	West Orange Police Department, Essex County	Long	Low	
SR6	Develop Vision Zero toolkits for community ambassadors and knowledge building.	West Orange	Short	Low	
SR7	Regularly maintain and update Vision Zero online tools such as the website, crash data dashboard and social media accounts.	West Orange	Short	Low	

TIMEFRAME:

- Short - Under 2 years
- Medium - 2-5 years
- Long - 5+ years

ESTIMATED COST:

- Low - < \$100,000
- Medium - \$100,000 - \$1 Million
- Long - \$1 Million +

	Performance Measures	Equity Priority (Yes/No)	Impact on Safety (High / Medium /Low)
	Local policies reviewed for inclusion of Vision Zero language and concepts, and changes made as applicable. Institute an internal Vision Zero committee for implementation and tracking progress	No	Low
	Change in street improvement policy/checklist to include pedestrian and bicyclist infrastructure and Vision Zero action items	Yes	High
	Regular correspondence with local businesses, transportation/logistics companies, and taxi/ride-hailing companies	No	Low
	Number of outreach programs/sessions undertaken in schools and with senior citizens	Yes	Medium
	Police vehicles or speed cameras located in high-speed and/or high-crash corridors	No	High
	Completed toolkits for community ambassadors	No	Low
	Regular maintenance and updates to online Vision Zero tools	No	Low

SAFER VEHICLES

Safer Vehicles involve supporting "active" safety measures, to help prevent crashes from occurring, such as lane departure warning, autonomous emergency braking, and "passive" safety measures such as seatbelts and airbags. Understanding that West Orange may not have the capacity to lobby

vehicle manufacturers, the Township can provide support for such improvements where possible. The Township can lead by example by ensuring the Township fleet has the latest safety features and encourage "right-sizing" vehicles and moving to smaller vehicles when feasible.





Table 9. Safer Vehicles Actions



SAFER VEHICLES

Expand the availability of vehicle systems and features that help to prevent crashes and minimize the impact of crashes on both occupants and non-occupants.

#	Action Description	Partners	Time Frame Short/ Medium/ Long	Cost (High- Medium- Low)	
SV1	Outfit Township vehicles with the latest safety features, such as blind spot detection, pedestrian automatic emergency braking and new vehicle design to improve driver visibility of the immediate pedestrian/roadway visibility.	West Orange	Short	Medium	
SV2	Collaborate with private industry groups to incorporate safety-related technology into their vehicles.	Private Industry Groups, West Orange	Short	Low	
SV3	Ensure Township vehicles are the "right size" and take opportunities to transition to smaller vehicles.	West Orange	Medium	Medium	

TIMEFRAME:

- Short - Under 2 years
- Medium - 2-5 years
- Long - 5+ years

ESTIMATED COST:

- Low - < \$100,000
- Medium - \$100,000 - \$1 Million
- Long - \$1 Million +

	Performance Measures	Equity Priority (Yes/No)	Impact on Safety (High / Medium /Low)
	Review of Township-owned vehicles for safety improvements, and implementation of these improvements	No	Medium
	Distribution of list of safety features being implemented in Township buildings to private industry groups	No	Medium
	Evaluation of Township vehicles for reduction of sizes, and procedural replacement of vehicles to "right sized" fleet	No	Medium

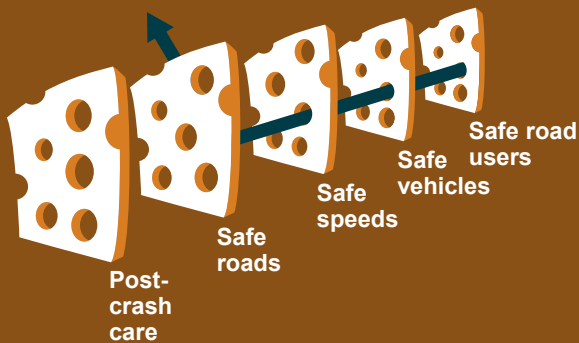
POST-CRASH CARE

Post-Crash Care actions are the final line of defense if all the other layers of the Safe System Approach fail. After a crash, it should be a priority to document and share all crash factors across the respective Township departments, as well as the County and/or NJDOT as applicable. Effective media coverage of crashes and safety can assist in highlighting problem locations to the community, promoting public safety. The Township must also promote the use of the term "crash" and not "accident" in the media.

Investigation and feedback to the Township following a crash will help address road safety in planning, design and maintaining the roadways and the traffic system.

THE 5 SAFE SYSTEM ELEMENTS CREATE REDUNDANCY

The "Swiss Cheese Model" of redundancy creates layers of protection



Death and serious injuries only happen when all layers fail



Source: FHWA



Table 10. Post-Crash Care Actions



POST-CRASH CARE

Enhance the survivability of crashes through expedient access to emergency medical care, while creating a safe working environment for vital first responders and preventing secondary crashes through robust traffic incident management practices.

#	Action Description	Partners	Time Frame Short/ Medium/ Long	Cost (High- Medium- Low)	
PC1	Create a multidisciplinary Rapid Response Team to analyze every fatal crash for cause and prevention and coordinate with victims' families.	West Orange, Essex County	Medium	Medium	
PC2	Track deployment times of emergency and medical response vehicles.	Hospital Administration, 911 Dispatch Centers	Medium	Low	
PC3	Create a standard crash summary for police officers to determine street design-related factors.	West Orange	Short	Low	

TIMEFRAME:

- Short - Under 2 years
- Medium - 2-5 years
- Long - 5+ years

ESTIMATED COST:

- Low - < \$100,000
- Medium - \$100,000 - \$1 Million
- Long - \$1 Million +

	Performance Measures	Equity Priority (Yes/No)	Impact on Safety (High / Medium /Low)
	Creation of Rapid Response Team, and regular collaboration between organizations involved to collaborate on post-crash safety recommendations	No	Low
	Analysis of deployment times disclosed in annual report	No	High
	Creation of standard crash summary, leading to creation of a crash database including these street design-related factors	No	Medium

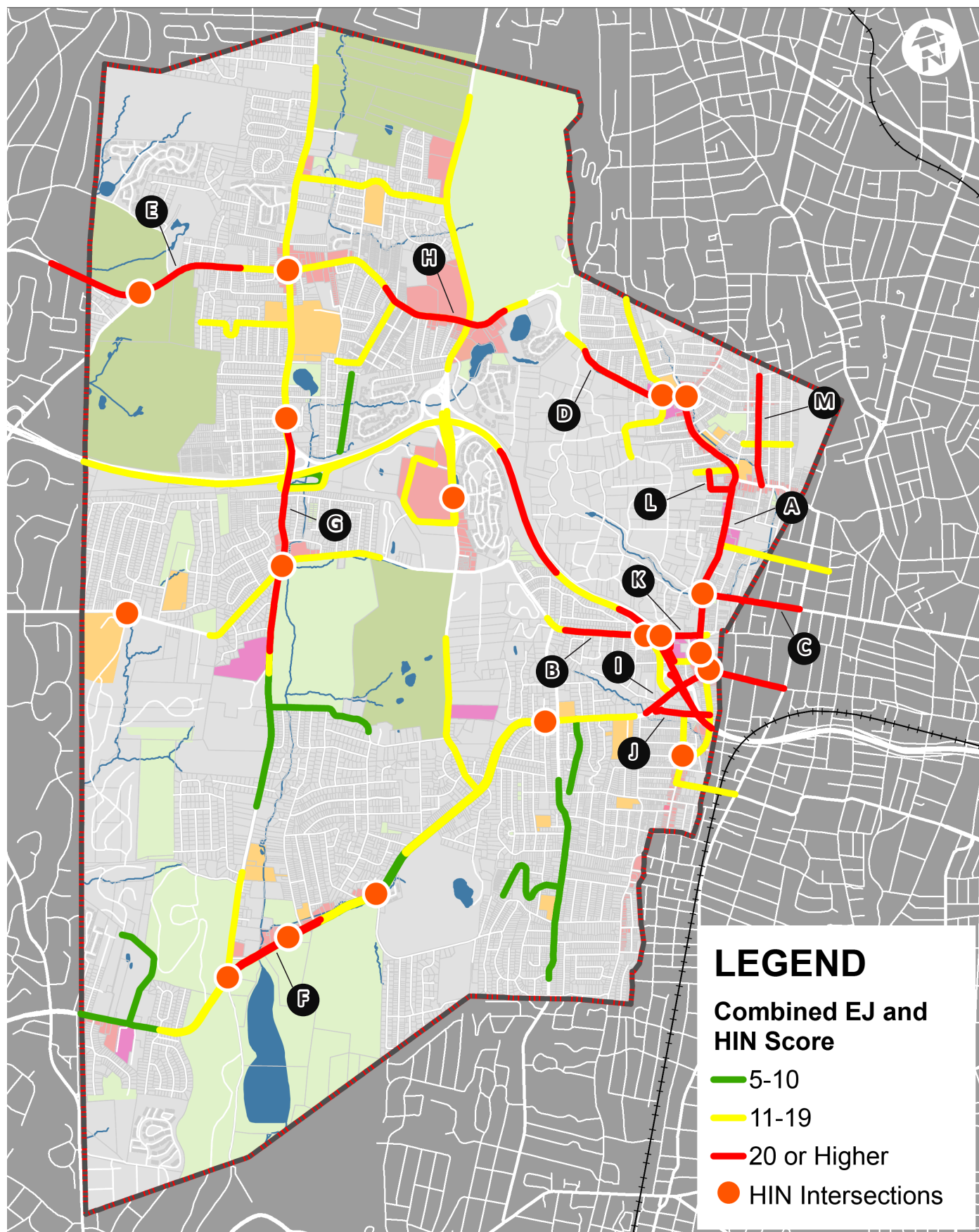
PRIORITY HIN CORRIDOR PROJECTS

The project team developed the final recommended HIN by combining the EJ composite score and the HIN crash score. The Priority HIN represents the high-injury (fatal, severe and moderate injury) crash corridors and intersections prioritized based on the equity analysis. While the entire HIN should be given consideration for safety enhancements, these highest-scored corridors are the highest-priority based on the crash and equity analysis. The 13 corridors rated the highest using the composite score are labeled on the map on the next page, in descending order of score (A is the highest, B the second-highest etc.).

Table 11. HIN Corridor Lengths

Corridor	Road	Segment Length	% of HIN Miles
A	Main Street (CR 659)	1.4 Miles	4%
B	Mt Pleasant Avenue (CR 660)	0.6 Miles	1.6%
C	Park Avenue (CR 658)	0.2 Miles	0.5%
D	Eagle Rock Avenue (CR 611)	0.6 Miles	1.8%
E	Eagle Rock Avenue (CR 611)	0.7 Miles	2%
F	Northfield Avenue (CR 508)	0.5 Miles	1.4%
G	Pleasant Valley Way (CR 636)	1 Mile	3%
H	Eagle Rock Avenue (CR 611)	0.6 Miles	1.8%
I	Northfield Avenue (CR 508 Spur)	0.3 Miles	0.9%
J	Whittingham Place (CR 508)	0.2 Miles	0.7%
K	Gaston Street	0.1 Miles	0.3%
L	Sayers Street	0.2 Miles	0.5%
M	Whittlesey Avenue	0.4 Miles	1.1%
TOTAL		6.8 MILES	19.6%

Figure 12. Prioritized HIN Corridor Locations



Source: NJTPA Equity Analysis Tool (2017-2021) and NJDOT Safety Voyager

Table 12. Proven Safety Countermeasures, by Priority HIN Corridor

FHWA Proven Safety Countermeasures	Estimated Benefits and Cost
 Bicycle Lanes	Bicycle Lanes: 49% reduction in crashes on urban four-lane undivided collectors and local roads, 30% reduction in crashes on urban two-lane undivided collectors and local roads
 Crosswalk Visibility Enhancements/ Lighting	- High-visibility crosswalks: 40% reduction in pedestrian injury crashes - Intersection lighting: 42% reduction in pedestrian crashes - Advance yield or stop markings and signs: 25% reduction in pedestrian crashes
 Leading Pedestrian Interval	13% reduction in pedestrian/vehicle crashes at intersections
 Rectangular Rapid Flashing Beacons (RRFB)	- Reduction in pedestrian crashes by 47% - Increase of motorist yielding rates up to 98% (depending on context)
 Road Diets/Roadway Configuration	4-lane to 3-lane road diet conversion: 19-47% reduction in total crashes
 Walkways/Sidewalks	- Sidewalks: 16-89% reduction in crashes involving pedestrians walking along roadways - Paved Shoulders: 71% reduction in crashes involving pedestrians walking along roadways
 Appropriate Speed Limits	A driver traveling at 30 miles per hour who hits a pedestrian has a 45 percent chance of killing or seriously injuring them. At 20 miles per hour, that percentage drops to 5 percent.
 Backplates with Retroreflective Borders	15% reduction in total crashes - Very low cost
 Dedicated Left and Right Turn	- Added Left-Turn Lanes: 28-48% reduction in total crashes - Positive Offset Left-Turn Lanes: 36% reduction in fatal and injury crashes - Right-Turn Lanes: 14-26% reduction in total crashes - Cost varies
 Roundabouts	- Two-Way Stop-Controlled Intersection converted to Roundabout: 82% reduction in fatal and injury crashes - Signalized Intersection to Roundabout: 78% reduction in fatal and injury crashes

Corridor A Main Street	Corridor B Mt Pleasant Avenue	Corridor C Park Avenue	Corridor D Eagle Rock Avenue	Corridor E Eagle Rock Avenue	Corridor F Northfield Avenue	Corridor G Pleasant Valley Way	Corridor H Eagle Rock Avenue	Corridor I Northfield Avenue	Corridor J Whittingham Place	Corridor K Gaston Street	Corridor L Sayers Place	Corridor M Whittlesey Avenue
												
												
												
												
												
												
												
												
												
												

NEXT STEPS

West Orange should adopt the Vision Zero Action Plan and continue its efforts in implementing the actions identified in the plan. Key components for success will be monitoring progress on a regular basis and ensuring a multi-disciplinary Vision Zero Task Force is formally adopted by the Township. The Vision Zero website should be regularly edited with crash data and status updates. Regular reporting is essential to Vision Zero and will create accountability. Each of the strategies and actions in the action plan have associated performance metrics that should be tracked on an annual basis.

The most important metric is the number of fatal and severe injury crashes in the Township and that should be updated as soon as data is available. At the time of the development of this plan, crash data was available and complete until the year 2021. The crash data for 2022 would be available soon for analysis and the Township should analyze that data to inform the implementation of this plan.

As noted earlier, lists of specific improvements are identified for the priority HIN Corridors as an immediate first step for implementation. These lists of improvements are included in Appendix A with key data facts for each Priority HIN Corridor. As and when funding is secured, the Township must continue implementation of Proven Safety Countermeasures for all the corridors and intersections on the HIN.

A list of funding sources is included in Appendix C including, but not limited to, the Safe Streets For All and Road to Safety grants.



APPENDIX A: PRIORITY HIN PROJECTS: FACT SHEETS

APPENDIX B: FHWA PROVEN SAFETY COUNTERMEASURES

APPENDIX C: FUNDING SOURCES

APPENDIX D: OVERALL HIN CORRIDOR LIST

APPENDIX E: DESIGN GUIDANCE

APPENDIX F: SURVEY RESULTS

APPENDIX A: PRIORITY HIN PROJECTS: FACT SHEETS

This appendix contains information on each of the 13 priority HIN corridors, including the jurisdiction, speed limit, number of lanes, basic crash statistics (number of crashes, injury crashes, bicycle and pedestrian crashes), top crash types relative to West Orange as a whole, the most common crash factors, as well as the HIN score and composite score. Additionally, the Proven Safety Countermeasures recommended for each corridor are indicated.

LEGEND

CRASH TYPES

-  **Animal**
-  **Encroachment**
-  **Fixed Object**
-  **Left Turn/U Turn**
-  **Opposite Direction: Head-On**
-  **Opposite Direction: Sideswipe**
-  **Overtaken**
-  **Bicyclist**
-  **Pedestrian**
-  **Right Angle**
-  **Same Direction: Rear-End**
-  **Same Direction: Sideswipe**
-  **Struck Parked Vehicle**

CRASH FACTORS

-  **Distracted Driving**
-  **Unsafe Speed**
-  **Lighting Conditions**

MAP ELEMENTS

-  **Priority HIN**
-  **Bicyclist Crash**
-  **Pedestrian Crash**
-  **High-Injury Intersection**
-  **No Apparent Injury**
-  **Possible Injury**
-  **Suspected Minor Injury**
-  **Suspected Serious Injury**
-  **Fatal Injury**

HIN CORRIDOR FACT SHEETS

CORRIDOR A: MAIN STREET

Represents 4% of HIN miles

KEY CRASH FACTS

#	%
 847 Crashes	10% of all West Orange Crashes
 45 Fatal, Severe & Minor Injury Crashes	10% of all Fatal, Severe & Minor Injury Crashes
 21 Pedestrian Crashes	24% of all Pedestrian Crashes
 5 Bicyclist Crashes	16% of all Bicyclist Crashes

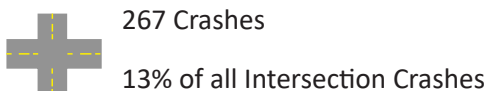
OVERREPRESENTED CRASH TYPES



TOP CRASH FACTORS



INTERSECTION CRASHES



COUNTY ROUTE 659

1.4 MILES

48' WIDTH / 2 - 4 LANES

SHOULDER

PARKING PERMITTED

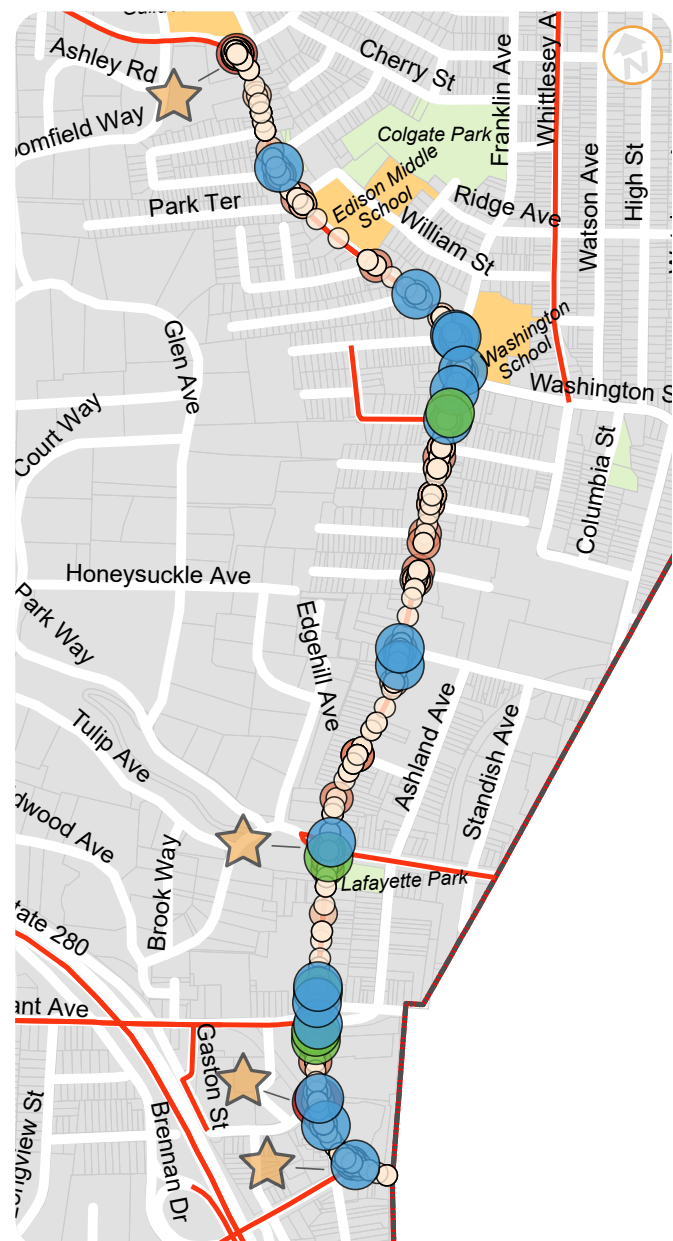


HIN SCORE

24

EQUITY + HIN SCORE

44





RECOMMENDED PROVEN SAFETY COUNTERMEASURES**



- *Bicycle Lanes: 49% reduction in crashes on urban four-lane undivided collectors and local roads, 30% reduction in crashes on urban two-lane undivided collectors and local roads*



- *High-visibility crosswalks: 40% reduction in pedestrian injury crashes*
- *Intersection lighting: 42% reduction in pedestrian crashes*
- *Advance yield or stop markings and signs: 25% reduction in pedestrian crashes*



- *13% reduction in pedestrian/vehicle crashes at intersections*



- *4-lane to 3-lane road diet conversion: 19-47% reduction in total crashes*



- *Sidewalks: 16-89% reduction in crashes involving pedestrians walking along roadways*



- *15% reduction in total crashes*
- *Very low cost*



- *Signalized Intersection to Roundabout: 78% reduction in fatal and injury crashes*

**Estimated
Construction Cost:
~\$3 Million***

*Includes cost of roundabouts and cost of countermeasures that overlap with intersecting corridors. Roundabouts are subject to additional feasibility and cost studies, and estimates do not account for Right-of-Way acquisition. Estimated cost does not include lighting improvements (additional studies are recommended). Cost estimates are primarily based on the NJDOT 2022 cost estimate guidelines for safe routes. <https://www.saferoutesnj.org/wp-content/uploads/2022/05/Design-Treatment-Estimating-Guidelines.pdf>

** Although not specifically a Proven Safety Countermeasure, traffic signal timing update/optimization should be included as part of Road Diet/Reconfiguration, Left- and Right-Turn Lanes, Leading Pedestrian Intervals, and Protected-Only Left Turn Signal Phasing alternatives.

HIN CORRIDOR FACT SHEETS

CORRIDOR B: MT PLEASANT AVENUE

Represents 1.6% of HIN miles

KEY CRASH FACTS

#	%
 275 Crashes	3.2% of all West Orange Crashes
 15 Fatal, Severe & Minor Injury	3.3% of all Fatal, Severe & Minor Injury Crashes
 3 Pedestrian Crashes	3.5% of all Pedestrian Crashes
 4 Bicyclist Crashes	13% of all Bicyclist Crashes

COUNTY ROUTE 660
0.6 MILES
40-50' WIDTH / 2 - 4 LANES
SHOULDER VARY
PARKING PERMITTED AT SHOULDERS

SPEED
LIMIT
40

HIN SCORE

25

EQUITY + HIN SCORE

39

OVERREPRESENTED CRASH TYPES

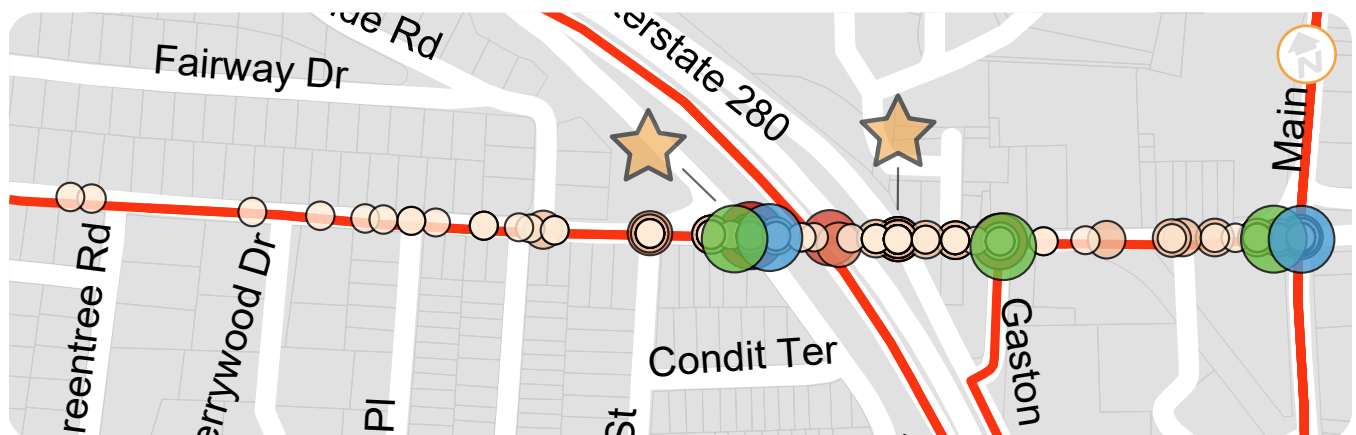


TOP CRASH FACTORS

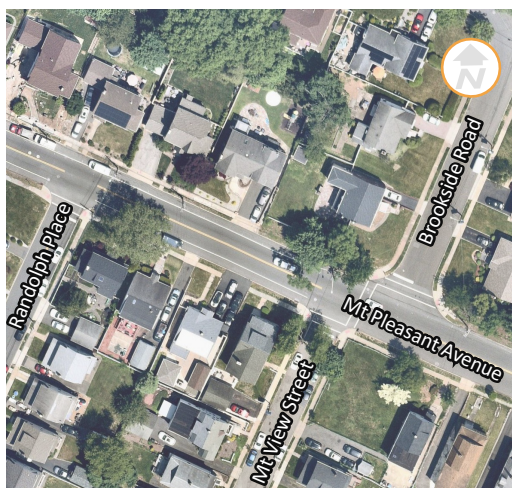
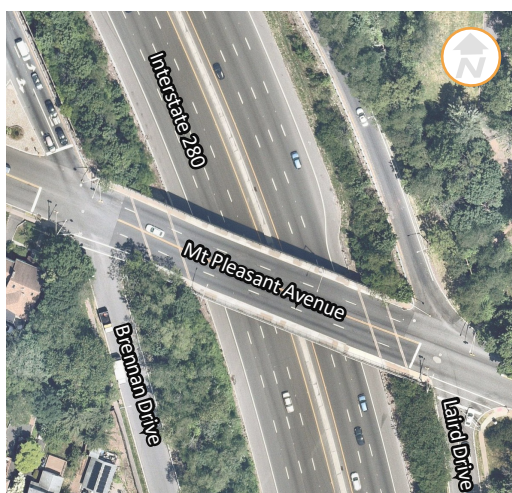


INTERSECTION CRASHES

 144 Crashes
7% of all Intersection Crashes



Any intersections, signals and ramps with I-280 are NJDOT jurisdiction and will be subject to coordination and review with FHWA and NJDOT.



RECOMMENDED PROVEN SAFETY COUNTERMEASURES**



- High-visibility crosswalks: 40% reduction in pedestrian injury crashes
- Intersection lighting: 42% reduction in pedestrian crashes
- Advance yield or stop markings and signs: 25% reduction in pedestrian crashes



- 4-lane to 3-lane road diet conversion: 19-47% reduction in total crashes



- Sidewalks: 16-89% reduction in crashes involving pedestrians walking along roadways
- Paved Shoulders: 71% reduction in crashes involving pedestrians walking along roadways



- A driver traveling at 30 miles per hour who hits a pedestrian has a 45 percent chance of killing or seriously injuring them. At 20 miles per hour, that percentage drops to 5 percent.



- 15% reduction in total crashes
- Very low cost



- Added Left-Turn Lanes: 28-48% reduction in total crashes



- Positive Offset Left-Turn Lanes: 36% reduction in fatal and injury crashes
- Right-Turn Lanes: 14-26% reduction in total crashes
- Cost varies



- Signalized Intersection to Roundabout: 78% reduction in fatal and injury crashes

**Estimated
Construction Cost:
~\$600,000***

*Includes cost of roundabouts and cost of countermeasures that overlap with intersecting corridors. Roundabouts are subject to additional feasibility and cost studies, and estimates do not account for Right-of-Way acquisition. Estimated cost does not include lighting improvements (additional studies are recommended). Cost estimates are primarily based on the NJDOT 2022 cost estimate guidelines for safe routes. <https://www.saferoutesnj.org/wp-content/uploads/2022/05/Design-Treatment-Estimating-Guidelines.pdf>

** Although not specifically a Proven Safety Countermeasure, traffic signal timing update/optimization should be included as part of Road Diet/Reconfiguration, Left- and Right-Turn Lanes, Leading Pedestrian Intervals, and Protected-Only Left Turn Signal Phasing alternatives.



RECOMMENDED PROVEN SAFETY COUNTERMEASURES**



- High-visibility crosswalks: 40% reduction in pedestrian injury crashes
- Intersection lighting: 42% reduction in pedestrian crashes
- Advance yield or stop markings and signs: 25% reduction in pedestrian crashes



- 4-lane to 3-lane road diet conversion: 19-47% reduction in total crashes



- Sidewalks: 16-89% reduction in crashes involving pedestrians walking along roadways
- Paved Shoulders: 71% reduction in crashes involving pedestrians walking along roadways



- A driver traveling at 30 miles per hour who hits a pedestrian has a 45 percent chance of killing or seriously injuring them. At 20 miles per hour, that percentage drops to 5 percent.



- 15% reduction in total crashes
- Very low cost



- Signalized Intersection to Roundabout: 78% reduction in fatal and injury crashes

Estimated Construction Cost:

~\$400,000*

*Includes cost of roundabouts and cost of countermeasures that overlap with intersecting corridors. Roundabouts are subject to additional feasibility and cost studies, and estimates do not account for Right-of-Way acquisition. Estimated cost does not include lighting improvements (additional studies are recommended). Cost estimates are primarily based on the NJDOT 2022 cost estimate guidelines for safe routes. <https://www.saferoutesnj.org/wp-content/uploads/2022/05/Design-Treatment-Estimating-Guidelines.pdf>

**Although not specifically a Proven Safety Countermeasure, traffic signal timing update/optimization should be included as part of Road Diet/Reconfiguration, Left- and Right-Turn Lanes, Leading Pedestrian Intervals, and Protected-Only Left Turn Signal Phasing alternatives.

HIN CORRIDOR FACT SHEETS

CORRIDOR D: EAGLE ROCK AVENUE (MP 0-0.6)

Represents 1.8% of HIN miles

KEY CRASH FACTS*

#	%
 525 Crashes	6.1% of all West Orange Crashes
 32 Fatal, Severe & Minor Injury Crashes	7.1% of all Fatal, Severe & Minor Injury Crashes
 5 Pedestrian Crashes	5.8% of all Pedestrian Crashes
 2 Bicyclist Crashes	6.5% of all Bicyclist Crashes

COUNTY ROUTE 611
0.6 MILES
40' WIDTH / 4 LANES
NO SHOULDERS
NO PARKING PERMITTED



HIN SCORE*

16

EQUITY + HIN SCORE*

26

OVERREPRESENTED CRASH TYPES



TOP CRASH FACTORS

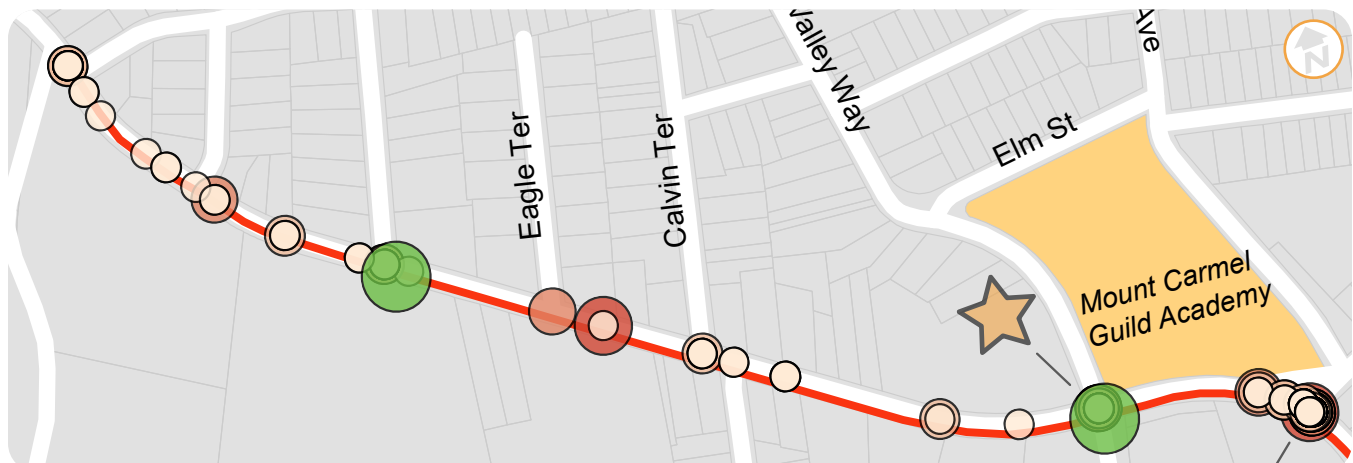


INTERSECTION CRASHES



212 Crashes

10% of all Intersection Crashes



*Combined statistics for all three Eagle Rock corridors, highest HIN score and combined HIN score displayed



RECOMMENDED PROVEN SAFETY COUNTERMEASURES**



- *Bicycle Lanes: 49% reduction in crashes on urban four-lane undivided collectors and local roads, 30% reduction in crashes on urban two-lane undivided collectors and local roads*



- *High-visibility crosswalks: 40% reduction in pedestrian injury crashes*
- *Intersection lighting: 42% reduction in pedestrian crashes*
- *Advance yield or stop markings and signs: 25% reduction in pedestrian crashes*



- *13% reduction in pedestrian/vehicle crashes at intersections*



- *Reduction in pedestrian crashes by 47%*
- *Increase of motorist yielding rates up to 98% (depending on context)*



- *4-lane to 3-lane road diet conversion: 19-47% reduction in total crashes*



- *Sidewalks: 16-89% reduction in crashes involving pedestrians walking along roadways*
- *Paved Shoulders: 71% reduction in crashes involving pedestrians walking along roadways*



- *A driver traveling at 30 miles per hour who hits a pedestrian has a 45 percent chance of killing or seriously injuring them. At 20 miles per hour, that percentage drops to 5 percent.*



- *15% reduction in total crashes*
- *Very low cost*

Estimated Construction Cost:

~\$800,000*

*Includes cost of countermeasures that overlap with intersecting corridors. Estimated cost does not include lighting improvements (additional studies are recommended). Cost estimates are primarily based on the NJDOT 2022 cost estimate guidelines for safe routes. <https://www.saferoutesnj.org/wp-content/uploads/2022/05/Design-Treatment-Estimating-Guidelines.pdf>

** Although not specifically a Proven Safety Countermeasure, traffic signal timing update/optimization should be included as part of Road Diet/Reconfiguration, Left- and Right-Turn Lanes, Leading Pedestrian Intervals, and Protected-Only Left Turn Signal Phasing alternatives.

HIN CORRIDOR FACT SHEETS

CORRIDOR E: EAGLE ROCK AVENUE (MP 2.3-3)

Represents 2% of HIN miles

KEY CRASH FACTS*

#	%
 525 Crashes	6.1% of all West Orange Crashes
 32 Fatal, Severe & Minor Injury Crashes	7.1% of all Fatal, Severe & Minor Injury Crashes
 5 Pedestrian Crashes	5.8% of all Pedestrian Crashes
 2 Bicyclist Crashes	6.5% of all Bicyclist Crashes

COUNTY ROUTE 611
0.7 MILES
40' WIDTH / 4 LANES
NO SHOULDERS
NO PARKING PERMITTED



HIN SCORE*

16

EQUITY + HIN SCORE*

26

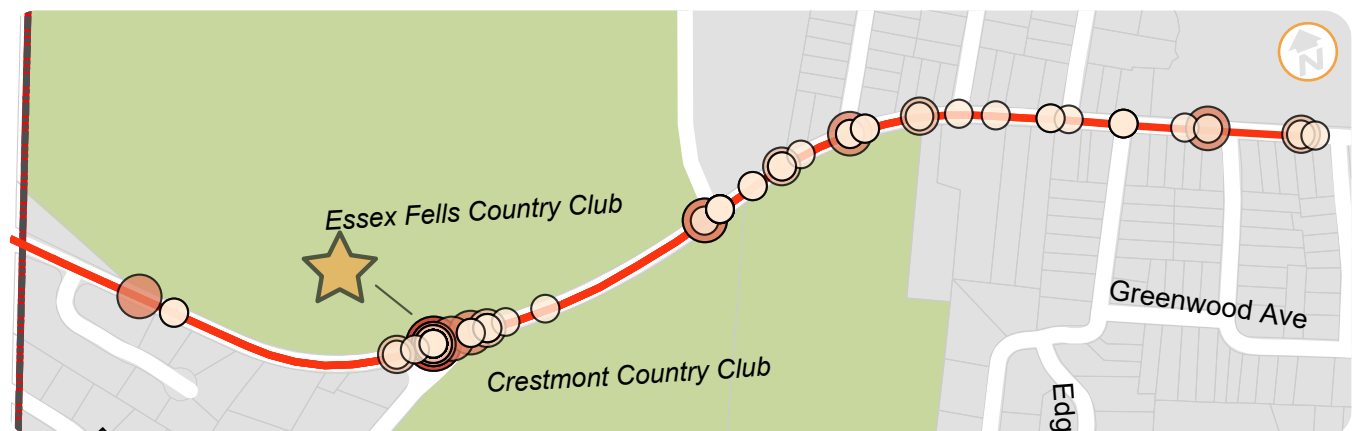
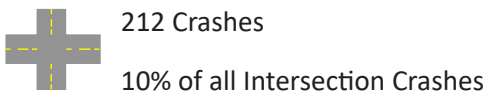
OVERREPRESENTED CRASH TYPES



TOP CRASH FACTORS



INTERSECTION CRASHES



*Combined statistics for all three Eagle Rock corridors, highest HIN score and combined HIN score displayed



RECOMMENDED PROVEN SAFETY COUNTERMEASURES**



- *Bicycle Lanes: 49% reduction in crashes on urban four-lane undivided collectors and local roads, 30% reduction in crashes on urban two-lane undivided collectors and local roads*



- *High-visibility crosswalks: 40% reduction in pedestrian injury crashes*
- *Intersection lighting: 42% reduction in pedestrian crashes*
- *Advance yield or stop markings and signs: 25% reduction in pedestrian crashes*



- *13% reduction in pedestrian/vehicle crashes at intersections*



- *Reduction in pedestrian crashes by 47%*
- *Increase of motorist yielding rates up to 98% (depending on context)*



- *4-lane to 3-lane road diet conversion: 19-47% reduction in total crashes*



- *Sidewalks: 16-89% reduction in crashes involving pedestrians walking along roadways*
- *Paved Shoulders: 71% reduction in crashes involving pedestrians walking along roadways*



- *A driver traveling at 30 miles per hour who hits a pedestrian has a 45 percent chance of killing or seriously injuring them. At 20 miles per hour, that percentage drops to 5 percent.*



- *15% reduction in total crashes*
- *Very low cost*

Estimated Construction Cost:

~\$900,000*

*Includes cost of countermeasures that overlap with intersecting corridors. Estimated cost does not include lighting improvements (additional studies are recommended). Cost estimates are primarily based on the NJDOT 2022 cost estimate guidelines for safe routes. <https://www.saferoutesnj.org/wp-content/uploads/2022/05/Design-Treatment-Estimating-Guidelines.pdf>

** Although not specifically a Proven Safety Countermeasure, traffic signal timing update/optimization should be included as part of Road Diet/Reconfiguration, Left- and Right-Turn Lanes, Leading Pedestrian Intervals, and Protected-Only Left Turn Signal Phasing alternatives.

HIN CORRIDOR FACT SHEETS

CORRIDOR F: NORTHFIELD AVENUE (MP 3.8-4.4)

Represents 1.4% of HIN miles

KEY CRASH FACTS

#	%
 301 Crashes	3.5% of all West Orange Crashes
 17 Fatal, Severe & Minor Injury Crashes	3.8% of all Fatal, Severe & Minor Injury Crashes
 1 Pedestrian Crash	1.2% of all Pedestrian Crashes
 0 Bicyclist Crashes	0% of all Bicyclist Crashes

COUNTY ROUTE 508
0.5 MILES
52' - 80' WIDTH / 4 LANES
NO SHOULDERS
PARKING PERMITTED



HIN SCORE

18

EQUITY + HIN SCORE

23

OVERREPRESENTED CRASH TYPES



TOP CRASH FACTORS

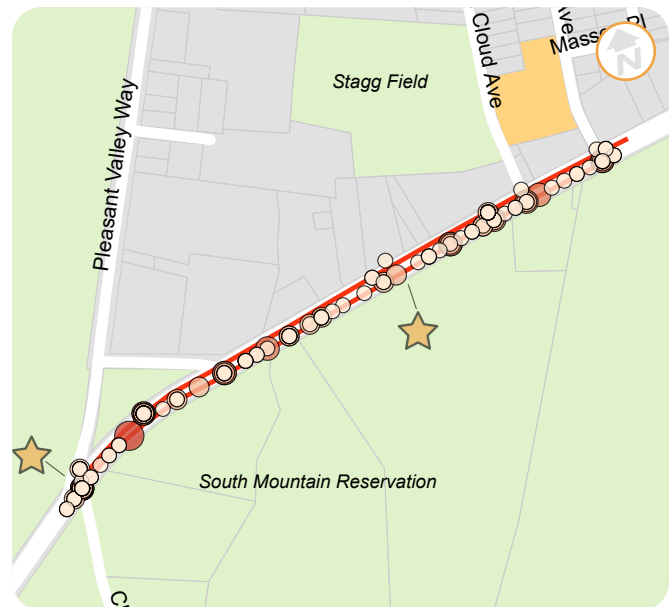


INTERSECTION CRASHES



90 Crashes

4.4% of all Intersection Crashes





RECOMMENDED PROVEN SAFETY COUNTERMEASURES**



- High-visibility crosswalks: 40% reduction in pedestrian injury crashes
- Intersection lighting: 42% reduction in pedestrian crashes
- Advance yield or stop markings and signs: 25% reduction in pedestrian crashes



- Reduction in pedestrian crashes by 47%
- Increase of motorist yielding rates up to 98% (depending on context)



- 4-lane to 3-lane road diet conversion: 19-47% reduction in total crashes



- Sidewalks: 16-89% reduction in crashes involving pedestrians walking along roadways
- Paved Shoulders: 71% reduction in crashes involving pedestrians walking along roadways



- A driver traveling at 30 miles per hour who hits a pedestrian has a 45 percent chance of killing or seriously injuring them. At 20 miles per hour, that percentage drops to 5 percent.



- 15% reduction in total crashes
- Very low cost



- Added Left-Turn Lanes: 28-48% reduction in total crashes

- Positive Offset Left-Turn Lanes: 36% reduction in fatal and injury crashes

- Right-Turn Lanes: 14-26% reduction in total crashes
- Cost varies



- Two-Way Stop-Controlled Intersection converted to Roundabout: 82% reduction in fatal and injury crashes
- Signalized Intersection to Roundabout: 78% reduction in fatal and injury crashes

*Includes cost of roundabouts and cost of countermeasures that overlap with intersecting corridors. Roundabouts are subject to additional feasibility and cost studies, and estimates do not account for Right-of-Way acquisition. Estimated cost does not include lighting improvements (additional studies are recommended). Cost estimates are primarily based on the NJDOT 2022 cost estimate guidelines for safe routes. <https://www.saferoutesnj.org/wp-content/uploads/2022/05/Design-Treatment-Estimating-Guidelines.pdf>

** Although not specifically a Proven Safety Countermeasure, traffic signal timing update/optimization should be included as part of Road Diet/ Reconfiguration, Left- and Right-Turn Lanes, Leading Pedestrian Intervals, and Protected-Only Left Turn Signal Phasing alternatives.

**Estimated
Construction Cost:
~\$600,000***

Represents 3% of HIN miles

#	%
303 Crashes	3.5% of all West Orange Crashes

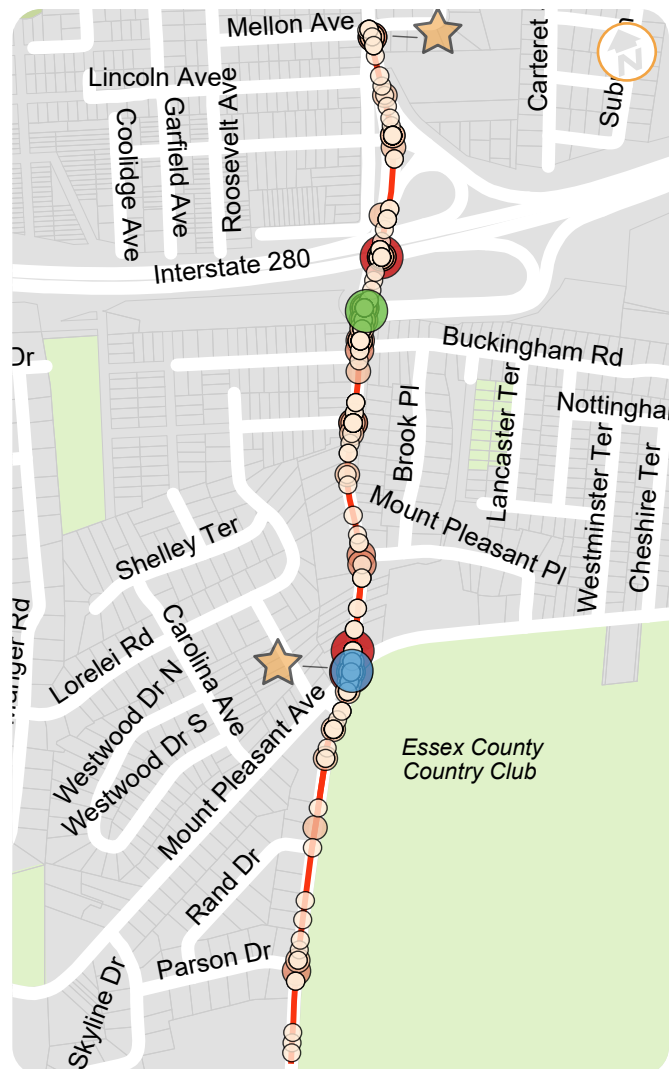


SPEED
LIMIT
40

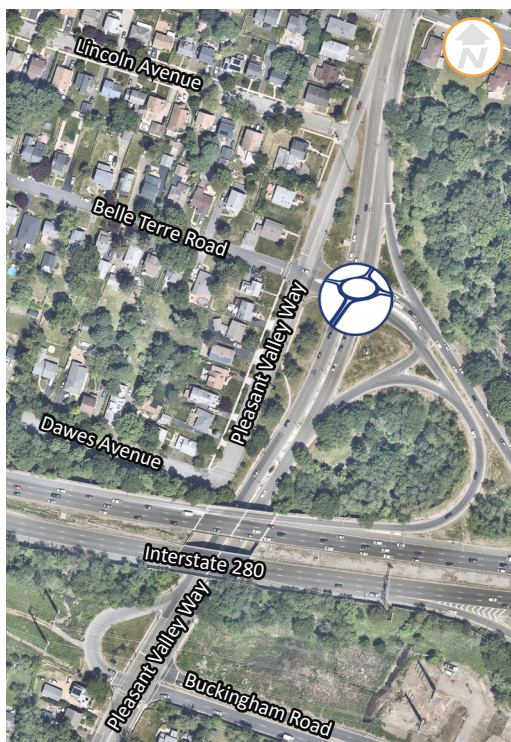
15

23

5.6% of all Intersection Crashes



Any intersections and signals with Route 10/Mt. Pleasant Avenue are NJDOT jurisdiction and will be subject to coordination and review with NJDOT.



RECOMMENDED PROVEN SAFETY COUNTERMEASURES**



- *Bicycle Lanes: 49% reduction in crashes on urban four-lane undivided collectors and local roads, 30% reduction in crashes on urban two-lane undivided collectors and local roads*



- *High-visibility crosswalks: 40% reduction in pedestrian injury crashes*

- *Intersection lighting: 42% reduction in pedestrian crashes*

- *Advance yield or stop markings and signs: 25% reduction in pedestrian crashes*



- *13% reduction in pedestrian/vehicle crashes at intersections*



- *Reduction in pedestrian crashes by 47%*

- *Increase of motorist yielding rates up to 98% (depending on context)*



- *4-lane to 3-lane road diet conversion: 19-47% reduction in total crashes*



- *Sidewalks: 16-89% reduction in crashes involving pedestrians walking along roadways*

- *Paved Shoulders: 71% reduction in crashes involving pedestrians walking along roadways*



- *A driver traveling at 30 miles per hour who hits a pedestrian has a 45 percent chance of killing or seriously injuring them. At 20 miles per hour, that percentage drops to 5 percent.*



- *15% reduction in total crashes*

- *Very low cost*



- *Added Left-Turn Lanes: 28-48% reduction in total crashes*

- *Positive Offset Left-Turn Lanes: 36% reduction in fatal and injury crashes*

- *Right-Turn Lanes: 14-26% reduction in total crashes*

- *Cost varies*



- *Signalized Intersection to Roundabout: 78% reduction in fatal and injury crashes*

** Although not specifically a Proven Safety Countermeasure, traffic signal timing update/optimization should be included as part of Road Diet/Reconfiguration, Left- and Right-Turn Lanes, Leading Pedestrian Intervals, and Protected-Only Left Turn Signal Phasing alternatives.

**Estimated
Construction Cost:
~\$1.8 Million***

*Includes cost of roundabouts and cost of countermeasures that overlap with intersecting corridors. Roundabouts are subject to additional feasibility and cost studies, and estimates do not account for Right-of-Way acquisition. Estimated cost does not include lighting improvements (additional studies are recommended). Cost estimates are primarily based on the NJDOT 2022 cost estimate guidelines for safe routes. <https://www.saferoutesnj.org/wp-content/uploads/2022/05/Design-Treatment-Estimating-Guidelines.pdf>

HIN CORRIDOR FACT SHEETS

CORRIDOR H: EAGLE ROCK AVENUE (MPI.1-1.7)

Represents 1.8% of HIN miles

KEY CRASH FACTS

#	%
 525 Crashes	6.1% of all West Orange Crashes
 32 Fatal, Severe & Minor Injury Crashes	7.1% of all Fatal, Severe & Minor Injury Crashes
 5 Pedestrian Crashes	5.8% of all Pedestrian Crashes
 2 Bicyclist Crashes	6.5% of all Bicyclist Crashes

COUNTY ROUTE 611
0.6 MILES
40' WIDTH / 4 LANES
NO SHOULDERS
NO PARKING PERMITTED



HIN SCORE*

16

EQUITY + HIN SCORE*

26

OVERREPRESENTED CRASH TYPES



TOP CRASH FACTORS

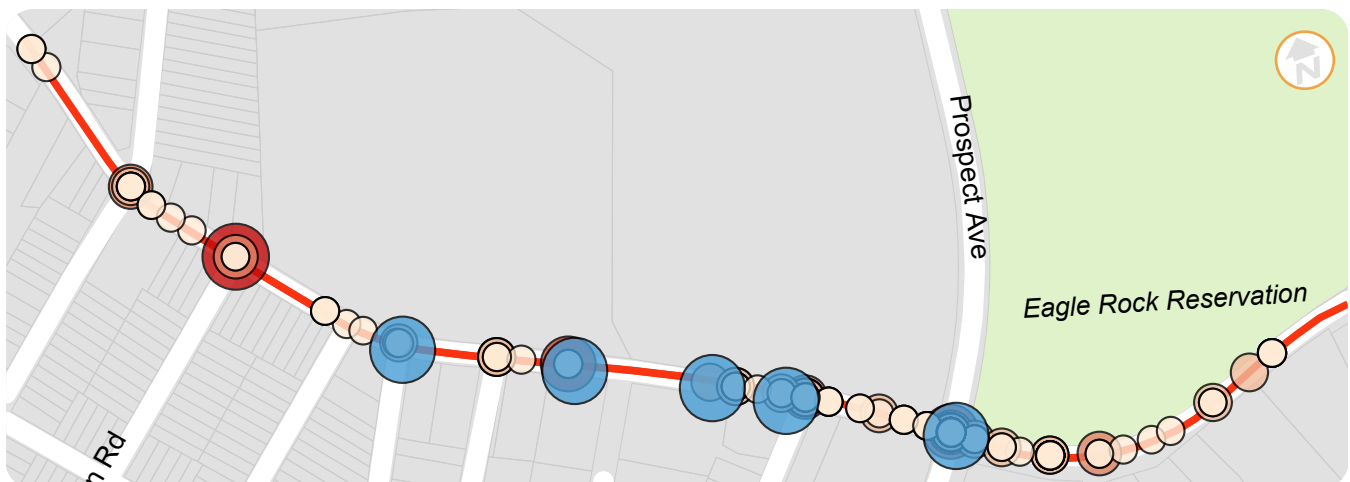


INTERSECTION CRASHES



212 Crashes

10% of all Intersection Crashes



*Combined statistics for all three Eagle Rock corridors, highest HIN score and combined HIN score displayed



RECOMMENDED PROVEN SAFETY COUNTERMEASURES**



- *Bicycle Lanes: 49% reduction in crashes on urban four-lane undivided collectors and local roads, 30% reduction in crashes on urban two-lane undivided collectors and local roads*



- *High-visibility crosswalks: 40% reduction in pedestrian injury crashes*
- *Intersection lighting: 42% reduction in pedestrian crashes*
- *Advance yield or stop markings and signs: 25% reduction in pedestrian crashes*



- *13% reduction in pedestrian/vehicle crashes at intersections*



- *Reduction in pedestrian crashes by 47%*
- *Increase of motorist yielding rates up to 98% (depending on context)*



- *4-lane to 3-lane road diet conversion: 19-47% reduction in total crashes*



- *Sidewalks: 16-89% reduction in crashes involving pedestrians walking along roadways*
- *Paved Shoulders: 71% reduction in crashes involving pedestrians walking along roadways*



- *A driver traveling at 30 miles per hour who hits a pedestrian has a 45 percent chance of killing or seriously injuring them. At 20 miles per hour, that percentage drops to 5 percent.*



- *15% reduction in total crashes*
- *Very low cost*

Estimated Construction Cost:

~\$900,000*

*Includes cost of countermeasures that overlap with intersecting corridors. Estimated cost does not include lighting improvements (additional studies are recommended). Cost estimates are primarily based on the NJDOT 2022 cost estimate guidelines for safe routes. <https://www.saferoutesnj.org/wp-content/uploads/2022/05/Design-Treatment-Estimating-Guidelines.pdf>

** Although not specifically a Proven Safety Countermeasure, traffic signal timing update/optimization should be included as part of Road Diet/Reconfiguration, Left- and Right-Turn Lanes, Leading Pedestrian Intervals, and Protected-Only Left Turn Signal Phasing alternatives.

HIN CORRIDOR FACT SHEETS

CORRIDOR I: NORTHFIELD AVENUE (508 SPUR)

Represents 0.9% of HIN miles

KEY CRASH FACTS

#	%
 180 Crashes	2.1% of all West Orange Crashes
 8 Fatal, Severe & Minor Injury Crashes	1.7% of all Fatal, Severe & Minor Injury Crashes
 6 Pedestrian Crashes	7% of all Pedestrian Crashes
 0 Bicyclist Crashes	0% of all Bicyclist Crashes

COUNTY ROUTE 508 SPUR
0.3 MILES
40' - 50' WIDTH / 3 - 4 LANES
NO SHOULDERS
NO PARKING PERMITTED

**SPEED
LIMIT
35**

HIN SCORE

7

EQUITY + HIN SCORE

21

OVERREPRESENTED CRASH TYPES

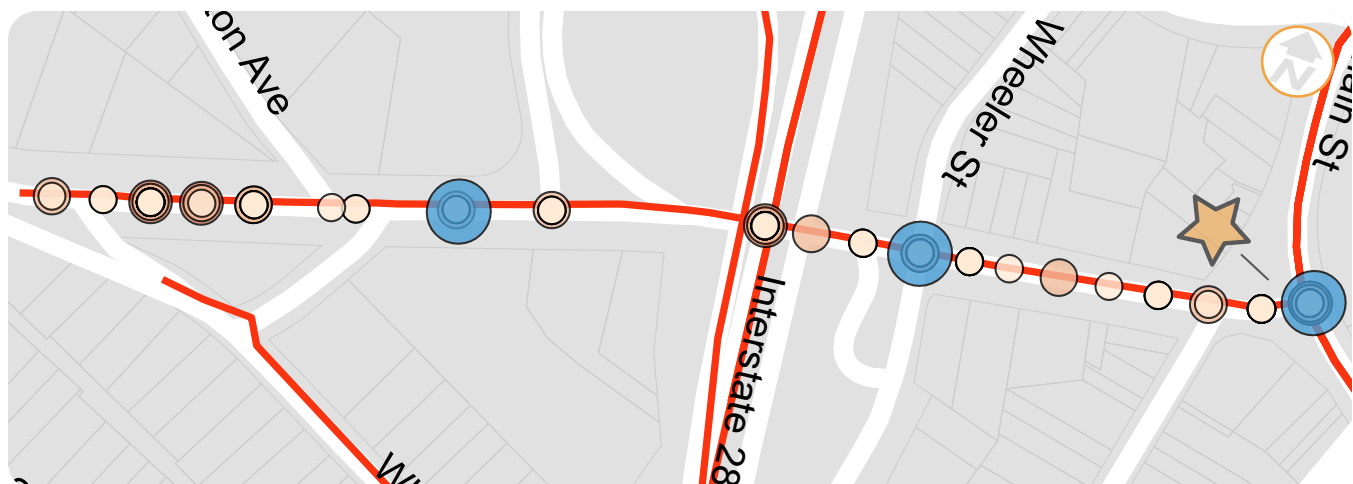


TOP CRASH FACTORS

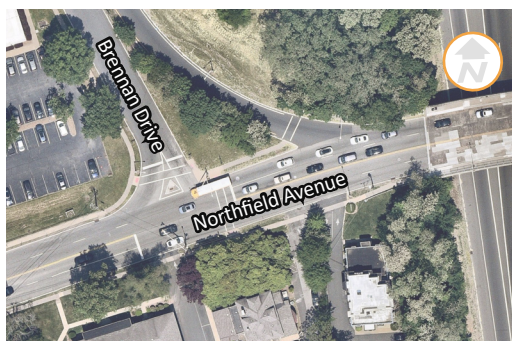


INTERSECTION CRASHES

 108 Crashes
5.3% of all Intersection Crashes



Any intersections, signals and ramps with I-280 are NJDOT jurisdiction and will be subject to coordination and review with FHWA and NJDOT.



RECOMMENDED PROVEN SAFETY COUNTERMEASURES**



- High-visibility crosswalks: 40% reduction in pedestrian injury crashes
- Intersection lighting: 42% reduction in pedestrian crashes
- Advance yield or stop markings and signs: 25% reduction in pedestrian crashes



- 13% reduction in pedestrian/vehicle crashes at intersections



- 4-lane to 3-lane road diet conversion: 19-47% reduction in total crashes



- Sidewalks: 16-89% reduction in crashes involving pedestrians walking along roadways
- Paved Shoulders: 71% reduction in crashes involving pedestrians walking along roadways



- A driver traveling at 30 miles per hour who hits a pedestrian has a 45 percent chance of killing or seriously injuring them. At 20 miles per hour, that percentage drops to 5 percent.



- 15% reduction in total crashes
- Very low cost



- Added Left-Turn Lanes: 28-48% reduction in total crashes

- Positive Offset Left-Turn Lanes: 36% reduction in fatal and injury crashes

- Right-Turn Lanes: 14-26% reduction in total crashes
- Cost varies

**Estimated
Construction Cost:
~\$190,000***

*Includes cost of countermeasures that overlap with intersecting corridors. Estimated cost does not include lighting improvements (additional studies are recommended). Cost estimates are primarily based on the NJDOT 2022 cost estimate guidelines for safe routes. <https://www.saferoutesnj.org/wp-content/uploads/2022/05/Design-Treatment-Estimating-Guidelines.pdf>

**Although not specifically a Proven Safety Countermeasure, traffic signal timing update/optimization should be included as part of Road Diet/Reconfiguration, Left- and Right-Turn Lanes, Leading Pedestrian Intervals, and Protected-Only Left Turn Signal Phasing alternatives.



RECOMMENDED PROVEN SAFETY COUNTERMEASURES**



- High-visibility crosswalks: 40% reduction in pedestrian injury crashes
- Intersection lighting: 42% reduction in pedestrian crashes
- Advance yield or stop markings and signs: 25% reduction in pedestrian crashes



- 13% reduction in pedestrian/vehicle crashes at intersections



- Reduction in pedestrian crashes by 47%
- Increase of motorist yielding rates up to 98% (depending on context)



- Roadway reconfiguration



- Sidewalks: 16-89% reduction in crashes involving pedestrians walking along roadways
- Paved Shoulders: 71% reduction in crashes involving pedestrians walking along roadways



- 15% reduction in total crashes
- Very low cost

Estimated Construction Cost:

~\$140,000*

*Includes cost of countermeasures that overlap with intersecting corridors. Estimated cost does not include lighting improvements (additional studies are recommended). Cost estimates are primarily based on the NJDOT 2022 cost estimate guidelines for safe routes. <https://www.saferoutesnj.org/wp-content/uploads/2022/05/Design-Treatment-Estimating-Guidelines.pdf>

**Although not specifically a Proven Safety Countermeasure, traffic signal timing update/optimization should be included as part of Road Diet/Reconfiguration, Left- and Right-Turn Lanes, Leading Pedestrian Intervals, and Protected-Only Left Turn Signal Phasing alternatives.

HIN CORRIDOR FACT SHEETS

CORRIDOR K: GASTON STREET

Represents 0.3% of HIN miles

KEY CRASH FACTS

#	%
 17 Crashes	0.2% of all West Orange Crashes
 2 Fatal, Severe & Minor Injury Crashes	0.4% of all Fatal, Severe & Minor Injury Crashes
 0 Pedestrian Crashes	0% of all Pedestrian Crashes
 2 Bicyclist Crashes	6.4% of all Bicyclist Crashes

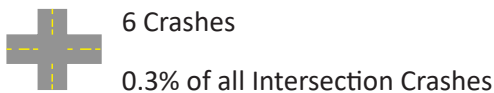
OVERREPRESENTED CRASH TYPES



TOP CRASH FACTORS



INTERSECTION CRASHES



MUNICIPAL ROAD
0.1 MILES
24' - 30' WIDTH / 1 - 2 LANES
NO SHOULDERS
PARKING PERMITTED

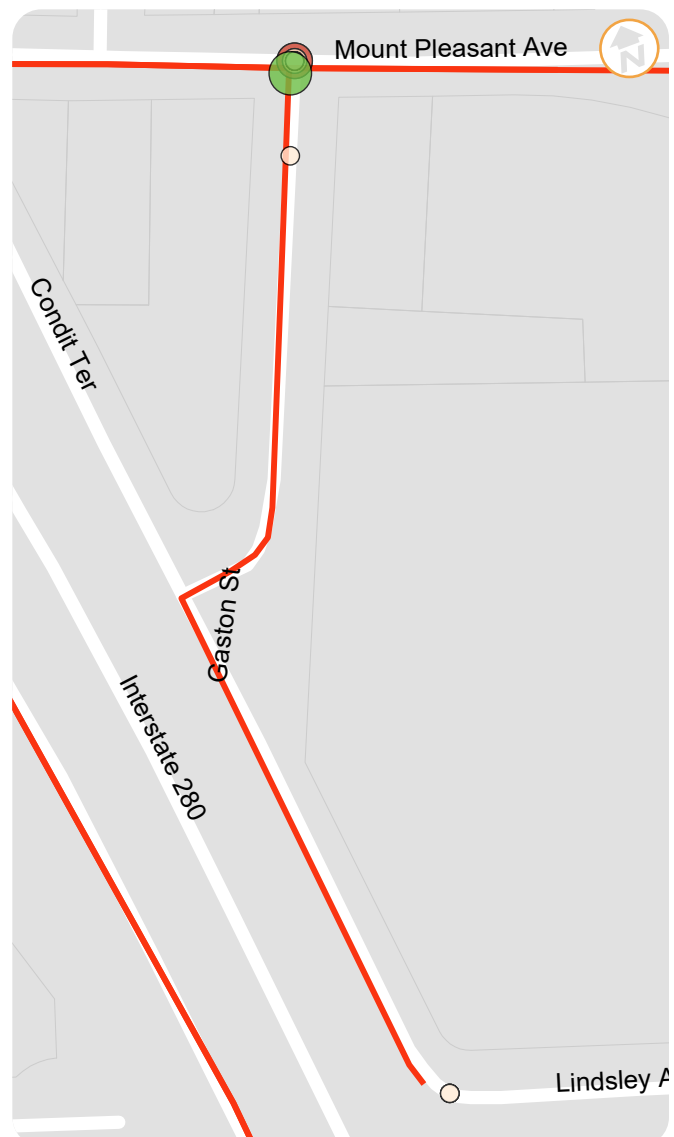


HIN SCORE

6

EQUITY + HIN SCORE

20





RECOMMENDED PROVEN SAFETY COUNTERMEASURES**



- High-visibility crosswalks: 40% reduction in pedestrian injury crashes

- Intersection lighting: 42% reduction in pedestrian crashes

- Advance yield or stop markings and signs: 25% reduction in pedestrian crashes



- Reduction in pedestrian crashes by 47%
- Increase of motorist yielding rates up to 98% (depending on context)



- Roadway reconfiguration



- Sidewalks: 16-89% reduction in crashes involving pedestrians walking along roadways

- Paved Shoulders: 71% reduction in crashes involving pedestrians walking along roadways



- Added Left-Turn Lanes: 28-48% reduction in total crashes

Estimated Construction Cost:

~\$70,000*

*Includes cost of countermeasures that overlap with intersecting corridors. Estimated cost does not include lighting improvements (additional studies are recommended). Cost estimates are primarily based on the NJDOT 2022 cost estimate guidelines for safe routes. <https://www.saferoutesnj.org/wp-content/uploads/2022/05/Design-Treatment-Estimating-Guidelines.pdf>

** Although not specifically a Proven Safety Countermeasure, traffic signal timing update/optimization should be included as part of Road Diet/ Reconfiguration, Left- and Right-Turn Lanes, Leading Pedestrian Intervals, and Protected-Only Left Turn Signal Phasing alternatives.

HIN CORRIDOR FACT SHEETS

CORRIDOR L: SAYERS STREET / PROSPECT PLACE

Represents 0.5% of HIN miles

KEY CRASH FACTS

#	%
 19 Crashes	0.2% of all West Orange Crashes
 3 Fatal, Severe & Minor Injury Crashes	0.6% of all Fatal, Severe & Minor Injury Crashes
 1 Pedestrian Crash	1.2% of all Pedestrian Crashes
 0 Bicyclist Crashes	0% of all Bicyclist Crashes

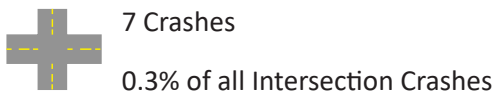
OVERREPRESENTED CRASH TYPES



TOP CRASH FACTORS



INTERSECTION CRASHES



MUNICIPAL ROAD
0.2 MILES
24' - 30' WIDTH / 1 LANE
SHOULDERS
PARKING PERMITTED

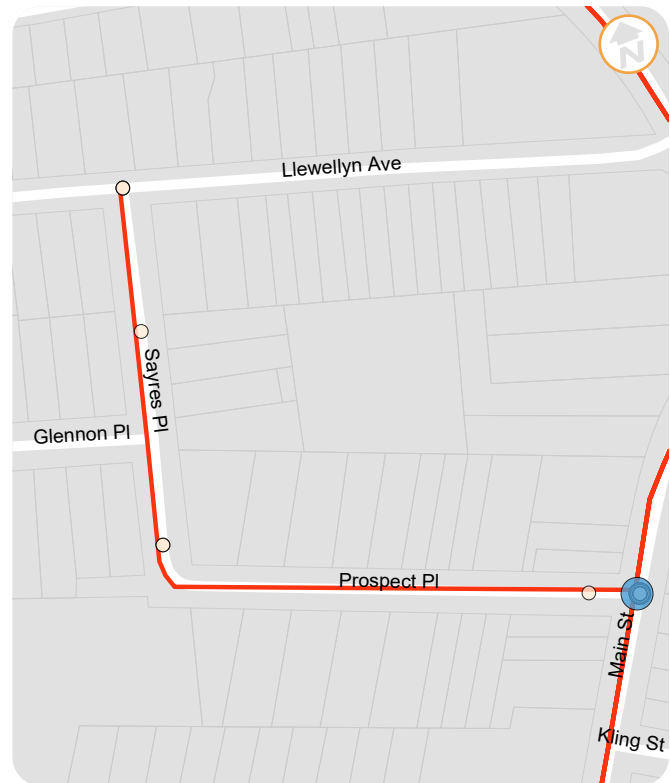


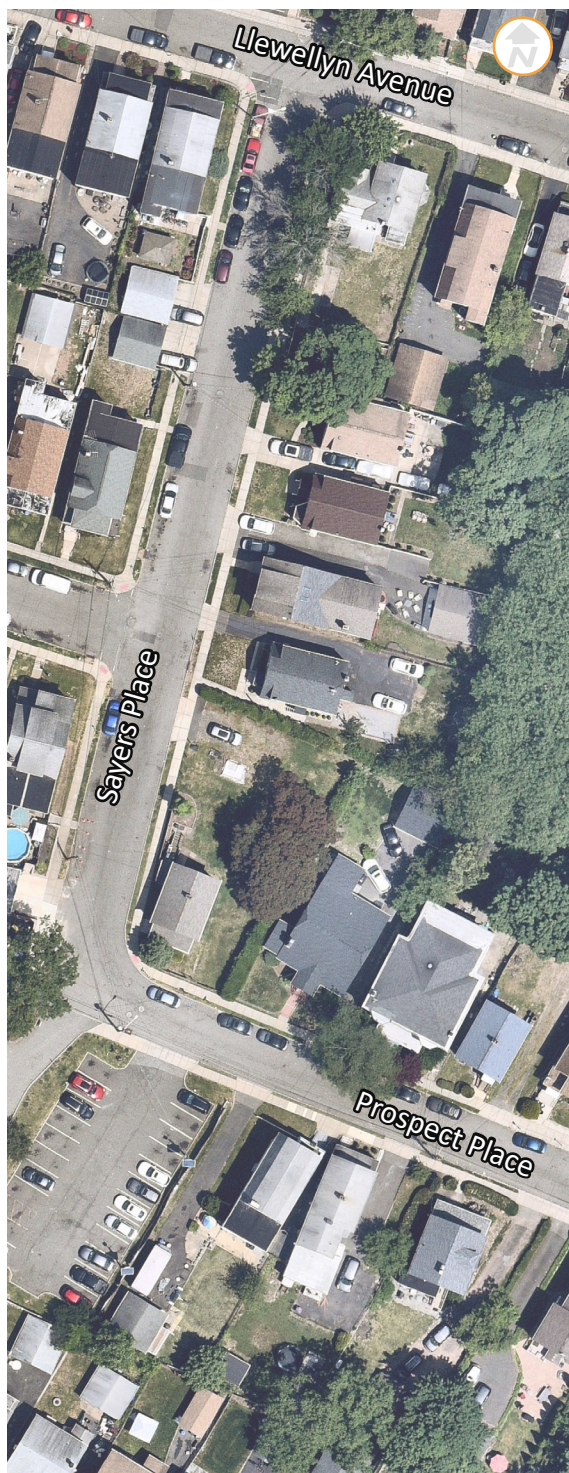
HIN SCORE

3

EQUITY + HIN SCORE

20





RECOMMENDED PROVEN SAFETY COUNTERMEASURES**



- *Bicycle Lanes: 49% reduction in crashes on urban four-lane undivided collectors and local roads, 30% reduction in crashes on urban two-lane undivided collectors and local roads*



- *High-visibility crosswalks: 40% reduction in pedestrian injury crashes*



- *Intersection lighting: 42% reduction in pedestrian crashes*
- *Advance yield or stop markings and signs: 25% reduction in pedestrian crashes*



- *Reduction in pedestrian crashes by 47%*
- *Increase of motorist yielding rates up to 98% (depending on context)*



- *Roadway reconfiguration*
- *Sidewalks: 16-89% reduction in crashes involving pedestrians walking along roadways*
- *Paved Shoulders: 71% reduction in crashes involving pedestrians walking along roadways*

Estimated Construction Cost:

~\$250,000*

*Includes cost of countermeasures that overlap with intersecting corridors. Estimated cost does not include lighting improvements (additional studies are recommended). Cost estimates are primarily based on the NJDOT 2022 cost estimate guidelines for safe routes. <https://www.saferoutesnj.org/wp-content/uploads/2022/05/Design-Treatment-Estimating-Guidelines.pdf>

** Although not specifically a Proven Safety Countermeasure, traffic signal timing update/optimization should be included as part of Road Diet/ Reconfiguration, Left- and Right-Turn Lanes, Leading Pedestrian Intervals, and Protected-Only Left Turn Signal Phasing alternatives.

HIN CORRIDOR FACT SHEETS

CORRIDOR M: WHITTLESEY AVENUE

Represents 1.1% of HIN miles

KEY CRASH FACTS

#	%
 39 Crashes	0.5% of all West Orange Crashes
 3 Fatal, Severe & Minor Injury Crashes	0.6% of all Fatal, Severe & Minor Injury Crashes
 1 Pedestrian Crash	1.2% of all Pedestrian Crashes
 1 Bicyclist Crash	3.2% of all Bicyclist Crashes

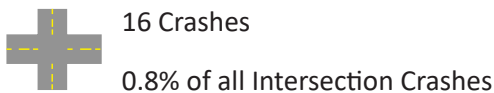
OVERREPRESENTED CRASH TYPES



TOP CRASH FACTORS



INTERSECTION CRASHES



MUNICIPAL ROAD
0.4 MILES
30' WIDTH / 2 LANES
SHOULDER
PARKING PERMITTED

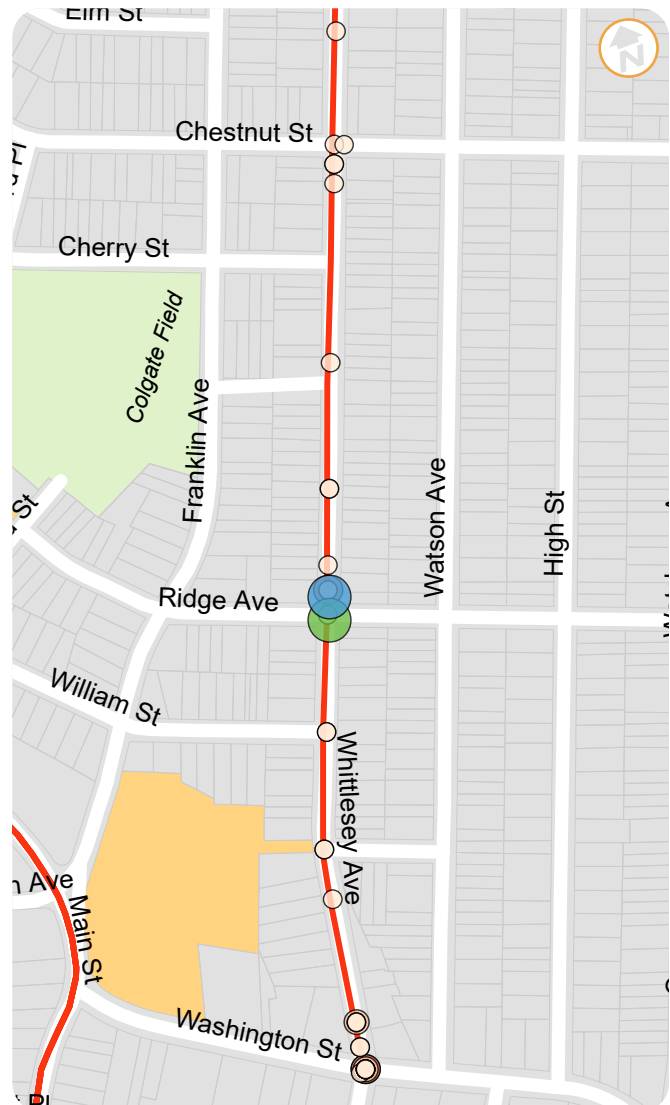


HIN SCORE

3

EQUITY + HIN SCORE

20





RECOMMENDED PROVEN SAFETY COUNTERMEASURES**



- High-visibility crosswalks: 40% reduction in pedestrian injury crashes
- Intersection lighting: 42% reduction in pedestrian crashes
- Advance yield or stop markings and signs: 25% reduction in pedestrian crashes



- Reduction in pedestrian crashes by 47%
- Increase of motorist yielding rates up to 98% (depending on context)



- Sidewalks: 16-89% reduction in crashes involving pedestrians walking along roadways



- A driver traveling at 30 miles per hour who hits a pedestrian has a 45 percent chance of killing or seriously injuring them. At 20 miles per hour, that percentage drops to 5 percent.

Estimated Construction Cost:

~\$300,000*

*Includes cost of countermeasures that overlap with intersecting corridors. Estimated cost does not include lighting improvements (additional studies are recommended). Cost estimates are primarily based on the NJDOT 2022 cost estimate guidelines for safe routes. <https://www.saferoutesnj.org/wp-content/uploads/2022/05/Design-Treatment-Estimating-Guidelines.pdf>

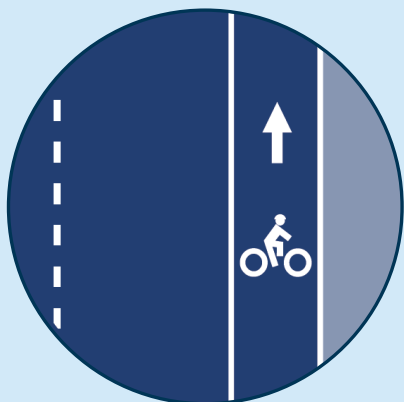
**Although not specifically a Proven Safety Countermeasure, traffic signal timing update/optimization should be included as part of Road Diet/ Reconfiguration, Left- and Right-Turn Lanes, Leading Pedestrian Intervals, and Protected-Only Left Turn Signal Phasing alternatives.

APPENDIX B: FHWA PROVEN SAFETY COUNTERMEASURES

The FHWA Proven Safety Countermeasures are a collection of 28 countermeasures and strategies with data-supported effectiveness in reducing roadway fatalities and serious injuries. While some are resource- and time-intensive, others are low-cost and easy to implement quickly. The list of these countermeasures is as follows:

- | | |
|--|--|
| 1. Appropriate Speed Limits for All Road Users | 15. Roadside Design Improvements at Curves |
| 2. Speed Safety Cameras | 16. SafetyEdge |
| 3. Variable Speed Limits | 17. Wider Edge Lines |
| 4. Bicycle Lanes | 18. Backplates with Retroreflective Borders |
| 5. Crosswalk Visibility Enhancements | 19. Corridor Access Management |
| 6. Leading Pedestrian Interval | 20. Dedicated Left- and Right-Turn Lanes at Intersections |
| 7. Medians and Pedestrian Refuge Islands in Urban and Suburban Areas | 21. Reduced Left-Turn Conflict Intersections |
| 8. Pedestrian Hybrid Beacons | 22. Roundabouts |
| 9. Rectangular Rapid Flashing Beacons | 23. Systemic Application of Multiple Low-Cost Countermeasures at Stop-Controlled Intersections |
| 10. Road Diets (Roadway Reconfiguration) | 24. Yellow Change Intervals |
| 11. Walkways | 25. Lighting |
| 12. Enhanced Delineation for Horizontal Curves | 26. Local Road Safety Plans |
| 13. Longitudinal Rumble Strips and Stripes on Two-Lane Roads | 27. Pavement Friction Management |
| 14. Median Barriers | 28. Road Safety Audit |

Countermeasures listed in **bold** have been assessed for their suitability for each of the 13 Priority HIN Corridors (see pages 84-85 and Appendix A). Detailed information on the characteristics and effects of each of these countermeasures can be found on the following pages.



Safety Benefits:

Bicycle Lane Additions can reduce crashes up to:

49%

for total crashes on urban 4-lane undivided collectors and local roads.⁶

30%

for total crashes on urban 2-lane undivided collectors and local roads.⁶



Separated bicycle lane in Washington, DC.
Source: Alex Baca, Washington Area Bicyclist Association

Separated bicycle lanes may provide further safety benefits. FHWA is anticipating completion of research in Fall 2022.

For more information on this and other FHWA Proven Safety Countermeasures, please visit <https://safety.fhwa.dot.gov/provencountermeasures/> and https://safety.fhwa.dot.gov/ped_bike/tools_solve/docs/fhwsa18077.pdf.

Bicycle Lanes

Most fatal and serious injury bicyclist crashes occur at non-intersection locations. Nearly one-third of these crashes involve overtaking motorists¹; the speed and size differential between vehicles and bicycles can lead to severe injury. To make bicycling safer and more comfortable for most types of bicyclists, State and local agencies should consider installing bicycle lanes. These dedicated facilities for the use of bicyclists along the roadway can take several forms. Providing bicycle facilities can mitigate or prevent interactions, conflicts, and crashes between bicyclists and motor vehicles, and create a network of safer roadways for bicycling. Bicycle Lanes align with the Safe System Approach principle of recognizing human vulnerability—where separating users in space can enhance safety for all road users.

Applications

FHWA's [Bikeway Selection Guide](#) and [Incorporating On-Road Bicycle Networks into Resurfacing Projects](#) assist agencies in determining which facilities provide the most benefit in various contexts. Bicycle lanes can be included on new roadways or created on existing roads by reallocating space in the right-of-way.

In addition to the paint stripe used for a typical bicycle lane, a lateral offset with painted buffer can help to further separate bicyclists from vehicle traffic. State and local agencies may also consider physical separation of the bicycle lane from motorized traffic lanes through the use of vertical elements like posts, curbs, or vegetation.² Based on international experience and implementation in the United States, there is potential for further safety benefits associated with separated bicycle lanes. FHWA is conducting research on separated bicycle lanes, which includes the development of crash modification factors, to be completed in 2022 to address significant interest on this topic.

Considerations

- City and State policies may require minimum bicycle lane widths, although these can differ by agency and functional classification of the road.
- Bicycle lane design should vary according to roadway characteristics (e.g., motor vehicle volumes and speed) in order to maximize the facility's suitability for riders of all ages and abilities and should consider the travel needs of low-income populations likely to use bicycles. The [Bikeway Selection Guide](#) is a useful resource.
- While some in the public may oppose travel lane narrowing if they believe it will slow traffic or increase congestion, studies have found that roadways did not experience an increase in injuries or congestion when travel lane widths were decreased to add a bicycle lane.³
- Studies and experience in US cities show that bicycle lanes increase ridership and may help jurisdictions better manage roadway capacity without increased risk.
- In rural areas, rumble strips can negatively impact bicyclists' ability to ride if not properly installed. Agencies should consider the dimensions, placement, and offset of rumble strips when adding a bicycle lane.⁴
- Strategies, practices, and processes can be used by agencies to enhance their ability to address equity in bicycle planning and design.⁵

1 Thomas et al. Bicyclist Crash Types on National, State, and Local Levels: A New Look. Transportation Research Record 673(6), 664-676, (2019).

2 [Separated Bike Lane Planning and Design Guide](#). FHWA-HEP-15-025, (2015).

3 Park and Abdel-Aty. "Evaluation of safety effectiveness of multiple cross sectional features on urban arterials". Accident Analysis and Prevention, Vol. 92, pp. 245-255, (2016).

4 FHWA Tech Advisory [Shoulder and Edge Line Rumble Strips](#), (2011).

5 Sandt et al. [Pursuing Equity in Pedestrian and Bicycle Planning](#). FHWA, (2016).

6 Avelar et al. Development of Crash Modification Factors for Bicycle Lane Additions While Reducing Lane and Shoulder Widths. FHWA, (2021).



Safety Benefits:

**High-visibility crosswalks
can reduce pedestrian injury
crashes up to:**
40%¹

**Intersection lighting can
reduce pedestrian crashes
up to:**
42%²

**Advance yield or stop
markings and signs can
reduce pedestrian
crashes up to:**
25%³

For more information on this and other FHWA Proven Safety Countermeasures, please visit <https://highways.dot.gov/safety/proven-safety-countermeasures> and <https://highways.dot.gov/sites/fhwa.dot.gov/files/2022-06/techSheetVizEnhancemt2018.pdf>.

Crosswalk Visibility Enhancements

Poor lighting conditions, obstructions such as parked cars, and horizontal or vertical roadway curvature can reduce visibility at crosswalks, contributing to safety issues. For multilane roadway crossings where vehicle volumes are in excess of 10,000 Average Annual Daily Traffic (AADT), a marked crosswalk alone is typically not sufficient. Under such conditions, more substantial crossing improvements could prevent an increase in pedestrian crash potential.

Three main crosswalk visibility enhancements help make crosswalks and the pedestrians, bicyclists, wheelchair and other mobility device users, and transit users using them more visible to drivers. These include high-visibility crosswalks, lighting, and signing and pavement markings. These enhancements can also assist users in deciding where to cross. Agencies can implement these features as standalone or combination enhancements to indicate the preferred location for users to cross.

High-visibility crosswalks

High-visibility crosswalks use patterns (i.e., bar pairs, continental, ladder) that are visible to both the driver and pedestrian from farther away compared to traditional transverse line crosswalks. They should be considered at all midblock pedestrian crossings and uncontrolled intersections. Agencies should use materials such as inlay or thermoplastic tape, instead of paint or brick, for highly reflective crosswalk markings.

Improved Lighting

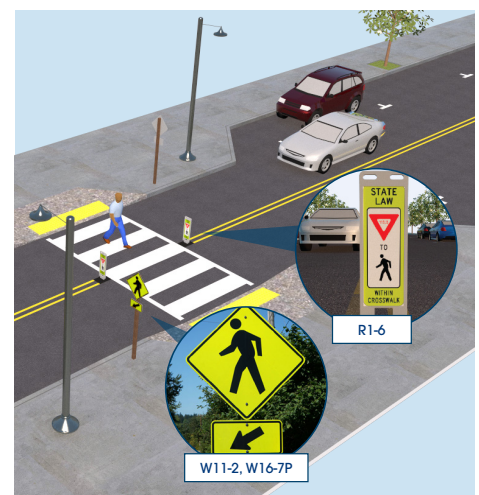
The goal of crosswalk lighting should be to illuminate with positive contrast to make it easier for a driver to visually identify the pedestrian. This involves carefully placing the luminaires in forward locations to avoid a silhouette effect of the pedestrian.

Enhanced Signing and Pavement Markings

On multilane roadways, agencies can use "YIELD Here to Pedestrians" or "STOP Here for Pedestrians" signs 20 to 50 feet in advance of

a marked crosswalk to indicate where a driver should stop or yield to pedestrians, depending on State law. To supplement the signing, agencies can also install a STOP or YIELD bar (commonly referred to as "shark's teeth") pavement markings.

In-street signing, such as "STOP Here for Pedestrians" or "YIELD Here to Pedestrians" may be appropriate on roads with two- or three-lane roads where speed limits are 30 miles per hour or less.



Source: FHWA

¹ (CMF ID: 4123) Chen, L., C. Chen, and R. Ewing. The Relative Effectiveness of Pedestrian Safety Countermeasures at Urban Intersections - Lessons from a New York City Experience. (2012).

² (CMF ID: 436) Elvik, R. and Vaa, T. Handbook of Road Safety Measures. Oxford, United Kingdom, Elsevier, (2004).

³ (CMF ID: 9017) Zeeger et al. Development of Crash Modification Factors for Uncontrolled Pedestrian Crossing Treatments, FHWA, (2017).



Safety Benefits:

13%

reduction in pedestrian-vehicle crashes at intersections.¹

Leading Pedestrian Interval

A leading pedestrian interval (LPI) gives pedestrians the opportunity to enter the crosswalk at an intersection 3-7 seconds before vehicles are given a green indication. Pedestrians can better establish their presence in the crosswalk before vehicles have priority to turn right or left.

LPIs provide the following benefits:

- Increased visibility of crossing pedestrians.
- Reduced conflicts between pedestrians and vehicles.
- Increased likelihood of motorists yielding to pedestrians.
- Enhanced safety for pedestrians who may be slower to start into the intersection.

FHWA's Handbook for *Designing Roadways for the Aging Population* recommends the use of the LPI at intersections with high turning vehicle volumes. Transportation agencies should refer to the *Manual on Uniform Traffic Control Devices* for guidance on LPI timing and ensure that pedestrian signals are accessible for all users. Costs for implementing LPIs are very low when only signal timing alteration is required.



An LPI allows a pedestrian to establish a presence in the crosswalk before vehicles are given a green indication. Source: FHWA



LPIs reduce potential conflicts between pedestrians and turning vehicles. Source: FHWA

For more information on this and other FHWA Proven Safety Countermeasures, please visit <https://highways.dot.gov/safety/proven-safety-countermeasures> and <https://highways.dot.gov/sites/fhwa.dot.gov/files/2022-06/fhwasa19040.pdf>.

¹ (CMF ID: 9918) Goughnour, E., D. Carter, C. Lyon, B. Persaud, B. Lan, P. Chun, I. Hamilton, and K. Signor. "Safety Evaluation of Protected Left-Turn Phasing and Leading Pedestrian Intervals on Pedestrian Safety." Report No. FHWA-HRT-18-044. Federal Highway Administration. (October 2018)



Safety Benefits:

RRFBs can reduce crashes up to:

47%

for pedestrian crashes.⁴

RRFBs can increase motorist yielding rates up to:

98%

(varies by speed limit, number of lanes, crossing distance, and time of day).³



RRFBs used at a trail crossing.
Source: LJB

For more information on this and other FHWA Proven Safety Countermeasures, please visit <https://highways.dot.gov/safety/proven-safety-countermeasures> and https://highways.dot.gov/sites/fhwa.dot.gov/files/2022-06/techSheet_RRFB_2018.pdf.

Rectangular Rapid Flashing Beacons (RRFB)

A marked crosswalk or pedestrian warning sign can improve safety for pedestrians crossing the road, but at times may not be sufficient for drivers to visibly locate crossing locations and yield to pedestrians. To enhance pedestrian conspicuity and increase driver awareness at uncontrolled, marked crosswalks, transportation agencies can install a pedestrian actuated Rectangular Rapid Flashing Beacon (RRFB) to accompany a pedestrian warning sign. RRFBs consist of two, rectangular-shaped yellow indications, each with a light-emitting diode (LED)-array-based light source.¹ RRFBs flash with an alternating high frequency when activated to enhance conspicuity of pedestrians at the crossing to drivers.

For more information on using RRFBs, see the Interim Approval in the *Manual on Uniform Traffic Control Devices (MUTCD)*.¹

Applications

The RRFB is applicable to many types of pedestrian crossings but is particularly effective at multilane crossings with speed limits less than 40 miles per hour.² Research suggests RRFBs can result in motorist yielding rates as high as 98 percent at marked crosswalks, but varies depending on the location, posted speed limit, pedestrian crossing distance, one- versus two-way road, and the number of travel lanes.³ RRFBs can also accompany school or trail crossing warning signs.

RRFBs are placed on both sides of a crosswalk below the pedestrian crossing sign and above the diagonal downward arrow plaque pointing at the crossing.¹ The flashing pattern can be activated with pushbuttons or passive (e.g., video or infrared) pedestrian detection, and should be unlit when not activated.

Considerations

Agencies should:²

- Install RRFBs in the median rather than the far-side of the roadway if there is a pedestrian refuge or other type of median.
- Use solar-power panels to eliminate the need for a power source.
- Reserve the use of RRFBs for locations with significant pedestrian safety issues, as over-use of RRFB treatments may diminish their effectiveness.

Agencies shall not:²

- Use RRFBs without the presence of a pedestrian, school or trail crossing warning sign.
- Use RRFBs for crosswalks across approaches controlled by YIELD signs, STOP signs, traffic control signals, or pedestrian hybrid beacons, except for the approach or egress from a roundabout.

¹ *MUTCD Interim Approval 21 - RRFBs at Crosswalks*.

² "Rectangular Rapid Flash Beacon" in PEDSAFE: Pedestrian Safety Guide and Countermeasure Selection System. FHWA, (2013).

³ Fitzpatrick et al. "Will You Stop for Me? Roadway Design and Traffic Control Device Influences on Drivers Yielding to Pedestrians in a Crosswalk with a Rectangular Rapid-Flashing Beacon." Report No. TTI-CTS-0010. Texas A&M Transportation Institute, (2016).

⁴ (CMF ID: 9024) NCHRP Research Report 841 Development of Crash Modification Factors for Uncontrolled Pedestrian Crossing Treatments, (2017).



Safety Benefits:

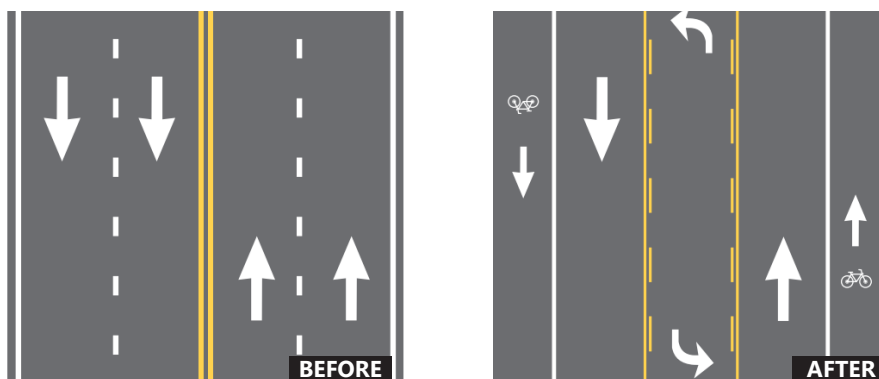
4-Lane to 3-Lane
Road Diet Conversions

19-47%

reduction in total crashes.¹

Road Diets (Roadway Reconfiguration)

A Road Diet, or roadway reconfiguration, can improve safety, calm traffic, provide better mobility and access for all road users, and enhance overall quality of life. A Road Diet typically involves converting an existing four-lane undivided roadway to a three-lane roadway consisting of two through lanes and a center two-way left-turn lane (TWLTL).



Before and after example of a Road Diet. Source: FHWA

Benefits of Road Diet installations may include:

- Reduction of rear-end and left-turn crashes due to the dedicated left-turn lane.
- Reduced right-angle crashes as side street motorists cross three versus four travel lanes.
- Fewer lanes for pedestrians to cross.
- Opportunity to install pedestrian refuge islands, bicycle lanes, on-street parking, or transit stops.
- Traffic calming and more consistent speeds.
- A more community-focused, Complete Streets environment that better accommodates the needs of all road users.

A Road Diet can be a low-cost safety solution when planned in conjunction with a simple pavement overlay, and the reconfiguration can be accomplished at no additional cost. Typically, a Road Diet is implemented on a roadway with a current and future average daily traffic of 25,000 or less.



Road Diet project in Honolulu, Hawaii.
Source: Leidos

For more information on this and other FHWA Proven Safety Countermeasures, please visit <https://highways.dot.gov/safety/proven-safety-countermeasures> and <https://highways.dot.gov/safety/other/road-diets>.

¹ (CMF ID: 5554,2841) Evaluation of Lane Reduction "Road Diet" Measures on Crashes, FHWA-HRT-10-053, (2010).



Proven Safety Countermeasures



Safety Benefits:

Sidewalks

65-89%

reduction in crashes involving pedestrians walking along roadways.³

Paved Shoulders

71%

reduction in crashes involving pedestrians walking along roadways.³

For more information on this and other FHWA Proven Safety Countermeasures, please visit <https://highways.dot.gov/safety/proven-safety-countermeasures> and http://www.pedbikesafe.org/PEDSAFE/countermeasures_detail.cfm?CM_NUM=1.

Walkways

A walkway is any type of defined space or pathway for use by a person traveling by foot or using a wheelchair. These may be pedestrian walkways, shared use paths, sidewalks, or roadway shoulders.

With more than 6,200 pedestrian fatalities and 75,000 pedestrian injuries occurring in roadway crashes annually,¹ it is important for transportation agencies to improve conditions and safety for pedestrians and to integrate walkways more fully into the transportation system. Research shows people living in low-income communities are less likely to encounter walkways and other pedestrian-friendly features.²

Well-designed pedestrian walkways, shared use paths, and sidewalks improve the safety and mobility of pedestrians. Pedestrians should have direct and connected network of walking routes to desired destinations without gaps or abrupt changes. In some rural or suburban areas, where these types of walkways are not feasible, roadway shoulders provide an area for pedestrians to walk next to the roadway, although these are not preferable.

Transportation agencies should work towards incorporating pedestrian facilities into all roadway projects

unless exceptional circumstances exist. It is important to provide and maintain accessible walkways along both sides of the road in urban areas, particularly near school zones and transit locations, and where there is a large amount of pedestrian activity. Walkable shoulders should also be considered along both sides of rural highways when routinely used by pedestrians.



Example of a sidewalk in a residential area.
Source: pedbikeimages.org / Burden



Paved shoulder used as a walkway. Source: pedbikeimages.org / Burden

¹ National Center for Statistics and Analysis. (2020, March). Pedestrians: 2018 data (Traffic Safety Facts. Report No. DOT HS 812 850). National Highway Traffic Safety Administration.

² Gibbs, et al. Income Disparities in Street Features that Encourage Walking. Bridging the Gap, (2012, March).

³ Gan et al. Update of Florida Crash Reduction Factors and Countermeasures to Improve the Development of District Safety Improvement Projects. Florida DOT, (2005).



Safety Benefits:

Traffic fatalities in the City of Seattle decreased 26 percent after the city implemented comprehensive, city-wide speed management strategies and countermeasures inspired by Vision Zero. This included setting speed limits on all non-arterial streets at 20 mph and 200 miles of arterial streets at 25 mph.⁵

One study found that on rural roads, when considering other relevant factors in the engineering study along with the speed distribution, setting a speed limit no more than 5 mph below the 85th-percentile speed may result in fewer total and fatal plus injury crashes, and lead to drivers complying closely with the posted speed limit.⁶

For more information on this and other FHWA Proven Safety Countermeasures, please visit <https://highways.dot.gov/safety/proven-safety-countermeasures> and <https://highways.dot.gov/safety/speed-management/reference-materials>.

Appropriate Speed Limits for All Road Users

There is broad consensus among global roadway safety experts that speed control is one of the most important methods for reducing fatalities and serious injuries. Speed is an especially important factor on non-limited access roadways where vehicles and vulnerable road users mix.

A driver may not see or be aware of the conditions within a corridor, and may drive at a speed that feels reasonable for themselves but may not be for all users of the system, especially vulnerable road users, including children and seniors. A driver traveling at 30 miles per hour who hits a pedestrian has a 45 percent chance of killing or seriously injuring them.¹ At 20 miles per hour, that percentage drops to 5 percent.¹ A number of cities across the United States, including New York, Washington, Seattle and Minneapolis, have reduced their local speed limits in recent years in an effort to reduce fatalities and serious injuries, with most having to secure State legislative authorization to do so.

States and local jurisdictions should set appropriate speed limits to reduce the significant risks drivers impose on others—especially vulnerable road users—and on themselves. Addressing speed is fundamental to the Safe System Approach to making streets safer, and a growing body of research shows that speed limit changes alone can lead to measurable declines in speeds and crashes.²

Applications

Posted speed limits are often the same as the legislative statutory speed limit. Agencies with designated authorities to set speed limits, which include States, and sometimes local jurisdictions, can establish non-statutory speed limits or designate reduced speed zones, and a growing number are doing so. While non-statutory speed limits must be based on an engineering study, conducted in accordance with the *Manual on Uniform Traffic Control Devices* (MUTCD) involving multiple factors and engineering judgment, FHWA is also encouraging agencies to use the following:³

- Expert Systems tools.
 - [USLIMITS2](#).
 - [NCHRP 966: Posted Speed Limit Setting Procedure and Tool](#).
- Safe System approach.

Based on international experience and implementation in the United States, the use of 20 mph speed zones or speed limits in urban core areas where vulnerable users share the road environment with motorists may result in further safety benefits.⁴

Considerations

When setting a speed limit, agencies should consider a range of factors such as pedestrian and bicyclist activity, crash history, land use context, intersection spacing, driveway density, roadway geometry, roadside conditions, roadway functional classification, traffic volume, and observed speeds.

To achieve desired speeds, agencies often implement other speed management strategies concurrently with setting speed limits, such as self-enforcing roadways, traffic calming, and speed safety cameras. Additional information is in the following FHWA resources:

- [FHWA Speed Management website](#).
- [Self-Enforcing Roadways: A Guidance Report](#).
- [Noteworthy Speed Management Practices](#).
- [Jurisdiction Speed Management Action Plan Development Package](#).
- [Traffic Calming ePrimer](#).

¹ Reducing the speed limit to 20 mph in urban areas: Child deaths and injuries would be decreased.

² Lowering the speed limit from 30 to 25 mph in Boston: effects on vehicle speeds.

³ FHWA's Methods and Practices for Setting Speed Limits: An Informational Report. (2012).

⁴ Recommendations of the Academic Expert Group for the 3rd Global Ministerial Conference on Road Safety.

⁵ https://safety.fhwa.dot.gov/speedmgmt/ref_mats/fhwasa20047/sec8.cfm#foot813

⁶ Safety and Operational Impacts of Setting Speed Limits below Engineering Recommendations.



Safety Benefits:

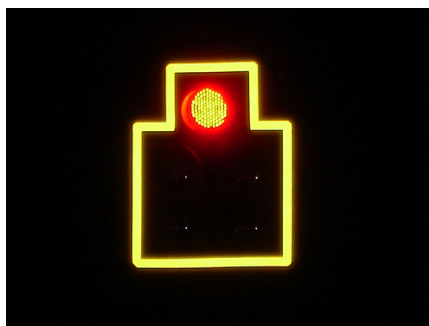
15%

reduction in total crashes.¹

Backplates with Retroreflective Borders

Backplates added to a traffic signal head improve the visibility of the illuminated face of the signal by introducing a controlled-contrast background. The improved visibility of a signal head with a backplate is made even more conspicuous by framing it with a 1- to 3-inch yellow retroreflective border. Signal heads that have backplates equipped with retroreflective borders are more visible and conspicuous in both daytime and nighttime conditions.

This treatment is recognized as a human factors enhancement of traffic signal visibility, conspicuity, and orientation for both older and color vision deficient drivers. This countermeasure is also advantageous during periods of power outages when the signals would otherwise be dark, providing a visible cue for motorists to stop at the intersection ahead.



Retroreflective borders are highly visible during the night. Source: South Carolina DOT

safety countermeasure is to adopt it as a standard treatment for signalized intersections across a jurisdiction or State.

Implementation challenges include minimizing installation time, accessing existing signal heads, and structural limitations due to added wind load in instances where an entire backplate is added. Agencies should consider the design of the existing signal support structure to determine if the design is sufficient to support the added wind load.



Signal backplate framed with a retroreflective border. Source: FHWA

Considerations

Transportation agencies should consider backplates with retroreflective borders as part of their efforts to systematically improve safety performance at signalized intersections. Adding a retroreflective border to an existing signal backplate is a very low-cost safety treatment. This can be done by either adding retroreflective tape to an existing backplate or purchasing a new backplate with a retroreflective border already incorporated. The most efficient means of implementing this proven

For more information on this and other FHWA Proven Safety Countermeasures, please visit <https://highways.dot.gov/safety/proven-safety-countermeasures> and <https://rosap.nhtl.bts.gov/view/dot/42807>.

¹ (CMF ID: 1410) Sayed, T., Leur, P., and Pump, J., "Safety Impact of Increased Traffic Signal Backboards Conspicuity," 2005 TRB 84th Annual Meeting: Compendium of Papers CD-ROM, Vol. TRB#05-16, Washington, D.C., (2005).



Safety Benefits:

Left-Turn Lanes

28-48%

reduction in total crashes.¹

Positive Offset Left-Turn Lanes

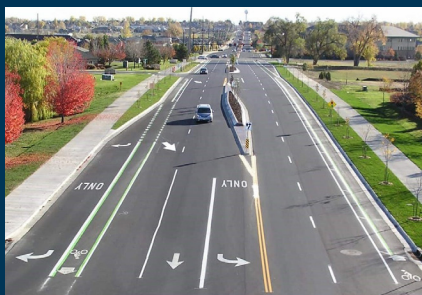
36%

reduction in fatal and injury crashes.²

Right-Turn Lanes

14-26%

reduction in total crashes.¹



Left- and right-turn lanes at a two-way stop-controlled intersection. Source: City of Greeley, CO

For more information on this and other FHWA Proven Safety Countermeasures, please visit <https://highways.dot.gov/safety/proven-safety-countermeasures> and <https://www.fhwa.dot.gov/publications/research/safety/02103/02103techbrief.pdf>.

Dedicated Left- and Right-Turn Lanes at Intersections

Auxiliary turn lanes—either for left turns or right turns—provide physical separation between turning traffic that is slowing or stopped and adjacent through traffic at approaches to intersections. Turn lanes can be designed to provide for deceleration prior to a turn, as well as for storage of vehicles that are stopped and waiting for the opportunity to complete a turn.

While turn lanes provide measurable safety and operational benefits at many types of intersections, they are particularly helpful at two-way stop-controlled intersections. Crashes occurring at these intersections are often related to turning maneuvers. Since the major route traffic is free flowing and typically travels at higher speeds, crashes that do occur are often severe. The main crash types include collisions of vehicles turning left across opposing through traffic and rear-end collisions of vehicles turning left or right with other vehicles following closely behind. Turn lanes reduce the potential for these types of crashes.

Installing left-turn lanes and/or right-turn lanes should be considered for the major road approaches for improving safety at both three- and four-leg intersections with stop control on the minor road, where significant turning volumes exist, or where there is a history of turn-related crashes. Pedestrian and bicyclist safety and convenience should also be considered when adding turn lanes at an intersection. Specifically, offset left- and right-turn

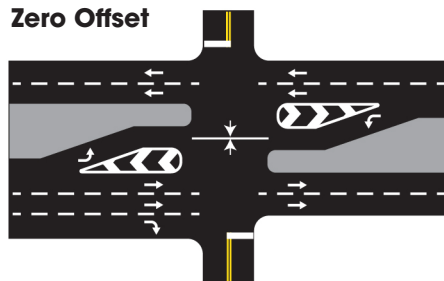
lanes will lengthen crossing distances for pedestrians.

Offset Turn Lanes

Providing offset of left- and right-turn lanes to increase visibility can provide added safety benefits, and is preferable in many situations, particularly at locations with higher speeds, or where free-flow or permissive movements are possible.

At turn lanes with zero or negative offset, turning vehicles can block sightlines. For left-turn lanes, this usually involves opposing left-turning vehicles occupying the turn lanes at the same time. For right-turn lanes, this typically involves right-turning vehicles from the major road and vehicles entering the intersection from the minor road. In both scenarios, adding positive offset to turn lanes enhances the sight distance to approaching vehicles that conflict with the turning movement. Offset turn lanes should be considered when there is a high frequency of these types of conflicts in order to reduce the likelihood of a severe crash.

Zero Offset



Positive Offset

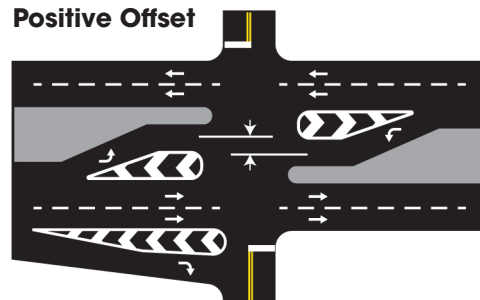


Illustration comparing zero offset to positive offset of left- and right-turn lanes. Source: FHWA

¹ (CMF ID: 260, 268, 285, 289) Harwood et al. Safety Effectiveness of Intersection Left- and Right-Turn Lanes. FHWA-HRD-02-089, (2002).

² (CMF ID: 6096) Persaud et al. Safety Evaluation of Offset Improvements for Left-Turn Lanes. FHWA-HRT-09-035, (2009).

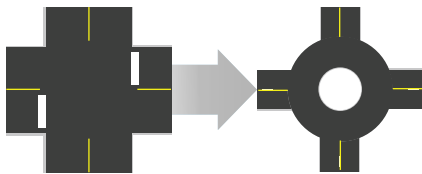


Proven Safety Countermeasures



Safety Benefits:

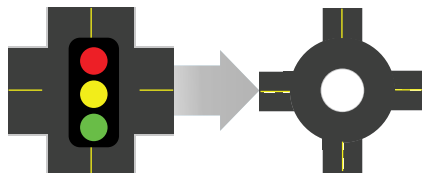
Two-Way Stop-Controlled Intersection to a Roundabout



82%

reduction in fatal
and injury crashes.¹

Signalized Intersection to a Roundabout



78%

reduction in fatal
and injury crashes.¹

For more information on this and other FHWA Proven Safety Countermeasures, please visit <https://highways.dot.gov/safety/proven-safety-countermeasures> and <https://highways.dot.gov/safety/intersection-safety/intersection-types/roundabouts>.

Roundabouts

The modern roundabout is an intersection with a circular configuration that safely and efficiently moves traffic. Roundabouts feature channelized, curved approaches that reduce vehicle speed, entry yield control that gives right-of-way to circulating traffic, and counterclockwise flow around a central island that minimizes conflict points. The net result of lower speeds and reduced conflicts at roundabouts is an environment where crashes that cause injury or fatality are substantially reduced.

Roundabouts are not only a safer type of intersection; they are also efficient in terms of keeping people moving. Even while calming traffic, they can reduce delay and queuing when compared to other intersection alternatives. Furthermore, the lower vehicular speeds and reduced conflict environment can create a more suitable environment for walking and bicycling.

Roundabouts can be implemented in both urban and rural areas under a wide range of traffic conditions. They can replace signals, two-way stop controls, and all-way stop controls. Roundabouts are an effective option for managing speed and transitioning traffic from high-speed to low-speed environments, such as freeway interchange ramp terminals, and rural intersections along high-speed roads.

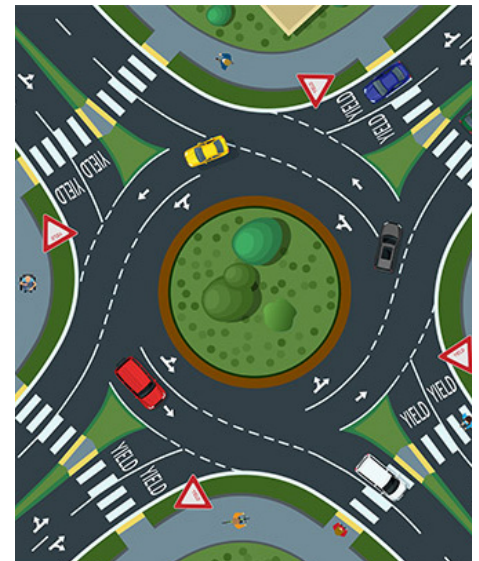


Illustration of a multilane roundabout.
Source: FHWA



Example of a single-lane roundabout. Source: FHWA

¹ (CMF ID: 211.226) AASHTO. The Highway Safety Manual, American Association of State Highway Transportation Professionals, Washington, D.C., (2010).

APPENDIX C:

FUNDING SOURCES

Funding Sources

The following is a general compilation of funding sources that have been or could be used to fund improvements in West Orange Township. The list is not exhaustive, but identifies a selection of federal, state, and private/non-profit funding sources for pedestrian and bicycle planning, project development, and construction. For each source, links are provided to program websites that contain additional information related to: how to apply for funding, typical grant amounts, application deadlines, and eligible activities. Some funding sources may also be used to fund programmatic activities, related to safety, enforcement, and education. Potential funding sources are listed below followed by a detailed description of each source on subsequent pages.

Federal Funding Opportunities

- The Fixing America’s Surface Transportation (FAST) ACT
 - » Safe Streets and Roads for All Program (SS4A)
 - » Congestion Mitigation and Air Quality Improvement (CMAQ) Program
 - » Transportation Alternatives Set-Aside
 - » Highway Safety Improvement Program (HSIP)
 - » Safe Routes to School Program (SRTS)
 - » Recreational Trails Program
 - » Reconnecting Communities Pilot Program (RCP)
 - » Thriving Communities Program (TCP)
 - » Neighborhood Access and Equity Grant Program
- Road to Zero Community Traffic Safety Grants

» NJDOT – Transit Village Program

- New Jersey Transportation Infrastructure Bank
- NJ Division of Highway Traffic Safety Grants (HTS Grants)
 - » Comprehensive Traffic Safety Programs (CTSPs)
 - » Pedestrian Safety
 - » Other Eligible Programs

Private or Non-Profit Funding Sources

- Sustainable Jersey
- Sustainable Jersey for Schools
- Robert Wood Johnson Foundation
- The Geraldine R. Dodge Foundation

Other

- Impact Fees
- County and Municipal Open Space Trust Funds
- County and Municipal Capital Programs

State Funding Opportunities

- State Infrastructure Grant Programs
 - » NJDOT – Municipal Aid
 - » NJDOT – County Aid
 - » NJDOT – Bikeway Grant Program
 - » NJDOT – Safe Streets to Transit Program

Federal Funding Opportunities

Infrastructure Investment and Jobs Act

On November 6, 2021, President Biden signed the Infrastructure Investment and Jobs Act, also referred to as the Bipartisan Infrastructure Law, into law. Alongside funding for utilities, internet, electricity, resiliency and pollution cleanup, transportation funding was a central piece of this bill. This included funding for airports and rail, but also allocated \$110 billion to repairs and improvements to roads and bridges. (The previous relevant federal program was known as the Fixing America's Surface Transportation Act, or "FAST Act"). Funding programs under the Infrastructure Investment and Jobs Act, many of which are continued from the FAST Act from 2016-2020, are summarized below.

<https://www.fhwa.dot.gov/bipartisan-infrastructure-law/>

Safe Streets and Roads for All (SS4A) Program

This program was established out of the Infrastructure Investment and Jobs Act of 2021 (IIJA). It funds planning and implementation of projects and strategies which share a goal of eliminating roadway deaths and serious injuries. Many Complete Streets-related measures are eligible. Funding can be used to produce a comprehensive safety action plan, undergo demonstration projects, and implement permanent measures. Congress has appropriated \$5 billion for the program through fiscal year 2026, and all grants require a 20 percent local match. The SS4A program supports the National Roadway Safety Strategy and the United States Department of Transportation's goal of zero deaths and serious injuries on our nation's roadways. Counties, municipalities, and other non-State government entities are eligible to apply.

<https://www.transportation.gov/grants/SS4A>

Congestion Mitigation and Air Quality Improvement (CMAQ) Program

The CMAQ program provides a flexible funding source to State and local governments for transportation projects and programs to help meet the requirements of the Clean Air Act. Funds may be used for a transportation project or program such as construction of bicycle and pedestrian facilities that are not exclusively recreational (as they must reduce vehicle trips and therefore vehicle emissions), outreach promoting safe bicycle use, and other bicycle and pedestrian programs. CMAQ eligibilities include public transit, bicycle and pedestrian facilities, travel demand management strategies, alternative fuel vehicles, and facilities serving electric or natural gas-fueled vehicles.

<https://www.fhwa.dot.gov/bipartisan-infrastructure-law/cmaq.cfm>

Transportation Alternatives Set-Aside

The Transportation Alternatives Set-Aside (TA Set-Aside, or TA) authorizes funding for programs and projects defined as transportation alternatives, including on- and off-road pedestrian and bicycle facilities, infrastructure projects for improving non-driver access to public transportation and enhanced mobility, community improvement activities, such as historic preservation and vegetation management, and environmental mitigation related to stormwater and habitat connectivity; recreational trail projects; safe routes to school projects; and projects for planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former divided highways.

https://www.fhwa.dot.gov/environment/transportation_alternatives/

Highway Safety Improvement Program (HSIP)

The Highway Safety Improvement Program (HSIP) is a core Federal-aid program with the purpose to achieve a significant reduction in traffic fatalities and serious injuries on all public roads, including non-State-owned roads and roads on tribal land. The HSIP requires a data-driven, strategic approach to improving highway safety on all public roads with a focus on performance.

<https://safety.fhwa.dot.gov/hsip/>

Safe Routes to School Program (SRTS)

The Safe Routes to School Program (SRTS) is a federally funded reimbursement program administered by the New Jersey Department of Transportation (NJDOT), in partnership with the North Jersey Transportation Planning Authority (NJTPA). Under MAP-21 legislation, the Transportation Alternatives Program (TAP) funding does not provide for a standalone Safe Routes to School Program. The New Jersey Department of Transportation (NJDOT) has elected to continue funding the SRTS program separately.

Infrastructure projects may include the installation of sidewalks, crosswalks, bike lanes, multi-use paths, traffic calming measures, and other means to ensure the ease and safety of children walking or biking to school. Projects must be located within two miles of a school that serves students in grades K-8 and involve the school commute.

Any municipality, school district, or county is eligible to apply for funding after a solicitation is announced. Non-profit organizations are not eligible as direct grant recipients for the solicitation. However, non-profit organizations may partner with a local public agency that will assume responsibility and administration for the grant.

In 2016, NJDOT announced a pilot program called “Design Assistance.” The program assists municipalities which received funding with development of plans, specifications and estimates for their SRTS projects.

<http://www.state.nj.us/transportation/business/localaid/srts.shtm>

<https://www.njtpa.org/Projects-Programs/Local-Programs/Safe-Routes-To-School.aspx>

Recreational Trails Program

Recreational Trails Program: The Recreational Trails Grant Program administered by the NJDEP Green Acres Program provides federal funds for developing new trails and maintaining and restoring existing trails and trail facilities including trails for non-motorized, multi-use (including land and water) and motorized purposes. The program is currently on hold as it undergoes revisions.

<https://dep.nj.gov/greenacres/trails-program-home/>

Reconnecting Communities Pilot Program (RCP)

The Reconnecting Communities Pilot Program was established by the Infrastructure Investment and Jobs Act of 2021 (IIJA). The program aims to correct wrongs of past transportation projects that have isolated or otherwise cut off communities from jobs and other amenities. Ideal projects improve access in one or more ways, increasing opportunities for residents of impacted communities. Congress has appropriated \$1 billion for this program through fiscal year 2026. States, counties, and local units of government are eligible to apply for funding to plan and implement projects on facilities of which the applicant is the owner. Non-owners may apply for planning grants, as well as capital construction grants, provided that the facility owner has appropriately endorsed the application. All grants require a 20 percent local match.

<https://www.transportation.gov/grants/reconnecting-communities>

Thriving Communities Program (TCP)

The Thriving Communities Program provides technical assistance to governments and transit agencies. The program focuses on communities that have suffered historic disinvestment and lack the resources and capacity to successfully engage, develop, design, and deliver infrastructure projects. The program provides planning, technical assistance, and capacity building to better navigate federal requirements, identify financing and funding opportunities, and grow long-term capacity to leverage transportation investments to achieve broader economic and community development goals.

<https://www.transportation.gov/grants/thriving-communities>

Neighborhood Access and Equity Grant Program

This program was created by the Inflation Reduction Act of 2022 (IRA). Much of the eligibility and criteria are similar to the Reconnecting Communities Pilot (RCP, see above). It appropriates over \$3 billion to reconnecting communities by supporting neighborhood equity, safety, and affordable transportation access as well as mitigating negative environmental impacts.

Road to Zero Community Traffic Safety Grants

The Road to Zero Coalition was formed in 2016 as a partnership between the US Department of Transportation and the National Safety Council, with the goal of ending fatalities on the nation's roads by 2050. The Road to Zero Community Safety Grant Program supports innovative and promising approaches to implementing evidence-based countermeasures, supporting a Safe System approach, and performing necessary research to eliminate traffic fatalities. Grants are for one year, and supplanting the effort with federal funds is prohibited. Proposals are due on January 14, 2024.

State Funding Opportunities

The New Jersey Department of Transportation (NJDOT) Division of Local Aid and Economic Development administers funds to local public agencies such as county and municipal governments for construction projects to improve the state's transportation system. Grant support and technical assistance is provided through the Local Aid Resource Center's Help Desk (<https://njdotlocalaidrc.com/>). The New Jersey Transportation Trust Fund and the 2021 Bipartisan Infrastructure Law provide the opportunity for funding assistance to local governments for road, bridge, and other transportation projects. While NJDOT and the three metropolitan planning organizations that cover the state administer many federal aid programs, including Transportation Alternatives and Safe Routes to School, the USDOT administers some grant programs directly. NJDOT administers state aid programs. Below are some options for funding infrastructure projects through NJDOT.

State Aid Infrastructure Grant Programs

NJDOT – Municipal Aid

In the Municipal Aid program, funds are appropriated by the Legislature for municipalities in each county based on a formula contained in legislation. Additionally, \$10 million is allotted for those municipalities that qualify for Urban Aid. Urban Aid is distributed by a formula that is computed by the New Jersey Department of Community Affairs. Each spring, the NJDOT announces the program for that fiscal year and invites municipalities to apply. Road improvement projects such as resurfacing, rehabilitation or reconstruction and signalization are funded and distributed by formula.

Applications receive points based on various criteria including existing road conditions, Average Daily Traffic (ADT), safety improvements, and access to nodes (schools, residential areas, employment centers, etc.). Other important criteria include the project's readiness to construct, whether the municipality has received an allotment within the last three years, and the municipality's award and close-out performance on previously awarded State grants.

The State pays 75% of the funds at the time of bid approval and the remainder on a reimbursement basis after acceptance by the municipality and the State of the work completed.

<http://www.state.nj.us/transportation/business/localaid/municaid.shtm>

NJDOT – County Aid

County Aid funds are appropriated by the Legislature annually for the improvement of public roads and bridges under county jurisdiction. Public transportation and other transportation projects are also included.

Each project must be included in the County's Annual Transportation Program (ATP). In accordance with the County Aid regulations N.J.A.C. 16:20A, the ATP shall list a pool of eligible projects by name and location, including municipality, with a brief description of each project, project limits and an estimate of the construction cost.

NJDOT – Bikeway Grant Program

The New Jersey Department of Transportation's (NJDOT) Bikeway Grant Program provides funds to counties and municipalities to promote bicycling as an alternate mode of transportation in New Jersey. A primary objective of the Bikeway Grant Program is to support the State's goal of constructing 1,000 new miles of dedicated bike paths (facilities that are physically separated from motorized vehicular traffic by an open space or barrier either within the highway right of way or within an independent right of way). In an effort to establish regionally connected bicycle networks, this program is available to every municipality and county throughout New Jersey. Although priority will be given to construction of new bike paths, the proposed construction or delineation of any new bicycle facility will be considered.

<http://www.state.nj.us/transportation/business/localaid/bikewaysf.shtm>

NJDOT – Safe Streets to Transit Program

This program encourages counties and municipalities to construct safe and accessible pedestrian linkages to all types of transit facilities and stations, to promote increased usage of transit by all segments of the population and decrease private vehicle use.

<https://njdotlocalaidrc.com/state-funded-programs/safe-streets-to-transit>

NJDOT – Transit Village Program

This program awards grants for transportation projects that enhance walking, biking, and/or transit ridership within a ½ mile of the transit facility. Municipalities must already be designated as a Transit Village by the NJDOT Commissioner and the inter-agency Transit Village Task Force to be eligible to apply.

<https://njdotlocalaidrc.com/state-funded-programs/transit-village>

New Jersey Transportation Infrastructure Bank

The Transportation Bank is a partnership between the NJ Department of Transportation (NJDOT) and the New Jersey Infrastructure Bank (I-Bank). The goal of the Transportation Bank is to provide low interest financing for a variety of capital projects including public highways, approach roadways and other necessary land-side improvements, ramps, signal systems, roadbeds, transit lanes or rights of way, pedestrian walkways and bridges connecting to passenger stations and servicing facilities, bridges, and grade crossings.

Applications are accepted on a quarterly basis and funding is available to any local government unit (defined as county, municipality, municipal, county or regional transportation authority, or any other political subdivision of the State authorized to construct, operate, and maintain public highways or Transportation Projects) within the state.

NJ Division of Highway Traffic Safety Grants (HTS Grants)

The NJ Division of Highway Traffic Safety offers, on an annual basis, federal grant funding to agencies that wish to undertake programs designed to reduce motor vehicle crashes, injuries, and fatalities on the roads of New Jersey. Municipal, county, state government and law enforcement agencies, as well as non-profit organizations, are encouraged to apply for NJDHTS grant funding to address specific, local traffic safety issues.

Grant funding will only be awarded to programs that are in line with federal and state traffic and safety priorities to reduce car crashes, injuries and deaths.

<https://www.njoag.gov/about/divisions-and-offices/division-of-highway-traffic-safety-home/hts-grants/>

The grant funding is distributed under the following programs:

- Comprehensive Traffic Safety Programs (CTSPs)
 - » Comprehensive Traffic Safety Program grants address multiple traffic safety concerns within a county or region. CTSP grants include numerous tasks and strategies involving enforcement, education and engineering.
 - » Any CTSPs for the state of New Jersey fall under the Division of Highway Traffic Safety Grants. The CTSP grants include tasks involving enforcement, education and engineering to improve traffic safety. Other eligible programs for these grants include speeding, bicycle safety, school bus/pupil transportation and traffic engineering.
- Pedestrian Safety
 - » Because the proportion of crash fatalities involving pedestrians in New Jersey is 30.2% (well above the national average), pedestrian safety is a continuing priority. The goal of the pedestrian safety program area is to lower the pedestrian fatality and injury crash rates. In New Jersey, municipalities that are statistically high for pedestrian injury crashes are eligible to apply for our Pedestrian Safety Grant. The grant includes funding for overtime enforcement at pedestrian safety hot spots in the community and educational outreach throughout the community.
- Other Eligible Programs
 - » Grant applications may also be submitted that utilize enforcement, education or engineering counter-measures to address other specific traffic safety issues including:
 - Speed
 - Aggressive Driving
 - Bicycling Safety

- Crash Investigation
- Distractions
- EMS Training - relating to crash response
- Motorcycle Safety
- School Bus/Pupil Transportation
- Traffic Engineering - primarily pedestrian pavement markings and pedestrian signs, but some traffic studies will be considered.

Private or Non-Profit Funding Sources

Sustainable Jersey

Sustainable Jersey is a nonprofit organization that provides tools, training and financial incentives for sustainable community initiatives. Their statewide certification program helps municipalities take steps to sustain their quality of life over the long term. In 2014, the Sustainable Jersey for Schools certification program was launched for New Jersey public schools interested in "going green" and conserving resources.

Participating local governments and schools voluntarily complete and document actions to earn points toward certification. Sustainable Jersey offers small grants ranging from \$2,000 to \$20,000 to assist communities and schools with completing Sustainable Jersey and Sustainable Jersey for Schools actions. To be eligible for a Sustainable Jersey or Sustainable Jersey for Schools Small Grant, a community or school must be registered or certified with Sustainable Jersey or Sustainable Jersey for Schools and have an active Green Team. The funds can only be used to implement actions that earn points in the Sustainable Jersey or Sustainable Jersey for Schools program.

Several Sustainable Jersey action items help provide sustainable transportation options. Safe Routes to School, Complete Streets Programs, Bicycle and/or Pedestrian Audits, and Bicycle and/or Pedestrian Plans can be funded. Sustainable Jersey for Schools actions related to active transportation include Pedestrian and Bicycle Safety Promotion Initiatives, Safe Routes to School District Policy, and School Travel Plan for Walking and Bicycling.

www.sustainablejersey.com/grants-resources/

Sustainable Jersey for Schools

Sustainable Jersey for Schools grants are intended to help districts and schools make progress toward Sustainable Jersey for Schools certification.

<http://www.sustainablejerseyschools.com/>

Robert Wood Johnson Foundation

The Robert Wood Johnson Foundation (RWJF) invests in grantees (e.g., public agencies, universities, and public charities) that are working to improve the health of all Americans. Current or past projects in the topic area "walking and biking" include greenway plans, trail projects, advocacy initiatives, and policy development.

New Jersey Health Initiatives (www.njhi.org/) is the statewide grant making program of the Robert Wood Johnson Foundation. New Jersey Health Initiatives supports innovations and drives conversations to build healthier communities through grant making across New Jersey.

www.rwjf.org/

The Geraldine R. Dodge Foundation

The Geraldine R. Dodge Foundation provides funding for Arts, Education, Environment and Informed Communities initiatives that are innovative and promote collaboration and community-driven decision making.

Recipients may include nonprofit, community, government, and business leaders.

<http://www.grdodge.org/what-we-fund/>

Other Funding Sources

Impact Fees

Regulated by subdivision polices, impact fees require residential, industrial and commercial development project leaders to provide sites, improvements, and/or funds to support public amenities such as open space and trails. Impact fees may be allocated to a particular trail or greenway from land development projects if the fund is a dedicated set-aside account established to help develop a county- or municipality-wide system of trails or pedestrian/bicycle infrastructure facilities.

County and Municipal Capital Programs

All New Jersey counties and many New Jersey municipalities have an Open Space Trust Fund, which is a dedicated program supporting open space land acquisition. The trust funds are established by ballot measure. Depending on the fund parameters, other development projects can be eligible including trails, historical preservation, and farmland protection.

<https://tpl.quickbase.com/db/bbqna2qct?a=dbpage&pageID=8>

County and Municipal Open Space Trust Funds

In the case where alternative funds are not available but there is community consensus and political will to move forward with a project, county and municipal capital programs should be considered. Local budgets may have the ability to support some projects, especially if other state and federal programs provide budget relief in other areas.

APPENDIX D:

OVERALL HIN

CORRIDOR LIST

This appendix includes the entire list of High-Injury Network segments in West Orange based on the crash and equity analysis. The project team developed the HIN using the Safer Streets Priority tool by Toole Design Group that utilizes a sliding window analysis to develop high-injury corridors for pedestrians, bicyclists and vehicles (or other crashes). The sliding window analysis uses a 1/2 mile window and 1/10th mile increment across all corridors to identify high-injury crash concentration for each segment of roads in West Orange.

The HIN score assigns a higher weight to the most severe crashes. The HIN score is calculated by multiplying the number of Fatal (K) and Incapacitating Injury (A) crashes by 3, and multiplying the number of Non-Incapacitating Injury (B) crashes by 1. Once the weights are established and applied to the crashes, the total number of crashes are aggregated along a corridor while incorporating the crash severity weighting. Possible Injury (C) crashes and Property Damage Only (O) crashes are not reflected.

Separate weighted HINs were developed for each mode (pedestrian, bicycle and motor vehicle) based on different thresholds. The Pedestrian HIN includes all segments with a score of 1 or greater and covers ~17 miles or 10% of West Orange roads. The Bicyclist HIN includes all segments with a score of 1 or greater and covers ~8 miles or 5% of West Orange roads. The Vehicular HIN includes all segments with a score of 5 or greater and covers ~22 miles or 13% of West Orange roads. The combined HIN included all three of the individual-mode HINs and covers about ~34 miles or 20% of all West Orange roads.

The team then developed an environmental justice score to identify which network segments should be prioritized based on equity factors. All HIN network segments were given a composite score based on the highest average score for each factor.

As noted in the report, the project team then developed the final HIN score by combining the EJ composite score and the HIN crash score.

HIN Corridor	ROAD CLASSIFICATION	BICYCLE HIN SCORE	PEDESTRIAN HIN SCORE	VEHICULAR HIN SCORE	LENGTH (Miles)	TOTAL HIN SCORE	EJ SCORE	COMPOSITE EJ/HIN SCORE
Interstate 280	Expressway	0	0	30	0.50	30	14	44
Main Street	Major Arterial	1	8	15	0.44	24	20	44
Main Street	Major Arterial	1	8	15	0.50	24	20	44
Mount Pleasant Avenue	Major Arterial	7	3	15	0.50	25	14	39
Main Street	Major Arterial	1	5	13	0.50	19	20	39
Interstate 280	Expressway	0	0	24	0.50	24	14	38
Main Street	Major Arterial	1	7	7	0.50	15	20	35
Main Street	Major Arterial	1	2	11	0.50	14	20	34
Main Street	Major Arterial	0	3	13	0.50	16	17	33
Interstate 280	Expressway	0	0	26	0.50	26	5	31
Main Street	Major Arterial	0	2	12	0.50	14	17	31
Main Street	Major Arterial	0	3	11	0.50	14	17	31
Main Street	Major Arterial	0	2	10	0.50	12	17	29
Main Street	Major Arterial	0	3	9	0.50	12	17	29
Park Avenue	Major Arterial	0	1	10	0.43	11	17	28
Main Street	Major Arterial	0	1	10	0.47	11	17	28
Mount Pleasant Avenue	Major Arterial	6	3	13	0.50	22	5	27
Eagle Rock Avenue	Major Arterial	1	0	14	0.50	15	11	26
Main Street	Major Arterial	1	7	7	0.50	15	11	26
Main Street	Major Arterial	0	2	7	0.50	9	17	26
Interstate 280	Expressway	0	0	10	0.50	10	14	24
Eagle Rock Avenue	Major Arterial	0	0	16	0.16	16	8	24
Park Avenue	Local Road	0	1	2	0.50	3	20	23
Northfield Avenue	Major Arterial	0	1	17	0.50	18	5	23
Pleasant Valley Way	Major Arterial	0	3	12	0.50	15	8	23
Northfield Avenue	Major Arterial	0	1	17	0.50	18	5	23
Eagle Rock Avenue	Major Arterial	0	0	15	0.50	15	8	23
Eagle Rock Avenue	Major Arterial	0	0	15	0.50	15	8	23
Eagle Rock Avenue	Major Arterial	0	0	15	0.07	15	8	23
Interstate 280	Expressway	0	0	11	0.50	11	11	22
Eagle Rock Avenue	Major Arterial	0	3	11	0.14	14	8	22
Pleasant Valley Way	Major Arterial	1	0	10	0.31	11	11	22
Interstate 280	Expressway	0	0	16	0.34	16	5	21
Northfield Avenue	Major Arterial	0	3	4	0.24	7	14	21
Whittingham Place	Major Arterial	0	0	7	0.50	7	14	21
Eagle Rock Avenue	Major Arterial	0	0	13	0.50	13	8	21
Eagle Rock Avenue	Major Arterial	0	3	10	0.50	13	8	21
Gaston Street	Local Road	6	0	0	0.13	6	14	20
Sayres Place	Local Road	0	1	2	0.17	3	17	20
Whittlesley Avenue	Local Road	0	1	2	0.49	3	17	20

HIN Corridor	Senior (65+) Population Score	Youth (5-17) Population Score	Disabled Population Score	Zero-Vehicle Household Score	Minority Score	Low Income Score	LEP Score	Foreign-Born Population Score	Child (Under 5) Population Score
Interstate 280	3	0	2	3	3	0	0	3	0
Main Street	0	3	2	3	3	3	3	3	0
Main Street	0	3	2	3	3	3	3	3	0
Mount Pleasant Avenue	3	0	2	3	3	0	0	3	0
Main Street	0	3	2	3	3	3	3	3	0
Interstate 280	3	0	2	3	3	0	0	3	0
Main Street	0	3	2	3	3	3	3	3	0
Main Street	0	3	2	3	3	3	3	3	0
Main Street	0	3	2	0	3	3	3	3	0
Interstate 280	3	0	2	0	0	0	0	0	0
Main Street	0	3	2	0	3	3	3	3	0
Main Street	0	3	2	0	3	3	3	3	0
Main Street	0	3	2	0	3	3	3	3	0
Main Street	0	3	2	0	3	3	3	3	0
Park Avenue	0	3	2	0	3	3	3	3	0
Main Street	0	3	2	0	3	3	3	3	0
Mount Pleasant Avenue	3	0	2	0	0	0	0	0	0
Eagle Rock Avenue	3	0	2	0	3	0	0	3	0
Main Street	0	0	2	3	3	0	0	3	0
Main Street	0	3	2	0	3	3	3	3	0
Interstate 280	3	0	2	3	3	0	0	3	0
Eagle Rock Avenue	3	0	2	0	0	0	0	0	3
Park Avenue	3	3	2	0	3	3	3	3	0
Northfield Avenue	3	0	2	0	0	0	0	0	0
Pleasant Valley Way	3	0	2	0	0	0	0	3	0
Northfield Avenue	3	0	2	0	0	0	0	0	0
Eagle Rock Avenue	3	0	2	0	0	0	0	0	3
Eagle Rock Avenue	3	0	2	0	0	0	0	0	3
Eagle Rock Avenue	3	0	2	0	0	0	0	0	3
Interstate 280	0	0	2	3	3	0	0	3	0
Eagle Rock Avenue	3	0	2	0	0	0	0	3	0
Pleasant Valley Way	3	0	2	0	0	0	0	3	3
Interstate 280	3	0	2	0	0	0	0	0	0
Northfield Avenue	3	0	2	3	3	0	0	3	0
Whittingham Place	3	0	2	3	3	0	0	3	0
Eagle Rock Avenue	3	0	2	0	0	0	0	0	3
Eagle Rock Avenue	3	0	2	0	0	0	0	3	0
Gaston Street	3	0	2	3	3	0	0	3	0
Sayres Place	0	3	2	0	3	3	3	3	0
Whittlesey Avenue	0	3	2	0	3	3	3	3	0

HIN Corridor	ROAD CLASSIFICATION	BICYCLE HIN SCORE	PEDESTRIAN HIN SCORE	VEHICULAR HIN SCORE	LENGTH (Miles)	TOTAL HIN SCORE	EJ SCORE	COMPOSITE EJ/HIN SCORE
Pleasant Valley Way	Major Arterial	0	3	9	0.50	12	8	20
Interstate 280	Expressway	0	0	14	0.50	14	5	19
Llewellyn Avenue	Local Road	0	1	1	0.50	2	17	19
Lakeside Avenue	Local Road	0	1	1	0.50	2	17	19
Northfield Avenue	Major Arterial	0	1	13	0.50	14	5	19
Mount Pleasant Avenue	Major Arterial	0	3	11	0.50	14	5	19
Northfield Avenue	Major Arterial	0	1	13	0.50	14	5	19
Pleasant Valley Way	Major Arterial	0	3	8	0.50	11	8	19
Pleasant Valley Way	Major Arterial	0	3	8	0.46	11	8	19
Prospect Avenue	Major Arterial	0	0	11	0.50	11	8	19
Prospect Avenue	Major Arterial	0	0	11	0.17	11	8	19
Pleasant Valley Way	Major Arterial	1	3	4	0.03	8	11	19
Franklin Avenue	Major Collector	0	1	1	0.01	2	17	19
Franklin Avenue	Major Collector	0	1	1	0.49	2	17	19
Ridge Avenue	Local Road	0	1	0	0.50	1	17	18
Eagle Rock Avenue	Major Arterial	0	3	7	0.06	10	8	18
Eagle Rock Avenue	Major Arterial	0	3	7	0.50	10	8	18
Pleasant Valley Way	Major Arterial	1	3	3	0.50	7	11	18
Pleasant Valley Way	Major Arterial	1	3	3	0.50	7	11	18
Laurel Avenue	Minor Arterial	0	0	10	0.21	10	8	18
Interstate 280	Expressway	0	0	12	0.50	12	5	17
Interstate 280	Expressway	0	0	9	0.50	9	8	17
Interstate 280	Expressway	0	0	9	0.50	9	8	17
Northfield Avenue	Major Arterial	0	0	12	0.50	12	5	17
Northfield Avenue	Major Arterial	0	0	12	0.50	12	5	17
Northfield Avenue	Major Arterial	0	0	12	0.50	12	5	17
Northfield Avenue	Major Arterial	0	0	12	0.25	12	5	17
Eagle Rock Avenue	Major Arterial	0	3	6	0.50	9	8	17
Prospect Avenue	Major Arterial	0	0	9	0.46	9	8	17
Mount Pleasant Avenue	Major Arterial	0	3	6	0.50	9	8	17
Prospect Avenue	Major Arterial	0	0	9	0.50	9	8	17
Prospect Avenue	Major Arterial	0	0	9	0.50	9	8	17
Prospect Avenue	Major Arterial	0	0	9	0.50	9	8	17
Eagle Rock Avenue	Major Arterial	0	0	6	0.50	6	11	17
Interstate 280	Expressway	0	0	11	0.50	11	5	16
Interstate 280	Expressway	0	0	8	0.50	8	8	16
Northfield Avenue	Major Arterial	0	0	11	0.50	11	5	16
Northfield Avenue	Major Arterial	0	0	11	0.50	11	5	16
Northfield Avenue	Major Arterial	0	0	11	0.50	11	5	16
Mount Pleasant Avenue	Major Arterial	0	3	5	0.50	8	8	16

HIN Corridor	Senior (65+) Population Score	Youth (5-17) Population Score	Disabled Population Score	Zero-Vehicle Household Score	Minority Score	Low Income Score	LEP Score	Foreign-Born Population Score	Child (Under 5) Population Score
Pleasant Valley Way	3	0	2	0	0	0	0	3	0
Interstate 280	3	0	2	0	0	0	0	0	0
Llewellyn Avenue	0	3	2	0	3	3	3	3	0
Lakeside Avenue	0	3	2	0	3	3	3	3	0
Northfield Avenue	3	0	2	0	0	0	0	0	0
Mount Pleasant Avenue	3	0	2	0	0	0	0	0	0
Northfield Avenue	3	0	2	0	0	0	0	0	0
Pleasant Valley Way	3	0	2	0	0	0	0	3	0
Pleasant Valley Way	3	0	2	0	0	0	0	3	0
Prospect Avenue	3	0	2	0	0	0	0	3	0
Prospect Avenue	3	0	2	0	0	0	0	3	0
Pleasant Valley Way	3	0	2	0	0	0	0	3	3
Franklin Avenue	0	3	2	0	3	3	3	3	0
Franklin Avenue	0	3	2	0	3	3	3	3	0
Ridge Avenue	0	3	2	0	3	3	3	3	0
Eagle Rock Avenue	3	0	2	0	0	0	0	3	0
Eagle Rock Avenue	3	0	2	0	0	0	0	3	0
Pleasant Valley Way	3	0	2	0	0	0	0	3	3
Pleasant Valley Way	3	0	2	0	0	0	0	3	3
Laurel Avenue	3	0	2	0	0	0	0	0	3
Interstate 280	3	0	2	0	0	0	0	0	0
Interstate 280	3	0	2	0	0	0	0	3	0
Interstate 280	3	0	2	0	0	0	0	3	0
Northfield Avenue	3	0	2	0	0	0	0	0	0
Northfield Avenue	3	0	2	0	0	0	0	0	0
Northfield Avenue	3	0	2	0	0	0	0	0	0
Northfield Avenue	3	0	2	0	0	0	0	0	0
Eagle Rock Avenue	3	0	2	0	0	0	0	3	0
Prospect Avenue	3	0	2	0	0	0	0	3	0
Mount Pleasant Avenue	3	0	2	0	0	0	0	3	0
Prospect Avenue	3	0	2	0	0	0	0	3	0
Prospect Avenue	3	0	2	0	0	0	0	3	0
Prospect Avenue	3	0	2	0	0	0	0	3	0
Eagle Rock Avenue	3	0	2	0	0	0	0	3	3
Interstate 280	3	0	2	0	0	0	0	0	0
Interstate 280	3	0	2	0	0	0	0	3	0
Northfield Avenue	3	0	2	0	0	0	0	0	0
Northfield Avenue	3	0	2	0	0	0	0	0	0
Northfield Avenue	3	0	2	0	0	0	0	0	0
Mount Pleasant Avenue	3	0	2	0	0	0	0	3	0

HIN Corridor	ROAD CLASSIFICATION	BICYCLE HIN SCORE	PEDESTRIAN HIN SCORE	VEHICULAR HIN SCORE	LENGTH (Miles)	TOTAL HIN SCORE	EJ SCORE	COMPOSITE EJ/HIN SCORE
Mount Pleasant Avenue	Major Arterial	0	3	5	0.18	8	8	16
Mount Pleasant Avenue	Major Arterial	0	3	5	0.50	8	8	16
Pleasant Valley Way	Major Arterial	1	3	4	0.50	8	8	16
Mount Pleasant Avenue	Major Arterial	0	3	5	0.50	8	8	16
Kingsley Street	Major Arterial	0	0	5	0.19	5	11	16
Eagle Rock Avenue	Major Arterial	0	0	5	0.50	5	11	16
Eagle Rock Avenue	Major Arterial	0	0	5	0.50	5	11	16
Eagle Rock Avenue	Major Arterial	0	0	5	0.50	5	11	16
Eagle Rock Avenue	Major Arterial	0	0	5	0.50	5	11	16
Pleasant Valley Way	Major Arterial	0	1	4	0.50	5	11	16
Pleasant Valley Way	Major Arterial	1	3	1	0.50	5	11	16
Pleasant Valley Way	Major Arterial	0	0	5	0.42	5	11	16
Interstate 280	Expressway	0	0	10	0.48	10	5	15
Interstate 280	Expressway	1	0	6	0.50	7	8	15
Interstate 280	Expressway	0	0	7	0.30	7	8	15
Woodland Avenue	Local Road	0	0	7	0.35	7	8	15
Lindsley Avenue	Local Road	0	4	0	0.50	4	11	15
Renna Plaza	Local Road	1	0	3	0.02	4	11	15
Pleasant Valley Way	Major Arterial	0	0	10	0.30	10	5	15
Pleasant Valley Way	Major Arterial	1	0	6	0.50	7	8	15
Eagle Rock Avenue	Major Arterial	0	0	7	0.41	7	8	15
Eagle Rock Avenue	Major Arterial	0	0	7	0.43	7	8	15
Prospect Avenue	Major Arterial	0	1	6	0.50	7	8	15
Prospect Avenue	Major Arterial	0	0	7	0.50	7	8	15
Eagle Rock Avenue	Major Arterial	0	0	7	0.50	7	8	15
Pleasant Valley Way	Major Arterial	0	1	3	0.12	4	11	15
Valley Road	Major Arterial	1	0	3	0.42	4	11	15
Pleasant Valley Way	Major Arterial	0	1	3	0.03	4	11	15
Main Street	Major Collector	0	0	7	0.50	7	8	15
Rooney Circle	Local Road	0	3	3	0.50	6	8	14
Prospect Avenue	Major Arterial	0	0	6	0.50	6	8	14
Prospect Avenue	Major Arterial	0	0	6	0.47	6	8	14
Pleasant Valley Way	Major Arterial	0	1	2	0.50	3	11	14
Pleasant Valley Way	Major Arterial	0	1	2	0.48	3	11	14
Pleasant Valley Way	Major Arterial	0	1	2	0.50	3	11	14
Valley Way	Major Collector	1	0	2	0.50	3	11	14
Interstate 280	Expressway	0	0	8	0.50	8	5	13
Interstate 280	Expressway	0	0	8	0.50	8	5	13
Woodland Avenue	Local Road	0	1	1	0.49	2	11	13
Prospect Avenue	Major Arterial	0	0	5	0.50	5	8	13

HIN Corridor	Senior (65+) Population Score	Youth (5-17) Population Score	Disabled Population Score	Zero-Vehicle Household Score	Minority Score	Low Income Score	LEP Score	Foreign-Born Population Score	Child (Under 5) Population Score
Mount Pleasant Avenue	3	0	2	0	0	0	0	3	0
Mount Pleasant Avenue	3	0	2	0	0	0	0	3	0
Pleasant Valley Way	3	0	2	0	0	0	0	0	3
Mount Pleasant Avenue	3	0	2	0	0	0	0	3	0
Kingsley Street	0	0	2	3	3	0	0	3	0
Eagle Rock Avenue	3	0	2	0	0	0	0	3	3
Eagle Rock Avenue	3	0	2	0	0	0	0	3	3
Eagle Rock Avenue	3	0	2	0	0	0	0	3	3
Eagle Rock Avenue	3	0	2	0	0	0	0	3	3
Pleasant Valley Way	3	0	2	0	0	0	0	3	3
Pleasant Valley Way	3	0	2	0	0	0	0	3	3
Pleasant Valley Way	3	0	2	0	0	0	0	3	3
Interstate 280	3	0	2	0	0	0	0	0	0
Interstate 280	3	0	2	0	0	0	0	3	0
Interstate 280	3	0	2	0	0	0	0	3	0
Woodland Avenue	3	0	2	0	0	0	0	3	0
Lindsley Avenue	0	0	2	3	3	0	0	3	0
Renna Plaza	0	0	2	3	3	0	0	3	0
Pleasant Valley Way	3	0	2	0	0	0	0	0	0
Pleasant Valley Way	3	0	2	0	0	0	0	0	3
Eagle Rock Avenue	3	0	2	0	0	0	0	3	0
Eagle Rock Avenue	3	0	2	0	0	0	0	3	0
Prospect Avenue	3	0	2	0	0	0	0	3	0
Prospect Avenue	3	0	2	0	0	0	0	3	0
Eagle Rock Avenue	3	0	2	0	0	0	0	3	0
Pleasant Valley Way	3	0	2	0	0	0	0	3	3
Valley Road	0	0	2	3	3	0	0	3	0
Pleasant Valley Way	3	0	2	0	0	0	0	3	3
Main Street	0	0	2	0	3	0	0	3	0
Rooney Circle	3	0	2	0	0	0	0	3	0
Prospect Avenue	3	0	2	0	0	0	0	3	0
Prospect Avenue	3	0	2	0	0	0	0	3	0
Pleasant Valley Way	3	0	2	0	0	0	0	3	3
Pleasant Valley Way	3	0	2	0	0	0	0	3	3
Pleasant Valley Way	3	0	2	0	0	0	0	3	3
Valley Way	3	0	2	0	3	0	0	3	0
Interstate 280	3	0	2	0	0	0	0	0	0
Interstate 280	3	0	2	0	0	0	0	0	0
Woodland Avenue	3	0	2	0	0	0	0	3	3
Prospect Avenue	3	0	2	0	0	0	0	3	0

HIN Corridor	ROAD CLASSIFICATION	BICYCLE HIN SCORE	PEDESTRIAN HIN SCORE	VEHICULAR HIN SCORE	LENGTH (Miles)	TOTAL HIN SCORE	EJ SCORE	COMPOSITE EJ/HIN SCORE
Prospect Avenue	Major Arterial	0	1	4	0.50	5	8	13
Prospect Avenue	Major Arterial	0	1	4	0.50	5	8	13
Prospect Avenue	Major Arterial	0	1	4	0.50	5	8	13
Prospect Avenue	Major Arterial	0	0	5	0.27	5	8	13
Central Avenue	Major Arterial	0	2	0	0.10	2	11	13
Valley Road	Major Arterial	1	0	1	0.49	2	11	13
Interstate 280	Expressway	0	0	7	0.30	7	5	12
Interstate 280	Expressway	0	0	7	0.43	7	5	12
Interstate 280	Expressway	0	0	7	0.42	7	5	12
Rooney Circle	Local Road	0	3	1	0.50	4	8	12
Brennan Drive	Major Arterial	0	3	4	0.50	7	5	12
Northfield Avenue	Major Arterial	0	0	7	0.50	7	5	12
Northfield Avenue	Major Arterial	0	0	7	0.50	7	5	12
Northfield Avenue	Major Arterial	0	0	7	0.40	7	5	12
Northfield Avenue	Major Arterial	1	0	6	0.50	7	5	12
Northfield Avenue	Major Arterial	0	0	7	0.50	7	5	12
Interstate 280	Expressway	0	0	6	0.50	6	5	11
Stanford Avenue	Local Road	0	3	0	0.50	3	8	11
Fitzrandolph Road	Local Road	0	1	2	0.41	3	8	11
Bloomfield Way	Local Road	1	0	2	0.26	3	8	11
Northfield Avenue	Major Arterial	0	1	10	0.50	11	0	11
Northfield Avenue	Major Arterial	0	1	10	0.07	11	0	11
Northfield Avenue	Major Arterial	0	0	6	0.48	6	5	11
Northfield Avenue	Major Arterial	0	0	6	0.41	6	5	11
Northfield Avenue	Major Arterial	1	0	2	0.39	3	8	11
Interstate 280	Expressway	1	0	1	0.30	2	8	10
Interstate 280	Expressway	0	3	1	0.50	4	5	9
Suburban Drive	Local Road	0	1	0	0.50	1	8	9
Old Indian Road	Local Road	1	0	0	0.50	1	8	9
Colony Drive East	Local Road	1	0	0	0.50	1	8	9
Northfield Avenue	Major Arterial	0	0	9	0.50	9	0	9
Northfield Avenue	Major Arterial	0	0	9	0.50	9	0	9
Northfield Avenue	Major Arterial	0	1	8	0.50	9	0	9
Northfield Avenue	Major Arterial	0	1	8	0.03	9	0	9
Northfield Avenue	Major Arterial	0	0	9	0.35	9	0	9
Northfield Avenue	Major Arterial	0	1	8	0.49	9	0	9
Northfield Avenue	Major Arterial	0	0	9	0.33	9	0	9
Northfield Avenue	Major Arterial	0	0	8	0.50	8	0	8
Northfield Avenue	Major Arterial	0	0	8	0.50	8	0	8
Northfield Avenue	Major Arterial	0	0	8	0.50	8	0	8

HIN Corridor	Senior (65+) Population Score	Youth (5-17) Population Score	Disabled Population Score	Zero-Vehicle Household Score	Minority Score	Low Income Score	LEP Score	Foreign-Born Population Score	Child (Under 5) Population Score
Prospect Avenue	3	0	2	0	0	0	0	3	0
Prospect Avenue	3	0	2	0	0	0	0	3	0
Prospect Avenue	3	0	2	0	0	0	0	3	0
Prospect Avenue	3	0	2	0	0	0	0	3	0
Central Avenue	0	0	2	3	3	0	0	3	0
Valley Road	0	0	2	3	3	0	0	3	0
Interstate 280	3	0	2	0	0	0	0	0	0
Interstate 280	3	0	2	0	0	0	0	0	0
Interstate 280	3	0	2	0	0	0	0	0	0
Rooney Circle	3	0	2	0	0	0	0	3	0
Brennan Drive	3	0	2	0	0	0	0	0	0
Northfield Avenue	3	0	2	0	0	0	0	0	0
Northfield Avenue	3	0	2	0	0	0	0	0	0
Northfield Avenue	3	0	2	0	0	0	0	0	0
Northfield Avenue	3	0	2	0	0	0	0	0	0
Northfield Avenue	3	0	2	0	0	0	0	0	0
Interstate 280	3	0	2	0	0	0	0	0	0
Stanford Avenue	3	0	2	0	0	0	0	0	3
Fitzrandolph Road	3	0	2	0	0	0	0	3	0
Bloomfield Way	0	0	2	0	3	0	0	3	0
Northfield Avenue	0	0	0	0	0	0	0	0	0
Northfield Avenue	0	0	0	0	0	0	0	0	0
Northfield Avenue	3	0	2	0	0	0	0	0	0
Northfield Avenue	3	0	2	0	0	0	0	0	0
Northfield Avenue	3	0	2	0	0	0	0	3	0
Interstate 280	3	0	2	0	0	0	0	3	0
Interstate 280	3	0	2	0	0	0	0	0	0
Suburban Drive	3	0	2	0	0	0	0	3	0
Old Indian Road	3	0	2	0	0	0	0	3	0
Colony Drive East	3	3	2	0	0	0	0	0	0
Northfield Avenue	0	0	0	0	0	0	0	0	0
Northfield Avenue	0	0	0	0	0	0	0	0	0
Northfield Avenue	0	0	0	0	0	0	0	0	0
Northfield Avenue	0	0	0	0	0	0	0	0	0
Northfield Avenue	0	0	0	0	0	0	0	0	0
Northfield Avenue	0	0	0	0	0	0	0	0	0
Northfield Avenue	0	0	0	0	0	0	0	0	0
Northfield Avenue	0	0	0	0	0	0	0	0	0
Northfield Avenue	0	0	0	0	0	0	0	0	0
Northfield Avenue	0	0	0	0	0	0	0	0	0
Northfield Avenue	0	0	0	0	0	0	0	0	0
Northfield Avenue	0	0	0	0	0	0	0	0	0
Northfield Avenue	0	0	0	0	0	0	0	0	0

HIN Corridor	ROAD CLASSIFICATION	BICYCLE HIN SCORE	PEDESTRIAN HIN SCORE	VEHICULAR HIN SCORE	LENGTH (Miles)	TOTAL HIN SCORE	EJ SCORE	COMPOSITE E/HIN SCORE
Northfield Avenue	Major Arterial	0	1	7	0.50	8	0	8
Northfield Avenue	Major Arterial	0	0	8	0.50	8	0	8
Northfield Avenue	Major Arterial	0	1	2	0.36	3	5	8
Pleasant Valley Way	Major Arterial	1	0	2	0.50	3	5	8
Pleasant Valley Way	Major Arterial	1	0	2	0.50	3	5	8
Northfield Avenue	Major Arterial	0	0	7	0.50	7	0	7
Northfield Avenue	Major Arterial	0	1	6	0.50	7	0	7
Northfield Avenue	Major Arterial	0	0	7	0.50	7	0	7
Gregory Avenue	Major Arterial	0	1	1	0.50	2	5	7
Gregory Avenue	Major Arterial	0	1	1	0.50	2	5	7
Gregory Avenue	Major Arterial	0	1	1	0.50	2	5	7
Gregory Avenue	Major Arterial	0	1	1	0.50	2	5	7
Pleasant Valley Way	Major Arterial	1	0	1	0.50	2	5	7
Gregory Avenue	Major Arterial	0	1	1	0.50	2	5	7
Pleasant Valley Way	Major Arterial	1	0	1	0.50	2	5	7
Vizcaya Boulevard	Local Road	0	1	0	0.50	1	5	6
Winding Way	Local Road	0	1	0	0.50	1	5	6
Northfield Avenue	Major Arterial	0	0	6	0.50	6	0	6
Northfield Avenue	Major Arterial	0	0	6	0.50	6	0	6
Northfield Avenue	Major Arterial	0	0	6	0.50	6	0	6
Pleasant Valley Way	Major Arterial	1	0	0	0.48	1	5	6
Northfield Avenue	Major Arterial	0	0	5	0.50	5	0	5
Northfield Avenue	Major Arterial	0	0	5	0.50	5	0	5
Northfield Avenue	Major Arterial	0	0	5	0.50	5	0	5

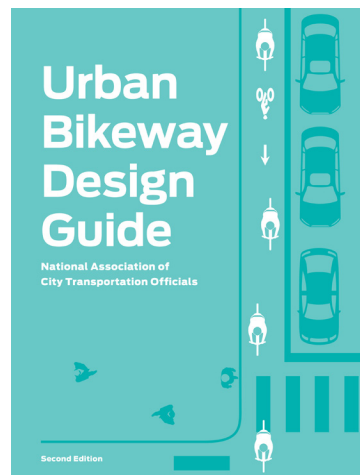
HIN Corridor	Senior (65+) Population Score	Youth (5-17) Population Score	Disabled Population Score	Zero-Vehicle Household Score	Minority Score	Low Income Score	LEP Score	Foreign-Born Population Score	Child (Under 5) Population Score
Northfield Avenue	0	0	0	0	0	0	0	0	0
Northfield Avenue	0	0	0	0	0	0	0	0	0
Northfield Avenue	3	0	2	0	0	0	0	0	0
Pleasant Valley Way	3	0	2	0	0	0	0	0	0
Pleasant Valley Way	3	0	2	0	0	0	0	0	0
Northfield Avenue	0	0	0	0	0	0	0	0	0
Northfield Avenue	0	0	0	0	0	0	0	0	0
Northfield Avenue	0	0	0	0	0	0	0	0	0
Gregory Avenue	0	3	2	0	0	0	0	0	0
Gregory Avenue	0	3	2	0	0	0	0	0	0
Gregory Avenue	0	3	2	0	0	0	0	0	0
Gregory Avenue	0	3	2	0	0	0	0	0	0
Pleasant Valley Way	3	0	2	0	0	0	0	0	0
Gregory Avenue	0	3	2	0	0	0	0	0	0
Pleasant Valley Way	3	0	2	0	0	0	0	0	0
Vizcaya Boulevard	3	0	2	0	0	0	0	0	0
Winding Way	0	3	2	0	0	0	0	0	0
Northfield Avenue	0	0	0	0	0	0	0	0	0
Northfield Avenue	0	0	0	0	0	0	0	0	0
Northfield Avenue	0	0	0	0	0	0	0	0	0
Pleasant Valley Way	3	0	2	0	0	0	0	0	0
Northfield Avenue	0	0	0	0	0	0	0	0	0
Northfield Avenue	0	0	0	0	0	0	0	0	0
Northfield Avenue	0	0	0	0	0	0	0	0	0

APPENDIX E: DESIGN GUIDANCE

NACTO



Urban Street Design Guide
<https://nacto.org/publication/urban-street-design-guide/>



Urban Bikeway Design Guide
<https://nacto.org/publication/urban-bikeway-design-guide/>



Transit Street Design Guide
<https://nacto.org/publication/transit-street-design-guide/>



Urban Street Stormwater Guide
<https://nacto.org/publication/urban-street-stormwater-guide/>

Guidance List Credit: NJTPA



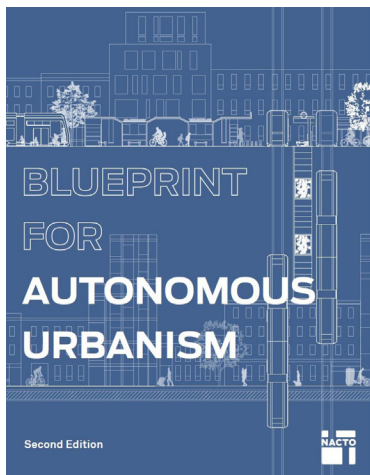
Global Street Design Guide

<https://nacto.org/publication/global-street-design-guide/>



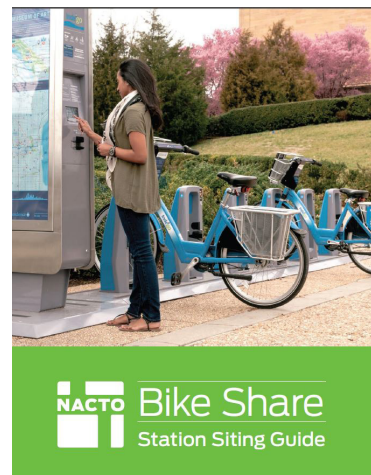
Designing Streets for Kids

<https://nacto.org/publication/designing-streets-for-kids/>



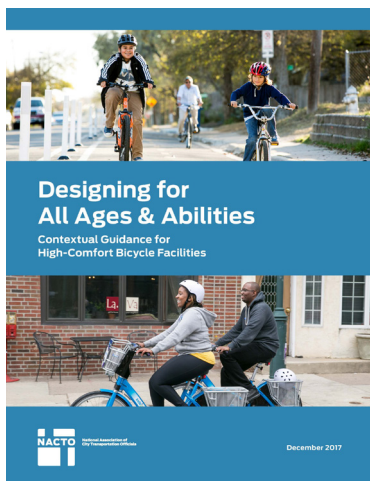
Blueprint for Autonomous Urbanism

<https://nacto.org/publication/bau2/>



Bikeshare Station Siting Guide

<https://nacto.org/publication/bike-share-station-siting-guide/>



Designing for All Ages & Abilities

<https://nacto.org/publication/urban-bikeway-design-guide/designing-ages-abilities-new/>



Don't Give Up at the Intersection

<https://nacto.org/publication/dont-give-up-at-the-intersection/>

Guidance List Credit: NJTPA

NJDOT



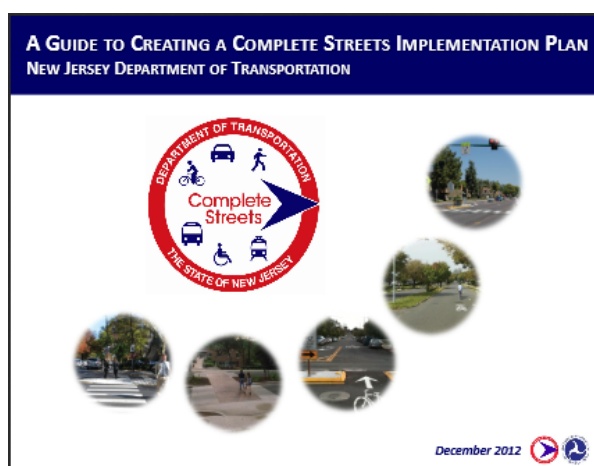
Complete & Green Streets for All

https://www.nj.gov/transportation/eng/completestreets/pdf/CS_Model_Policy_2019.pdf



NJ Complete Streets Design Guide

https://www.nj.gov/transportation/eng/completestreets/pdf/NJCS_DesignGuide.pdf



Creating a Complete Streets Implementation Plan¹

<https://www.nj.gov/transportation/eng/completestreets/pdf/csccreateimplementationplan.pdf>



Making Complete Streets a Reality¹

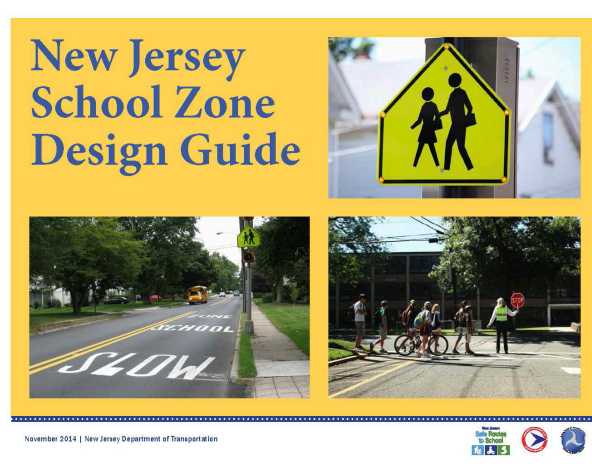
<https://www.nj.gov/transportation/eng/completestreets/pdf/cspolicydevelopmentguide2012.pdf>



School Bike Parking Guide

<https://www.saferoutesnj.org/school-bicycle-parking-guide/>
Guidance List Credit: NJTPA

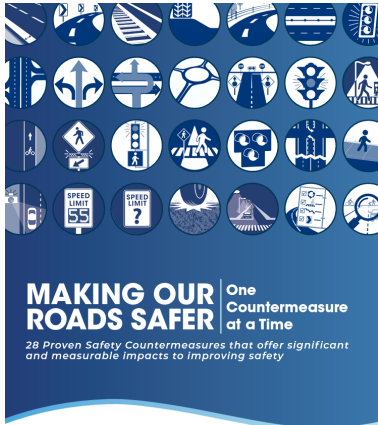
¹Newer editions of these documents should be used for guidance, if available



New Jersey School Zone Design Guide

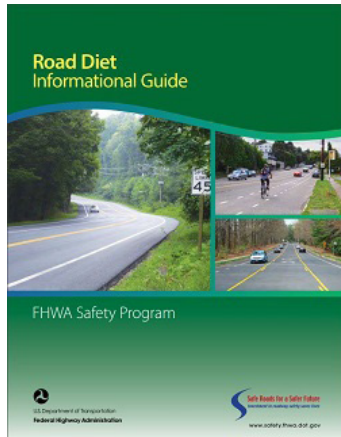
<https://www.saferoutesnj.org/new-jersey-school-zone-design-guide/>

FHWA



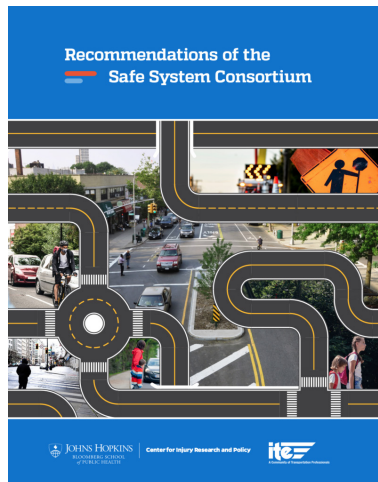
Making our Roads Safer One Countermeasure at a Time

https://safety.fhwa.dot.gov/provencountermeasures/pdf/FHWA-SA-21-071_PSC%20Booklet_508.pdf



Road Diet Informational Guide

https://safety.fhwa.dot.gov/road_diets/guidance/info_guide/



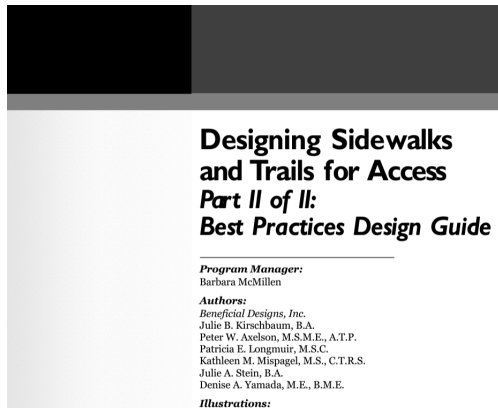
Recommendations of the Safe System Consortium

<https://publichealth.jhu.edu/sites/default/files/2023-03/recommendations-of-the-safe-system-consortium.pdf>



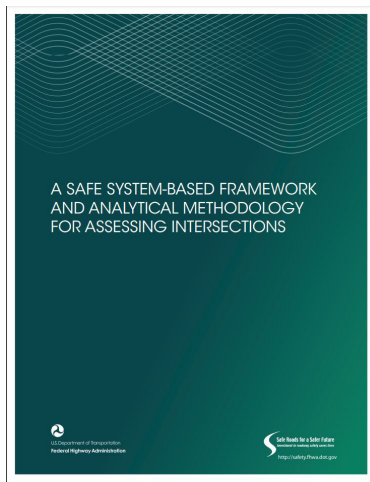
Separated Bike Lane Planning and Design Guide

https://www.fhwa.dot.gov/environment/bicycle_pedestrian/publications/separated_bikelane_pdg/separatedbikelane_pdg.pdf



Designing Sidewalks and Trails for Access, Part II

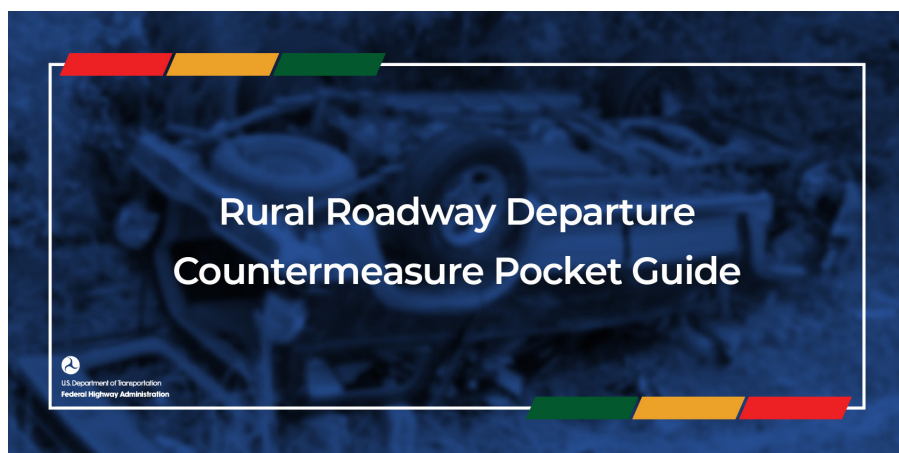
https://nacto.org/wp-content/uploads/2015/04/designing_sidewalks_and_trails_access_kirschbaum.pdf



A Safe System-Based Framework and Analytical Methodology for Assessing Intersections

<https://safety.fhwa.dot.gov/intersection/ssi/fhwasa21008.pdf>

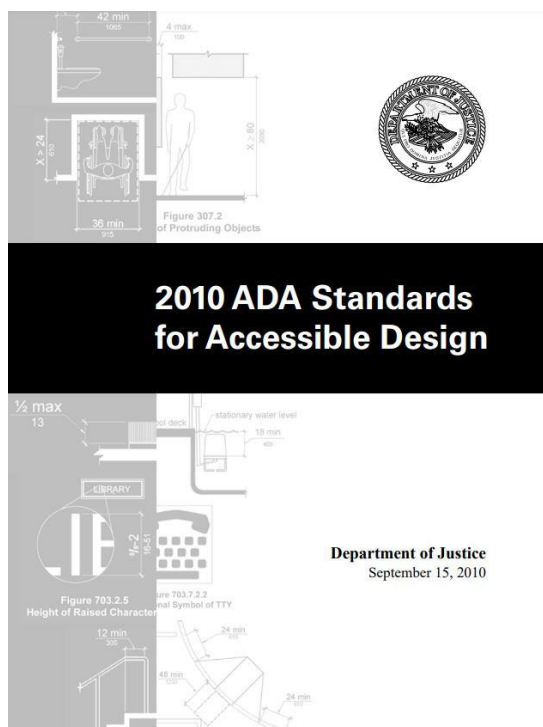
Guidance List Credit: NJTPA



Rural Roadway Departure Countermeasure Pocket Guide

<https://safety.fhwa.dot.gov/FoRRRwD/RwDPocketGuide.pdf>

ADA



2010 ADA Standards for Accessible Design

https://www.ada.gov/assets/_pdfs/2010-design-standards.pdf



The Access Board has published new guidelines under the Americans with Disabilities Act (ADA) and the Architectural Barriers Act (ABA) that address access to sidewalks and streets, crosswalks, curb ramps, pedestrian signals, on-street parking, and other components of public right-of-way. These guidelines also review shared use paths, which are designed primarily for use by bicyclists and pedestrians for transportation and recreation purposes.

PROWAG- Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way

<https://www.access-board.gov/prowag/>

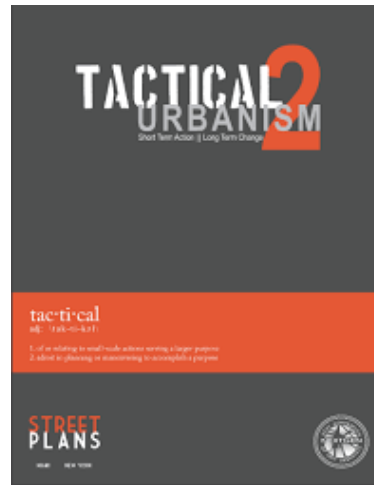
Guidance List Credit: NJTPA

TACTICAL URBANISM GUIDES



Tactical Urbanism

https://issuu.com/streetplanscollaborative/docs/tactical_urbanism_vol.1



Tactical Urbanism 2

https://issuu.com/streetplanscollaborative/docs/tactical_urbanism_vol_2_final



Urbanismo Tactico 3: Casos Latinoamericanos

https://issuu.com/streetplanscollaborative/docs/ut_vol3_2013_0528_17



Tactical Urbanism 4: Australia & New Zealand

https://issuu.com/streetplanscollaborative/docs/tacticalurbanismvol4_141020



Tactical Urbanism 5: Italia

https://issuu.com/streetplanscollaborative/docs/tu_italy_eng

TACTICAL URBANISM

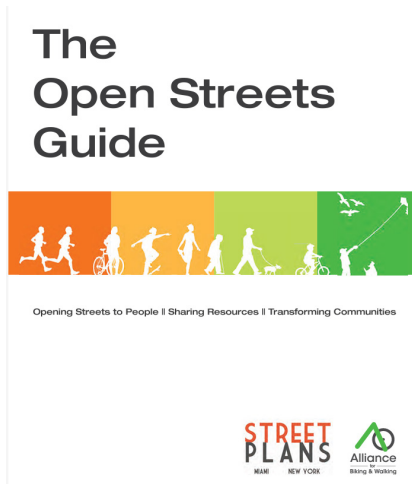
Short-term Action for Long-term Change

MIKE LYDON & ANTHONY GARCIA

FOREWORD BY ANDRÉS DUANY

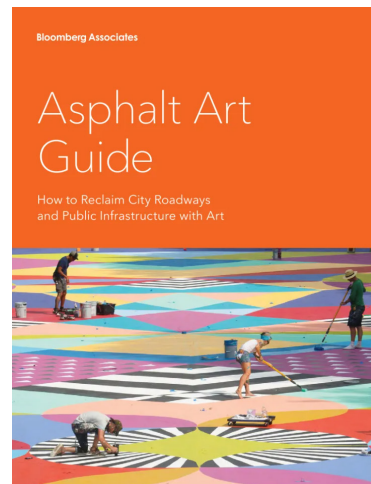
Tactical Urbanism: Short-term Action for Long-Term Change

Guidance List Credit: NJTPA



The Open Streets Guide

https://nacto.org/docs/usdg/smaller_open_streets_guide_final_print_alliance_biking_walking.pdf



Asphalt Art Guide

<https://assets.bbhub.io/dotorg/sites/43/2019/10/asphalt-art-guide.pdf>



Tactical Urbanist's Guide to Materials and Design
<http://tacticalurbanismguide.com/>

FAST-TRACKED A TACTICAL TRANSIT STUDY



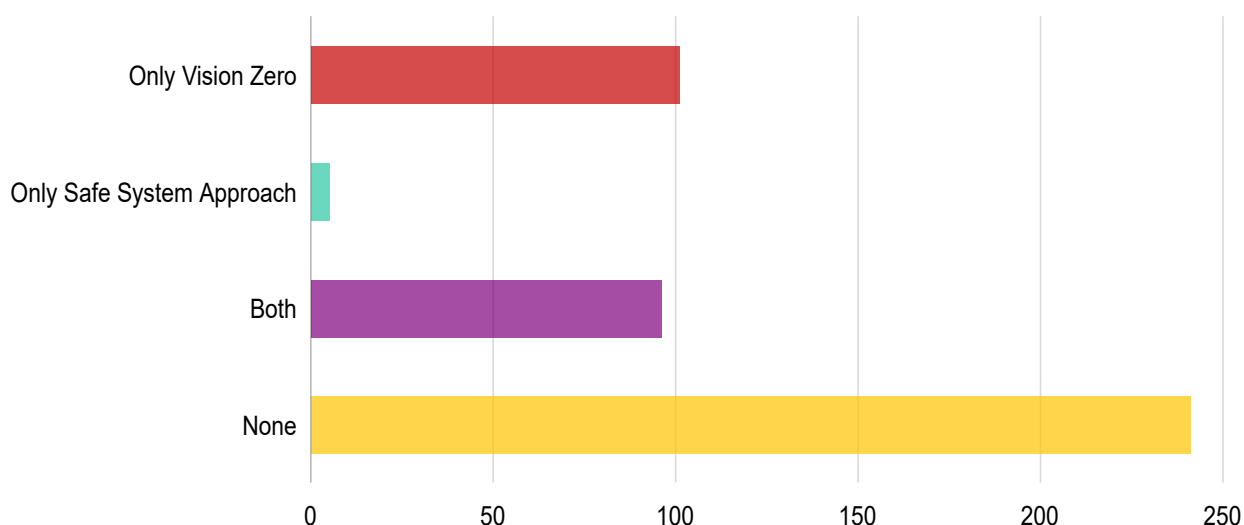
Fast-Tracked: A Tactical Transit Study

https://issuu.com/streetplanscollaborative/docs/fasttracked_finaldraft_2

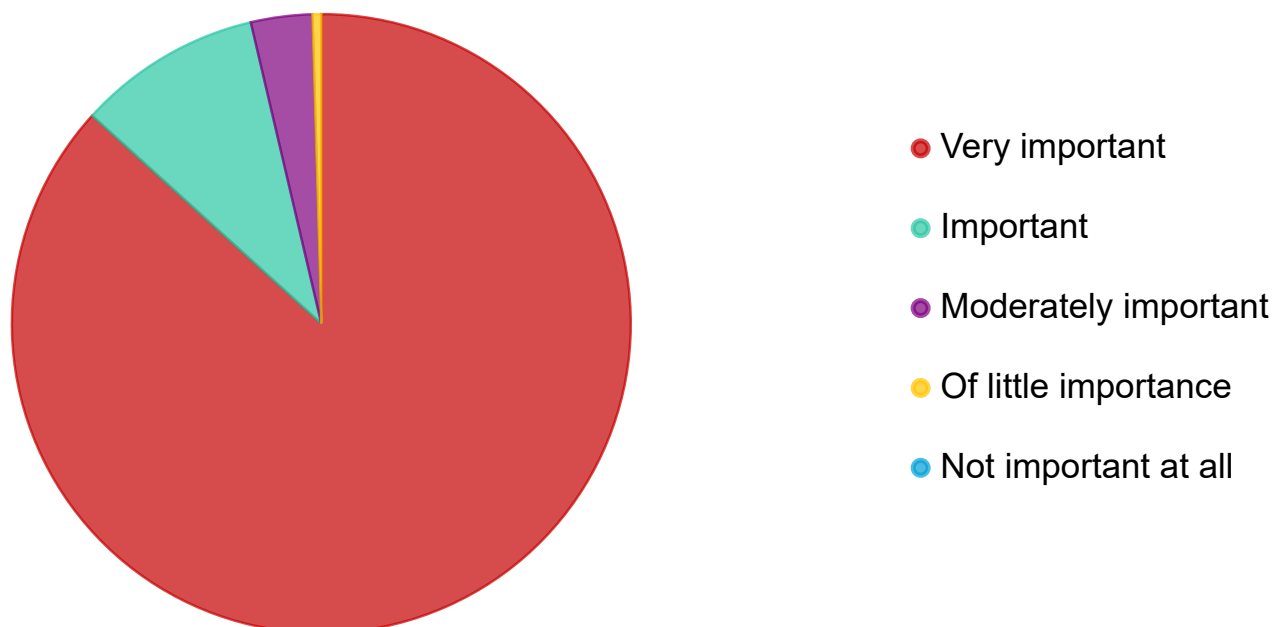
Guidance List Credit: NJTPA

APPENDIX F: SURVEY RESULTS

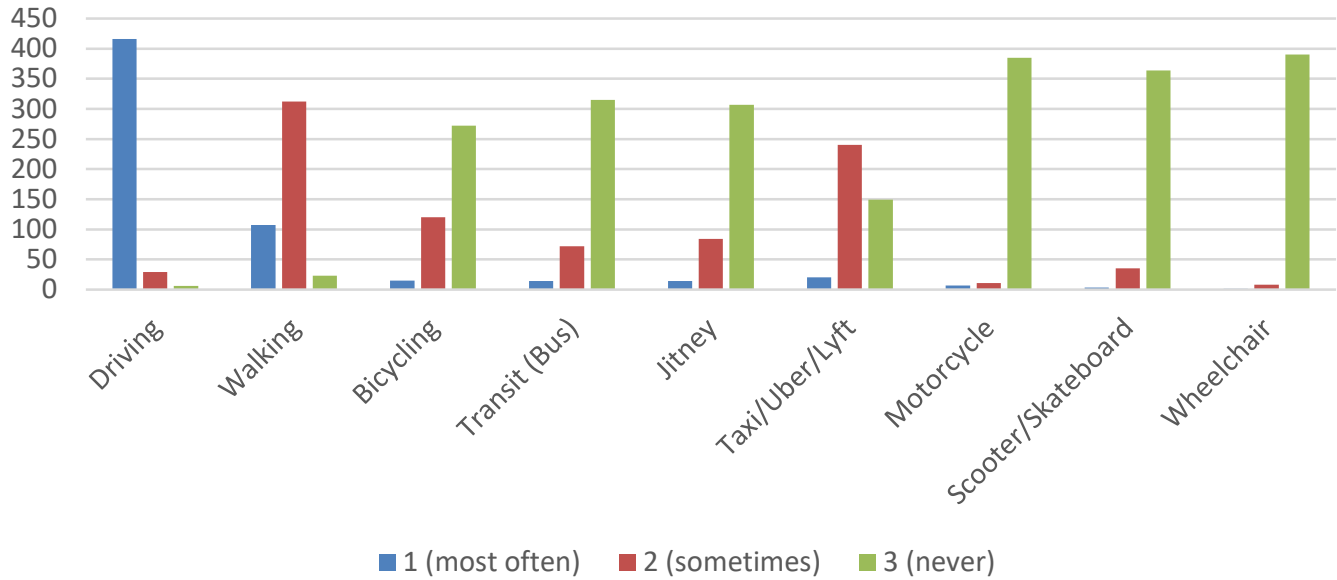
Q1. Have you heard of the Vision Zero and FHWA's Safe System Approach to traffic safety? The West Orange Vision Zero Action Plan will be adopting FHWA's Safe System Approach which focuses on a holistic view of the roadway system, noting that humans will make mistakes and are vulnerable, but the transportation system should be designed with multiple "safety nets" with the goal of eliminating deaths and serious injuries.



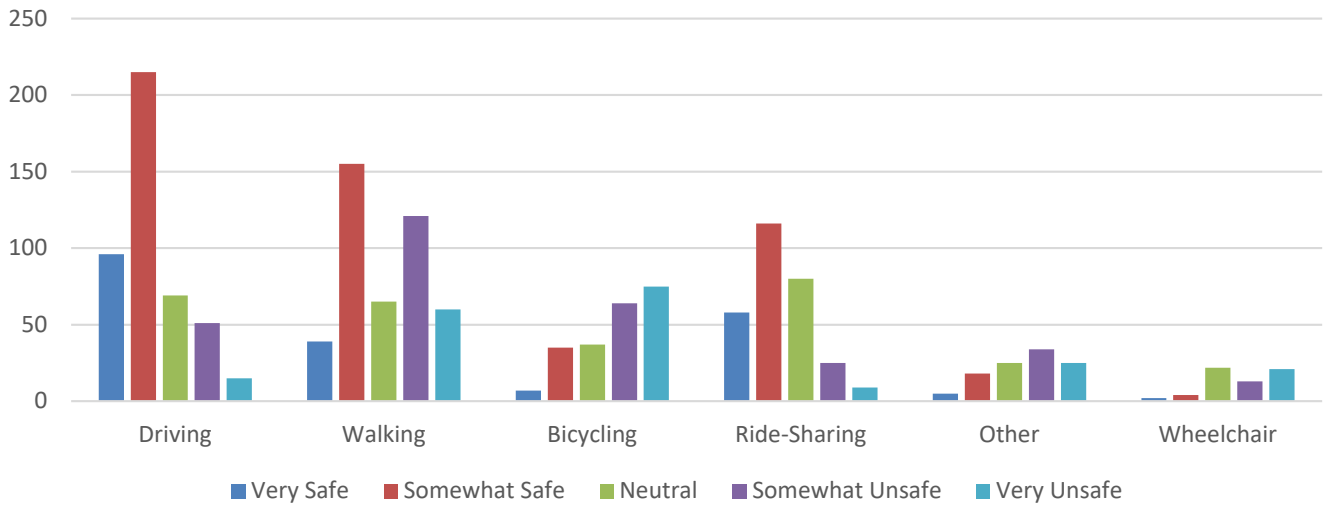
Q2. How important do you think it is to have a policy and plan in West Orange Township that aims to eliminate deaths and serious injuries from traffic crashes?



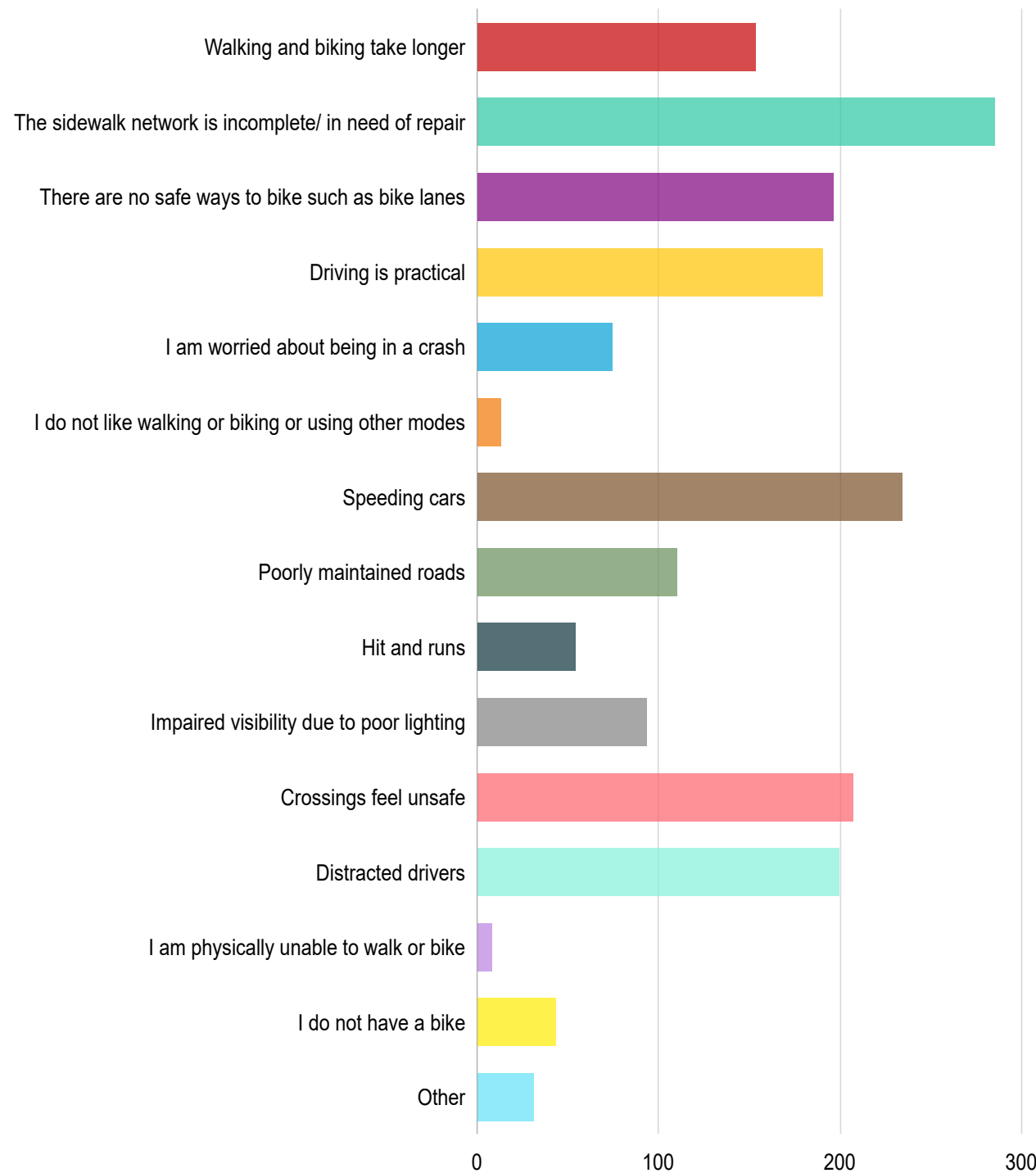
Q3. How do you typically travel in West Orange? Rank based on how often you use that travel mode (1 being the most often).



Q4-Q9. With regards to travel in West Orange, how safe do you feel doing the following:

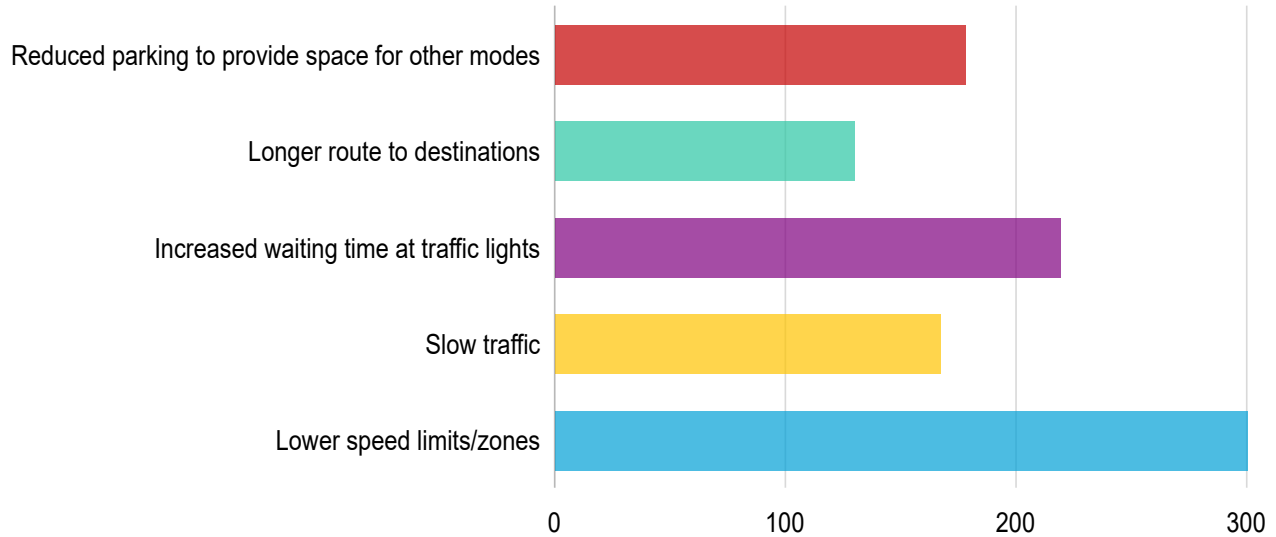


Q10: If you primarily drive to places in West Orange Township, let us know what are the major barriers to using non-motorized travel modes such as walking or driving more. If driving is NOT the primary mode of travel, please SKIP this question.

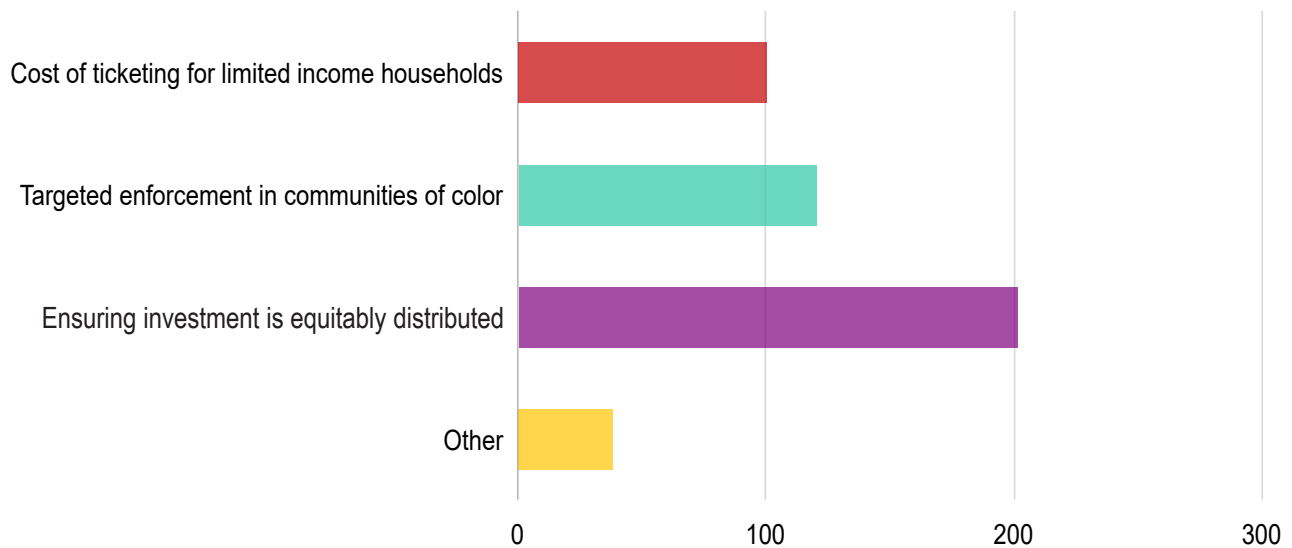


Q11: Improving roadway and traffic safety requires some trade-offs such as: (list of trade-offs pictured below)

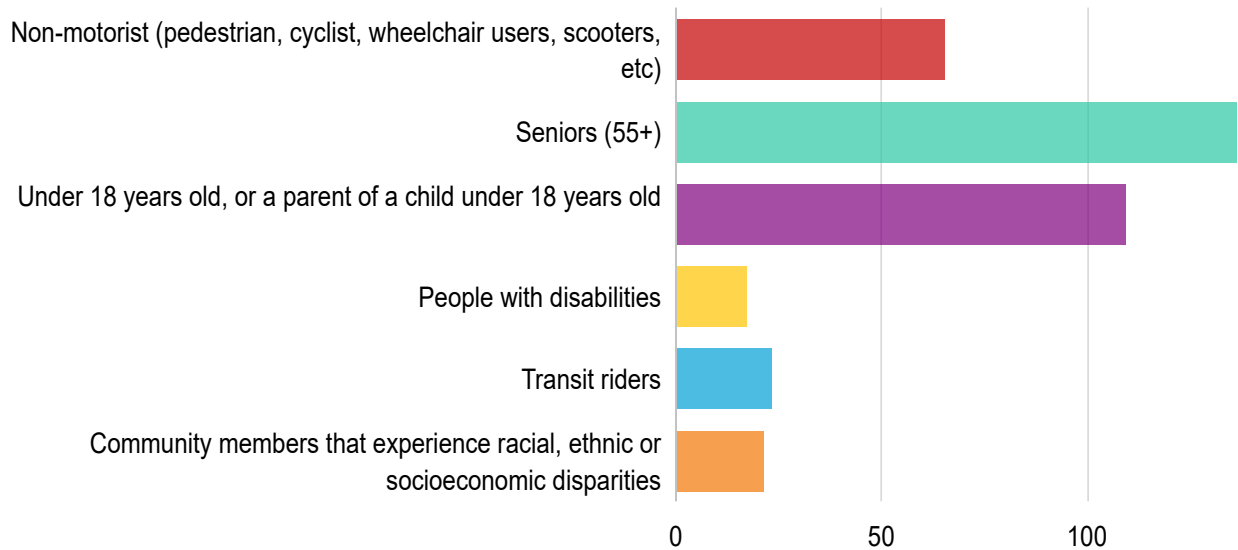
Which trade-offs would you be willing to accept in order to prioritize safety, comfort and well-being of the West Orange Community?



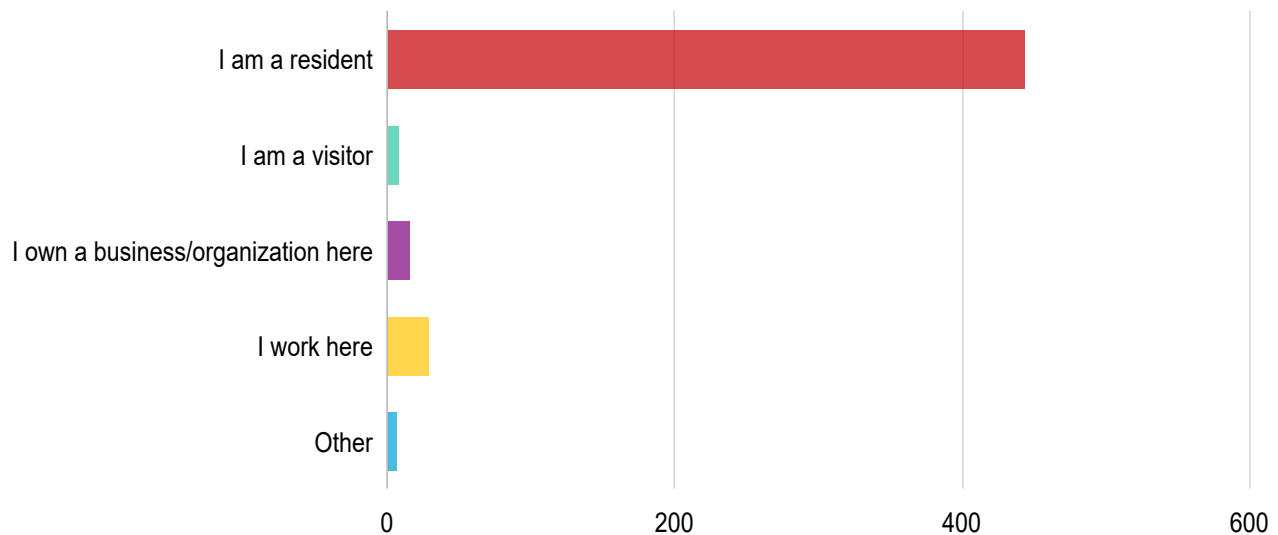
Q12: Do you have any equity or environmental justice concerns relating to strategies that will increase traffic safety?



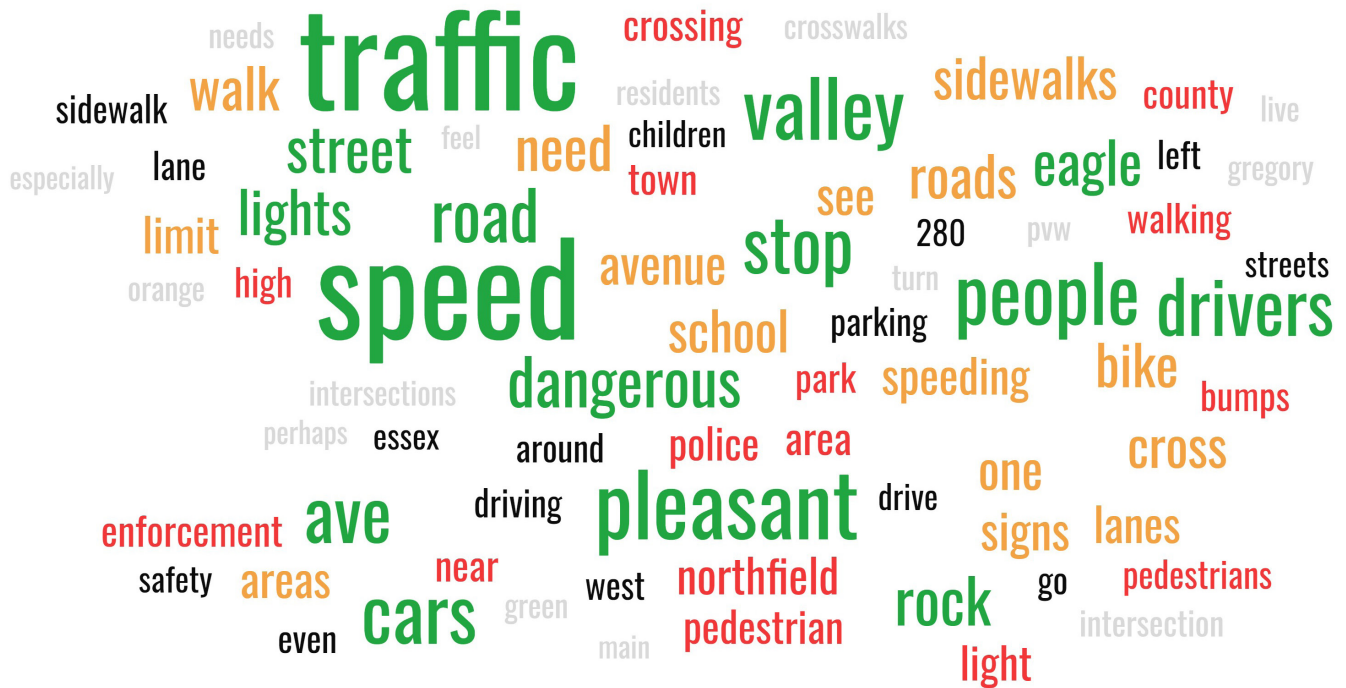
Q14: The Township's Vision Zero Action Plan will focus on vulnerable users in developing actions to improve roadway safety. Do you identify with any of the following user groups?



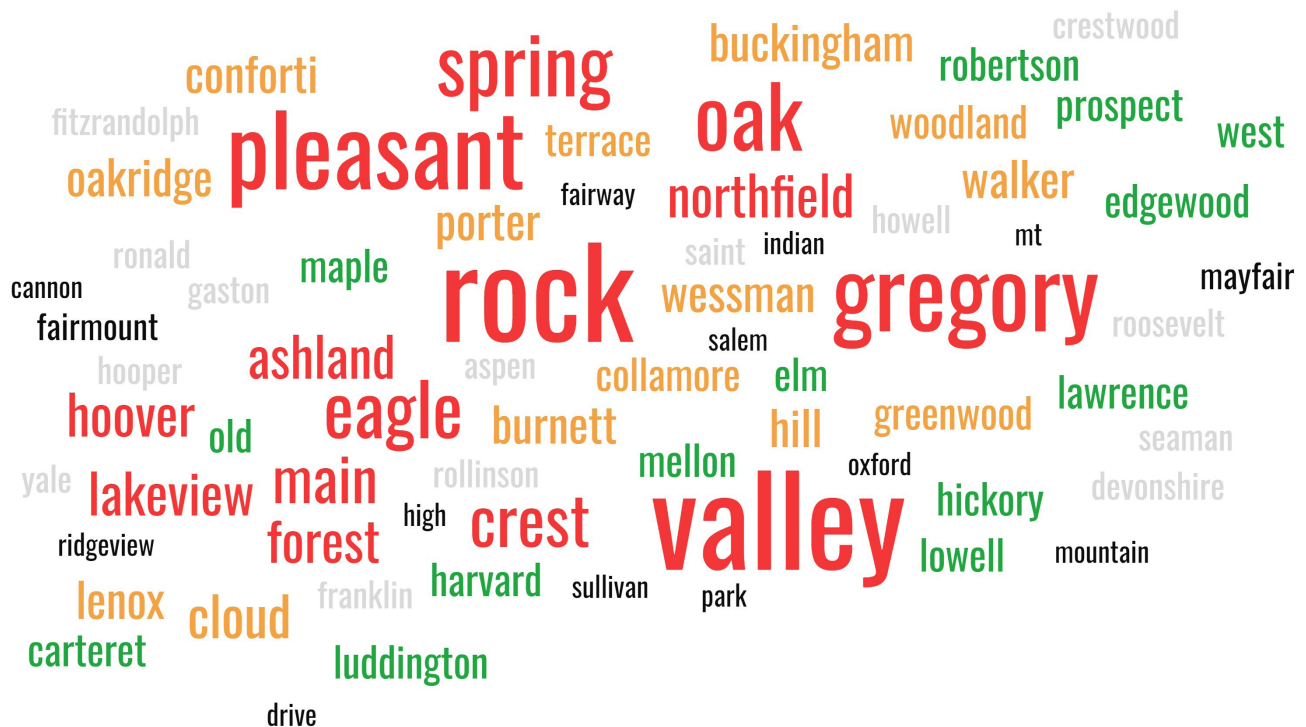
Q15: How are you connected to West Orange Township?



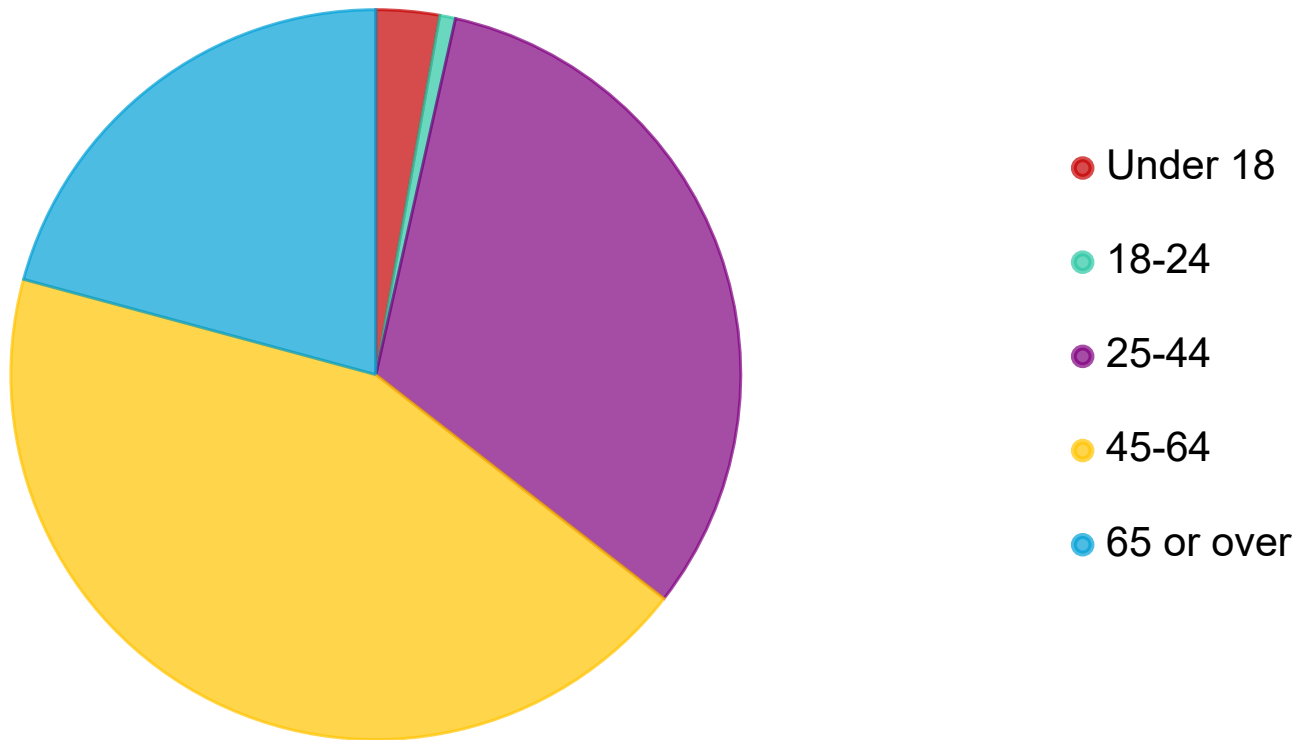
Q13: Do you have any additional ideas or thoughts for the West Orange Vision Zero Task Force in improving roadway safety in our Township? (word cloud of responses below)



Q16: If you are a resident of West Orange Township, let us know which street you live on? We ask this question so we know if we have good representation from all parts of the Township. (word cloud of responses below)



Q17: What is your age?





Vision
Zero
WEST ORANGE TOWNSHIP

Exhibit “B”



Vision Zero

WEST ORANGE TOWNSHIP

Vision Zero Toolkit

*Information and Resources to **Help YOU** Engage Your
Community*

CONTENTS

<i>VISION ZERO PLEDGE</i>	<i>3</i>
<i>VISION ZERO OVERVIEW</i>	<i>4</i>
<i>THE SAFE SYSTEM APPROACH</i>	<i>5</i>
<i>PROVEN SAFETY COUNTERMEASURES</i>	<i>6</i>
<i>CRASH STATISTICS</i>	<i>8</i>
<i>HIGH-INJURY NETWORK</i>	<i>10</i>

VISION ZERO PLEDGE



VISION ZERO SAFETY PLEDGE

I understand that it is possible to eliminate traffic-related deaths and serious injuries in West Orange Township by doing my part while also supporting the Township in developing a Safe System with Safe Street Design and Safe Speeds in West Orange.

I PLEDGE TO:

- ☐ *Only drive when I am sober, alert and without distractions such as my phone or other devices and keep my eyes on the street at all times.*
- ☐ *Slow down, drive carefully and give at least four feet of space when possible, or slow down to 25 mph when passing bicyclists¹.*
- ☐ *Follow all laws and regulations on West Orange's streets, especially yielding to all vulnerable users such as pedestrians and bicyclists.*
- ☐ *Never flee a crash scene because I can save lives by calling 911 immediately.*
- ☐ *Recognize that as speed increases the risk of fatality and serious injury increases drastically.*

sign to pledge

¹NJ Safe Passing Law (<https://www.njoag.gov/about/divisions-and-offices/division-of-highway-traffic-safety-home/division-of-highway-traffic-safety-pedestrian-safety/>)



ZERO TRAFFIC-RELATED DEATHS AND SERIOUS INJURIES IN WEST ORANGE TOWNSHIP BY 2030!

VISION ZERO OVERVIEW



What is Vision Zero?

Vision Zero is a global safety initiative first adopted as a national policy in Sweden in 1997 that focuses on strategies to eliminate all traffic-related deaths and severe injuries, while increasing safety, health, and mobility for all.

Vision Zero takes a proactive, preventative approach to addressing traffic-related deaths and severe injuries versus a traditional approach to roadway crashes.

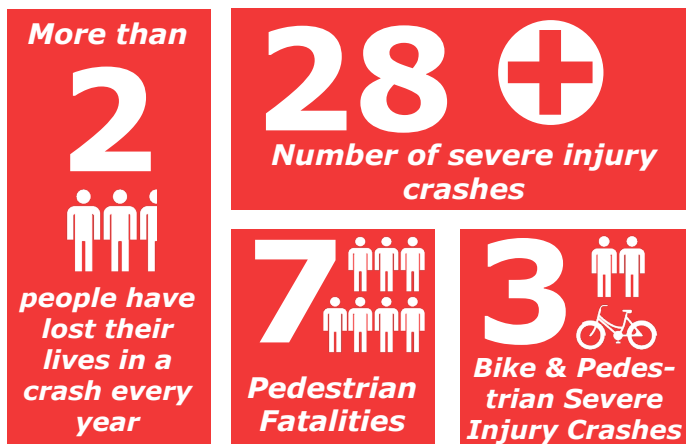
THE TOWNSHIP OF WEST ORANGE IS TAKING A STAND TO ELIMINATE ALL TRAFFIC-RELATED DEATHS AND SEVERE INJURIES BY 2030.

TOGETHER WE WILL ACHIEVE VISION ZERO.

The West Orange Vision Zero Action Plan is a roadmap to achieve the goal of zero traffic-related deaths and severe injuries in West Orange. It lays out the key action items to implement a comprehensive Vision Zero policy.

Vision Zero is based on data analysis that helps to identify the causes of crashes in our community and work to prevent them. The West Orange Vision Zero Action Plan includes a prioritized list of street improvement projects, education initiatives, city programs and proposed policy changes to achieve Vision Zero!

WHY VISION ZERO? BY THE NUMBERS*



* Crashes from 2015-2021 per Safety Voyager data also includes crashes on Route 280.

JOIN US! Engaging the community is a key priority for Vision Zero



Go to the website for updates



Follow us @ VisionZeroWO



Sign the PLEDGE



VisionZeroWo@gmail.com

VISIT: <https://tinyurl.com/VisionZeroWO>

Traditional Approach

Traffic deaths are INEVITABLE

PERFECT human behavior

Prevent COLLISIONS

INDIVIDUAL responsibility

Saving lives is EXPENSIVE

Source: <https://www.transportation.gov/NRSS/SafeSystem>

Vision Zero Approach

Traffic deaths are PREVENTABLE

Integrate HUMAN FAILING in approach

Prevent FATAL AND SEVERE CRASHES

SYSTEMS APPROACH

Saving lives is NOT EXPENSIVE

This Action Plan was made possible through a New Jersey Department of Transportation (NJDOT) Local Technical Assistance Grant. The organizations listed here supported the Township's Vision Zero project application for technical assistance from NJDOT.

The West Orange Vision Zero Task Force included: West Orange Pedestrian Safety Advisory Task Force (WOPSAB), Pleasant Valley Civic Association, Thomas Edison National Historic Park, Downtown West Orange Alliance, West Orange Public Schools and Council of PTAs, West Orange Police Department, and the Nikhil Badlani Foundation.

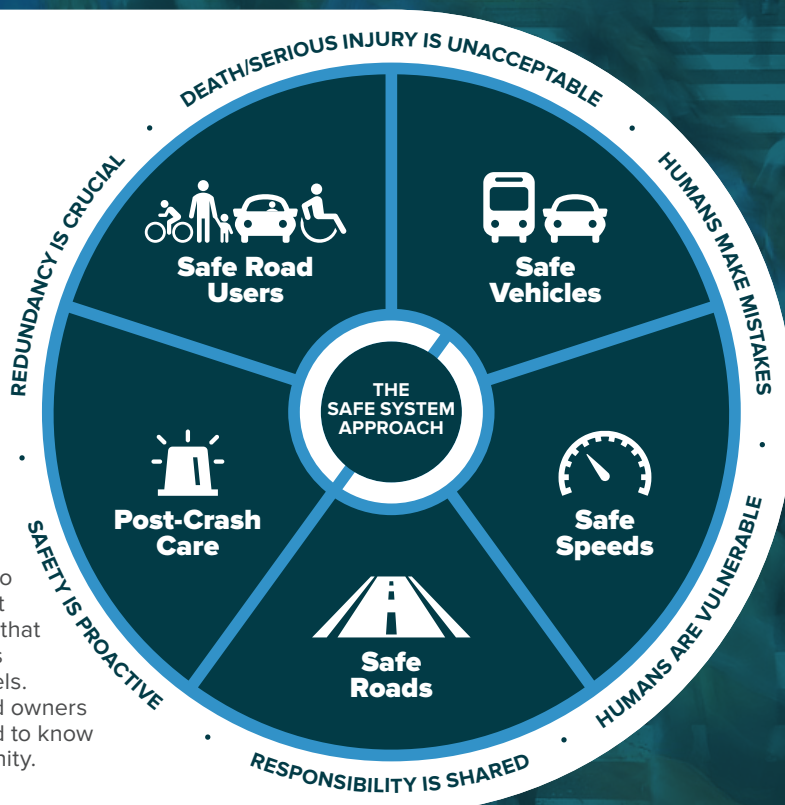
THE SAFE SYSTEM APPROACH

THE SAFE SYSTEM

APPROACH

Zero is our goal. A Safe System is how we will get there.

Imagine a world where nobody has to die from vehicle crashes. The Safe System approach aims to eliminate fatal & serious injuries for all road users. It does so through a holistic view of the road system that first anticipates human mistakes and second keeps impact energy on the human body at tolerable levels. Safety is an ethical imperative of the designers and owners of the transportation system. Here's what you need to know to bring the Safe System approach to your community.



SAFE SYSTEM PRINCIPLES



Death/Serious Injury is Unacceptable

While no crashes are desirable, the Safe System approach prioritizes crashes that result in death and serious injuries, since no one should experience either when using the transportation system.



Humans Make Mistakes

People will inevitably make mistakes that can lead to crashes, but the transportation system can be designed and operated to accommodate human mistakes and injury tolerances and avoid death and serious injuries.



Humans Are Vulnerable

People have limits for tolerating crash forces before death and serious injury occurs; therefore, it is critical to design and operate a transportation system that is human-centric and accommodates human vulnerabilities.



Responsibility is Shared

All stakeholders (transportation system users and managers, vehicle manufacturers, etc.) must ensure that crashes don't lead to fatal or serious injuries.



Safety is Proactive

Proactive tools should be used to identify and mitigate latent risks in the transportation system, rather than waiting for crashes to occur and reacting afterwards.



Redundancy is Crucial

Reducing risks requires that all parts of the transportation system are strengthened, so that if one part fails, the other parts still protect people.



U.S. Department of Transportation
Federal Highway Administration

FHWA-SA-20-015



Safe Roads for a Safer Future
Investment in roadway safety saves lives

PROVEN SAFETY COUNTERMEASURES

MAKING OUR ROADS SAFER

One
Countermeasure
at a Time



The FHWA has identified and is promoting widespread use of a set of 28 Proven Safety Countermeasures that can offer significant, measurable impacts as part of any agency's data-driven, systemic approach to improving safety. These strategies are designed to enhance safety on all kinds of roads—from rural to urban, from high-volume freeways to less traveled two-lane State and county roads, from signalized crossings to horizontal curves, and everything in between. Each countermeasure addresses **speed management, intersections, roadway departures, or pedestrians/ bicyclists**—along with crosscutting strategies that address all four safety focus areas.

***Which Proven Safety
Countermeasures
Will You Use?***

For more information on this and other FHWA Proven Safety Countermeasures, please visit <https://safety.fhwa.dot.gov/provencountermeasures>.



U.S. Department of Transportation
Federal Highway Administration

ZERO IS OUR GOAL
A SAFE SYSTEM IS HOW WE GET THERE

<https://safety.fhwa.dot.gov/>

PROVEN SAFETY COUNTERMEASURES

OFFICE OF SAFETY

Proven Safety Countermeasures

SPEED MANAGEMENT



**Speed Safety
Cameras**



Variable Speed Limits



**Appropriate Speed
Limits for All Road Users**

ROADWAY DEPARTURE



Wider Edge Lines



**Enhanced Delineation
for Horizontal Curves**



**Longitudinal Rumble
Strips and Stripes on
Two-Lane Roads**



SafetyEdgeSM



**Roadside Design
Improvements at
Curves**



Median Barriers

INTERSECTIONS



**Backplates with
Retroreflective
Borders**



**Corridor Access
Management**



**Dedicated Left- and
Right-Turn Lanes at
Intersections**



**Reduced Left-Turn
Conflict Intersections**



Roundabouts



**Systemic Application
of Multiple Low-Cost
Countermeasures at
Stop-Controlled
Intersections**



**Yellow Change
Intervals**

PEDESTRIANS/BICYCLES



**Crosswalk Visibility
Enhancements**



Bicycle Lanes



**Rectangular Rapid
Flashing Beacons
(RRFB)**



**Leading Pedestrian
Interval**



**Medians and Pedestrian
Refuge Islands in Urban
and Suburban Areas**



**Pedestrian Hybrid
Beacons**



**Road Diets (Roadway
Reconfiguration)**



Walkways

CROSSCUTTING



**Pavement Friction
Management**



Lighting



Local Road Safety Plans



Road Safety Audit

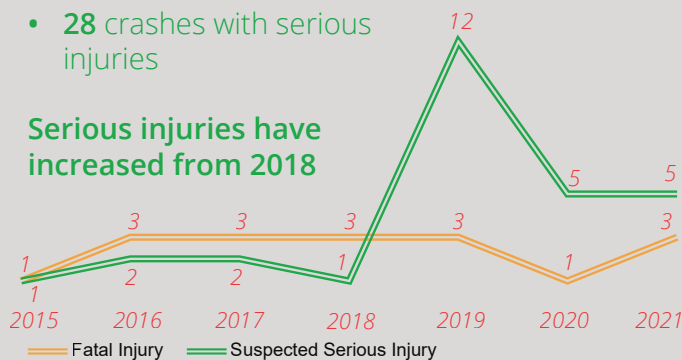
CRASH STATISTICS

Vision Zero focuses on crashes where victims are seriously injured or killed

From 2015-2021 in West Orange Township:

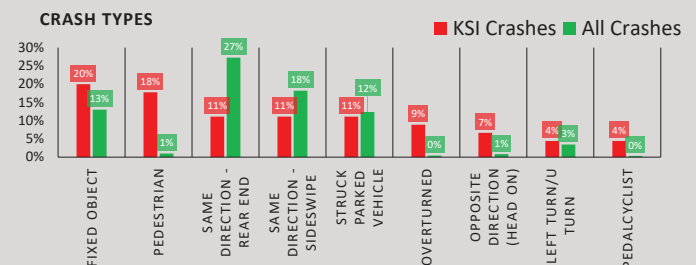
- 17 fatal crashes
- 28 crashes with serious injuries

Serious injuries have increased from 2018



Some crash types can be more severe than others

While the most common kinds of crash in West Orange involve cars hitting cars (Rear-End 27%, Same-Direction Sideswipe 18%), the most common kinds of crash with serious injury or death involve cars hitting other things (Fixed Object 20% [13% of all crashes], Pedestrian 18% [1% of all crashes]).



Source: NJDOT Safety Voyager & NJDHTS Numetric, Crash Data from 2015-2021

Seniors and minors are more at risk of serious injury and death in crashes

Of all Crashes in West Orange

- Young People involved: 23%
- Seniors Involved: 30%

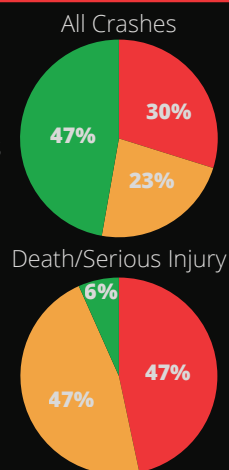
Of all Death & Serious Injuries

- Young People: 47%
- Seniors: 47%

● Adults (20-64)

● Young People (<20)

● Seniors (65+)



Source: NJDOT Safety Voyager & NJDHTS Numetric, Crash Data from 2015-2021

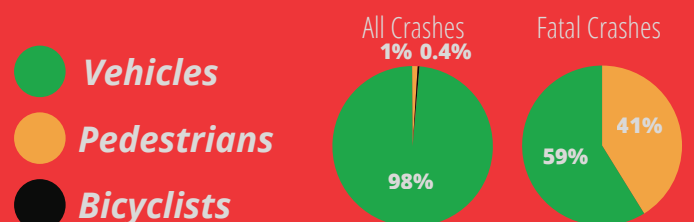
Pedestrians and bicyclists have high death and injury rates in crashes

In West Orange:

- 1% of crashes involved PEDESTRIANS
- 0.4% involved BICYCLISTS

yet:

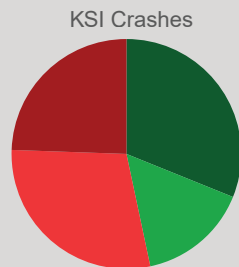
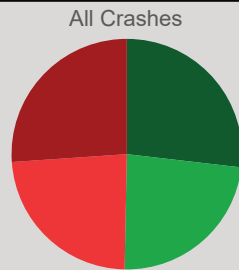
- 41% of fatalities were PEDESTRIANS
- 11% of serious injuries were PEDESTRIANS OR BICYCLISTS



CRASH STATISTICS

Which seasons see the most crashes?

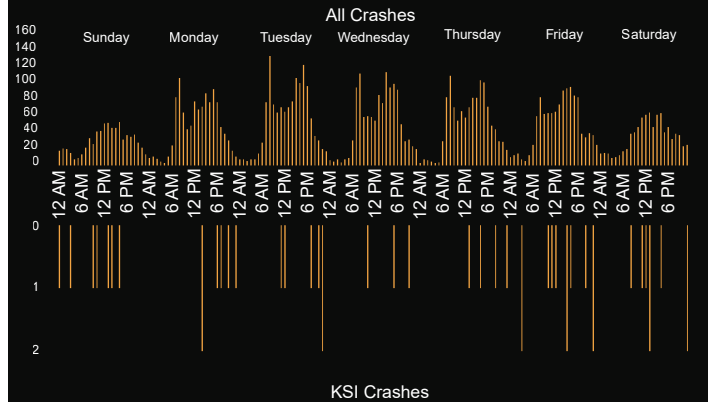
In West Orange, **crashes** were distributed roughly **evenly** **throughout the seasons**, with slightly more in Fall and Winter. **KSI crashes** occurred **more frequently in Winter** than any other season, and **Spring saw fewer** than the other seasons.



When do crashes happen?

In West Orange, there were more crashes **on weekdays**, spiking at **rush hour**. **Sunday** had the least crashes overall.

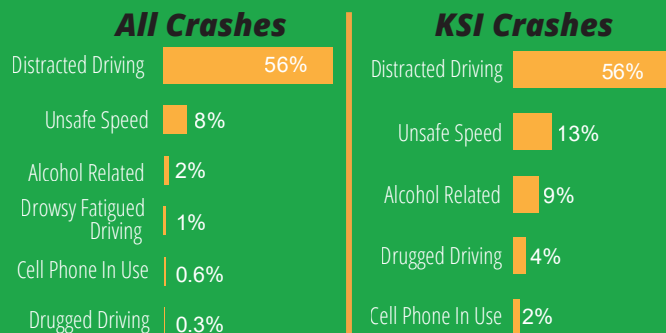
Conversely, KSI crashes occurred most often **on weekends**, with many occurring at night.



Source: NJDOT Safety Voyager & NJDHTS Numetric, Crash Data from 2015-2021

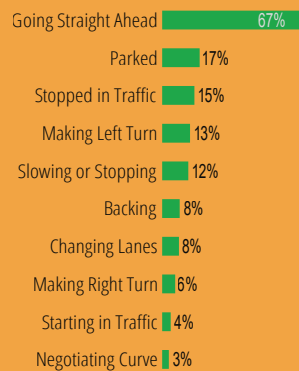
What are the leading causes of crashes?

In West Orange:
Distracted Driving - most common cause of crashes (57%); 56% of crashes in which victims were killed or seriously injured (KSI)
Unsafe Speed - 8% of all crashes; 13% of KSI
Alcohol-related - 2% of all crashes; 9% of KSI

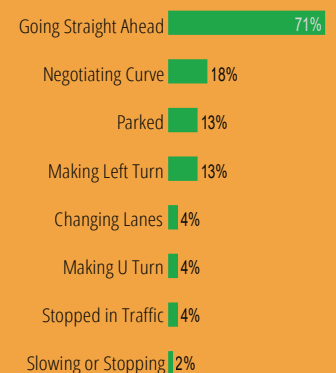


What are people doing when they crash in West Orange Township?

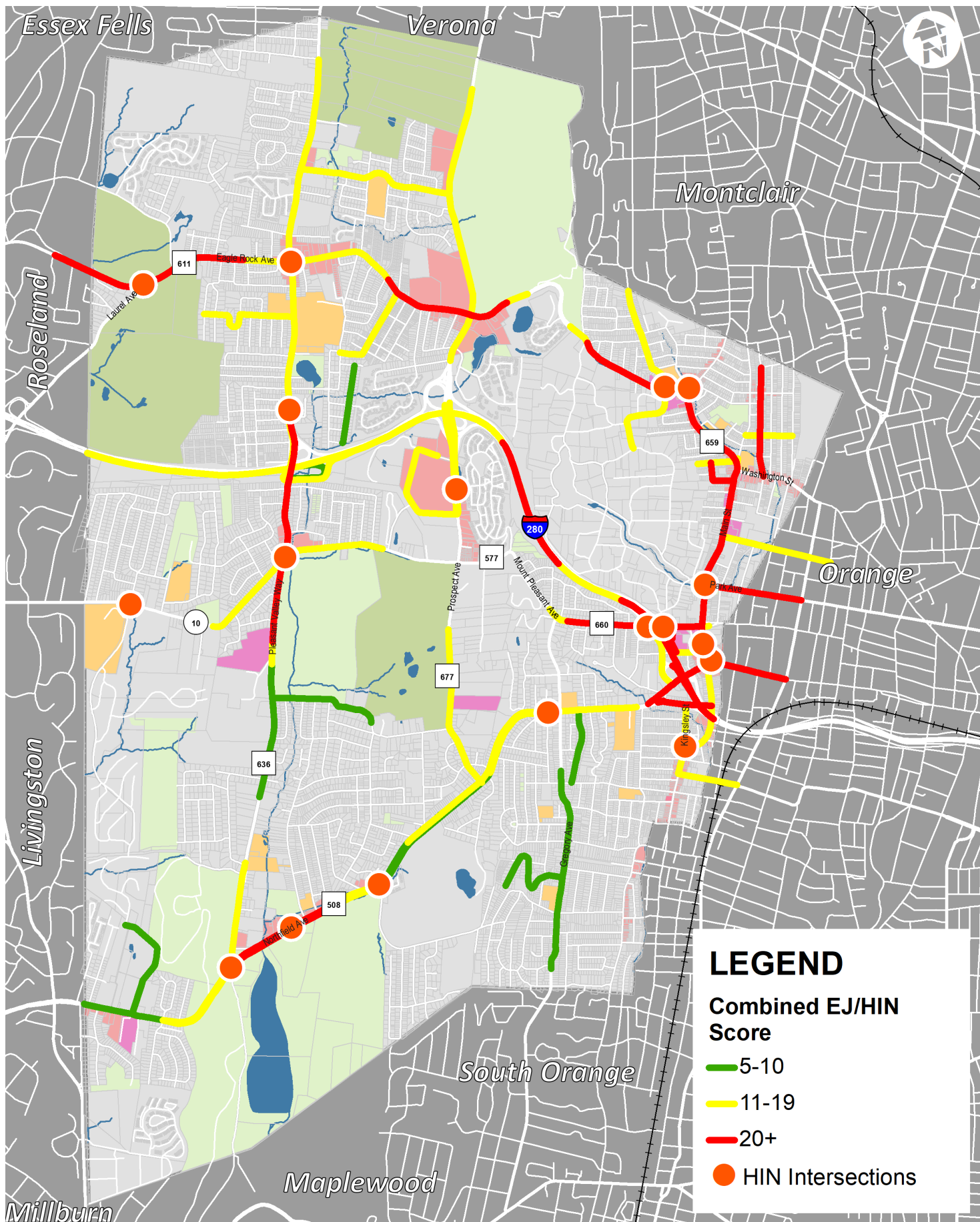
The most common pre-crash actions in all crashes:



In crashes where people were killed or seriously injured:



HIGH-INJURY NETWORK



GLOSSARY OF TERMS

Vision Zero

Vision Zero is a strategy to eliminate fatalities and serious injuries in the road system. This was first implemented in Sweden in the 1990s, has become standard and successful across Europe, and has begun to spread across the world. Vision Zero reframes traffic safety, from severe car crashes being inevitable accidents that are part of modern living to being preventable crashes to be prevented in as many ways as possible to save lives. Vision Zero acknowledges human error, systems over individual responsibility, and that saving lives is not expensive.

Safe System Approach

The Safe System Approach is a framework to address roadway safety that has been adopted by the US Department of Transportation. It builds multiple layers of protection for road users to both prevent crashes and mitigate the harm caused in crashes.

KSI Crash

KSI Crashes are crashes where a victim is killed (K) or severely injured (SI).

Proven Safety Countermeasures

The Federal Highway Administration (FHWA) has identified 28 countermeasures and strategies with proven effectiveness in reducing crash rates and/or crash severity. These are context- and user-specific but can make significant improvements to the safety of a road system when applied broadly.

Complete Streets

Complete Streets are streets designed to safely support all road users. This applies to both all modes of travel and also all abilities of the road users, including people with disabilities, children and seniors, and more. Complete Streets require varying degrees of intervention depending on the context, both in terms of land use and in terms of traffic volumes and speeds.

Environmental Justice

Environmental Justice is, as defined by the EPA, “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.”

High-Injury Network

Vision Zero Action Plans identify a High-Injury Network (HIN), the roadways in a municipality or city's road system with the highest prevalence of crashes or greatest crash severity. Actions to address these issues are concentrated on the HIN.

Vulnerable Road Users

Certain Users of the road system are those not protected inside a vehicle when using the road system. This includes pedestrians, cyclists, skateboarders, rollerskaters and more.



RESOLUTION

WHEREAS, the Township of West Orange (the “Township”) owns and maintains an outdoor pool facility, which includes locker room facilities, at the Ginny Duenkel Pool Complex, located at 60 ½ Cherry Street in the Township (the “Pool Facilities”); and

WHEREAS, the Montclair YMCA has for many years used the Pool Facilities during limited hours for youth swim practices and for competitive swimming programs; and

WHEREAS, the Montclair YMCA has once again requested to use the Pool Facilities for youth swim practices during the summer 2024 season, generally between the hours of 6:00 A.M. and 7:45 A.M. on weekdays from approximately May 1, 2024 through August 31, 2024; and

WHEREAS, the Montclair YMCA has agreed to use the Pool Facilities in exchange for the payment of an hourly rental fee of \$75.00, plus payment of various costs and expenses, pursuant to other terms and conditions set forth in the License Agreement annexed hereto as Attachment “A;” and

WHEREAS, the Montclair YMCA has agreed that its use of the Pool Facilities will not conflict with the Township’s uses; and

WHEREAS, the Montclair YMCA has agreed to comply with all pool regulations and all applicable laws;

NOW, BE IT HEREBY RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE that the Mayor be and hereby is authorized to enter into the annexed License Agreement for the Montclair YMCA’s limited use of Pool Facilities and the Municipal Clerk shall be authorized to attest to the Mayor’s signature; and be it further

RESOLVED, that the entry of the License Agreement shall be subject to the Licensee's providing proof of adequate insurance with the Township named as an additional insured, subject to approval of the Law Department, prior to the use of the Pool Facilities.

Karen J. Carnevale, R.M.C.
Township Clerk

Bill Rutherford
Council President

Adopted: April 24, 2024

Exhibit “A”

***LICENSE AGREEMENT FOR
LIMITED USE OF POOL FACILITIES***

THIS AGREEMENT, effective May 1, 2024 upon full execution by all parties, between:

Township of West Orange, as Licensor ("Township" or "Licensor")

and

The Montclair YMCA, as Licensee ("Montclair Y" or "Licensee")

WHEREAS, the Montclair Y runs a competitive swimming program in the summer and requires pool time for the same; and

WHEREAS, the Township owns a certain outdoor pool and surrounding facility in the Township located at 60½ Cherry Street, West Orange, New Jersey ("Pool Facility"); and

WHEREAS, the Montclair Y is desirous of using West Orange's outdoor swimming pool and changing room facilities for swim practices.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties hereto agree as follows:

1. **License Date and Effective Date of Agreement.** This License is made with an effective date of May 1, 2024 ("Effective Date"). This Agreement shall not be effective until the Township receives a copy of this Agreement executed by the President of the Board of Trustees or Executive Director of Licensee and the required insurance certificate approved by the Township Attorney along with a Resolution evidencing approval by the Licensor's Township Council.

2. **Description of Agreement Premises.** The premises licensed by Township to Licensee includes the pool and locker rooms located at 60 ½ Cherry Street in the Township of West Orange, New Jersey ("Premises").

3. **Term.** The term of this License shall be for four (4) months, beginning on May 1, 2023 through August 31, 2024. The Director of Recreation reserves the right to terminate this contract at any time at his/her sole discretion.

4. **Licensee's Use.** Licensee shall use the Premises for swim practices and not for any other use. The hours of use will be 6:00 a.m. until approximately 7:45 a.m. Monday, Wednesday, Thursday, Friday beginning no earlier than May 1, 2024 and ending no later than August 31, 2024. Assigned days and hours are subject to change during the period of this agreement if West Orange activities mandate such change. In the event of a conflict with a Township activity where pool and changing room use is required, the Township shall contact the Senior Aquatics Director of the Montclair Y and

notify the Licensee of the unavailability of the premises as soon as the conflict is evident. No alternate arrangements need be made.

5. **Fee and Insurance.** A fee shall be payable in the amount of \$75.00 per hour of actual use. If the Township is required to hire a manager or other authorized individual, the Licensee shall pay those additional expenses. Licensee agrees to maintain public liability insurance naming itself and Township as named insured in an amount not less than one million (\$1,000,000) dollars per occurrence and two million (\$2,000,000) dollars in the aggregate. The Montclair Y shall carry liability insurance with a minimum combined single limit of One Million (\$1,000,000.00) dollars for bodily injury and property damage. The Montclair Y shall provide the original of a Certificate of Insurance to this effect upon signing this agreement. Further, the Montclair Y represents that all participants and staff have additional medical insurance and emergency room coverage under a policy provided through United States Swimming (liability amount of \$10,000,000.00) and will provide a copy of that documentation included with this signed agreement. The policy expiration dates shall be no earlier than August 31, 2024.

6. **Indemnification.** Licensee shall indemnify and hold harmless Licensor including attorney's fees and expenses from any claims arising from Licensee's use of the Premises.

7. **Usage.** Licensee shall comply with all state and local laws, regulations, codes and ordinances. In addition, Licensee shall comply with all Township pool rules as shall be promulgated from time to time by the Township. Licensee hereby acknowledges receipt and full understanding of all current pool rules.

8. **Hours of Licensee Use.** Licensee shall be permitted to use the Premises during the hours of 6:00 a.m. until 7:45 a.m. Monday, Wednesday, Thursday, Friday during the term set forth above. Any other hours of use shall be subject to prior written request and approval by the Township in its sole discretion. Licensee may not use the Premises at any time without the Licensor's authorized representative present.

9. **Licensee's Care.** Licensee will commit no act of waste, will take good care of the Premises, and will comply with all laws, regulations, rules, and orders of any federal, state, or local government agencies or departments. Licensee will do nothing that may potentially increase the cost of Township's fire or public liability insurance.

10. **Staffing/Supervision & Safety:** Licensee shall provide a certified swim coach (USAS) for all competitive swimming activities and shall also provide a certified pool manager (CPO) to properly open the pool and assure its safety for participants. It shall be the responsibility of the Licensee to ensure the safety of its staff and all participants and to ensure that all staff and participants are properly trained in safety and health procedures and concerns. The Licensee shall immediately report any incidents to West Orange in writing, shall provide the Township with a written incident report, and shall fully cooperate with the Township in all regards. The Licensee shall assume all liabilities of injuries resulting from swim team related activities. All of Licensee's

employees, agents and representatives shall be free of any criminal charge or conviction having any impact upon their ability to work with or be in the vicinity of minors.

11. **Lifeguard:** A fully certified lifeguard shall be present at all times. The Licensee will pay all costs for providing the lifeguard and shall reimburse West Orange for the utilization of a West Orange staff lifeguard.

12. **Repairs.** Township will make all necessary repairs to the Premises at Township's expense except when the repairs are caused by the misuse or neglect by Licensee or by persons under Licensee's control or on the Premises at Licensee's invitation, in which even, Licensee shall make those repairs at Licensee's own expense. Licensee shall surrender the Premises in the same condition as they were at beginning of the term, reasonable wear and tear excepted.

13. **Improvements.** Licensee shall not cause any improvements, renovations or other work to be done at the Premises. All of Licensee's personal property shall be removed by Licensee on a daily basis upon the completion of Licensee's hours of use hereunder.

14. **Abandoned Property.** All of Licensee's property remaining on the Premises shall be deemed abandoned and the sole property of the Township.

15. **Payment.** An initial payment of \$2,000 shall be due to the Township by no later than May 1, 2024. The remaining balance, the amount of which will be presented to the Licensee by the Township by no later than September 15, 2024, shall be due to the Township by no later than October 15, 2024.

16. **Services.** The Township shall provide no services for Licensee's use except as specifically provided herein. Licensee agrees to place all garbage in a designated area. Township agrees to maintain the electrical, plumbing, HVAC and structural systems on the Premises.

17. **Damage to Building.** If the Premises are damaged by fire or any other cause, then Township may, give Licensee notice of election to terminate this Agreement.

18. **Township May Terminate.** If Licensee defaults in the performance of any covenant or condition of this Agreement, Township may, on written notice to Licensee terminate this Agreement.

19. **Notices.** Any notice by either party to the other shall be in writing and shall be deemed to be properly given only if delivered personally, telecopied, or mailed by registered or certified mail, return receipt requested, addressed (a) if to Licensee, at the above indicated location; (b) if to Township, at Township's address set out in this Agreement; or (c) at such addresses as Licensee or Township from time to time may designate in writing. Notice shall be deemed to have been given upon delivery if delivered personally, and if mailed, upon the third day after the date of mailing.

20. **Township's Right to Inspect Premises.** Township may enter the Premises at any time without notice to Licensee to inspect the premises or make those repairs, replacements, and additions to the Premises as Township deems necessary or desirable. Licensee shall have no claim or cause of action against Township solely for entering the premises in accordance with the Paragraph.

21. **Interruption of Services or of Occupancy.** Interruption or curtailment of any service maintained on the Premises if caused by strikes, mechanical difficulties, or any other causes beyond Township's control shall not entitle Licensee to any claim against Township or to any abatement in rent, nor shall they constitute constructive or partial eviction.

22. **Elements of Construction Eviction.** Licensee shall not be entitled to claim a constructive eviction from the Premises.

23. **No Representations.** Neither party has made any representations or promises, other than those contained in this Agreement or in some further writing signed by the party making the representation or promise.

24. **Covenant of Quiet Enjoyment.** Township covenants that as long as Licensee pays the rent and any additional rent required under this Agreement and performs Licensee's covenants, Licensee shall peaceably and quietly have, hold, and enjoy the premises for the term provided, subject to the provisions of this Agreement.

25. **Waiver of Jury Trial.** To the extent waiver is permitted by law, the parties waive trial by jury in any action or proceeding brought in connection with this Agreement or the premises.

26. **Captions.** The captions in this Agreement are included for convenience only and shall not be taken into consideration in any construction or interpretation of this Agreement or any of its provisions.

27. **No Assignment.** The Licensee is not permitted to assign sublet or transfer any aspect of this Agreement, in whole or in part, to any entity or person.

28. **Agreement Binding on Successors, Representatives, and Assigns.** The provisions of this Agreement shall apply to, bind, and inure to the benefit of Township and Licensee, their successors, legal representatives, and assigns.

29. **Entire Agreement:** This Agreement may not be modified except by written agreement signed by both of the parties hereto.

IN WITNESS WHEREOF, the parties have hereunto executed this Agreement.

MONTCLAIR YMCA

Dated: _____

Signed: _____

TOWNSHIP OF WEST ORANGE

Dated: _____

Signed: _____

**RESOLUTION REJECTING RETURN OF PERFORMANCE BOND TO
RNC DEVELOPERS, INC.**

WHEREAS, RNC Developers, Inc. (“RNC”) is a developer of the twenty-seven (27) lot subdivision in the Township designated as Block 173, Lot 12 and Block 172.29, Lot 40.02 on the Township of West Orange’s (the “Township”) Tax Map pursuant to the February 9, 2009 Developer’s Agreement (the “Developer’s Agreement”); and

WHEREAS, performance bonds in the amount of \$178,620.00 (the “Performance Bond”) were posted with the Township by RNC to guarantee completion of site improvements to be performed in accordance with the preliminary and final major subdivision approval from the Planning Board of the Township (the “Planning Board”) and said approval was memorialized by resolution adopted by the Board on August 7, 2003; and

WHEREAS, on January 26, 2024, after receiving various complaints from residents of the Subdivision regarding flooding to their homes, the Township Engineer inspected the Subdivision; and

WHEREAS, on March 23, 2024, the Township Engineer authored a report (the “Township Engineering Report”) determining that the Subdivision was not built in compliance with the plans approved by the Planning Board;

WHEREAS, the Township retained Greeman Pedersen, Inc. (“GPI”), an outside engineering firm, to inspect the Subdivision and construction of the same; and

WHEREAS, GPI authored an engineering report on April 3, 2024 (the “GPI Report”) opining that the Township Engineering Report was accurate and that the Subdivision was not constructed in accordance with the plans approved by the Planning Board; and

WHEREAS, the Township Council has reviewed both the GPI Report and the Township Engineering Report and determined that the construction of the Subdivision is not substantially complete in accordance with N.J.S.A. 40:55D-53(e)(1); and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Orange that the Township is hereby authorized to “reject all of the bonded improvements” in accordance with N.J.S.A. 40:55-53(e)(1) and rejects the return of the Performance Bond to RNC until the Subdivision and flooding issues therein are addressed and resolved to the satisfaction of the Township Engineer; and

RESOLVED, that a copy of this Resolution shall be made available in the Clerk’s office in accordance with applicable law.

Karen J. Carnevale, R.M.C.
Township Clerk

Bill Rutherford
Council President

Adopted: April 24, 2024

**RESOLUTION APPOINTING LOUIS REYNOLDS AS DIRECTOR OF THE
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, N.J.S.A. 40A:9-154.6(g) requires that the governing body shall appoint a principal public works manager for that municipality; and

WHEREAS, the Township of West Orange has a need for a director of the department of public works; and

WHEREAS, pursuant to § 2-2.2 of the Township of West Orange Municipal Code, the Mayor shall appoint the Director of each Department;

WHEREAS, since February 12, 2024, due to emergent circumstances, Louis Reynolds has been acting as the interim Director of the Department of Public Works; and

WHEREAS, the Township has previously budgeted for the Director of the Department of Public Works; and

WHEREAS, the Mayor is hereby appointing Louis Reynolds to serve as the Director of the Department of Public Works pursuant to § 2-2.2 of the Township Code;

NOW THEREFORE BE IT RESOLVED, by the West Orange Township Council that Louis Reynolds is hereby appointed as the Township Director of Department of Public Works effective February 12, 2024; and

BE IT FURTHER RESOLVED, that Louis Reynolds be compensated in accordance with the Township's approved budget and Salary Ordinance.

Karen J. Carnevale, R.M.C.
Municipal Clerk

Bill Rutherford,
Council President

Adopted: April 24, 2024

I hereby certify funds are available from: _____
Account No.

John O. Gross, Chief Financial Officer

TOWNSHIP OF WEST ORANGE

**RESOLUTION TO ADOPT PROCEDURES FOR ADMINISTRATION AND
INSPECTION OF FEDERAL AID HIGHWAY PROJECTS**

WHEREAS, the Federal Highway Administration (FHWA) provides opportunities for Local Public Agencies (LPA), such as the **Township of West Orange**, to receive Federal Aid Highway Program (FAHP or federal-aid) funds through New Jersey Department of Transportation (NJDOT); and

WHEREAS, the **Township of West Orange** is presently the recipient of federal-aid funds through a project awarded under the 2023 Transportation Alternatives Set Aside Program (TAP) for the Washington Street Corridor Improvement Phase 2 Project; and

WHEREAS, the **Township of West Orange** as an LPA, is responsible for administering federal-aid funded projects in compliance with all federal-aid requirements established by the FHWA; and

WHEREAS, the NJDOT, through its Stewardship Agreement with FHWA, is responsible for ensuring that the **Township of West Orange** is adequately staffed and suitably equipped to undertake federal-aid projects, and ensure that federal requirements are met; and

WHEREAS, the **Township of West Orange**, as required by the NJDOT, has developed a Policy outlining the required procedures for the Administration of Federally Funded Transportation Projects administered through the NJDOT;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the **Township of West Orange**, County of Essex, State of New Jersey, that the **Township of West Orange** adopts the policy entitled, “**Township of West Orange Procedure for Administration and Inspection of Federal Aid Highway Projects**” dated December 2023.

I, **Karen J. Carnevale**, RMC, Municipal Clerk of the **TOWNSHIP OF WEST ORANGE**, do hereby certify that the foregoing resolution was duly adopted at a Regular Meeting of the Township Council of the Township of West Orange held this 24th day of April, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 24th day of April, 2024.

Karen J. Carnevale, RMC,
Municipal Clerk

Bill Rutherford, Council President

Susan McCartney, MAYOR

Adopted: April 24, 2024

DRAFT

Township of West Orange

Procedure for Administration and Inspection of Federal Aid Projects

December 2023

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Abbreviations

ADA – American with Disabilities Act
CFR- Code of Federal Regulations
CO – Change Order
DBE – Disadvantaged Business Enterprise
ESBE-Emerging Small Business Enterprise
FAA – Federal Aid Agreement
FAR – Federal Acquisition Regulation
FAHP – Federal Aid Highway Program
FHWA – Federal Highway Administration
MPO – Metropolitan Planning Organizational
NEPA – National Environmental Policy Act
NJDOT – New Jersey Department of Transportation
NJDOT-BEPR -New Jersey Department of
Transportation – Bureau of Environmental
Program Resources
LPA – Local Public Agency
NJDOT – BLA- New Jersey Department of
Transportation – Bureau of Local Aid
PS&E – Plans, Specifications & Engineer’s Estimate
QA/QC – Quality Assurance/Quality Control
RC/PM – Responsible Charge/Project Manager
RE – Resident Engineer
RFP – Request for Proposals
ROW – Right of Way
SOW – Scope of Work
Specifications – 2019 New Jersey Department of Transportation Standard Specifications for
Road and Bridge Construction
U.S.C. – United States Codes
Voucher – State of New Jersey Payment Voucher
NJDOT - BLA – New Jersey Department of Transportation - Bureau of Local Aid

1.0 Introduction

Federal Highway Administration (FHWA) provides opportunities for Local Public Agencies such as the Township of West Orange to receive Federal Aid Highway Program (FAHP or Federal Aid) funds through the New Jersey Department of Transportation (NJDOT) and the associated regional Metropolitan Planning Organizational (MPO). In receiving Federal Aid funds, the Township of West Orange is responsible for administering their projects while meeting all Federal requirements. The NJDOT-Bureau of Local Aid, through its Stewardship Agreement with FHWA, is responsible for ensuring that each LPA that receives FHWA funds, is adequately staffed and suitably equipped to undertake and administer Federal Aid projects. The Township of West Orange must provide the supervision and inspection required to complete each project in conformance with the approved Scope of Work (SOW), plans and specifications and ensure that all Federal requirements are met. These requirements are set forth in:

- Title 23 United States Code (U.S.C.) –Federal Aid Highways
- 40 USC- Brooks Act- Selection of Architects and Engineers
- Title 40 U.S.C. - Public Buildings, Property and Works
- Title 23 Code of Federal Regulations (CFR) – Highways
- Title 48 CFR – Federal Acquisition Regulations System
- Title 49 CFR -Transportation
- Title 49 CFR-Part 18 – Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
- Uniform Act – Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, 42 USC 4601 and 49 CFR part 24, P.L. 91-646

The purpose of this document is to provide Standard Procedures to be used by Township of West Orange for the Administration of Federally Funded Transportation Projects funded through NJDOT-BLA (Bureau of Local Aid).

2.0 Administrative Responsibilities of Township of West Orange and Responsible Charge

Township of West Orange must designate a Responsible Charge (RC/PM) for each federal aid project by submitting a letter of notification to the NJDOT Local Aid District Office. The RC/PM must be a full-time Township of West Orange employee as required by Title 23 CFR 635.105(c). In addition to being a “full-time” employee of Township of West Orange, the person in “Responsible Charge” (RC) must complete the Rutgers CAIT Responsible Charge Training Course and receive a Certificate of Course Completion. This Certification is valid for a three (3) year period. Responsible Charge candidates with an expired certification must be recertified by completing a Responsible Charge Training Course and obtaining a new course completion certification. The designated employee will be in “responsible charge” of all phases of the Federal Aid Project from project initiation to final payment and closeout. The RC/PM can be, if needed, acting as responsible charge on more than one project, and directing Township of West Orange personnel assigned to specific projects. The RC/PM can work in conjunction with a Resident Engineer but at a minimum, the RC/PM will be responsible for the administration and oversight of the following tasks:

- a. Administers project activities, regarding cost, time, adherence to contract requirements, design and construction quality and scope.
- b. is aware of the qualifications, assignments and on the job performance of agency and consultant staff at all stages of the project.
- c. Reviews financial processes, transactions, and documentation to ensure that safeguards are in place to eliminate the possibility of fraud, waste and abuse.
- d. Either by Township of West Orange staff or with the support of a consulting engineering firm, NJDOT-BLA and NJDOT Bureau of Environmental Program Resources (NJDOT-BEPR), prepares and/or administers the disbursement of National Environmental Policy Act (NEPA) documents and permits, and coordinates with the correspondent agency, state or federal, involved in the preparation and filing of such documents.
- e. Provides review, comments, and final acceptance of all design documents.
- f. Oversees Right-of-Way availability and acquisition during the design phase. Verifies that any ROW acquisition follows approved NJDOT Right-Of-Way procedures and is reviewed by Township of West Orange Counsel. Township of West Orange must use Right-Of-Way procedures that are in conformance with the Uniform Act of 1970 and have been reviewed and approved by NJDOT Right-Of-Way.
- g. Provides coordination with all public and private utilities.
- h. Reviews and concurs with the consultant's construction bid review, analysis, and recommendation. Requests further evaluation from consultant if the recommendation is deemed incomplete.
- i. Verifies that the Form CR-266, CR-272, CR-273, and CR-274 have been submitted to and approved by NJDOT Civil Rights prior to Award of Contract.
- j. Prepares and submits a recommendation of award for approval and resolution of award by Township of West Orange Governing Body or performs this task in accordance with NJDOT BLA approved Township of West Orange procedures.
- k. Works with Township of West Orange Legal Counsel to request Contractor submittal of all legal forms and documents for the preparation of the contract from the contractor for approval and resolution of award by Township of West Orange Governing Body Agenda or performs this task in accordance with NJDOT BLA approved Township of West Orange Procedures.
- l. The pre-construction meeting is scheduled, in coordination with NJDOT-BLA and Township of West Orange, after the contract has been signed.
- m. Notice to Proceed is issued after the pre-construction meeting specifying the start date, the duration of the project as per the specifications and the completion date.

- n. Along with the RE, reviews and approves the Material Questionnaire and submits to NJDOT-BLA. Reviews and approves any changes to Materials and submits revised Material Questionnaire to NJDOT-BLA.
- o. Oversees Construction Contract Administration and Construction Inspection with responsibility to provide final decisions on all issues related to the contract as recommended by the RE and/or design consultant.
- p. Visits and reviews the project site on a frequency appropriate to the complexity of the project and maintains a record of these visits.
- q. Monitors the work zone safety and traffic control and provides comments and revisions to the Resident Engineer/Inspector for immediate action by the Contractor. Maintains familiarity of day-to-day project operations, including project safety issues. At a minimum the RC/PM, requires and confirms that the Resident Engineer does a daily check of the maintenance and protection of traffic control to ensure it is set up as established on the bid documents and requests the Contractor to resolve any non-conformance issues found.
- r. Directs project staff, Township of West Orange or consultant, to carry out project administration and contract oversight, including daily entries documenting all project work.
- s. Ensures that the project receives adequate supervision and inspection to ensure that work is accomplished in conformance with approved plans and specifications.
- t. Verifies Source Documents related to material testing, material certifications, delivery tickets, daily inspection report, DBE/Trainee participation, project completion, project schedules, Buy America and Build America is strictly controlled by the Resident Engineer/ Inspector (retained consultant or agency staff). This is to be done under direct supervision of the RC/PM to ensure that all records are properly maintained for the duration of the project. (See sections 5.2, 5.3 and 5.4 for additional information on Source Documentation)
- u. Along with the Resident Engineer, monitors sampling/testing of materials for compliance with mandated requirements. Makes provisions for testing by a certified material testing firm. Material used that does not pass required tests, will be rejected, and shall be replaced at no cost to Township of West Orange.
- v. Makes and/or participates in decisions about changed conditions or scope changes that require change orders or supplemental agreements. Immediately notifies NJDOT-BLA of any changes to the project.
- w. Monitors contract time, originally set by the contract documents by comparing the initial construction schedule with progress schedules during construction. Requests for Time extensions, will be evaluated, commented and/or approved and submitted to NJDOT for acceptance as soon as the need for additional time is known.

- x. Ensures that prime contractor is not executing pay items designated for DBE Subcontractor, as approved by NJDOT Civil Rights.
- y. Follows NJDOT Civil Rights process for changing, replacing, substituting, and omitting a DBE from the Project.
- z. Along with the Resident Engineer, monitors and/or completes necessary forms to comply with Wage Rate Compliance and DBE/ training goals set for the project.
- aa. Along with the Resident Engineer, oversees and verifies the ADA compliance requirements of the project.
- bb. Along with the RE, reviews payments requested by contractor. Submits invoices for reimbursement to NJDOT-BLA as per the project agreement.
- cc. Notifies NJDOT-BLA when construction is complete and arranges a final inspection.
- dd. Reviews and submits all documents required for final payment and project closeout
- ee. Monitors and rates the performance of the design and/or inspection consultants. Submits rating to NJDOT-BLA.

An Organizational Chart showing Township of West Orange personnel associated with Federal Aid Project administration, along with their duties, is included in this document (See Appendix A).

3.0 Procurement of Professional Services – Consultant Selection (For Design & Construction Management/Construction Inspection)

This section covers the procurement and administration of professional services and consultant selection for federally funded projects. Township of West Orange retains consultant services to provide the following tasks, including but not limited to environmental, surveying, engineering design, right-of-way, geotechnical, landscape design, construction management and inspection services, and material testing.

Consultant services funded wholly or partially with FHWA funds are procured and administered by Township of West Orange in accordance with 49 CFR – Part 18 – Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. All contracts for engineering and design services related to construction projects will comply with the requirements of 23 U.S.C 112-Letting of Contracts and 23 CFR 172 – Procurement, Management and Administration of Engineering and Design Related Services.

Township of West Orange must follow the requirements defined by the Brooks Act (40 U.S.C.), for competitive negotiation/qualification-based Consultant selections as per the procedure listed below:

DESIGN ASSISTANCE PROGRAM

Please note- NJDOT-BLA may provide Design Assistance for certain federally funded programs. If offered, Design Assistance will provide full funding for the design of the project. The NJDOT-BLA will solicit and rate proposals in compliance with the Brooks Act to establish a pool of qualified design engineering consultants. The Township of West Orange will choose a pre-qualified consultant from this pool, and in conjunction with NJDOT-BLA request a SOW and cost estimate from the selected consultant. After the SOW is finalized and cost is negotiated, Township of West Orange will ask NJDOT-BLA to request federal authorization funding for design. This authorization will provide funding for Preliminary Engineering, further authorizations for Final Design and Construction Support Services will be made at the appropriate time. Once the project receives federal authorization for the Preliminary Engineering phase, Township of West Orange will enter into an agreement with the consultant and follow the procedures for awarding and administering a consultant contract as stipulated in this manual.

3.1 Request for Proposals

DESIGN

Township of West Orange will administer and oversee the procurement of professional services by preparing an RFP for Design Services. The RFP must be approved by NJDOT-BLA, and include, but not be limited to the following requirements.

For each design phase Township of West Orange shall prepare a detailed scope of work (SOW) that includes the following, as a minimum:

1. Description of the project location and existing conditions
2. A clear, accurate and detailed description of the proposed project (SOW), technical requirements, and qualifications of consultants necessary for the services to be rendered. The SOW should detail the purpose and description of the project, services to be performed, deliverables to be provided, estimated schedule for the performance of work and applicable standards, specifications and policies.
3. A list of the tasks to be included in the project, and a description of the work (SOW) to be performed for each of the tasks.
4. Estimated project schedule by tasks using the critical path method, Bar Chart or approved method as per NJDOT-BLA requirements.
5. Location Map
6. Method of payment must be cost plus fixed fee,
 - The Cost-plus Fixed Fee Method of payment reimburses the Consultant for its direct and indirect costs (salary, overhead, direct expenses) in addition

to a negotiated amount as a fixed fee. The fixed fee rate will be calculated in accordance with NJDOT methodology.

- Allowable costs include those directly associated with the specific contract as well as overhead costs, also known as their indirect cost rate.
 - Federally funded projects require that consultant contracts be compliant with 48 CFR part 31 – Contract Cost Principles Under the Federal Acquisition Regulations (FAR). This federally funded project has NJDOT oversight, and to ensure the consultant contract is compliant with FAR cost principles when using federal-aid funds, only NJDOT approved overhead rates will be used. Consultants that do not have approved NJDOT overhead rates must be approved in accordance with NJDOT Procurement policies.
 - The fixed fee calculated using NJDOT format and procedure will be used for the purpose of developing the cost estimate, negotiating and making payment on the contract.
7. Creation of a Proposal Submittal Checklist including but not limited to:
- Copies of DBE certifications
 - Proof of NJDOT approved overhead rates
 - New Jersey Business Registration
 - Statement of Ownership
 - Non-Collusion Affidavit
 - Acknowledgment of Receipt of Addendum -if required
 - Checklist Signature Page
 - Iran form (DC-16)
 - Russia Belarus form
 - Byrd anti-lobbying certification-(contracts over \$100,000.00)
8. Project Cost and Work Hour Estimate
- Township of West Orange will create a cost estimate based on tasks and work hours. The tasks listed in this form must match the tasks described in the SOW.
 - This estimate shall be used to negotiate costs
9. Rating and Evaluation
- Township of West Orange will create a rating form and rating criteria to be used to evaluate proposals. These documents will be submitted to NJDOT-BLA for review and approval. Township of West Orange will form a rating team of at least three individuals who will use the approved rating form and criteria to perform a quality-based selection. (See below for full rating process)

Note: this section outlines the tasks and deliverables for three phases of the NJDOT design process - Concept Development, Preliminary Engineering and Final Design. All phases may not be necessary for each project.

PHASES OF NJDOT DESIGN PROCESS

Concept Development Phase- if required

Conduct data collection, evaluate deficiencies and identify fatal flaws, evaluate planning alternatives, coordinate with stakeholders, complete environmental screening, assess Right of Way, Utility and Access impacts, determine Preliminary Preferred Alternative, identify substandard design elements, determine environmental impacts and document, prepare construction cost estimate, and execute the public involvement action plan.

Deliverables

- Design Communication Report
- Purpose and Need Statement
- Preliminary Preferred Alternative
- Environmental Document Classification
- Concept Development Report

Preliminary Engineering Phase

Coordinate with Stakeholders, conduct environmental analysis for PPA, initiate roadway engineering, initiate structural engineering, initiate ROW and access, identify utility impacts, prepare final design and construction cost estimate, execute public involvement plan

Deliverables

- Design communication report
- Preliminary engineering report
- Approved environmental document
- Approved design exception report
- Cost estimate – final design and construction
- Approved project plans

Final Design Phase

Complete roadway engineering, structural engineering, ROW, utility and access impacts, environmental process and prepare final design submission, execute public involvement plan.

Deliverables

Design communication report
Environmental reevaluation and permits
Acquisition of ROW
Construction contract documents

The construction support services tasks, if included, are but not limited to, the following:

- Bidding process and award of contract
- Attending pre-construction meeting
- Shop and/or working drawings reviews and approvals.

Note: The Design Consultant may be retained to perform construction support services during the construction phase if the scope for these services is included in the design solicitation.

Construction Management & Inspection (CM/CI)

Township of West Orange will administer and oversee the procurement of Construction Management and Inspection services by preparing an RFP which outlines the tasks and deliverables for the Construction Management/Inspection contract including but not limited to the following:

- Detailed Scope of Work
- Construction Schedule
- Key Staff/Inspector Qualifications Requirements/Responsibilities
- Prior Similar Work Experience
- Deliverables
- Method of Contract Payment.
- Proposal Evaluation Criteria

Note: Additional CM/CI RFP requirements are included in Section 5 of this document.

3.2 Proposal Evaluation Process (Design & CM/CI)

Township of West Orange will do the following:

- Prepare a **rating form** (Appendix C) that includes a list of the evaluation factors and their importance. This form will be provided in the RFP package and includes criteria such as: experience of the Design or Resident Engineer and key staff, experience with similar projects, location (proximity to project site), past performance, workload, capacity, technical approach, understanding of scope of work, and project management plan. Proposal Evaluation Forms generally consist

of the similar criteria which can be modified to be more project specific. The criteria selected from the list below shall be cited in the public solicitation as per 23 CFR 172.7(a)(1)

- Prepare a **rating guide** (Appendix C) that provides guidance to the selection committee on how to assign points for each of the evaluation factors.
- Prepare a detailed cost estimate, using a project cost work hour proposal form that is approved by the LAPM, showing project specific tasks and workhours for the professional services, to be broken down by the type of labor, direct costs, and Consultant's fixed fee and Overhead Rate for the defined scope of work.
- Submit the detailed RFP, the rating form, the rating guide, cost estimate and to NJDOT-BLA for their review and approval.
- Prepare a package of documents to be distributed to firms responding to the solicitation for preparation of expressions of interest and technical proposals along with a separate cost proposal. These documents- along with the advertisement- must be approved by NJDOT-BLA prior to advertising for proposals.

The Proposal Package includes:

- The approved RFP.
- An estimated project schedule using a Bar Chart or Critical Path Method including milestones including start date, duration and completion date.
- The evaluation form that includes the weighted evaluation factors and their relative importance.
- A cover letter containing instructions for submitting proposals including the time and place for submission of the proposals, the cost proposal and the DBE/Trainee requirements. The requirement that the technical Proposal and Cost Proposal are to be submitted in separate sealed envelopes will be clearly stated in the RFP.

Advertisement for Consultant Services

Township of West Orange advertises for expressions of interest and technical proposals. The advertisement is placed in at least two legal newspapers (1 local and 1 regional), for three consecutive weeks. Township of West Orange will provide at least 14 working days after the last advertisement for the Consultant to respond to the solicitation. A copy of the advertisement and dates will be filed at Township of West Orange offices unless requested by the Local Aid District Office

The advertisement must include the following statement

- **“Proposals are being solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.3, et seq., and as such, contractors are exempt from the limitations on making political contributions under that law. Further, for that reason, as well as because of language in the New Jersey's Annual Appropriations Act, refusal to disclose campaign contributions otherwise required by N.J.S.A.**

19:44A-20.3 et seq. and 19:44A-20.25 et seq., will not adversely affect your consideration for award.”

Evaluation of the Proposals and Consultant Selection

Township of West Orange receives the proposals at the designated time and place. A separate sealed cost proposal is submitted as part of the proposal.

Proposals are evaluated and ranked independently by members of the Consultant Selection Committee. The Consultant Selection Committee shall consist of at least three individuals including representatives of Township of West Orange.

All submitted proposals must be evaluated and ranked according to the evaluation criteria and scoring process outline in the RFP. (Proposal Rating Guide is in Appendix C of this document)

The members of the Consultant Selection Committee meet to discuss the rankings and, if necessary, ask the top ranked Consultants to make an oral presentation.

The top ranked Consultant is selected, their cost proposal is opened, and negotiations take place to ensure an acceptable project cost is reached.

Township of West Orange negotiates the Workhours with the selected Consultant using Township of West Orange previously prepared cost estimate. This is used as the basis for the negotiation to arrive at a fair and reasonable compensation for the solicited services. Only work included in the original advertised scope of services is incorporated into the contract. The allowable costs include the direct costs associated with the specifics of the contract, the fixed fee as well as overhead costs. Only NJDOT approved overhead rates can be used.

If a satisfactory negotiation cannot be reached with the number one ranked Firm, then cost proposal of the number two Firm will be opened. All other Cost Proposals are returned unopened after a successful negotiation process. The RC/PM submits documentation of the Consultant selection process to NJDOT- BLA for approval after the selection of the Consultant and negotiation of the cost proposal. This includes the following:

- selected technical proposal
- the cost proposal
- DC-16 Disclosure of Activities in Iran
- Russia and Belarus form
- Byrd Anti-Lobbying form (contracts over \$100,000.00)
- letter from the sponsor supporting the selection, stating that the consultant and any subconsultants are not debarred and requesting federal authorization.

After receiving written authorization from NJDOT- BLA, Township of West Orange executes a contract with the Consultant for the amount authorized.

3.3 Award of Consultant Contract

The RC/PM recommends the award of contract to the selected consultant to the governing body of Township of West Orange after receiving written authorization from NJDOT-BLA. Township

of West Orange passes an award resolution for the amount authorized.

3.4 Federal Agreement for Design Services

Township of West Orange executes a project specific Federal Aid Agreement (FAA) with NJDOT, this agreement allows for payment of federal funds to Township of West Orange.

NJDOT-BLA prepares and submits to Township of West Orange a Federal Aid Agreement for signatures by Township of West Orange authorized official and clerk. This agreement allows for reimbursement of costs and includes the terms of the contract between Township of West Orange and the NJDOT. Township of West Orange returns four (4) copies of the originally signed agreement along with four (4) copies of a signed resolution that states the amount of the agreement, the agreement number and designates the authorized official and the clerk to sign the agreement to NJDOT-BLA.

Please note- if Township of West Orange requires additional signatures on agreements, the RC will inform the LAPM and ask that additional names and titles be added to the agreement signature page.

NJDOT-BLA will circulate the agreement for execution by the Department and returns one copy to Township of West Orange upon execution. **No work can be done until this agreement is fully executed.**

3.5 Consultant Contract Administration and Monitoring (Design or CM/CI)

Township of West Orange monitors consultant work throughout the contract assigning a full-time employee as Responsible Charge, who schedules a kickoff meeting with the consultant and representatives from NJDOT-BLA and NJDOT-BEPR (if required) to discuss the following:

- a. Scope of Work
- b. Sub consultants
- c. Project schedule
- d. ESBE/DBE compliance
- e. Specifications, requirements, and guidelines
- f. NEPA/Environmental process
- g. Change orders
- h. Payment procedures
- i. Affected agencies

The RC/PM schedules monthly progress meetings with the consultant to discuss the project progress and any Township of West Orange comments on the progress plans and specifications.

The RC/PM reviews the monthly payments submitted by the consultant to ensure the costs are consistent with the contract terms and progress of the consultant's work.

The RC/PM reviews ESBE/DBE goal compliance along with the consultant progress schedule and makes monthly payments to the consultant based upon approved invoices submitted.

The RC/PM submits invoices for reimbursements to NJDOT-BLA monthly or at minimum quarterly or as requested. The invoice package includes:

- a. Copies of the consultant invoices
- b. Proof of payments
- c. Project progress schedule and description

Narrative description of work performed during the payment period and any difficulties or delays encountered including:

Design Consultant:

- 1) comparison of actual accomplishments to the goals established for the payment period;
- 2) comparison, by tasks, of costs incurred with amounts budgeted, and;

Design or CM/CI Consultant:

- 3) comparison, by task, of work performed compared to the schedule, including a percentage of the total work completed. This requirement can be met by including a bar chart showing schedule timing and actual progress.
- 4) Copies of contract compliance documents as completed for the voucher payment period by the Resident Engineer that is designated by Township of West Orange, a complete set of which shall be furnished by the State at kickoff and/or preconstruction meetings.

DESIGN PHASE

The consultant, under the supervision of the RC/PM, prepares documents for the appropriate design phase. This may include such documents as information for the environmental document, plans, specifications, and engineer's estimate (PS&E). The RC/PM reviews the documents produced in each design phase and provides comments to the consultant. The consultant revises the documents and submits all revisions back to Township of West Orange for record; copies of the submittals are submitted to NJDOT-BLA for review and approval.

Preliminary Engineering

Environmental document- the RC submits the following to NJDOT-BLA for review, if acceptable the LAPM will submit the CED package to NJDOT-BEPR and request completion of the CED:

- Preliminary plans
- CED form, with first two sections completed
- location map,
- one page SOW
- Documentation of public outreach and support

Once the environmental document is approved Township of West Orange will submit the following to the LAPM:

- a. Preliminary Plans

- b. Engineer's Estimate
- c. Preliminary Design Report
- d. Design Communication Report

These documents along with the approved Environmental Document will be used to request Final Design Authorization

Final Design

The following documents are required for construction authorization- Please note -there will be an initial review and a final review by NJDOT-BLA:

- a. Final Plans and Specifications
- b. Environmental Re-evaluation
- c. Engineer's Construction Estimate (no older than 30 days from the time of submittal)
- d. Design exception (if applicable)
- e. Project Schedule
- f. DBE and Trainee forms
- g. Construction schedule/bar chart/CPM Schedule
- h. Design Certification
- i. Right of Way Certification*
- j. Utility Certification
- k. Permit Certification with copies of the permits (if applicable)
- l. Railroad Certification
- m. Advertising assurance letter
- n. Funding assurance letter
- o. Response to NJDOT comments

*Any need for right-of-way, as determined by the design consultant, will be processed in accordance with NJDOT-BLA and NJDOT Right-Of-Way Guidelines for Federally Funded Projects procedure and the Uniform Act. A right-of-way approval must be obtained from NJDOT Right-Of-Way Office to be included in the construction authorization package along with the ROW certification from Township of West Orange. Township of West Orange ROW procedure must be approved by NJDOT ROW before any ROW work is done.

For projects with estimated construction costs of \$12.5 million or more, Township of West Orange in accordance with N.J.S.A. 52:15C-10, notifies the Office of the State Comptroller as early as practicable, but not later than 30 days before advertisement.

Township of West Orange will receive a letter from NJDOT-BLA approving the Final PS&E submission. Once the project is authorized by FHWA and NJDOT, Township of West Orange receives a written authorization to advertise for construction along with the funding agreement from NJDOT-BLA.

3.6 Consultant Evaluation

Township of West Orange evaluates the Consultant's performance at the completion of the contracts for design services, construction support services, and construction inspection services. The rating also evaluates the overall project design.

Township of West Orange evaluates the Consultants on:

- a. Adherence to schedule,
- b. Quality of work and
- c. Project Management.

Township of West Orange evaluates the consultant performance once each contract is completed. (The Consultant Evaluation Form is included in Appendix D). Township of West Orange holds the consultant liable for any errors and omissions resulting in construction increased cost.

The Consultant evaluation is recorded on forms prepared by Township of West Orange team under the supervision of the RC. The forms include the evaluation categories, the weight of each category, and the eligible rating for each category. Guidelines are prepared for rating of each of the categories to provide a consistent evaluation.

For the design service phase, the RC/PM rates the Consultant using the information from the written log of the Consultant performance developed by the RC/PM during the design phase of the project.

For the construction support services area, the RC/PM may rate the Design Consultant based on the written log developed by the RC/PM during the construction phase and on information received from the Resident Engineer and Inspectors.

For the construction inspection services phase, the RC/PM rates the Consultant based on observations and partly on the written log developed by the RC/PM during the construction phase.

Township of West Orange prepares an evaluation of the overall quality of the design project detailing any major design issues. Township of West Orange RC/PM reviews and signs the evaluation forms and discusses the evaluation with each Consultant.

Township of West Orange keeps records of consultant selection and executed contract on file for a minimum of seven years following submittal of final invoice to NJDOT-BLA.

4.0 Advertisement and Award of Construction Contracts

- The RC/PM will send NJDOT-BLA a schedule of advertisement, anticipated bid date, start date for construction, construction duration, construction completion date and a current construction Bar Chart or a Critical Path Method Schedule, prior to advertisement. NJDOT-BLA must review and approve the Advertisement language. Upon approval, Township of West Orange will advertise the project for construction bids within 60 days from the date of the Construction authorization letter from NJDOT-BLA.

- The construction items and quantities must be the same as the final plans, specs and estimate as submitted with the authorization request. Any modifications to the construction items and quantities will require NJDOT-BLA and FHWA's prior approval and authorization before advertising for bids.

The RC requests advertisement of the project from the Governing body per Township of West Orange procedures.

The project advertisement is published once a week for three consecutive weeks in two legal newspapers (1 Local and 1 Regional). Township of West Orange allows a minimum of 10 working days after the last date of advertisement prior to receiving bids. Copies of all advertisements and a certification from the newspaper must be submitted to the NJDOT-BLA.

The start date, number of days to complete the project and a completion date will be specified in the project specifications with provisions for liquidated damages as per NJDOT 2019 Standard Specifications for Road and Bridge Construction section 108.20.

A pre-bid Conference may be scheduled by Township of West Orange to answer questions about the construction of the project.

Township of West Orange will place the following language into the construction bid solicitation:

- **“Proposals are being solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.3, et seq., and as such, contractors are exempt from the limitations on making political contributions under that law. Further, for that reason, as well as because of a language in the New Jersey's Annual Appropriations Act, refusal to disclose campaign contributions otherwise required by N.J.S.A. 19:44A-20.3 et seq. and 19:44A-20.25 et seq., will not adversely affect your consideration for award.”**
- The Disadvantaged Business Enterprise goal is __%. These requirements are indicated in Federal Attachment No. 1 in the bid specifications.
- The number of Training Positions will be ‘___’ where feasible consisting of at least ‘___’ Apprentices and ‘___’ Trainees (Total Trainees Hours = ___). These requirements are In Federal Attachment No. 2 in the bid specifications.

Please note the bid documents must include wage rates from the US Department of Labor and NJ Prevailing Wage rates.

- The prevailing wage rates determined by the United States Secretary of Labor and the New Jersey Department of Labor must be used unless the prevailing wage rate prescribed for any craft by the United States Secretary of Labor is not the same as the prevailing wage rate prescribed for that craft by the New Jersey Department of Labor, pay the higher rate.
- General wage determinations issued under Davis-Bacon and related acts, published by US Department of Labor, may be obtained from the Wage Determinations online website at <https://sam.gov/search/?index=dbra&sort> Select state, Township of

West Orange and construction type heading: HIGHWAY where the Project is to be performed then click Search.

- State wage rates may be obtained from the New Jersey Department of Labor & Workforce Development (Telephone: 609-292-2259) or by accessing the Department of Labor & Workforce Development's website at https://www.nj.gov/labor/wagehour/wagerate/prevaling_wage_determinations.html. The State wage rates in effect at the time of award are part of this Contract, pursuant to Chapter 150, Laws of 1963 (N.J.S.A. 34:11-56.25 et seq.).
- If an employee of the Contractor or subcontractor is paid a rate of wages less than the prevailing wage, the Department may suspend the Work, and declare the Contractor in default.

The Wage Rates from the above listed websites must be downloaded not more than ten (10) days prior to advertisement and inserted into the final bid specifications.

Township of West Orange will receive the bids at the time and place specified, and verifies the required documents shown on the Bidder's checklist are included in the bid proposal at the bid opening. The RC is also present at the bid opening. The bid opening is documented by the RC.

After legal review the Authorized representatives of Township of West Orange provide the RC with copies of all responsive bids proposal packages after the bids are opened and read to the public. The responsive bids are emailed to NJDOT-Civil Rights for their review and approval with a copy to NJDOT-BLA. See Pre-Award of Contract-Civil Rights Approval for procedure (below).

The RC provides a copy of the bids which meet Township of West Orange and NJDOT Civil Rights requirements listed below under Pre-Award of Contract to the consulting firm retained to perform construction support services, requesting a bid analysis to ensure that bids are balanced. This analysis shall be prepared in accordance with the FHWA's Guidelines on Preparing Engineer's Estimate, Bid Reviews and Evaluation, dated October 7, 2021 (Formerly T 5080.4)

<http://www.fhwa.dot.gov/programadmin/contracts/ta508046.pdf>.

The consultant makes recommendation and notes any discrepancies, the analysis will be reviewed by the RC and submitted to NJDOT-BLA.

4.1 Pre-Award of Contract- Civil Rights Approval

Township of West Orange bid solicitation package will state that bidders must submit the following forms either at the time of bid or within 5 days after bid opening:

- A completed and signed Form CR-266 – Schedule of DBE/ESBE/SBE Participation listing each DBE firm being used to meet the Contract goal. Forms can be downloaded from: <http://www.state.nj.us/transportation/business/civilrights/forms.shtml>. Revisions to

the CR-266 will not be accepted after its initial submission and prior to award of the Contract. (A statement that all forms can be downloaded from the site location above will be included in the Specifications and Bid Advertisement)

- A completed and signed Verification of DBE/ESBE/SBE Firm (Form CR-273) for each firm listed on the CR-266 to demonstrate direct written confirmation from each DBE firm of willingness to participate on the Contract, confirming the kind and amount of work that was provided on the Contractor's CR-266. This form must be completed in its entirety and signed by each DBE firm.
- A completed and signed DBE/ESBE/SBE Regular Dealer/Supplier Verification (Form CR-272) for all Regular Dealers/Suppliers listed on the CR-266 form, if applicable. This form must be completed in its entirety and signed by each DBE firm.
- A completed and signed DBE/ESBE/SBE Trucking Verification (Form CR-274) for all DBE trucking firms listed on the CR-266, if applicable. This form must be completed in its entirety and signed by each DBE firm.
- Documented evidence of good faith efforts if the bidder's commitment shown on the CR-266 fails to equal or exceed the contract DBE goal.

Immediately after the five day Civil Rights document submittal period following the bid opening, Township of West Orange will verify that all forms have been submitted and email to the Local Aid project manager as well as cc. DOT-CR.Verifications@dot.nj.gov the following:

- The above noted forms submitted by each bidder.
- A list of all responsive bidders as determined by Township of West Orange Legal Department in the order of lowest bidder to highest bidder.

Note - If the Department (NJDOT) determines that the apparent lowest responsive Bidder has failed to commit to meet the Contract DBE Goal and made adequate good faith efforts to do so, Township of West Orange must, before awarding the Contract, provide the Bidder an opportunity for Administrative Reconsideration. Township of West Orange, in conjunction with the NJDOT, will start the process of Administrative Reconsideration. Administrative Reconsideration will follow the process shown in the 2019 Standard Specifications Section 102.13.01(3) Bidders Pre-Award Requirements.

Firms listed on the CR-266 will not be counted toward the Contract DBE goal unless completed and signed CR-273 form(s), and applicable CR-272 and CR-274 form(s) are submitted to Township of West Orange within the 5 days after bid opening.

NJDOT-Civil Rights will review the submitted forms and if the apparent lowest responsive bidder meets the Contract DBE goal, will issue an approval to the NJDOT-BLA Project Manager. Township of West Orange will then be notified that they can proceed with the award of this project.

TOWNSHIP OF WEST ORANGE MAY NOT AWARD A CONTRACT PRIOR TO THE DEPARTMENT'S APPROVAL AS PER SECTION 102.15 "DISQUALIFICATION OF BIDDERS" IN THE PROJECT SPECIFICATIONS CONSISTENT WITH THE FOLLOWING:

- Failure to submit CR-266 completed and signed with CR-273, applicable CR-272 and CR-274 signed and completed at the time of bid or within 5 days after bid opening will be considered as non responsive bid, and bid will be rejected. No corrections or editing will be allowed after the forms are submitted.
- If the submitted CR-266 form does not meet the contract DBE goal, the bidder must submit at the time of bid or within 5 days after bid opening documentation of “good faith effort”. Submittal of such information does not imply NJDOT-Civil Rights approval. NJDOT-Civil Rights has sole authority to determine whether the contractor is meeting the contract DBE goal or made adequate good faith efforts to do so.

4.2 Award of Contract

- Township of West Orange will award the construction contract within 4 months of the date of the authorization to advertise notification from NJDOT-BLA. Township of West Orange understands that failure to award construction within 4 months of NJDOT-BLA’s letter may result in the withdrawal of funding. Withdrawal of funds may require the project to be reprogrammed by the MPO and rescheduled for approvals in the Transportation Improvement Program (TIP) and Statewide Transportation Improvement Program (STIP) and reauthorization of funds by FHWA. This could result in significant project delays.
- Upon award of construction contract, Township of West Orange will submit the following to NJDOT-BLA for the concurrence in the award of construction contract:
 - a. Certified copy of the bid summary
 - b. Original resolution of award
 - c. Affirmative Action approval letter for Prime & Sub-Contractors approved by NJDOT- Civil Rights
 - d. Byrd Anti-Lobbying Amendment Certification (contract over \$100,000.00)
 - e. Iran form DC-16
 - f. Russia/Belarus form
 - g. Affidavits of advertisements
 - h. Written verification that contractor and/or subcontractors are not on the debarred list
 - i. Record of Bid opening
 - j. Copy of Construction Contract Award Letter to Contractor
 - k. Non-collusion affidavit

NOTE - Township of West Orange may jeopardize receipt of Federal Funds if Township of West Orange enters contract with prime contractor without Award Concurrence from NJDOT-BLA or without the approval of NJDOT-Civil Rights.

If the bids are rejected for any reason, NJDOT-BLA will be notified in writing, explaining the reason(s) the bids were rejected as per 23 CFR 635.114. The FHWA must be notified by NJDOT-BLA of rejection of bids prior to Township of West Orange re-advertisement of the project.

Once approval from NJDOT Civil Rights is received and the bid analysis is accepted by NJDOT-BLA, Township of West Orange contacts the selected construction company and requests the necessary legal documents for the award of contract. Once the legal documents are submitted, the

contract is scheduled to be presented before Township of West Orange Governing Body for adoption of Resolution to approve award the contract as per Township of West Orange process.

Per Township of West Orange process, Township of West Orange prepares a contract to be signed by authorized representatives of both Township of West Orange and the lowest responsible bidder after Township of West Orange receives a letter of concurrence of award from the NJDOT-BLA.

A copy of the contract between Township of West Orange and the contractor must be submitted to NJDOT-BLA prior to the pre-construction meeting.

For sub-contracts between the prime contractor and any sub-contractors the DC-18 – Sub-Contractor Agreement -must be submitted by the prime contractor to Township of West Orange at least 20 days before the anticipated start of work by the sub-contractor. DC-18's must be submitted to NJDOT-BLA at least 10 days before the start of any anticipated work. NJDOT-BLA must approve the DC-18 before any sub-contracting work can be done.

4.3 Federal Agreement - Construction

NJDOT-BLA will provide the Federal Project Agreement to Township of West Orange at the time of Construction Authorization (under separate cover letter)

Township of West Orange will provide the following to NJDOT-BLA:

- Within 45 days of receiving the agreement, Township of West Orange will provide Four (4) original signed and sealed copies of the Agreement along with Four (4) signed/sealed Resolutions for execution by the NJDOT.

NOTE: No reimburseable work can be performed until the project agreement is executed by the NJDOT. Township of West Orange understands that failure to follow all Federal requirements may result in the loss of Federal reimbursement.

5.0 Construction Project Management

Title 23 CFR 635.105 specifies oversight requirements for locally administrated federal aid construction projects, which mandates a full-time employee to be in responsible charge of Federal-Aid construction projects. The RC may work in conjunction with a consulting company providing Construction Management and Construction Inspection Services outlined by the RFP as described in Section 2 of this document.

In accordance with 23 CFR 635.105, a full-time Township of West Orange employee will be designated to be the “Responsible Charge” for each federally funded project. This protocol will be required and applied even when consultants are providing design/contract administration/ or other engineering services on the project. See Section 2 of this document for the duties of the RC/PM.

5.1 Construction Inspection

Title 23 CFR 635.123 requires projects receive adequate supervision and detailed construction inspection to ensure construction is completed in conformance with the approved plans and specifications. All activities delineated in this Section are to be done by in house inspectors or the consultant selected for Construction Inspection Services as Resident Engineer/Inspectors, under the supervision of the RC/PM, who will request revisions or additional information as needed.

The RE/Inspector provider is required to ensure that the project is in compliance with all Federal and State Regulations during the life cycle of the project. The penalty, in dollar amount, imposed by NJDOT or FHWA for any loss of revenue due to lack of vigilance will be recovered from Construction Inspection Firm. *This provision will be included in the Construction Inspection Contract.*

Please note-The Resident Engineer and any Inspectors must provide proof of attendance at the Rutgers/CAIT course Highway Inspection Procedures for Federal Aid Highways prior to the start of construction.

Following the preconstruction meeting, the Contractor must agree to commence work on a date to be specified in a written “Notice to Proceed” by the RC/PM and fully complete the project within the specified calendar date in the contract documents. The Notice to Proceed will include the calendar date work must be completed.

Attendees of the pre-construction meeting will be the RC/PM, Contractor, construction inspection consultant, the design consultant, police, utility companies, local representatives, NJDOT- BLA, and NJDOT Civil Rights. The following items, at a minimum, will be included in the pre-construction meeting agenda:

- a. Project Description
- b. Key personnel
- c. Construction schedule
- d. Utilities
- e. Maintenance and protection of traffic
- f. Sub contractors- DC-18A (Approval to sublet)
- g. Items of Construction
- h. Progress meetings frequency
- i. Material Questionnaire
- j. Change Orders
- k. Material sampling requirements
- l. Certificates of compliance for all materials
- m. Buy America requirement- Iron and Steel
- n. Build America material requirements-construction materials
- o. DBE goal and requirements
- p. Trainee Goals & Requirements
- q. Civil Rights, Title VI and Sexual Harassment Policies (Posters)
- r. Source documents for verifying and documenting all work
- s. Invoicing
- t. All other federal guidelines and requirements

u. Final inspections

A NJDOT-BLA and a NJDOT-Civil Rights representative will discuss the Federal Project Requirements and will describe their role in checking for compliance with all requirements, additional federal forms will be provided to Contractor, the Resident Engineer and the RC.

[Forms, Civil Rights/Affirmative Action, Doing Business \(state.nj.us\)](https://www.state.nj.us/forms/civil-rights-affirmative-action-doing-business)

No construction work shall be allowed on the project before the Federal Aid agreement is executed between the NJDOT and Township of West Orange, a pre-construction meeting is held, the progress schedule is approved, the field office has been established (if required), and the right-of-way limits, limits of the construction, environmentally restricted areas have been laid out and all environmental agencies that issued permits have been notified. The Resident Engineer under the supervision of RC/PM, will schedule, create agenda, maintains notes and records related to progress meetings. Progress meetings will be arranged as often as necessary.

The Resident Engineer and RC/PM reviews all the items submitted by the Contractor such as but not limited to material questionnaire (DC-2891), list of Sub-contractors, affirmative action plan, list of DBE Firms and other subcontractors, project work schedule, list of the emergency contact telephone number, material certifications, list of suppliers and mix design reports.

Township of West Orange, in executing the inspection of the project, will use the 2019 NJDOT Standard Specifications, the approved project Supplementary Specifications, NJDOT Standard Roadway Construction, Traffic Control and Bridge Construction Details, the MUTCD and the project plans. The field inspection team will accurately maintain records during construction including daily inspection reports, engineer's diary, material delivery tickets, material certifications, material questionnaires DBE requirements, material testing results and Buy America/Build America Certification.

All activities on the project are documented in the daily inspection reports using NJDOT Daily Inspectors Report Form (DC-29, DC-144 or approved equal) and an Item Summary Sheet. The inspections report is supplemented with field notes that includes measurements (length, width, depth, slope), calculations (area, volume, weights), sketches, a statement of compliance with the plans and specifications, any field changes, comments, delivery tickets that must be received and initialed by the inspector before placement. The RE will ensure that testing of materials is properly conducted and documented in the project files and referenced in the daily reports. The inspection reports are signed and dated and reviewed and initialed by the RE. (see Section 5.2 for more detail).

The Resident Engineer will use the summary of pay items (DC-70 or equal) to verify and negotiate the contractor's payment request and to develop the monthly payments and submit them for review to the RC/PM.

The inspection team performs wage rate inspection using the required forms including Form DC-126 and verifies that the prevailing wage rate requirements of 23 U.S.C. and 40 USC the Davis-Bacon Act and/or NJ Prevailing Wage are met.

The inspection team and RC will make sure that all the environmental commitments and/or permit requirements are met. They will also verify that all required Civil Rights notices are posted at a location visible at the project site and documents this in the daily inspection reports.

The maintenance and traffic control plan impacting work zone and pedestrian safety must be in compliance with the MUTCD and reviewed by the resident engineer on a daily basis. The Contractor will be immediately notified to correct any discrepancies to the approved plan or supplement accordingly. A record of this daily inspection must be included on the daily report. The inspection team shall ensure that all the pedestrian facilities constructed in accordance with Section 504 of the Rehabilitation Act of 1973 and Title II of the ADA Act of 1990 and in accordance with AASHTO standards and Americans with Disabilities Act, Accessibility Guidelines (ADAAG).

The inspection team, under RC/PM supervision, monitors and requests corrections from the Contractor as needed of the progress schedule, Contractor payments and contract completion to make sure full adherence to the approved schedule and specified contract time.

The inspection team shall monitor and verify that the DBE/ESBE goals identified in the bid documents on the approved Form CR-266-Schedule of DBE Participation for the project are met. The inspection team verifies and ensures that the work to be performed by DBE Sub-contractors is being performed by the approved DBE Firms listed on the Form CR-266. The Resident Engineer will use the daily reports to document the on-site monitoring.

Any changes to the DBE Goals or Contractors must be submitted to NJDOT on revised Form (CR-266) for approval. Section 108.01 of the NJDOT specifications must be followed.

The RC/PM submits to NJDOT the following documents monthly and/or with Partial Payment Request (Invoice):

- a. Form DC-126 - Wage Rate Inspection
- b. Form DC-127- Monthly Summary of Contractors Payrolls
- c. Form 347 Statement of Compliance and Certified Payrolls
- d. Form CR-267 -Monthly Report, DBE Utilization
- e. Proof of payment to all subcontractors (DL-72)
- f. Cancelled checks as proof of payment for DBE subcontractors

The RC/PM and the RE ensures that the Contractor and his sub-Contractors submit the CC-257 electronically each month. Copies shall be submitted to NJDOT-BLA Office with each payment voucher.

5.2 Source Documentation

Township of West Orange complies with Title 23 CFR 635.123 to provide for adequate assurance that the quantities of completed work will be determined accurately and on uniform basis. All related source documents upon which payment is based must be matter of record, as basis for the determination of acceptable pay quantities and monthly payments to the Contractor. The means and methods consisting of notes and/or daily reports for the documentation of length, width, depth and slope, calculations of area, volume, weights, sketches must be presented by the Resident

Engineer, assigned to the project to protect the public interest and to ensure that the number, size, and characteristics of what being delivered match the plans/specs. The following is a list of the documents and procedures normally accepted as proper source of documentation:

- a. Delivery tickets are received initialed by inspector prior placement of materials
- b. Testing of materials is documented in the project files and referenced in daily inspection reports.
- c. Form DC-29 (or DC-144 or approved equal) is used for daily inspection reports and all instructions on the DC-29 are followed. Inspection reports are supplemented with field notes, pay quantity summaries and photographs that tie the work being done to the plans, specifications and related contract documents <http://www.state.ni.us/transportation/business/localaid/documents/DC29>
- d. Inspection reports are signed and dated by the inspectors.
- e. The Resident Engineer reviews and initials the daily inspection reports.
- f. The Resident Engineer prepares a summary of pay quantities based on the daily inspection reports
- g. The Resident Engineer uses the summary of pay items to develop periodic pay estimates for the RC/PM. The summary of pay items must be used for comparison and negotiation of the Contractor payment request. The RC/PM must ensure proper payments are being made in accordance with the contract provisions. Upon acceptance of the negotiated Contractor payment, a voucher request will be forwarded to Township of West Orange for Contractor payment as per Township of West Orange process.
- h. The Resident Engineer reviews and verifies that all prevailing wage rate requirements have been met and are documented in the project files.
- i. NEPA and all environmental commitments and/or permit requirements must be met and documented in the daily inspection reports.
- j. All pedestrian facilities must be constructed or reconstructed in accordance with the American with Disabilities Act (ADA) of 1990; Section 504 of the Rehabilitation Act of 1973; 28 CFR 35.151 (i) and NJDOT Standard Construction Details.
- k. Buy America/Build America certifications are received by the inspector at the time of delivery (see Section 5.3)
- l. DBE and trainee requirements are monitored and enforced to ensure compliance with 49 CFR 26; the contract plans, specifications and related contract documents. (See Section 5.4)

5.3 Buy America/Build America

Buy America

Steel or iron products including application of coating permanently incorporated into federal-aid projects must be manufactured in the United States as per Title 23 CFR 635.410 requirements. These requirements apply to the entire federal-aid project. There is no exemption for steel and iron purchased with other than federal funds. Minimal use of foreign steel or iron is permissible if the cost of such materials does not exceed one-tenth of one percent of the total cost or \$2,500, whichever is greater.

The RC/PM will ensure that the Resident Engineer and Inspector are aware that the Buy America Certification must be provided at the time of material delivery. No steel or iron will be incorporated into the project without a signed Buy America certification. The certification must be properly labeled as per project specific, and be current, dated, signed, and notarized, and specific to the materials at hand and should be received at the time of delivery or prior to steel/iron material is installed. The certification must be printed on the supplier letterhead. This must be documented in the daily inspection reports.

The Resident Engineer will maintain a log of all iron and steel placed on the project; permanently incorporated, temporary, and temporary but must remain in place including stay in place forms, temporary sheeting left in place by the Contractor.

Build America

Ensure all construction materials are manufactured in and manufacturing processes occurred in the United States. Construction materials includes an article, material, or supply - other than an item of primarily iron or steel; a manufactured product; cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives – that is or consists primarily of nonferrous metals, plastic and polymer-based products (including PVC, composite building materials, and polymers used in fiber optic cables), glass (including optic glass), lumber or drywall. Items that consist of two or more of the listed materials that have been combined through a manufacturing process, and items that include at least one of the listed materials combined with a material that is not listed through a manufacturing process, should be treated as manufactured products, rather than as construction materials.

Precast Concrete Steel and Concrete Pipe Certification of Compliance. For precast concrete and concrete pipe items, a Buy America Compliance Plan is required to confirm that the material meets the Buy America requirements and the Infrastructure Investment and Jobs Act (“IIJA”), Pub. L. No. 117-58, which includes the Build America, Buy America Act (“the Act”). Pub. L. No. 117-58, §§ 70901-52 as specified in Section 106.03 of the NJDOT specifications. The Materials Engineer (ME), Township of West Orange approved representative or equal, will periodically audit compliance with the program at the precast plant. If the precast concrete item is not inspected by ME, submit a Certification of Compliance for the precast concrete item as required in Section 106.07.01. When a Certification of Compliance is submitted, ensure that the Certification of Compliance contains a statement that the reinforcing steel used in the precast concrete item complies with the Buy America requirements and the Infrastructure Investment and Jobs Act (“IIJA”), Pub. L. No. 117-58, which includes the Build America, Buy America Act (“the Act”). Pub. L. No. 117-58, §§ 70901-52 as specified in Section 106.03. Certification for Construction Materials. For construction materials, a Buy America Compliance Plan is required to confirm that the material meets the Infrastructure Investment and Jobs Act (“IIJA”), Pub. L. No. 117-58, which includes the Build America, Buy America Act (“the Act”). Pub. L. No. 117-58, §§ 70901-52 as specified in Section 106.03. When a Certification of Compliance is submitted, ensure that the Certification of Compliance contains a statement that the construction materials used complies with the Infrastructure Investment and Jobs Act (“IIJA”), Pub. L. No. 117-58, which includes the Build America, Buy America Act (“the Act”). Pub. L. No. 117-58, §§ 70901-52 as specified in Section 106.03.

5.4 DBE/Trainee Compliance

The RC/PM and the Resident Engineer must continuously monitor DBE and Trainee participation to verify compliance with the approved DC-266. The RC and RE also monitor and perform Commercial Useful Function reviews as the project progresses and are responsible for ensuring the DBE contract goals will be met at the time of project completion. Under the supervision of the RC/PM, the Resident Engineer is responsible and maintains a separate file for:

- a. Verification of Recommendation to Award memorandum and the schedule of Participation DBE Form CR-266, to determine status of Sub-contractors to monitor for compliance.
- b. During the Contract, monitors true participation by comparing DBE goal commitments against Request for Approval to Submit Form DC-18; also, cross check the daily reports with each affected Form DC-18, the Recommendation to Award and the Utilization of DBE/SBE Monthly Report Form CR-267.
- c. Ensures all DBEs are performing Commercial Useful Function (CUF).
- d. Uses the Daily Inspection Report (DC-29, DC-144 or equal) to document on-site monitoring of stipulated DBE work items and Contractor performing the work under to ensure compliance.
- e. Notifies the RC/PM and the Contractor in writing of any violations and will direct the Contractor to comply with the requirements. Revisions to the approved DBE program can be made only upon the Contractor submittal of the revised Form CR-266. The Resident Engineer must follow-up promptly to ensure timely solution.
- f. For any DBE/ESBE goal commitments, outlined in the Specifications, which may not be fulfilled, as soon as it is known the goal will not be met the contractor must promptly submit supporting adequate Good Faith Effort with Form CR-267, this will be reviewed by RC/PM and recommended documentation for approval and sent to NJDOT-BLA Office. Changes to DBE compliance must be approved by NJDOT - Civil Rights.
- g. DC-18's – along with Executed sub-contracts
- h. Cancelled checks showing payment to sub-contractors – copies of front and back of check to be provided.
- i. Monitors Trainee goal requirements (If Trainees are Required) through on-site monitoring (DC-29A Daily Inspector's Report/or DC-144 or Approved Equal Local Form will be used to monitor the performance of the Trainees). Evidence of Contractor's Trainee compliance must be maintained throughout contract.
- j. Township of West Orange will have Contractor provide and maintain Apprentice/Trainee Approval Memorandum Part "A", Biweekly Training Reports, Contractor's 1409 Quarterly Training Reports, and Training Certificate for each Trainee candidate assigned to project.

5.5 Contract Changes

Changes to the plans and specifications, quantities, extra work (if necessary) and time, are to be done in accordance with the requirements of NJDOT Standard Specifications, Section 104.03,

Section 108.11, Title 23 CFR 635.120, NJAC 5:30 and the procedure outlined below.

Contract changes must be monitored and documented daily. The Contractor may not deviate from the requirements of the contract unless and until a field order is issued by Resident Engineer upon approval by the RC/PM and NJDOT-BLA. Contract line-item overruns are not permissible without formal requests by the Contractor and approvals by the RC/PM and NJDOT-BLA. All new or supplemental costs must be negotiated, itemized, and justified. In addition, contract time must be evaluated for each change to the contract. All documentation of the negotiations, including the basis of cost, must be on file and included in the change order request.

5.6 Change Orders

The Resident Engineer will notify the RC/PM once it becomes apparent that a change to the Plans and/or Specifications is required. After reviewing the Plans and/or Specifications to determine if the change is valid and necessary the RC in conjunction with the RE and/or the consultant who designed the project the potential extra work is and recommended for approval.

- The RC/PM notifies NJDOT- BLA once it has been established that a Change Order for changes in the contract quantities or extra work is necessary and prepares a field order (see Section 5.7). The form shall state the description of the change or extra work , reason for the change, value of the change (increases or decreases against the contract price). Time is also evaluated as part of the change order. This form will authorize the Contractor to proceed with the work upon written approval from NJDOT-BLA.
- The Contractor shall provide to the RE a detailed cost proposal (materials, labor, equipment, overhead) for extra work. The cost will be reviewed by the RE and RC, documented, and negotiated based on the cost estimate prepared by the RE, under the supervision and approval of the RC, for the extra work presented by the Contractor. Documentation of the negotiated costs will be included in the change order. The change order will be signed by the Contractor, the RE and submitted to the RC for review. If the price for the extra work cannot be mutually agreed upon, Township of West Orange will initiate work by force account as per Section 104.03 of the Standard Specifications.
- The RC prepares a Federal Change Order (DC-173A) and submits to NJDOT-BLA for review and approval once Township of West Orange formally approves the change order. The Change Order will serve as a contract document adjusting the contract price . Any amounts in excess of the authorized contract amount cannot be expended until the Change Order is approved.
- Work included in the Change Order cannot be invoiced until the DC-173A has been approved by NJDOT-BLA. Time should always be evaluated as part of a change order as it could change the contract time and contract completion date.
- The RC/PM will notify NJDOT-BLA if during construction, an inherent job condition should arise, and said condition, if not immediately corrected or changed, would unduly delay the Contractor. Upon the written authorization of the NJDOT-BLA, the Contractor will be instructed by field order and Township of West Orange will proceed with the approval of the time extension change order at the next available Township of West Orange Governing Body meeting.
- Changes of 20% or more to the contract will require approval in accordance with NJAC 5:30-11.3 and 11.9.
- Changes to the contract may require revision of DBE goals. NJDOT-Civil Rights will

review changes to determine if the goal is to be revised or if changes to the CR-266 are required.

5.7 Field Orders (see Appendix E)

The RC/PM will notify NJDOT-BLA, if during construction, an inherent job condition should arise, and said condition, if not immediately corrected or changed, would unduly delay the project completion. The Contractor will provide to the Resident Engineer and RC/PM a detailed cost proposal (materials, labor, equipment, overhead) for extra (new work). Upon approval by NJDOT-BLA, the Contractor will be instructed by Field Order to proceed with the work. Township of West Orange will use the negotiated cost to develop the formal change order and will submit the DC-173A along with backup documentation once approved and signed by Township of West Orange.

Field Orders

- The contractor shall immediately notify the Resident Engineering that there is a need for a Field Order.
- The Resident Engineer shall set up a meeting in the field to include the Contractor and the RC/PM to discuss the needed change, potential cost impacts and potential changes to the Progress Schedule.
- Once the change has been agreed upon by all parties, the Resident Engineer shall issue, after the meeting, a written description of the change using Township of West Orange field order form (Appendix E), including the reason for the immediate need for the change, impacts to the scope of work, changes to the contract time and the anticipated cost.
- The RC/PM will evaluate the Field Order request and, if acceptable, immediately notify the NJDOT-BLA by e-mail. Upon written approval from NJDOT-BLA, the Resident Engineer shall then issue a verbal approval to the contractor. The contractor can then proceed with the Field Order. The Resident Engineer will immediately prepare a written approval of the Field Order after verbal approval is given. The Resident Engineer shall record and verify all work and quantities related to the Field Order and immediately notify the RC/PM if the estimated work for the change should differ significantly from what was discussed. If there are significant differences, RC/PM shall decide whether a revised field change order is required.
- The RC/PM will proceed with inclusion of the Field Order in a Change Order at the next available Township of West Orange Governing Body meeting and submit to NJDOT-BLA for formal approval by use of a Federal Aid Change Order (Form DC-173A) as outlined above (Section 5.5).

5.8 Change Order Protests/Disputed Work

If the Contractor disagrees with any terms and conditions of a Change Order or a Field Order, a written protest must be submitted to Township of West Orange within 15 days of receipt of the Change Order in accordance with Section 104.03 of the 2019 NJDOT Standard Specifications.

Township of West Orange will notify NJDOT-BLA of the Contractor's written protest. Submission of written protest will not relieve the Contractor from obligation to proceed with the

work directed by the Change Order.

Township of West Orange will pursue a satisfactory resolution of disputed work issues or claims within a reasonable period of time as required by Standardized Changed Condition clauses per 23 CFR 635.109, NJDOT Standard Specifications and the project Supplementary Specification. The cost to settle work disputes, contract claims, or court awards must be reviewed by NJDOT prior to reimbursement as per 23 CFR 635.124. Any disputed work must be documented in the project records. Disputed work issues or claims must be resolved prior to close out of the project.

6.0 Contract Completion

Contract Completion – Time of Completion and Liquidated Damages shall be in accordance with NJDOT Standard Specification, Section 108.20. The RC/PM issues a formal “Notice-To-Proceed” (NTP), at the Pre-Construction meeting or shortly after. The NTP must include the Contract Completion Date.

The Resident Engineer with the supervision of RC/PM, schedules status review meetings periodically to evaluate the progress on the project and request progress schedule updates from the Contractor. If the Contractor falls behind the schedule, the Contractor will be notified in writing and asked to make every effort to improve the progress in accordance with the approved schedule.

The Contractor will be advised by the Resident Engineer, who will ensure that, contract time extensions will only be granted for excusable delays specified in Section 108.11 of the NJDOT 2019 Standard Specifications and shall be submitted and approved by Change Order as the project progresses and at the time an excusable delay occurs.

If the Contractor fails to complete the contract within the contract time specified in the contract documents, the Contractor will be charged liquidated damages for each working day that the Contractor fails to complete the construction project in accordance with Section 108.20 Liquidated Damages found in the supplemental specifications.

The RC/PM monitors the project progress, and the Resident Engineer and Inspector documents any contract delays throughout the duration of the project. A Contractor request for a contract time extension shall be fully justified, adequately documented, and submitted at the time the excusable delay occurred. A revised progress schedule will be submitted documenting how this delay affected the critical path of the project work. Contract time extensions need approval from NJDOT-BLA and Township of West Orange.

Liquidated Damages

Information regarding Liquidated Damages is included in the Contract Special Provisions – Time of Completion and Liquidated Damages. The 2019 NJDOT Standard Specification, Section 108.20, will be followed which defines the daily amount set forth in the contract to be deducted from the contract price to cover the additional cost incurred by Township of West Orange because of the Contractor’s failure to complete work within the specified Contract Time. The Contractor must be advised by the Resident Engineer that Liquidated Damages will be assessed at each time

that the progress schedule is not been met.

Liquidated Damages or any other penalties proposed will be assessed from the original grant amount shown in the agreement.

Progress Schedules

The RC/PM with the assistance of the Resident Engineer reviews progress schedule and monitors the contract progress to evaluate impacts to contract time in accordance with Section 153 of NJDOT Standard Specifications. Progress payments are compensation for value of work performed during a covered period as specified in Title 23 CFR 635.123. The RC/PM monitors and documents the project's progress, Contractor payments and contract completion to ensure compliance to the approved project schedule and contract time. The RC will notify NJDOT-BLA of any changes to the progress schedule as soon as changes are known.

6.1 Final Inspection

Requests for final inspection and acceptance to NJDOT-BLA shall be made by Township of West Orange no later than 30 days following Substantial Completion of construction.

The RC/PM notifies NJDOT-BLA in writing that the project is substantial completed, once all the pay items have been completed, giving the date the last item was completed.

The Resident Engineer, the Design Consultant (if retained), and the RC/PM in the presence of the Contractor will perform the pre-final inspection once all the pay items of the project have been completed. The Resident Engineer will provide the Contractor with a punch list of items to be corrected.

The RC will schedule an inspection with NJDOT-BLA. NJDOT-BLA will inspect the project site along with the RC/PM and Resident Engineer/Inspector and inform Township of West Orange of any necessary corrective action required in writing.

The RC/PM will notify the NJDOT-BLA in writing after the Contractor has corrected the work included in the punch list and the corrective action list developed by the Resident Engineer/inspector and NJDOT-BLA.

NJDOT-BLA, the RC and RE will perform the final inspection and if Township of West Orange and NJDOT-BLA deem all the work acceptable, and once the final inspection letter has been received from NJDOT-BLA, the RC/PM will begin preparing the final change order (if required), final payment, as-built quantities and all other documentation required for final payment and closeout.

7.0 Payment Procedure

Project Billing

Township of West Orange will provide NJDOT-BLA with an initial billing (payment voucher) for the construction project no later than 3 months after NJDOT-BLA has concurred in the award of the construction contract. NJDOT-BLA may receive subsequent billings (payment vouchers) monthly after the initial billing but no later than 3 months thereafter as stipulated in the project agreement. Township of West Orange understands that failure to meet the billing requirements may result in the restriction of authorization of any future FWA funding until such time as progress on timely billings is demonstrated.

The project will be considered “Inactive” if Township of West Orange fails to submit an invoice within the durations described in 23 CFR 630.106. It is Township of West Orange responsibility to ensure that the federal funding is not jeopardized for this project due to an “Inactive” project status. In general, a project is inactive if there are no NJDOT payments made within a one year timeframe.

The Contractor submits request for payments to the Resident Engineer who verifies the work and quantities and submits to the RC. The RC/PM reviews the payment request for completeness.

The monthly payment estimates are prepared based on the field measured quantities recorded in the daily inspection reports, and the summary of the pay item sheets (DC-70), and include payments for the quantities of work that have been fully completed and are acceptable to the Resident Engineer and RC/PM. Bid unit prices and calculations for item cost are verified.

The RC/PM verifies Contractor submission of certified payroll, DBE utilization report (if applicable), monthly utilization report, and training report (if applicable) and notifies the Contractor if any additional information is needed.

The RC/PM will ensure NJDOT'S Standard Specification are enforced which require prime contractors pay subcontractors and suppliers for satisfactory performance of their work. As per Section 109.05 of the NJDOT specification, payment is required either, no later than 30 days or no later than 10 days of the prime receiving payment from Township of West Orange. This includes payment of full retainage and subcontractors paying their subcontractors and suppliers. This payment details must be outlined in Form DL-72 and submitted regularly as required by Civil Rights.

All deficiencies that prevent processing will be identified and the invoice will be returned to the vendor within 10 days of receipt by letter citing the deficiencies. The return date shall be recorded in the log.

Mathematical errors or other items identified as non-payable items can be marked within the payment voucher package. Any changes must be crossed out, and the initials and date must be placed next to the change(s). The payee shall be notified of any reductions.

NJDOT will not provide payment for any IMPROPER PAYMENTS made by Township of West Orange including but not limited to following:

- The item summary sheet and source document are mismatched.
- The Steel or Iron items installed missing Buy America Certification .

- Construction materials installed missing Build America Certification
- The prime contractor executed pay items which were designated for DBE Subcontractor as approved by Civil Rights.
- When the Federal Project is INACTIVE.
- In the case of non-compliance of Federal Regulations.
- The CUF (commercially useful function) is not performed by DBE.
- Any penalty imposed by Civil Rights for lack of CUF, Shortfall in DBE goal achievement, Minimum Wage Requirement or other associated issues.

For Professional Services: The consultant sends a certified invoice with progress schedule to the RC/PM; the RC/PM reviews the invoice to ensure there are no discrepancies. If the invoice has no discrepancies, the RC/PM makes recommendation for payment per Township of West Orange procedures.

For Construction Services: The contractor sends the invoice to the Resident Engineer who reviews the invoice to ensure there are no discrepancies. If the invoice has no discrepancies, the RE recommends payment to the RC/PM; the RC/PM reviews the invoice to ensure conformance. If the invoice conforms, the RC/PM recommends payment to Contractor per Township of West Orange Procedures for an invoice to be processed by NJDOT:

- Payee has originally signed and dated the invoice form PV-C in the payee declaration box.
- Progress report shall accompany the invoice, in accordance with Section 7.5.4 of the Federal Aid Agreement. (See 7.1 below)
- Evidence of costs incurred to date in the form of payroll certifications or receipts of contractor payments.
- Federal contract compliance documents in accordance with Section 7.5.4.5 of the Federal Aid Agreement have been submitted and verified during the billing period.
- Change Orders if applicable (prior approval required)
- Cost incurred dates for all submissions are within the appropriate timeframe and the contract completion time including modifications.

7.1 Request for Partial Payment

The RC/PM prepares the documents and submits invoices for reimbursement to the NJDOT-Local Aid Office either monthly or quarterly on PV forms in accordance with Federal Aid Guidelines

Progress Reports will accompany all payment vouchers and shall include:

- 1) narrative description of work performed during the payment period and any difficulties or delays encountered;

- 2) comparison of actual accomplishments to the goals established for the payment period;
- 3) comparison, by tasks, of costs incurred with amounts budgeted, and;
- 4) comparison, by task, of work performed compared to the schedule, including a percentage of the total work completed. This requirement can be met by including a bar chart showing schedule timing and actual progress.
- 5) Copies of all contract compliance documents as completed for the voucher payment period by the Resident Engineer that is designated by Township of West Orange, a complete set of which shall be furnished by the State at kickoff and/or preconstruction meetings.
- 6) Electronic copies of the DC-29s (or DC-144 or approved equal) and an item summary sheet (DC-70 or approved equal) for that voucher payment period.

7.2 Final Payment and Closeout

Close-out documents shall be submitted by Township of West Orange to NJDOT-BLA within 6 months of receipt of acceptance by NJDOT.

Township of West Orange understands that failure to meet the time requirements for project close-out may result in the restriction of authorization of future FWA funding until such time as progress on close-out is demonstrated.

Township of West Orange may appeal decisions made by NJDOT regarding all above compliance issues on a case-by-case basis, but NJDOT reserves the right to make a final determination whether to continue funding the project or not. Township of West Orange understands that NJDOT will be reviewing the status of the federal-aid agreement and the issues associated with compliance on a monthly basis.

Final Payment and Project Closeout Submittal

The RC/PM submits the following to NJDOT once the final payment has been issued to the Contractor:

- a. Final Payment Voucher (Form PV-c) along with back up documentation (copies of the payments to the Contractors)
- b. Chief Financial Officers Certification
- c. Engineer's Certification for Project Completion
- d. Federal Aid Change Order (Form DC-173A)
- e. List of As-built quantities
- f. DC-17LA Buy America form
- g. Build America Certifications – construction materials
- h. Evidence of Contractors and sub-contractors Payroll compliance
- i. Form DC-123- Contractors Final Certificate of Compliance
- j. Form DC-126- Wage Rate Inspections- not previously submitted
- k. Form DC-127- Monthly Summary-not previously submitted
- l. Form CR-268- Final DBE/ESBE Report
- m. Form 347-2 Statement of Compliance

- n. DL-72 Contractor Certification of Payment to Subcontractors and Suppliers – if not previously submitted
- o. Evidence of Contractor's EEO compliance
- p. Form CC-257-Monthly Employment Utilization Report (electronically)- documentation of submittal to on-line portal
- q. Final Training Certification – if required
- r. DC-29's (or DC-144 or approved equal)-not previously submitted
- s. DC-70's (or approved equal) (electronically) – not previously submitted
- t. Material test results
- u. Calculations for asphalt and fuel price adjustments
- v. Calculations for steel price adjustment - if required
- w. Release Statement from Agreement for Federal Aid
- x. Letter certifying all corrective work has been completed
- y. and any other forms and/or documentation deemed necessary

The NJDOT-BLA will process the final invoice for payment to Township of West Orange and close out the federal aid agreement.

8.0 Record Retention

As per State of New Jersey Requirements, “All documents and records, from Consultant Selection through completion of Construction, up to and including payment of the final invoices and vouchers, will be retained for a minimum of 7 (seven) years following payment of final invoice and closeout of the project. Warranty item documents will be retained for a minimum of 3 (three) years from the end of the warranty period.”

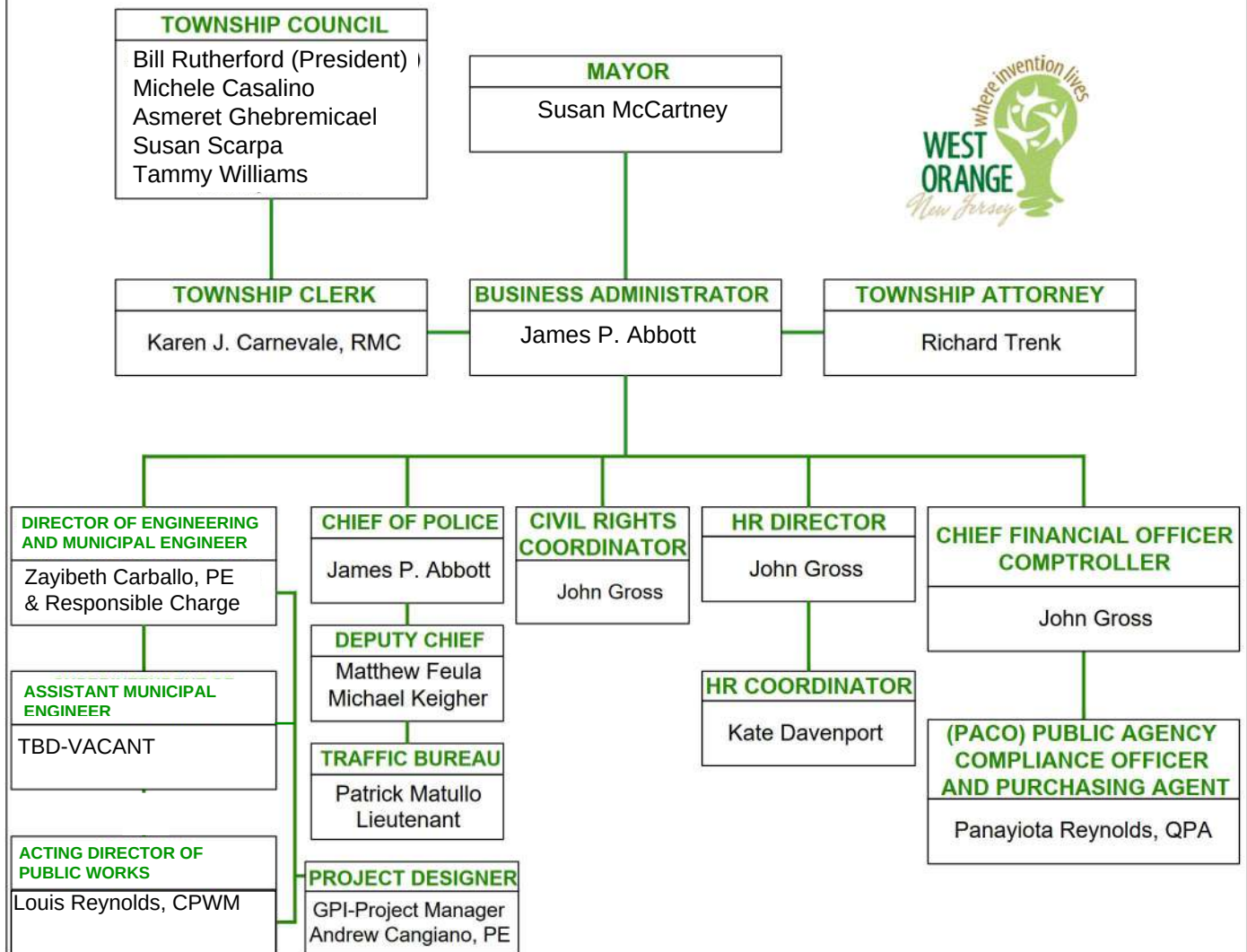
Township of West Orange is solely responsible for producing any documents required by FHWA or NJDOT during the project lifecycle during and after the project is closed out throughout the record retention period.

APPENDICES

APPENDIX A

ORGANIZATIONAL CHARTS

TOWNSHIP OF WEST ORANGE PROJECT ORGANIZATIONAL CHART



APPENDIX B

SAMPLE RFP

Sample RFP - APPENDIX B

TOWNSHIP OF WEST ORANGE REQUEST FOR PROPOSAL

For

CONSULTING CIVIL ENGINEERING AND INSPECTION SERVICES

Associated with:

**XXX of
XXX, Route XXX
Section XXX
From XXX to XXX (Route XXX)
Federal Project Number: XXX**

CONTACT PERSON: _____, Director
Office of Budget & Purchasing

MAILING ADDRESS: TOWNSHIP OF WEST ORANGE
Division of Purchasing
66 Main St., Room 111, West Orange, NJ 07052

PROPOSAL DUE: 11:00 A.M. on **XXX**

REQUEST FOR PROPOSALS

Public Notice is hereby given that **SEALED PROPOSALS** will be received by the Purchasing Agent of the TOWNSHIP OF WEST ORANGE, New Jersey at 11:00am prevailing time on **XXX** in the ROOM # AND ADDRESS:

RFP- XXX

**REQUEST FOR PROPOSAL TO PROVIDE CONSTRUCTION
ENGINEERING AND INSPECTION SERVICES FOR THE XXX, ROUTE
XXX SECTION XXX FROM XXX TO XXX (XXX)
FEDERAL PROJECT NUMBER: XXX
DBE GOAL: XX.X%**

This Request for Proposals (RFP) is official notification of needed professional services. This RFP is being issued to solicit a letter of Interest (LOI) and other documents from firms qualified to perform engineering work on federal aid projects. A submittal does not guarantee that the firm will be contracted to perform any services but only serves notice that that firm desires to be considered.

Prior to negotiations, the prime consultant, and each sub-consultant (A/E firm) must be approved by NJDOT for Cost Basis. Please visit:

<http://www.state.nj.us/transportation/business/procurement/ProfServ/CostBasisApprov.shtm>
for additional guidance and requirements.

This project involves Federal funding participation. The TOWNSHIP OF WEST ORANGE will conform to the procurement requirements by "Competitive Proposal Method" under the Brooks Act and Federal Policy Guide 23 CFR 172A. The selection of a consultant must result from negotiations that utilize a qualification based selection process. The process and any resulting contract must first be review by the Department of Transportation prior to use or execution.

Specifications and blank Bid Forms may be obtained online at the following web address
<http://TOWNSHIP OF WEST ORANGE>

Any questions concerning this specification must be directed to the TOWNSHIP OF WEST ORANGE Office OF Purchasing in writing by email to WEB ADDRESS

Proposers are required to comply with requirements of NJSA 10:5-31 et seq. and N.J.A.C. 17:27

Proposers must abide by the New Jersey Prevailing Wage Act, P.L. 1963, Chapter 150.

The TOWNSHIP OF WEST ORANGE reserves the right to reject any or all proposals

By order of the TOWNSHIP OF WEST ORANGE

_____; Director,
Budget & Purchasing
TOWNSHIP OF WEST ORANGE, New Jersey

Date: XXX
XXX
XXX

**REQUEST FOR PROPOSAL
TABLE OF CONTENTS**

<u>DESCRIPTION:</u>	<u>NO. OF PAGES:</u>
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SAMPLE TOWNSHIP OF WEST ORANGE CONTRACT (PURCHASING OR RISK MANAGER ADD "SAMPLE" INSURANCE REQUIREMENTS)	12

**REQUEST FOR PROPOSALSTO ESTABLISH A VENDOR TO PROVIDE CONSTRUCTION
ENGINEERING AND INSPECTION SERVICES FOR THE XXX OF XXX, ROUTE XXX SECTION
XXX FROM XXX TO XXX (CR XXX)**

PART I - INTRODUCTION

The TOWNSHIP OF WEST ORANGE is requesting proposals for **CONSTRUCTION
ENGINEERING AND INSPECTION SERVICES FOR THE XXX OF XXX CR XXX.**

**The TOWNSHIP OF WEST ORANGE Purchasing OFFICE is the sole contact for
answering any questions relating to the RFP.**

All questions, requests for interpretations and comments shall be prepared in writing and
directed to:

_____, Director
Division of Budget and Purchasing
Department of _____
Township of West Orange
66 Main St., Room 111, West Orange, NJ 07052
973-325-4050
www.westorange.org

No firm intending to submit a proposal or any employee of any firm intending to submit a
proposal shall contact any TOWNSHIP OF WEST ORANGE employee for any reason either
directly or indirectly related to this Request for Proposal. Any firm found violating this policy
will be automatically disqualified form submitting a proposal.

Interpretations or clarifications deemed necessary by the Division of Engineering in
response to questions received from prospective Proposers will be issued by addenda
mailed or delivered to all parties recorded by the Division of Purchasing as having received
the RFP.

Addenda may also be issued by the Division Purchasing to modify the RFP as deemed
advisable by the TOWNSHIP OF WEST ORANGE of Essex County, NJ.

Copies of the RFP may be obtained from:
Division of Budget and Purchasing Bid Portal WEB ADDRESS

Proposals must be submitted on or before XXX by **11:00 a.m.** Late submissions will not be
entertained.

All proposals must be **RECEIVED** by the TOWNSHIP OF WEST ORANGE at the address
shown above no later than the deadline provided for receiving proposals in Request For
Proposals (RFP) Public Notice. Proposals shall be received no later than provided for in the
Request For Proposal notice, after which time they shall be opened and recorded. **One (1)
original, five (5) copies, and one (1) electronic .pdf file of each proposal shall be
submitted. Only one (1) proposal will be permitted from each Proposer.**

Proposals mailed or delivered to the TOWNSHIP OF WEST ORANGE shall be in sealed envelopes and clearly labeled as follows:

**DO NOT OPEN
REQUEST FOR PROPOSAL (RFP)
CONSULTING ENGINEERING SERVICES
For Construction Engineering & Inspection Services
For the XXX CR XXX**

The TOWNSHIP OF WEST ORANGE reserves the right to reject any proposal received after the deadline. The TOWNSHIP OF WEST ORANGE shall not be responsible for timeliness of mail or messenger delivery.

This proposal is irrevocable by the subscriber or by his, their or its personal or legal representatives. Any subsequent award by the TOWNSHIP OF WEST ORANGE to the subscriber shall bind the subscriber and his, their or its heirs, executors, administrators, successors or assigns.

PART II - GENERAL CONDITIONS

Instructions:

All questions must be answered.

Each proposal shall include a Letter of Transmittal which bears the original signature of an authorized representative of the vendor and which also includes the name of individuals authorized to negotiate with the TOWNSHIP OF WEST ORANGE of .

Each proposal shall include a full explanation of the services that will be provided.

Proposals shall be in sufficient detail to determine and evaluate the services provided.

One (1) original, five (5) copy, and one (1) electronic .pdf file of the completed proposal must be delivered by XXX to the TOWNSHIP OF WEST ORANGE ADDRESS, PHONE # BY **11:00 a.m.** EDT on that date. Late proposals will not be eligible for review.

Failure or inability to meet any of the requirements set forth in this RFP will be sufficient reason to disqualify prepares.

The TOWNSHIP OF WEST ORANGE reserves the right not to consider any proposal that is incomplete or that does not meet the specification requirements.

Statutory Requirements:

This project involves Federal funding participation. The TOWNSHIP OF WEST ORANGE will conform to the procurement requirements by "Competitive Proposal Method" under the Brooks Act and Federal Policy Guide 23 CFR 172A. The selection of a consultant must result from negotiations that utilize a qualification based selection process. The process

and any resulting contract must first be reviewed by the Department of Transportation prior to use or execution.

Terms:

The contract will be from **Notice of Award to the Completion of the project.**

Reservations:

The TOWNSHIP OF WEST ORANGE reserves the right to reject any and all proposals, and any part and to waive any formalities, informalities, irregularities and errors in proposals.

A written request for the withdrawal of a proposal, or any party thereof, will be granted if the request is received by the TOWNSHIP OF WEST ORANGE Purchasing Agent prior to the specified time of the proposal opening.

Interview:

The TOWNSHIP OF WEST ORANGE reserves the right to interview proposers, request clarification of proposals, request additional information, request modification or proposals and negotiate contract terms with the successful prepares.

Bidders may be asked to explain and/or clarify their proposal to a selection committee.

Exceptions and Requests for Modifications to RFP:

Any requests for modifications to the language in the RFP must be included on a separate page with the submission of the proposal. Modifications to the RFP that do not comply with the above requirements will not be considered by the TOWNSHIP OF WEST ORANGE. Exceptions to the proposed time schedule shall similarly be noted for further consideration by the TOWNSHIP OF WEST ORANGE.

Proposal Evaluation:

Each RFP will be evaluated by a team consisting of TOWNSHIP OF WEST ORANGE professional staff members.

The TOWNSHIP OF WEST ORANGE team shall consider the merits of each response and shall utilize the sample rating criteria on page 6 of the RFP

Requirements:

This project involves Federal funding participation. The TOWNSHIP OF WEST ORANGE will conform to the requirements of the Brooks Act and Federal Policy Guide 23 CFR 172A. The selection of a consultant must result from negotiations that utilize a qualification based selection process. The process and any resulting contract must first be reviewed by the Department of Transportation prior to use or execution.

Limitation Of Liability:

The TOWNSHIP OF WEST ORANGE assumes no liability for any cost incurred by Proposers in responding to this RFP or in responding to any further requests for interviews, additional information, etc. prior to the issuance of the contract document.

TOWNSHIP OF WEST ORANGE's Responsibilities:

The TOWNSHIP OF WEST ORANGE shall do the following:

Designate the following person to act as the TOWNSHIP OF WEST ORANGE's representative with respect to the services to be rendered under the contract. Such person shall have complete authority to transmit instructions, receive information, interpret and define TOWNSHIP OF WEST ORANGE's policies and decisions with respect to the Engineer's services for the project.

_____, TOWNSHIP OF WEST ORANGE Engineer
TOWNSHIP OF WEST ORANGE Division of Engineering
ADDRESS

Furnish to the Engineer, subject to availability and applicability the following information:

Existing Plans and Specifications for the project;

Furnish a typical sample of the appropriate TOWNSHIP OF WEST ORANGE "boiler plate" forms and documents as may be required during the project.

Arrange for access to and make provisions for the Engineer to enter upon public property owned by the TOWNSHIP OF WEST ORANGE.

Conduct the pre-construction conference.

Attend construction progress and other job related meetings and substantial completion inspections and final payment inspections.

Through the TOWNSHIP OF WEST ORANGE Engineer, issue a certificate of substantial completion and certify that the construction work has reached final completion and is ready for final payment.

Periods Of Service:

Pursuant to NJSA 40A:11-15(9), the Engineer's obligation to render services shall begin at the notice to proceed and start with attendance at the pre-construction conference and extend through the utility relocation phase, construction, punch-list work, final payment authorization, and final close-out of the project in accordance with the construction project schedule. Any modifications must be approved by the TOWNSHIP OF WEST ORANGE.

The consulting engineering services called for in these General Conditions and in Detailed Scope of Services shall be completed within the stipulated and/or proposed time periods indicated. Failure to provide the contract services within the stipulated time

periods shall constitute a breach of contract entitling the TOWNSHIP OF WEST ORANGE to proceed with all available legal remedies at its disposal

Payments To Consultant:

Method of Payment for Consulting Engineering Services. The TOWNSHIP OF WEST ORANGE shall pay the Engineer on a cost basis in accordance with the schedule approved by NJDOT for Cost Basis.

Payment Schedule. The Consultant may submit statements for consulting engineering services rendered. The statements shall be based upon the detailed daily statements for construction engineering and inspection services rendered and actually completed at the time of billing. Each statement shall be signed by the Engineer. The TOWNSHIP OF WEST ORANGE retains the right to withhold payment until the product defined on the Scope of Services has been delivered and approved by the TOWNSHIP OF WEST ORANGE.

Payment Due to Termination. In the event of termination by the TOWNSHIP OF WEST ORANGE under the terms of this contract, progress payments due to the Engineer for consulting engineering services rendered through the termination shall constitute total payment for such services.

Mediation Provisions for Construction Contracts:

Notwithstanding any other provisions or terms set forth elsewhere in this RFP or other Contract Documents, for any construction contract to which N.J.S.A. 40A:11-50 is applicable, either party to the contract may demand that a dispute concerning whether a party has failed to make payments pursuant to the provisions of N.J.S.A. 2A:30A-1 et. seq., or perform Work as required by the Contract Document be submitted to Alternative Dispute Resolution through non-binding mediation. If mediation is demanded, it shall be subject to the provisions set forth below.

Mediation shall not be available with regard to disputes concerning solicitation of bids, the award process or the formation of contracts or subcontracts entered into pursuant to the New Jersey Local Public Contracts Law. In addition, Mediation shall not prevent either party from pursuing any other remedy, including but not limited to injunctive relief or an action for specific performance, in the event that emergent circumstances exist or when necessary to protect the health, safety or welfare of the public.

The TOWNSHIP OF WEST ORANGE's Alternative Dispute Resolution procedures for non-binding mediation are as follows:

- A. **Controversies and Claims Subject to Mediation.** Except as specified above, If a dispute between TOWNSHIP OF WEST ORANGE and Consultant arises during the course of the contract, the parties will make a good faith effort to resolve the dispute through non-binding mediation prior to resorting to litigation,
- B. **Contract Performance Pending Mediation.** During mediation proceedings, Consultant shall continue to perform, and TOWNSHIP OF WEST ORANGE shall continue to make payments pursuant to the terms of the contract.
- C. **When Mediation May be Demanded.** Prior to either party demanding mediation, the aggrieved party shall attempt to resolve the problem directly with the other party.

In the event that the parties are unable to directly resolve a problem within 10 days of the first notice of the dispute, the aggrieved party shall promptly submit a written notice of dispute to the other party. The other party shall respond in writing.

Demand for mediation of any claim shall not be made until the earlier of the following:

- (i) Five (5) business days after the other party has provided its written response to the aggrieved party's notice of dispute;
- (ii) Thirty (30) days have passed after submission of the original, written claim by the aggrieved party and the other party has not responded.

If the written response from the other party does not resolve the dispute, the aggrieved party shall have thirty (30) days from the delivery of the other party's response to file a demand for mediation. If the aggrieved party fails to do so, it shall be deemed to have waived its right pursuant to this contract to demand Alternative Dispute Resolution.

A party who files a "Notice of Demand for Mediation" must assert in the demand all claims then known to that party for which mediation may be demanded. If a party fails to include a claim because of excusable neglect, or when a claim has matured or been acquired subsequently, the mediator or mediators may permit amendments.

- D. **Procedure to Request Mediation.** Either party may demand mediation by written notice to the other party. The written notice shall contain at minimum 1) a brief statement of the nature of the dispute, and 2) the name, address and the phone number of that party's designated representative for purposes of mediation. The other party shall designate its representative for mediation in writing no later than five (5) business days after receipt of the demand for mediation. The respective designees shall thereupon promptly, and with due regard for the need for timely action, choose a mediator. If the parties cannot agree on a mediator, they shall choose a reputable mediation firm.

Any mediation firm so chosen shall present a list of at least five (5) proposed mediators to the parties and shall provide the parties with a summary of each person's qualifications to serve as mediator. Each party shall rank the proposed mediators in order of preference.

The fifth and any lower ranked persons on each list will be excluded from further consideration.

The chosen mediator shall be the remaining person who is the combined highest ranking mediator on both preference lists, after deleting all excluded persons.

In the event of a tie, the mediator shall be chosen by lot.

- E. **Procedures at Mediation.** The mediation shall be conducted in such reasonable and efficient manner as may be agreed between the parties and the mediator or, if the parties cannot agree, as may be determined by the mediator.

The parties will not be bound by the Rules of Evidence in presenting their positions before the mediator.

- F. **Cost of Mediation.** Each party will bear its own cost of participation in the mediation. The mediator's fee will be divided equally between the parties.

- G. **Failure of Mediation.** If a good faith effort to resolve the dispute through mediation is unsuccessful within 60 days after the initial request for mediation, then either party may terminate the mediation by written notice to the mediator and to the other party. Upon the expiration of the said 60 days (or any extension thereof that has been mutually agreed to by the parties) either party may submit the dispute to the Superior Court of New Jersey, TOWNSHIP OF WEST ORANGE, for adjudication, which court shall have exclusive original jurisdiction over the dispute.
- H. **Binding Process.** Participation in the mediation process is voluntary, however the parties expressly understand and agree that if they reach any agreements as a result of mediation, such agreements will be binding to the full extent permitted by law.
- I. **Confidentiality.** As part of the mediation, the parties will be required to comply with the mediator's instructions regarding submissions and exchanges of records, statements, and other materials necessary for mediation to proceed. The parties recognize that mediation proceedings are settlement negotiations, and that all offers, promises and statements, whether written or oral, made in the course of the proceedings, are inadmissible in any arbitration or court proceeding, to the full extent allowed by applicable state and Federal laws. The parties agree to not subpoena or otherwise require the mediator to testify or produce records, notes or work product exchanged during mediation in any future proceedings, and to keep all submissions, records, notes, statements and any other materials prepared or exchanged in connection with the mediation confidential, to the fullest extent permitted by law. No recording or stenographic record will be made of mediation sessions. Mediation sessions are intended to settle claims, and the discussions that occur during mediation shall remain confidential, unless the parties mutually agree to authorize disclosures. In the event the parties do reach a settlement agreement, the terms of that settlement will be admissible in any court or arbitration proceedings required to enforce it, and will be available for public inspection to extent required by applicable state or Federal laws. All evidence that is otherwise admissible or discoverable shall not be rendered inadmissible or non-discoverable as a result of its use in mediation proceedings.

REQUEST FOR PROPOSAL REQUIREMENTS

Local Public Agency: TOWNSHIP OF WEST ORANGE Government
Request for Proposals No. X
Posting Date: Month XX, 201X

Request for Proposal Requirements

Project Title: *Construction Engineering and Inspection Services Associated with XXX of XXX, TOWNSHIP OF WEST ORANGE Route XXX Section XXX*
Project Location: *XXX Section XXX From XXX to XXX (CR XXX)*
Federal Project Number: *XXX*
Response Due Date and Time: *XX/XX/XX and no later than 11:00 am Eastern Time*

This Request for Proposals (RFP) is official notification of needed professional services. This RFP is being issued to solicit a letter of Interest (LOI) and other documents from firms qualified to perform engineering work on federal aid projects. A submittal does not guarantee that the firm will be contracted to perform any services but only serves notice that that firm desires to be considered.

Contact for Questions: John Gross, Township Administrator

Submittal requirements:

1. Letter of Interest – 5 copies (required content and instructions follow)
2. One (1) signed Affirmative Action Certification and associated
 - i. required documents for all items with Disadvantaged Business Enterprise
 - ii. (DBE) goals (sample form follows).

Submit To: TOWNSHIP OF WEST ORANGE Government

Division of Budget & Purchasing
66 Main St., Room 111, West Orange, NJ 07052
973-325-4050 www.westorange.org

Selection Procedures:

This project involves Federal funding participation. The TOWNSHIP OF WEST ORANGE will conform to the procurement requirements by “Competitive Proposal Method” under the Brooks Act and Federal Policy Guide 23 CFR 172A. The selection of a consultant must result from negotiations that utilize a qualification based selection process. The process and any resulting contract must first be reviewed by the Department of Transportation prior to use or execution.

Consultants will be selected for work items further described herein, based on the evaluation of the Letter of Interest (LOI) and other required documents. A sample Consultant Selection Rating Form that will be used to evaluate and score the submittals is included for your reference.

Requirements for Letters of Interest (LOI):

A. General instructions for Preparing and Submitting a Letter of Interest (LOI)

1. Provide the information as set out in Item B below, in the same order listed, signed by an officer of the firm. Scanned signed documents signatures are acceptable. Do not send

additional forms, resumes, brochures, or other material unless otherwise noted in the item description.

2. LOI's shall be limited to a total of twelve (12) 8 ½" x 11" pages. Ten (10) pages for Identification and Qualification and two (2) pages for the combined Key staff and Project Approach unless otherwise noted in the Project Description.
3. LOI's must be received not later than "Response Due Date and Time" as shown in the RFP header shown above. Responses received after this deadline will not be considered. Submittals must include all required attachments to be considered for selection.

B. Letter of Interest Content

1. Identification and Qualifications

- a. Provide the firm name, address of the responsible office from which the work will be performed and the name and email address of the contact person authorized to negotiate for the associated work.
- b. List all proposed sub consultants, their DBE status, and the percentage of work to be performed by the prime consultant and each sub consultant (sample Affirmative Action Certification follows). A listing of certified DBE's eligible to be considered for selection as prime consultants or sub-consultants for this RFP can be found at the New Jersey Department of Transportation's (NJDOT) website.
- c. Provide personnel resumes and such additional information concerning qualifications as may be relevant to the project. The personnel to be used on this highway construction project must demonstrate the following levels of experience:
 - i. **Engineer** (Licensed) - 10 years of relevant highway construction Experience
 - ii. **Resident Engineer** - 5 years of relevant highway construction experience
 - iii. **Highway Construction Inspector** for Duration of Construction – NICET Level III min. or qualified other with 3 years of relevant highway construction experience
 - iv. Additional **Highway Construction Inspector** for Paving Operations – NICET Level II min. or qualified equivalent.

2. Key staff and Project approach

- a. List the Project Manager and other key staff members, including key sub consultant staff and include the percent dedicated to each. Include project engineers for important disciplines and staff members that will be responsible for the work. Address the experience of the key staff members on similar projects and the staff qualifications relative to the required item qualifications.
- b. Describe the capacity of your staff and their ability to perform the work in a timely manner relative to present workload and the availability of the assigned staff.

- c. Provide a description of your Project Approach relative to the scope of services (description follows). For project specific items confirm that the firm has visited the project site. For all items address your firm's technical understanding of the project or services, as related to your firm's qualifications.

Requirements for Affirmative Action Certification:

A completed Affirmative Action Certification form is required for all items that identify a DBE goal. The consultant must identify the DBE firms with which it intends to subcontract. Include the contract participation percentage of each DBE and list what the DBE will be subcontracted to perform on the Affirmative Action Certification Form. **Copies of DBE certifications, as issued by NJDOT, for each firm listed are to be included as additional pages after the form.** If the consultant does not meet the DBE goal, the consultant must provide documentations on additional pages that it has made good faith efforts to achieve the DBE goal. Please review the DBE program based on any goals set and complete the DBE Affirmative Action Certification form as applicable. What constitutes good faith efforts is explained in detail within the DBE program information referred to above. If no goal is set then no Affirmative Action Certification form is required. New Jersey Department of Transportation's (NJDOT) DBE Program Information is available at the NJDOT's website.

A listing of certified DBE's eligible to be considered for selection as prime consultants or sub-consultants for this RFP can be found at the NJDOT's website. (<http://www.njucp.net/>)

DBE subcontracting goals apply to all prime submitting consultants, regardless of the prime's status of DBE.

Required NJDOT Cost Basis Approval for prime consultant and each sub-consultant (prior to negotiations):

Prior to negotiations, the prime consultant, and each sub-consultant (A/E firm) must be approved by NJDOT for Cost Basis. Please visit: <http://www.state.nj.us/transportation/business/procurement/ProfServ/CostBasisApprov.shtm> for additional guidance and requirements. **To use Federal-aid funds, the firm selected must either be cost basis approved by NJDOT, or must have its accounting system and a provisional overhead rate approved by NJDOT, prior to A/E firm negotiations.** This will require submittal of a self-certified or CPA certified financial package or a cognizant agency audit. A final overhead or indirect cost rate will be required prior to project close-out for cost-plus fixed fee type contracts.

Work item details:

Local Public Agency: TOWNSHIP OF WEST ORANGE, NJ

Project Location: XXX Section XXX
From XXX to XXX (XXX)

Federal Project Number: XXX

Project Phases Included: Construction Engineering/Inspection

Project Description: *****

Edit the Following as needed

The TOWNSHIP OF WEST ORANGE's proposed work will begin XXX of XXX (Station XXX) and the XXX terminus of the project is XXX of XXX (Station XXX). The proposed highway improvement work will be in-kind within the existing right-of-way, and will consist of:

1. The roadway will be milled and resurfaced within the project limits and width of roadway pavement. (The existing concrete curb limits will be maintained throughout.)
2. The roadway centerline will be reprofiled to provide for an appropriate cross slope and centerline grade.
3. Traffic signage will be replaced and added throughout the entire length of the project, as applicable.
4. Traffic striping and markings will be placed on the new roadway pavement, as appropriate. Raised pavement markers will also be installed.
5. Drainage structures throughout the project will be upgraded, reconstructed or replaced, as applicable.
6. If needed, in kind replacement of existing curb.

Estimated Construction Amount: \$ XXX

Funding: Federal Funding involved for 100% Construction and Civil Engineering/Inspection

Term of Contract: Until project completion

DBE goal: XX.X%

Required NJDOT Cost Basis Approval: Construction Engineering and Inspection

(prior to negotiations)

(Prime Consultant and each Sub-Consultant)

Request for Proposal No. _____
Item No. _____

AFFIRMATIVE ACTION CERTIFICATION

I do hereby certify that it is the intention of my company to affirmatively seek out and consider DBEs certified in the State of New Jersey, to participate as part of this proposal. (For listing of DBE certified firms see <http://www.njucp.net/>)

I understand and agree that all sub consulting in connection with this proposal, whether undertaken prior to or subsequent to the notice to proceed, shall be in accordance with the requirements for the Disadvantaged Business Enterprise Program, included elsewhere in this RFP. I understand and agree that no subcontracting shall be approved or commenced until the Department of Transportation has reviewed and approved the affirmative actions taken by my company or me.

I understand that utilization of certified DBEs is in addition to all other equal employment requirements of this RFP.

I acknowledge that this certification is to be made an integral part of this proposal.

I understand and agree that the submission of a blank certification may cause the proposal to be rejected.

I hereby certify that contact has been made with the certified DBEs listed in this certification, and that, if my company becomes the CONSULTANT, the certified DBEs have tentatively agreed to perform the services listed below.

I understand that neither my company nor I will be penalized for amounts achieved over or under the amount shown for voluntary DBE utilization that exceeds the goal.

After contract award, any change to the firms listed in this Affirmative Action Certification under race/gender conscious must have prior approval by NJDOT's and NJ Division of Civil Rights and Affirmative Action (DCR/AA)-

SUBCONSULTANTS

DBE SUBCONSULTANTS TO BE APPLIED TOWARD GOAL (RACE/GENDER CONSCIOUS)

<u>Certified DBE Name & Address</u>	<u>Service Planned</u>	<u>Planned percentage to be paid to DBE</u>
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DBE SUBCONSULTANTS TO BE USED BEYOND GOAL (RACE/GENDER CONSCIOUS)

<u>Certified DBE Name & Address</u>	<u>Service Planned</u>	<u>Planned percentage to be paid to DBE</u>
---	------------------------	---

Total Percentage Credited toward DBE Goal (Race/Gender Conscious): _____

Total Percentage of Voluntary DBE Work Anticipated over DBE Goal (Race/Gender Neutral): _____

Name of Company: _____

By: _____ Date: _____

ESTIMATED SCHEDULE FOR PERFORMANCE AND DELIVERY OF SERVICES
(sample insert project specific schedule !!!)

SAMPLE TOWNSHIP OF WEST ORANGE CONTRACT

Scope of Services:

DEFINED TERMS:

“TOWNSHIP OF WEST ORANGE” means the TOWNSHIP OF WEST ORANGE of , a governmental corporation under the laws of the State of New Jersey.

“Proposer”, “Consultant”, “Engineer” or “Surveyor” means the person or entity who submits a proposal directly to the TOWNSHIP OF WEST ORANGE. Proposer does not include a subcontractor who contracts directly with the successful Proposer.

PROPOSED PROJECT SCHEDULE:

The schedule shall start when the TOWNSHIP OF WEST ORANGE issues a written Notice to Proceed to the Consultant for a specific construction project. The Engineer shall begin work by attending the construction project’s preconstruction conference.

The Engineer’s obligation to render services here under shall extend for a period as may be required for construction punch list items to be completed, final completion certifications and inspection reports completed, and final payment of the construction project is complete.

Failure to provide the construction inspection services shall constitute a breach of contract entitling the TOWNSHIP OF WEST ORANGE to proceed with all available legal remedies at its disposal.

NOTE: The successful proposer shall be available to provide resident engineering and inspection services, beginning with the Pre-Construction Conference, upon 21 days advance written notice.

BASIC SERVICES OF ENGINEER:

The Engineer shall provide professional consulting engineering services for the TOWNSHIP OF WEST ORANGE in all phases of the project to which these General Conditions apply as hereinafter provided. These services will include serving as TOWNSHIP OF WEST ORANGE’s professional engineering representative for the project, providing professional engineering consultation and advice, and furnishing customary civil engineering services incidental thereto.

The following project phases marked with an “X” or check mark will be required to be completed by the Engineer:

 x Construction Phase

Upon verbal request to proceed with the Construction Phase, the Engineer shall:

Attend the pre-construction conference.

After the pre-construction conference and after the TOWNSHIP OF WEST ORANGE has issued the Notice to Proceed, the Engineer shall perform the tasks of associated with the general administration of the construction contract and the inspection of the construction work.

General Administration of Construction Contract: The Engineer shall consult with and advise the TOWNSHIP OF WEST ORANGE and act as the TOWNSHIP OF WEST ORANGE’s representative during the execution of the construction contract. The extent and limitations of

SAMPLE TOWNSHIP OF WEST ORANGE CONTRACT

the duties, responsibilities and authority of the Engineer shall be set forth in the TOWNSHIP OF WEST ORANGE's contract.

Visits to Site and Inspection of Construction: In connection with inspection of the work of the Contractor while the work is in progress:

The Engineer shall make visits to the site at intervals appropriate to the various stages of construction in order to inspect as an experienced and qualified design professional the progress and quality of the various aspects of the contractor's work. In addition, if required in the proposal, the Engineer shall provide more continuous inspection of the work. Based on information obtained during such visits and on such inspections, the Engineer shall determine if such work is proceeding in accordance with the contract documents, and the Engineer shall keep the TOWNSHIP OF WEST ORANGE informed of the progress of the work.

The Resident Engineer and any inspectors will be the Engineer's agents or employees and shall be under the Engineer's supervision. The detailed duties and responsibilities of the Resident Engineer and other Inspectors are generally described herein, and will be finalized in the negotiated contract.

The purpose of the Engineer's and Resident Engineer's inspection is to insure construction in accordance with the design plans and specifications.

However, the Engineer shall not, during such visits or as a result of such inspections of the Contractor's work in progress, supervise, direct or have control over the Contractor's work nor shall the Engineer have authority over or responsibility for the means, methods, techniques, sequences or procedures of construction selected by the Contractor, or safety precautions and programs incidental to the work of the Contractor or for any failure of the Contractor to comply with laws, rules, regulations, ordinances, codes or orders applicable to the Contractor furnishing and performing the work.

Defective Work: The Engineer during construction inspection may disapprove of or reject the Contractor's work if the Engineer believes that the work does not conform to the contract documents or design integrity of the project.

Interpretations, Clarifications, Work Directive Changes, and Change Orders: The Engineer may issue interpretations and clarifications of the contract documents as required. The Engineer shall be responsible for preparing Work Directive Changes and Change Orders with supporting documentation and data for the approval by the WEST ORANGE GOVERNING BODY and execution by the TOWNSHIP OF WEST ORANGE Executive in accordance with the TOWNSHIP OF WEST ORANGE's contract.

Shop Drawings: The Engineer shall review and approve shop drawings and other data which the contractor is required to submit, for conformance with the design concept of the project and compliance with the information given in the contract documents.

Substitutes: The Engineer shall evaluate and determine the acceptability of substitute materials and equipment proposed by the Contractor to determine the equivalency of the substitute materials and equipment under the terms and conditions of the contract specifications.

SAMPLE TOWNSHIP OF WEST ORANGE CONTRACT

Additional Inspections and Tests: When the Engineer deems it necessary or advisable for implementing the intent of the construction contract documents, the Engineer will have the authority to require additional inspection or testing of the construction contractor's work in accordance with the contract documents and at the contractor's expense.

Disputes between the TOWNSHIP OF WEST ORANGE and Contractor: The Engineer shall act as initial interpreter of the requirements of the contract documents and shall determine the acceptability of the work. In the event of a dispute between Engineer and the Contractor, the TOWNSHIP OF WEST ORANGE Engineer will be the final arbiter.

Applications for Payment: Based on the inspections, and information provided by the Resident Engineer, the Engineer shall determine the amounts owed to the Contractor and make recommendations of appropriate payments to the TOWNSHIP OF WEST ORANGE.

Contractor's Completion Documents: The Engineer shall receive and review maintenance and operating instructions, schedules, guarantees, bonds and certificates of inspection, tests and approvals, and other documents which are to be assembled by the Contractor in accordance with the contract documents. The Engineer, upon receiving and reviewing these documents, shall transmit them to the TOWNSHIP OF WEST ORANGE with written comments.

Inspections: The Engineer shall conduct an inspection to determine if the work is substantially complete and a final inspection to determine if the completed work is acceptable so that the Engineer may recommend in writing final payment to the Contractor and may give written notice to the TOWNSHIP OF WEST ORANGE and the Contractor that the work is acceptable, subject to any conditions therein expressed. Upon completion of all construction, including change orders and punchlist items, the Engineer shall provide a certification of completion to the TOWNSHIP OF WEST ORANGE Engineer. The TOWNSHIP OF WEST ORANGE Engineer shall then issue the certificate of final completion and shall certify that the project has been completed, and is ready for final payment.

As-Built Plans: The Engineer shall prepare a set of **"red line" as-built plans** showing those changes made during the construction process, based on the marked-up prints, drawings, data, etc furnished by the Contractor to the Engineer and information obtained by the Engineer's staff.

Design Plan Changes: The Engineer will not be responsible to prepare design change plans. Should a design change become necessary on a construction project the design engineer who prepared the construction project design will prepare the necessary design change plans. Such design change plans shall be in the same layout and on reproducible mylars and digital media in a format compatible with the TOWNSHIP OF WEST ORANGE's CADD software used for the original design plans. Should the project's specifications also need to be revised as a result of the design change, the design engineer will also prepare the specifications, as may be necessary to construct the changes to the project.

SAMPLE TOWNSHIP OF WEST ORANGE CONTRACT

CONSTRUCTION ENGINEERING PHASE:

The Engineer shall furnish a qualified Resident Engineer (RE) with the appropriate experience and Highway Construction Inspector (NICET Level III minimum or Qualified Other - Highway Construction) with appropriate experience, and other qualified field staff as circumstances require to assist the Engineer in inspecting the work by the contractor (i.e. Additional Inspector required during paving operations).

The Resident Engineer will protect the TOWNSHIP OF WEST ORANGE from any defects in materials or workmanship by the construction Contractor. This is to be accomplished through full time on site inspection of the project site. The Engineer is not responsible for nor in control of the means, methods, techniques, sequences or procedures for construction of the project. The Construction contractor is responsible for these items.

The duties and responsibilities of the Resident Engineer are limited to those of the Engineer as will be further delineated in the negotiated contract for Consulting Engineering Services and are further limited and described as follows:

General - The Resident Engineer is the Engineer's agent at the site and shall act as directed under the supervision of the Engineer. The RE's dealing in construction matters pertaining to the on-site work shall in general be with the Engineer and Contractor. The RE's dealings with subcontractors shall only be through or with the full knowledge and approval of the contractor. The RE shall communicate with the TOWNSHIP OF WEST ORANGE with the knowledge of and under the direction of the Engineer.

Duties and Responsibilities of RE:

Source Documentation - All related source documents upon which payment is based must be a matter of record. Additionally, all source documents pertaining to the determination of pay quantities must be retained for three years after final payment and project close-out pursuant to 49 CFR 18.36(J)(11).

Source documents consist of notes/documentation of counts; measurements (length, width, depth, and slope); calculations of area, volume, weights; sketches, a statement of compliance with contract plans, and specifications; field changes; comments; and delivery tickets collected and initiated by the inspector at the point of unloading.

Source documentation must specify the following at a minimum:

- **Delivery tickets are received before placement of materials**

SAMPLE TOWNSHIP OF WEST ORANGE CONTRACT

- Testing of materials is documented in the project files and referenced in daily inspection reports
- Form DC-29's are used for daily inspection reports and the instructions included on the DC-29's are followed. DC-29's are supplemented with field notes and photographs that tie the work being done to the plans, specifications and related contract documents.
- Inspection reports are signed and dated by the inspectors.
- The Resident Engineer reviews and initials the daily inspection reports.
- The Resident Engineer prepares a summary of pay quantities based on the daily inspection reports.
- The Resident Engineer uses the summary of pay items to develop periodic pay estimates for the Supervisor of Inspections and the TOWNSHIP OF WEST ORANGE Engineer. The summary of pay items must be used for comparison and negotiation of contracts payment requests. The Supervisor of Inspections and the Contract Administrator must ensure proper payments are being made in accordance with the contract provisions. Upon acceptance of the negotiated contractor payments, a voucher request will be forward to TOWNSHIP OF WEST ORANGE Department of Finance for contractor payment. Once contractor payment is made, the Contract Administrator must prepare and submit a State voucher.
- Prevailing wage rate requirements of 23 U.S.C. and the Davis-Bacon Act must be met and documented in the TOWNSHIP OF WEST ORANGE's project files. Wage rate interviews must be performed by the site inspector or resident engineer.
- Environmental commitments and/or permit requirements must be met and documented in the daily inspection reports.
- All pedestrian facilities must be constructed or reconstructed in accordance with the American with Disabilities Act (ADA) of 1990' Section 504 of the Rehabilitation Act of 1973, 28 CFR Part 35.14(e) and NJDOT Standard Construction Details. The site inspector and the Supervisor of Inspections will be responsible for the inspection of all ADA related facilities.
- DBE requirements are monitored and enforced to ensure compliance with 49 CFR 26; the contract plans, specifications and related contract documents; the NJDOT Construction Handbook Section V., Subsection B and NJDOT DBE/ESBE
- Include provision to identify the TOWNSHIP OF WEST ORANGE's full time employee in "responsible charge" of the project.

Buy America -

Title 23 CFR 635.410 required that all steel or iron products permanently incorporated into a federal-aid project must be manufactured in the United States. This includes application of coatings.

Buy America requirements apply to the entire federal-aid project. Steel or iron products purchased with non federal funds are not exempt from this requirement.

Waivers are permissible in rare cases as specified in 23 CFR 635.410(1). Minimal use of foreign steel or iron is permissible if the costs of such materials does not exceed one-tenth of one percent of the total cost or \$2,500, whichever is greater as specified in 23 CFR 635.410(b)(4).

SAMPLE TOWNSHIP OF WEST ORANGE CONTRACT

The TOWNSHIP OF WEST ORANGE's responsible charge is responsible for receiving the Buy America certification at time of delivery and prior to the steel or iron product being incorporated into the project. The Buy America certification must be current, signed, and dated and be specific to the materials.

DBE Compliance -

Title 49 CFR 26 requires that Disadvantaged Business Enterprises (DBE's) have an equal opportunity to receive and participated in federal-aid assisted construction contracts. TOWNSHIP OF WEST ORANGE will award federal-aid contracts to only those bidders who make a good faith effort to meet the DBE goals established by NJDOT's Civil Rights Contract Compliance Unit. TOWNSHIP OF WEST ORANGE will continuously monitor DBE participation as the project progresses and is responsible for ensuring the contract goals will be met at the time of project completion. TOWNSHIP OF WEST ORANGE's responsibilities include:

1. Verification of Recommendation to Award memorandum and For CR-266F, "Schedule of DBE/ESBE Participation (former "Form A") to determine status of the subcontractors to monitor DBE/ESBE compliance.
2. Monitor participation by comparing contracts DBE/ESBE/SBE goal commitments against each Form DC-18 "Request for Approval to sublet". Cross check the Daily Work Reports with each affected Form-18, the Recommendation to Award, and the From CR-267, Monthly Report of Utilization of ESBE/DBE or SBE.
3. Utilize Daily Work Report to document on-site monitoring of stipulated DBE work items and contractor performing the work to insure compliance.
4. The person in responsible charge must be made aware of non-compliance issues and direct the contractor in writing to comply with these requirements. Revisions can only be made to the approved DBE/ESBE/SBE program upon submission of a review Form CR 266 by the contractor and review and approval by NJDOT.
5. Any DBE/ESBE/SBE goal commitments not fulfilled must be supported by Good Faith Effort documentation and reviewed and approved by NJDOT based on the guidance set forth in 49 CFR 26 Appendix A.

Schedules - Review the progress schedule prepared by the contractor and consult with Engineer concerning acceptability.

Meetings - Attend meetings with the contractor such as preconstruction conferences, progress meetings, job conferences and other project related meetings, and prepare and circulate the minutes thereof.

Liaison - The RE shall serve as the Engineer's liaison with the contractor working principally with the contractor's superintendent and the RE shall assist in understanding the contract documents. The RE shall also assist the Engineer in serving as the TOWNSHIP OF WEST ORANGE's liaison with the contractor. In addition, the RE shall assist in obtaining additional details or information from the TOWNSHIP OF WEST ORANGE when required for proper execution of the work.

Existing Conditions DVD Movie - The RE is to direct the contractor to immediately, and before any construction work begins, have made a professional Pre-construction DVD movie of the entire existing conditions of the work area and the immediate area along the sides of

SAMPLE TOWNSHIP OF WEST ORANGE CONTRACT

the project work area. This DVD is to be a record of conditions before construction. When the contractor has finished recording the existing conditions, the RE is to immediately review this movie for content, and if found to be clear, properly done, and adequate, the RE shall immediately record the date of receipt and provide a copy to the TOWNSHIP OF WEST ORANGE Engineer's Office before the construction begins.

Shop Drawings - The RE shall record the date of receipt of all shop drawings delivered to the site and advise the Engineer and the contractor of the commencement of any work requiring a shop drawing if the submittal has not been approved by the Engineer.

Review of Work, Rejection of Defective Work, Inspections and Tests - The RE shall conduct on-site inspection of the work in progress and shall assist the Engineer in determining if the work is in general proceeding in accordance with the plans and specifications. If the RE believes that any work is unsatisfactory, faulty or defective or does not conform to the plans or specifications, or has been damaged, or does not meet the requirements of any inspection, test or approval required to be made, the RE shall report this to the Engineer and shall further advise the Engineer of any work that the RE believes should be corrected or rejected or should be uncovered for inspection or requires special testing inspection or approval. The RE shall verify that tests, equipment and operating and maintenance are conducted in the presence of appropriate personnel and that the contractor maintains adequate records thereof. The RE shall report appropriate details relative to test procedures and results to the Engineer.

Interpretation of Contract Documents - When clarifications and interpretations of the plans and specifications are requested by the contractor, the RE shall report this information to the Engineer and shall then transmit to the contractor the clarifications and interpretations as issued by the Engineer.

Modifications to Plans and Specifications - Contractor's suggestions for modifications to the plans or specifications shall be considered and evaluated by the RE and reported with the RE's recommendations to the Engineer. The RE shall then transmit the decisions issued by the Engineer to the contractor.

Records - The RE shall maintain at the job site orderly files for correspondence, reports of job conferences, shop drawings, reproductions of original plans and specifications including all addenda, change orders, field orders, additional plans issued subsequent to the execution of the contract, Engineer's clarifications and interpretations of the plans and specifications, progress reports, **source documentation, buy America certifications, DBE compliance**, and other project related documents. The RE shall keep a diary or log book, recording contractor hours on the job site, weather conditions, data relative to questions of field changes, change orders or other change conditions, list of job site visitors, daily activities, field decisions, observations in general and specific observations in more detail as in the case of observing test procedures. The RE shall send copies of the diary or field log to the Engineer and TOWNSHIP OF WEST ORANGE. The RE shall also record names, addresses, and telephone numbers of all contractors, subcontractors and major suppliers of materials and equipment.

Reports - The RE shall furnish the Engineer and TOWNSHIP OF WEST ORANGE Engineer periodic reports as required of progress of the work and of contractor's compliance with

SAMPLE TOWNSHIP OF WEST ORANGE CONTRACT

the progress schedule and schedule of shop drawings. The RE shall advise the Engineer and TOWNSHIP OF WEST ORANGE Engineer in advance of scheduled major tests, inspections or start of important phases of the work. The RE shall draft proposed change orders and work changes, obtaining back-up material from the contractor and recommend to Engineer change orders, work changes and field orders. The RE shall report immediately to both the Engineer and TOWNSHIP OF WEST ORANGE upon the occurrence of any accident.

Payment Requests - The RE shall review applications for payment with the contractor for compliance with the contract and shall forward the recommendations to the Engineer,

Completion - Before the Engineer recommends a certificate of substantial completion to the TOWNSHIP OF WEST ORANGE Engineer, the RE shall submit to the contractor a list of observed items requiring completion or correction. The RE shall also conduct a final inspection in the company of the Engineer, TOWNSHIP OF WEST ORANGE and contractor and shall then prepare a final punch list of items to be completed or corrected. Prior to making recommendation for final payment to the Engineer, the RE shall assure that all items on the final punch list have been completed or corrected by the contractor.

Communication and Emergencies - The RE shall have a cell phone in his or her possession at all times in case the TOWNSHIP OF WEST ORANGE Engineer requires any communication with the site. In addition, the RE shall supply the TOWNSHIP OF WEST ORANGE with a twenty-four hour phone number to be used in case of emergency. Emergencies include but are not limited to accidents involving property damage, bodily injury, hazardous waste spills or unearthing hazardous waste, or damage to existing utility infrastructure.

As-Built Plans - The RE shall prepare a set of as built plans in accordance with requirements listed on page 3

Limitations of Authority of The RE:

Shall not authorize any deviation from the contract plans or specifications or substitute any materials or equipment not authorized by the Engineer;

Shall not exceed limitations of Engineer's authority as set forth in the General Conditions or the Contract;

Shall not undertake any of the responsibilities of contractor, subcontractor or contractor's superintendent;

Shall not advise on, issue directions relative to or assume control of any aspect of the means, methods, techniques, sequences or procedures of construction without prior approval of the Engineer and TOWNSHIP OF WEST ORANGE Engineer

Shall not advise on, issue directions regarding or assume control over safety precautions and safety programs in connection with the work;

Shall not accept shop drawings from anyone other than the contractor;

SAMPLE TOWNSHIP OF WEST ORANGE CONTRACT

Shall not participate in specialized field or laboratory tests or inspections conducted by others

Construction Inspection / Construction Services Individuals

- At least one full-time NICET (or equivalent) inspector shall be on site during all construction activities.
- A resident engineer shall be available during the duration of the project and for project close-out.
- All outside consultant service individuals shall report to the TOWNSHIP OF WEST ORANGE supervisor of inspections within the Division of Engineering.
- Maintain appropriate daily reports and construction as-built quantity records
- Conduct wage rate inspections on a monthly base (shall be done per trade minimum).
- Review contractor submissions to insure compliance with prevailing wage rates, DBE/ESBE requirements, and training requirements.
- Review and process contractor payments.
- Project engineer reviews for completeness (payment applications, invoice, and signed voucher). If incomplete, notify contractor of needed items
- On-site inspector reviews to verify quantities completed. If discrepancy, notify contractor to reconcile
- Resident engineer verifies bid unit prices and calculation of payment amount.
- Resident engineer verifies contractor submission of certified payrolls, DBE utilization report (if applicable), monthly utilization report (web based), and training reports (if applicable). Notify contractor if items are needed.

ENGINEERING STANDARDS AND REQUIREMENTS:

All work shall be done in strict compliance with all applicable Federal, New Jersey State, TOWNSHIP OF WEST ORANGE, and local municipal laws, rules, and regulations.

All signal and roadway design prescribed herein shall comply with:

- a. the AASHTO "A Policy on Geometric Design of Highways and Streets" (current edition)
- b. the NJDOT "Design Manual - Roadway" (current edition and addenda)
- c. the FHWA "Manual on Uniform Traffic Control Devices" (current edition and addenda)
- d. the National Electrical Code (current edition)
- e. the NJDOT "Standard Roadway Construction - Traffic Control - Bridge Construction Details" (current edition and addenda)
- f. the NJDOT Standard Specifications for Road and Bridge Construction" (current edition and addenda)
- g. the NJDOT "Supplementary Specifications for State Aid Projects" (current edition)
- h. the NJDOT "Supplementary Specifications for Federal Aid Projects" (current edition)
- i. the current design standards of the TOWNSHIP OF WEST ORANGE Engineer's Office.

and used as reference:

- j. the NJDOT "Sample Plans" (current edition and addenda)

All required reports, documents, calculations, etc. which are necessary for the project's design and/or approval shall conform to the standard format of the NJDOT's "Federal Aid Handbook" Procedures for Federal Aid (federal aid projects only) to Counties and Municipalities, and the "NJDOT Procedures Manual", as may be applicable. **The consultant shall follow all applicable FHWA/NJDOT/**

SAMPLE TOWNSHIP OF WEST ORANGE CONTRACT

**TOWNSHIP OF WEST ORANGE requirements for construction
inspection/management/administration.**

DELIVERABLES:

The New Jersey Licensed Engineer is responsible for submitting all deliverable work products on or before the construction project close-out date. As appropriate for the type of work ordered, the deliverables shall include all of the following or such other items as may be directed in the RFP:

- a. Change Orders and related explanations & documents.
- b. NJDOT required documents.
- c. Punchlist Work, Punchlist completion and Project Completion Certification.
- d. Original Pre-construction DVD movie of entire existing conditions for the work area and the immediate area along the sides of the project work area.
- e. All project related notes and documents, including as-built plans
- f. Red Line As-Built drawings, and similar documents.

APPENDIX C

**CONSULTANT PROPOSAL
EVALUATION FORMS & GUIDES**

Appendix C-1 – Design Proposal Evaluation Guide & Form

Introduction

These guidelines are provided to assist you in the evaluation of proposals received in response to a Request for Proposals (RFP). As a member of the Evaluation Committee, you represent the Township of West Orange and your reviews of the proposals must be conducted individually and professionally. Evaluation Committee members must follow the established evaluation format and be able to evaluate all proposals objectively and without bias. One of the most important elements in the evaluation process is the assurance that each Offeror is treated fairly and equally.

Evaluation Guidelines

The proposals will be evaluated in two stages. First, the submitted proposals are reviewed for responsiveness to determine if they are in compliance with the RFP submission requirements. The proposals will then be scored based upon the criteria presented on the RFP Evaluation Form which MUST be consistent the requirements of the RFP. Each proposal must be scored by multiplying the rating you determine it deserves by the weighted value of the RFP criterion on the Proposal Evaluation Form.

Pricing

The pricing is not included in this evaluation and will be negotiated once the highest scored proposal is determined.

Rating

TEN (10) BEING EXCELLENT AND ZERO (0) BEING UNSATISFACTORY. You should give considerable thought to the rating you award. The evaluation process is designed to value the judgment and assessment of each individual evaluator. As an evaluator, your scores must reflect your individual judgment based on the selection criteria. You must complete your evaluation and score each proposal prior to attending the Evaluation Committee meeting. Discussion among the evaluators is encouraged to ensure the best value for the Township is achieved. The scores will then be tabulated.

The highest scoring offeror(s) may be required to be interviewed by the Evaluation Committee. The interview/presentation is the second stage of the process. It is not mandatory; however, it is a good tool for the Evaluation Committee to use in its evaluation. It provides an opportunity to meet the key personnel. It is subjective and is not scored. You will be asked to rank the firms interviewed after all the interviews are completed. At the end of the interviews, the Evaluation Committee will have a discussion and do a final ranking of the proposals.

RFP Title: _____

Consultant: _____

Technical proposals will be evaluated on based on the evaluation criteria as stated below. The cost proposal will not be part of this evaluation. After the review committee evaluates all of the proposals and qualifications points are awarded, the cost proposal for the highest ranked technical proposal will be opened. A 10-point scale will be used to create the final evaluation recommendation. When assessing points, utilize a 1-10 scale which will then be multiplied by the weight assigned.

Appendix C-1 – Design Proposal Evaluation Guide & Form

Points	Guidance	Expected Occurrence
10	Excellent, insightful response- Meets all Evaluation Criteria for each 1 thru 8 below	Rare (<5%)
8-9	Very Good, thoughtful response – Meets 80-90% of Criteria	Occasional (20%)
6-7	Good, More than adequate response - Meets 60-70% of Criteria	Frequent (40% or >)
4-5	Adequate response, no special insights - Meets 40-50% of Criteria	Occasional (20%)
2-3	Inadequate response - Meets 20-30% of Criteria	Infrequent (< 10%)
0-1	Totally inadequate response, No response given - Meets 0-10% of Criteria	Rare (< 5%)

Evaluation

Criteria	Possible Points	Points Awarded	Weighted Multiplier	Total Points
1. Demonstration of understanding of the scope of work for the project	0-10		0.15	
2. Technical approach to the project, including the application and degree of innovation and creativity of the proposed concepts to meet the project's goals and objectives	0-10		0.20	
3. Demonstration of the team's ability to outline public outreach strategies and successfully perform the public outreach and stakeholder task	0-10		0.10	
4. Firm's professional qualifications, experience and technical competence with similar federally funded projects	0-10		0.10	
5. Qualifications and relevant experience of the project manager	0-10		0.15	
6. Project specific qualification, and demonstrated knowledge and experience of team leaders and key staff members on the proposed study	0-10		0.15	
7. Ability to successfully perform work, including availability of resources, project management expertise and experience in similar project, and quality assurance/control management ability of both the consultant firm and the project manager	0-10		0.10	
8. Quality, clarity, content and thoroughness of proposal in addressing required tasks and compliance with submission guideline, including profession presentation	0-10		0.05	
TOTAL SCORE			1.00	

Evaluator: _____

Title/Affiliation: _____

Date Evaluated: _____

REQUEST FOR PROPOSAL RATING SHEET

PROJECT NAME: _____

CONSULTANT TEAM: _____

REVIEWER: _____

CRITERIA	WEIGHT	MULTIPLIER POINTS	MAXIMUM TOTAL POINTS	REVIEWER POINTS	TOTAL
UNDERSTANDING OF THE PROJECT	25	1 - 3	75		
EXPERIENCE OF THE PROJECT MANAGER	20	1 - 4	80		
EXPERIENCE WITH SIMILAR PROJECTS	20	1 - 5	100		
LOCATION (PROXIMITY TO PROJECT SITE)	10	1 - 5	50		
EXPERIENCE OF RESIDENT ENGINEER/INSPECTOR	25	1 - 4	100		
TOTAL SCORE (MAX) REVIEWER'S SCORE	100		405		

RFP RATING GUIDE

PROJECT UNDERSTANDING

<u>CRITERIA</u>	<u>SCORE</u>
Demonstrates thorough and comprehensive understanding of the scope presented in the RFP . Identifies important issues, describes how they will be resolved, comment on key components of the project.	3
Demonstrates basic understanding of scope presented in the RFP .	2
The RFP is not specific, providing no evidence of project understanding. This rating also applies for a RFP that include assumptions, which are inappropriate for the project scope.	1

PROJECT MANAGER

<u>CRITERIA</u>	<u>SCORE</u> (1 if yes, 0 if no)
Served as a Project Manager on similar projects with Local Government and/or Counties	1
Served as a Project Manager on projects different than this RFP	1
Served as a Project Manager on similar projects for more than 5 years	1
Possesses relevant technical skills	1

EXPERIENCE WITH SIMILAR PROJECTS

<u>CRITERIA</u>	<u>SCORE</u>
Key personnel worked on 4 or more active or completed similar projects in the last 5 years for Local Governments and/or Counties	5
Key personnel worked on 2 or 3 active or completed similar projects in the last 5 years for Local Governments and/or Counties	4
Key personnel worked on 1 active or completed similar project in the last 5 years for Local Governments and/or Counties	3
Experience with work elements of this project.	2
No similar experience.	1

LOCATION

<u>CRITERIA</u>	<u>SCORE</u>
Consultant's office located within 10 Miles from Project Site	5
Consultant's office located more than 10 miles but less than 20 miles from Project Site	4
Consultant's office located more than 20 miles but less than 30 miles from Project Site	3
Consultant's office located more than 30 miles but less than 40 miles from Project Site	2
Consultant's office located more than 40 miles from Project Site	1

EXPERIENCE OF RESIDENT ENGINEER / INSPECTOR

<u>CRITERIA</u>	<u>SCORE</u> (1 if yes, 0 if no)
Served as an Inspector on similar projects with Local Government and/or Counties	1
Served as an Inspector on projects different than this RFP	1
Served as an Inspector on similar projects for more than 5 years	1
Possesses relevant technical skills	1

APPENDIX D

**CONSULTANT CONTRACT
PERFORMANCE RATING FORMS**

TOWNSHIP OF WEST ORANGE

Design Consultant Performance Evaluation Form

APPENDIX D

PROJECT MANAGEMENT (A)		SCORE
1	Timeliness with which work was accomplished and meeting established schedules:	
2	Cooperation in meeting Township requests and making revisions:	
3	Degree of difficulty in negotiating changes in Scope or Contract:	
4	Coordination exhibited by the consultant communicating with Township, sub-consultants, agencies, and others to accomplish tasks and resolve problems:	
5	Responsive to email or phone calls:	
6	Were claims for extra work or change in scope timely and well supported:	
7	Was original description of work in the contract adequate for the project:	
8	Were the man-hours used in the most effective ways:	
9	Quality of letters, invoices, and publications:	
COMMENTS:		
Total		0
Project Management (A) Score		0.00%

TOWNSHIP OF WEST ORANGE

Design Consultant Performance Evaluation Form

Engineering Division

STAFF & PERSONNEL(B)		SCORE
1	Knowledge of Township standards, policies, and procedures:	
2	Did Staff attempt to learn the Township standards, policies, and procedures:	
3	Initiative in identifying important design or construction issues and developing alternative solutions:	
4	Did staff make a recommendation when alternate solutions were to be developed:	
5	In proposing alternatives, was sound engineering used in original design:	
6	Were the most qualified staff used to develop plans:	
7	Was the designated staff contact person completely knowledgeable and able to discuss plans and design or construction issues:	
8	Extent Township staff was used to develop acceptable product:	
9	Extent of personnel changes during life of contract:	
10	How staff conduct itself in meetings and in the public:	
11	Responsive and thorough in making revisions:	
COMMENTS:		
Total		0
Staff & Personnel (B) Score		0.00%

TOWNSHIP OF WEST ORANGE

Design Consultant Performance Evaluation Form

Engineering Division

TECHNICAL EVALUATION (C)		SCORE
1	Quality and adequacy of Preliminary Plans:	
2	Quality and completeness of computations, calculations, and schedules:	
3	Quality and completeness of responses to Township review comments	
4	Quality and adequacy of Final Plans:	
5	Quality and adequacy of Special Provisions and other documents:	
6	Quality and completeness of sub-consultant's work:	
COMMENTS:		
Total		0
Technical Evaluation		0.00%

TOWNSHIP OF WEST ORANGE

Design Consultant Performance Evaluation Form

Engineering Division

PRODUCT EVALUATION (D)		SCORE
1	Drafting quality, plan organization and clarity:	
2	Extent of corrections and re-submittals:	
3	Quality of QA/QC performed to expectations:	
COMMENTS:		
Total		0
Product Evaluation		0.00%

TOWNSHIP OF WEST ORANGE

Design Consultant Performance Evaluation Form

Engineering Division

Rating Guide	SCORE
Excellent	5
Good	4
Satisfactory	3
Substandard	2
Unacceptable	1
Not Applicable	0
COMMENTS:	

Appendix D-2

CM/CI CONSULTANT Performance Rating Instructions & Form:

Note:

Consultant Evaluations are performed per West Orange Policies and Procedures.

ONLY ENTER INFORMATION ON EACH SHEET THAT IS SHADED IN BLUE. "ANY CELLS THAT CONTAIN A RED TRIANGLE PROVIDES ADDITIONAL RATING GUIDELINES IN A POP UP FORMAT."

1. Fill out all portions of the General Information sheet that are shaded in blue. If a question is not applicable, enter "n/a".
2. Enter a rating (1, 3 or 5) for Question 5 of the PM Rating using the PM Rating Guidelines.
The Consultant Coordinator (RCC) will enter ratings for Questions 1 - 4 and 6 - 8
3. Enter a rating (1- 5) for each question on the Quality Rating sheet using the Quality Rating Guidelines.
If a question is not applicable, enter "X" in the n/a column.
Question numbers 1-9 should usually apply in all circumstances
Questions 1, 2, 5, 6, 7, 19 and 21 **REQUIRE the rater to submit a detailed justification if the rating is >3.** Simply citing the rating criteria is not acceptable justification. The rater must cite specific examples of performance.
Question 10 **REQUIRES the rater to submit a detailed justification if the rating is >4.** Simply citing the rating criteria is not acceptable justification. The rater must cite specific examples of performance.
Questions 12 & 13 are applicable if staff is responsible for office engineering functions
Questions 14 & 15 are applicable if staff performed as-builts
Question 16 is applicable if staff includes a Schedule Analyst or an RE
Question 17 is applicable if staff includes a supervisory personnel (i.e. NICET IV or RE)
Question 16 - 21 are applicable if staff includes an RE
4. You must provide comments and explain all ratings of 1's and 5's on the CES sheet.
If your comments require additional space, provide them on a separate sheet, and note "see attached".
5. On the CES sheet, enter the Rating Type (final or interim)

CM/CI CONSULTANT PERFORMANCE EVALUATION FORM
TOWNSHIP OF WEST ORANGE

Consultant: CM/CI CONSULTANT.
 Agreement: TBD
 Project: TBD
 Rating Period: _____

Quality Rater: _____
 Quality Reviewer: _____

		weight	Enter 1-5	Enter "X" if N/A
A. GENERAL				
1	Ability to work independently and be self directed	3	3	
2	Communicates effectively with Contractor and Township personnel	3	3	
3	Prepared for assignments (has appropriate plans, specifications and Standard Details when performing inspections)	1	3	
4	Reports promptly, is reliable and diligently performs duties	2	3	
5	Familiar with Township Construction Procedures and executes assignments in compliance with the Township	2	3	
B. INSPECTION				
6	Demonstrates technical knowledge of construction inspection	4	3	
7	Familiar with assignment compliance requirements (standard specification/special provision/ working drawing requirements)	2	3	
8	Inspects, monitors and coordinates the enforcement of traffic control/safety compliance standards. In addition, inspects, monitors and coordinates the enforcement of lane restrictions/follows notification procedures for unanticipated lane closures/delays.	3	3	
9	Confirms contractor used only approved materials sources and verifies materials certifications are received.	2	3	
C. ADMINISTRATION				
10	Staff completes Inspection Reports in an accurate and detailed manner.	3	3	
11	Submits reports in a timely manner	2	3	
12	Maintains office records (data entries/office filing/As-built plans)	1	3	
13	Prepares and submits monthly payment Estimates	1	3	
14	Compl. As-built quantity calcs. in accordance with Township Procedures as directed by RE.	1		X
15	Completes As-builts in a timely manner as directed by the RE.	1		X
SUPER/VISOR/RE				
16	Monitors the Contractor's progress schedule	1	3	
17	Exercises oversight/ organizes inspection team to ensure all activities are monitored	3	3	
18	Responds to RFI's/ Resolves field condition issues	3	3	
19	Prepares Change Orders in accordance with the Contract in a timely manner	2	3	
20	Responds to claims/ Ensures supporting documentation is recorded	2	3	
21	Completes project closeout in a timely manner	2		X

Overall Quality Rating

3.00

APPENDIX E

FIELD ORDER FORM

APPENDIX E Change Directive (Field Work Order) Form

Township of West Orange

To _____

Field Work Order No. _____

Project No. _____

Project Name _____

Basis of Field Work Order

- | | |
|--|---|
| ☐ Error / Omission | ☐ Differing Site Condition |
| ☐ Owner Request | ☐ Field Resolution |
| ☐ Value Engineering | ☐ _____ |

Project Location _____

Contract Price (indicate if zero cost)

Add: \$ _____ Deduct: \$ _____

Contract Time

☐ No Change ___ Days Added ___ Days Deducted

Cost Basis (check all that apply)

- | | |
|--|--------------------------------------|
| ☐ Time and Material Not to Exceed | ☐ Fixed Price |
| ☐ Allowance (described below) | ☐ Unit Price |

Your company is authorized and directed to proceed with the following (attach additional sheets if needed):

Justification:

Special Notice: This Field Work Order identifies satisfaction of all compensation and time adjustments related to this change to the Work.

Construction Manager (CM) Recommendation (if applicable)

Name: _____

Signature _____ Date _____

Architect / Engineer (A / E) Recommendation

Name _____

Signature _____ Date _____

Contractor Concurrence

Name _____

Signature _____ Date _____

Township of West Orange
Department of Administration
Division of Engineering

Project Manager Approval

Name _____

Signature _____ Date _____

APPENDIX F

SAMPLE PROFESSIONAL SERVICES CONTRACT

Sample APPENDIX F

PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT ("Agreement"), made this ____ day of _____, 2022 by and between:

TOWNSHIP OF WEST ORANGE

A municipal corporation of the State of New
Jersey with offices located at
66 Main Street,
West Orange, New Jersey 07052

("Township of West Orange")

and:

NAME
ADDRESS
ADDRESS

("_____")

(Collectively, "Parties")

WITNESSETH:

WHEREAS, the Mayor and Board of Aldermen of the Township of West Orange wish to retain the services of _____ to provide professional planning services, per _____'s proposal dated _____, 2022; and

WHEREAS, N.J.S.A. 40A:11-1 et. seq. requires that all contracts be in writing; and

WHEREAS, the Township of West Orange wishes to enter into a written contract with _____.

NOW, THEREFORE, IN CONSIDERATION OF the mutual covenants and agreements herein contained, the Parties agree as follows:

1. _____ shall be paid a fee not to exceed \$ _____ to provide professional planning services. The services provided should include, but not be limited to, the following:

“Services” shall include all related services to which _____ has been retained, in accordance with its proposal dated _____, 2022, attached hereto as Exhibit A.

2. _____ has been retained to provide the above-referenced professional services and it is understood and agreed that the services shall be performed by it and professionals within the firm. Under no circumstances does _____ have the authority or ability to name any other professional outside of its firm to perform services for the Township of West Orange in connection with this Agreement.

3. _____ shall furnish the Township of West Orange with a separate itemized voucher on a monthly basis for all services rendered in accordance with, and as outlined in, this Agreement. These vouchers will identify with specificity the personnel performing the service, the date of service performed, the hours spent and hourly rate if applicable, and the expenses incurred. Prior to any payment from the Township of West Orange, the Township of West Orange shall require the Township of West Orange Administrator to review and certify the voucher for accuracy. Thereafter, the voucher must ultimately be authorized by the Mayor and Board of Aldermen.

4. It is recognized and understood that in accordance with the Township of West Orange’s budget processes, the professional services for the Agreement shall not exceed the amount of \$ _____ without a resolution authorizing an amendment to this Agreement to increase the compensation limitations established herein. In the event any services are provided which

exceed this amount, the Township of West Orange is under no obligation to provide compensation for such services.

5. During the term of this Agreement, the Parties hereto agree to comply with the Affirmative Action requirements set forth in N.J.A.C. 17:27, and hereby incorporate by reference the mandatory Affirmative Action language set forth in "Exhibit B," which is attached hereto and made a part hereof.

6. This Agreement has been awarded to _____, whose office is located at _____, based upon its merits and abilities to provide the services as described herein. This Agreement was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that _____, its subsidiaries, assigns or principals, controlling in excess of 10% of the firm has neither made a contribution in the one (1) year period preceding the award of this Agreement that is reportable to the New Jersey Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44-16 so as to affect its eligibility to perform this Agreement, nor will it make a reportable contribution during the term of this Agreement to any political party committee in the Township of West Orange if a member of that political party is serving in an elective public office of the Township of West Orange when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Township of West Orange when the contract is awarded.

7. _____ is advised of the responsibility to file an annual 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 §3) if _____

receives contracts in excess of \$50,000 from public entities in a calendar year. It is _____'s responsibility to determine if filing is necessary.

8. _____ shall furnish the Township of West Orange with a Certificate of Insurance evidencing an endorsement naming the Township of West Orange as an additional insured and showing coverage for errors and omissions in amounts of at least \$200,000.00.

9. The term of this Agreement shall be until the services to which _____ has been retained for are concluded or until modified by the parties in writing, whichever is sooner.

ATTEST: **TOWNSHIP OF WEST ORANGE**

Township of West Orange Clerk

Mayor

ATTEST:

STATE OF NEW JERSEY:
: SS:
COUNTY OF ESSEX :

I CERTIFY that on _____ 2022, **NAME**, personally came before me and this person acknowledged under oath, to my satisfaction that: (a) this person is the Clerk of the **Township of West Orange**, the municipal corporation named in the attached document; (b) this person is the attesting witness to the signing of this document by the proper municipal officer who is, the Mayor of the municipal corporation; (c) this document was signed and delivered by the municipal corporation as its voluntary act duly authorized by a proper resolution; (d) this person knows the proper seal of the municipal corporation which was affixed to this document; and (e) this person signed this proof to attest to the truth of these facts.

Sworn and Subscribed to
before me this _____ day
of _____ 2022.

(Notary sign, seal, stamp)

XXXX XXXXXX, West Orange Clerk

STATE OF NEW JERSEY:
: SS:
COUNTY OF ESSEX :

I CERTIFY that on _____ 2022, _____ personally came before me and acknowledged under oath, to my satisfaction, that this person (or if more than one, each person):

- (a) is named in and personally signed the attached documents; and
- (b) signed, sealed and delivered this document as his or her act and deed.

Sworn and Subscribed to
before me this _____ day
of _____ 2022.

(Notary sign, seal, stamp)

"Exhibit B"

Mandatory Equal Employment Opportunity Language

N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to **N.J.S.A. 10:5-31 et seq.** as amended and supplemented from time to time and the Americans with Disabilities Act.

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

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 personal 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 targeted 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 subcontractor shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the Division 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 Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant **to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

APPENDIX G

TITLE VI POLICY STATEMENT

Township of West Orange

April 7, 2022

Title VI Nondiscrimination Policy Statement

It is the policy of the Township of West Orange, New Jersey to abide by Title VI of the Civil Rights Act of 1964, the Uniform Relocation and Real Property Acquisition Policies Act of 1970, Executive Order 12898 for Environmental Justice, Executive Order 13166 for Limited English Proficiency, 42 U.S.C. 4601, 23 U.S.C. Section 324, Sections 503 and 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, the Civil Rights Restoration Act of 1987, Executive Order 11246 for Equal Employment Opportunity, the Vietnam Era Veterans Readjustment Assistance Act of 1972, N.J.S.A. 52:32-31.1 et. seq., New Jersey Law Against Discrimination N.J.S.A. 10:5-1 et. seq. and implementing regulations at N.J.A.C. 17:27 et. seq., and other related nondiscrimination laws, statutes, Executive Orders, or policies.

No person in the United States shall, on the grounds of race, creed, color, national origin, age, ancestry, nationality, marital/domestic partnership/civil union status, gender, disability, religion, affectional or sexual orientation, gender identity or expression, family status, atypical cellular or blood trait, genetic information, military services, veterans status, income level or ability to read, write or speak English, be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any program or activity which is administered by a Township of West Orange program, activity or service regardless of funding source.

Any person who believes that because of his or her race, creed, color, national origin, age, ancestry, nationality, marital/domestic partnership/civil union status, gender, disability, religion, affectional or sexual orientation, gender identity or expression, family status, atypical cellular or blood trait, genetic information, military service, veterans status, income level or ability to read, write or speak English, he or she has been excluded from participation in any program or activity which is administered by the Township of West Orange, or who believes that he or she has been denied any benefits provided by such program or activity, or believe he or she has been unfairly treated in connection with such program or activity, should contact the following office within 180 days from the date of occurrence of any violation of this policy:

John Gross, Township Administrator
Township of West Orange
66 Main St., Room 111, West Orange, NJ 07052
973-325-4050 www.westorange.org



John Gross,
Township Administrator

04/07/2022
Dated

APPENDIX H

**RESOLUTION/LETTER ADOPTING
FEDERAL AID PROCEDURES**

**TOWNSHIP OF WEST ORANGE
RESOLUTION**

**A RESOLUTION TO ADOPT PROCEDURES FOR ADMINISTRATION AND INSPECTION
OF FEDERAL AID HIGHWAY PROJECTS**

WHEREAS, the Federal Highway Administration (FHWA) provides opportunities for Local Public Agencies (LPA), such as the **Township of West Orange**, to receive Federal Aid Highway Program (FAHP or federal-aid) funds through New Jersey Department of Transportation (NJDOT); and

WHEREAS, the **Township of West Orange** is presently the recipient of federal-aid funds through a project awarded under the 2023 Transportation Alternatives Set Aside Program (TAP) for the Washington Street Corridor Improvement Phase 2 Project; and

WHEREAS, the **Township of West Orange** as an LPA, is responsible for administering federal-aid funded projects in compliance with all federal-aid requirements established by the FHWA; and

WHEREAS, the NJDOT, through its Stewardship Agreement with FHWA, is responsible for ensuring that the **Township of West Orange** is adequately staffed and suitably equipped to undertake federal-aid projects, and ensure that federal requirements are met; and

WHEREAS, the **Township of West Orange**, as required by the NJDOT, has developed a Policy outlining the required procedures for the Administration of Federally Funded Transportation Projects administered through the NJDOT;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the **Township of West Orange**, County of **Essex**, State of New Jersey, that the **Township of West Orange** adopts the policy entitled, “**Township of West Orange Procedure for Administration and Inspection of Federal Aid Highway Projects**” dated **December 2023**.

I, **Karen J. Carnevale**, RMC, Municipal Clerk of the **TOWNSHIP OF WEST ORANGE**, do hereby certify that the foregoing resolution was duly adopted at a Regular Meeting of the Township Council of the Township of West Orange held this day of , 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this day of , 2024.

Karen J. Carnevale, RMC, MUNICIPAL CLERK

Susan McCartney, MAYOR

APPROVED: _____

RESOLUTION

WHEREAS, the Township of West Orange developed a traffic calming plan along the entire length of Main Street, an Essex County Road; and

WHEREAS, one component of the traffic calming plan is decorative stamped concrete crosswalks at two signalized intersections along Main Street including;

Main Street, Northfield Avenue, Valley Road

Main Street, Mt. Pleasant Avenue, Renna Plaza, White Street

WHEREAS, the County will install the decorative stamped concrete crosswalks as part of their Main Street Streetscape Improvements for Federal Project No. 02-2023-183; and

WHEREAS, the Township will be responsible for the maintenance and repair of the decorative stamped concrete crosswalks; and

WHEREAS, one of the County requirements is for the Municipality to maintain the crosswalks in good condition and to acknowledge this obligation by a Resolution of the governing body.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of West Orange that it does hereby authorize the Department of Public Works of the Township of West Orange to assume responsibility for maintenance and repair of the decorative stamped concrete crosswalks to be installed at two intersections along Main Street.

Karen J. Carnevale, R.M.C.
Municipal Clerk

Bill Rutherford,
Council President

Adopted: April 24, 2024

I hereby certify funds are available from: _____
Account No.

John O. Gross, Chief Financial Officer

RESOLUTION

**To authorize the purchase of new police equipment and related accessories for the
West Orange Police Department through a State Contract Vendor.**

WHEREAS, the West Orange Police Department discovered a potential safety issue with its current gun holsters and need to replace them and to update the weapon lights that the new holsters do not accommodate. The weapon lights will be replaced with new red dot optic, which has proven to increase weapon efficiency and accuracy, and

WHEREAS, the Township of West Orange as a contracting unit may, without advertising for bids, purchase any materials, supplies or equipment under any contract or contracts for such materials, supplies or equipment entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury pursuant to the provision of N.J.S.A. 40A: 11-12, and

WHEREAS, the Lawmen Supply Company, 5521 White Horse Pike, Egg Harbor City, New Jersey has priced the following items in accordance with the State Contract **17-FLEET-00740**, which Federal Forfeiture funds will be used to purchase such items.

NOW, THEREFORE BE IT RESOLVED, by the Municipal Council of the Township of West Orange hereby authorizes the Purchasing Agent to acquire new police equipment and related accessories in the amount of \$61,800.63 from Lawmen Supply Company with funds certified available from the Chief Financial Officer.

Karen J. Carnevale, R.M.C.
Municipal Clerk

Bill Rutherford
Council President

Adopted: April 24, 2024

I hereby certify funds in Account No. _____

John O. Gross, Chief Financial Officer

RESOLUTION

WHEREAS, the Nishuane Group, LLC (“Nishuane”) responded to the Township’s Request for Qualifications pursuant to a fair and open process for the award of a professional services agreement for designated Township Planner; and

WHEREAS, Nishuane has agreed to provide planning services as the designated Township Planner for the period of May 1, 2024 through December 31, 2024 pursuant to the terms and conditions set forth in the agreement annexed hereto as Exhibit “A;” and

NOW, BE IT HEREBY RESOLVED, by the Township Council of the Township of West Orange that the Mayor be and is hereby authorized to execute an agreement, in the form annexed hereto as Exhibit “A,” to retain Nishuane to provide designated Township Planner services to the Township on the terms and conditions set forth therein; and it is further; and be it further

RESOLVED that notice of this award shall be available in the Clerk’s office in accordance with applicable law.

Karen J. Carnevale, R.M.C.
Municipal Clerk

Bill Rutherford,
Council President

Adopted: April 24, 2024

I hereby certify funds are available from Account No. _____

John O. Gross, Chief Financial Officer

AGREEMENT FOR MUNICIPAL PLANNING SERVICES

THIS AGREEMENT made and entered into on this 24th day of April, 2024 by and between the **TOWNSHIP OF WEST ORANGE**, a municipal corporation of the State of New Jersey, located at Town Hall, 66 Main Street, West Orange, County of Essex and State of New Jersey, hereinafter called the “TOWNSHIP,” party of the first part, and **NISHUANE GROUP, LLC**, located at 105 Grove Street, Suite 3, Montclair, County of Essex and State of New Jersey, hereinafter referred to as “CONSULTANT,” party of the second part.

WITNESSETH THAT:

WHEREAS, the Governing Body of the TOWNSHIP has determined that it is in the best interests of the TOWNSHIP to retain the services of CONSULTANT to provide municipal planning services;

NOW, THEREFORE, in consideration of the mutual promises, terms and conditions hereinafter set forth, the parties hereto agree as follows:

1. CONSULTANT will review applications made to West Orange’s Planning Board and Zoning Board of Adjustment for site plan, subdivision and/or variance approval. The scope of work for each of these development reviews will include the following:

- Review of filed application materials to determine whether the application can be deemed complete for hearing by the Planning Board, Zoning Board of Adjustment and/or Site Plan Review Advisory Board, and if any submission waivers are warranted;
- Preparation of a completeness review memorandum;
- Attendance at Site Plan Review Advisory Board meetings;
- Review of filed application materials to determine compliance with all applicable Zoning Ordinance requirements and other development regulations;

- Analysis of all requested variances and/or exceptions from site plan or subdivision regulations;
- Review of site plan, architectural plans and/or subdivision plat to identify any zoning or planning issues;
- A site visit to the subject property and surrounding area;
- Discussion with Township of West Orange staff and other consultants, if necessary;
- Preparation of an application review letter, if necessary;
- Attendance at evening meetings of the Planning Board and Zoning Board of Adjustment when an application for which a review letter was prepared is on the board's agenda.

The above work other than site visits and meetings will be conducted in CONSULTANT's office. It is assumed that application materials will be mailed to CONSULTANT by Township staff, although CONSULTANT will be able to pick up materials in West Orange if a quick turnaround of a review letter is necessary. A representative of CONSULTANT will also attend meetings in West Orange to meet with Township staff, other consultants and/or development applicants, as needed. The review of development applications can be paid for through escrows provided by development applicants, consistent with state law and Section 25-55 of the West Orange Zoning Ordinance. CONSULTANT will submit invoices to the Township for each development application in order to manage the appropriate funding source for our service. It is anticipated there will be a limited amount of billing for general planning services not related to a specific application, which would be billed directly to the Township and would not be payable through applicant escrows. If additional work, over and above that specified in the Scope of Services, or that agreed to under this Agreement, is requested by the Client, a third-party escrow has been established and such work shall be performed by CONSULTANT at the hourly billing rates specified in paragraph 2 of this Agreement or any increases to the hourly billing rates as set

forth in paragraph 2. Such additional services shall only be performed following approval from the Township Council. CONSULTANT shall make himself available as needed on a flat fee basis as set forth herein.

2. The TOWNSHIP hereby retains the services of CONSULTANT for the period May 1, 2024 through December 31, 2024. All non-escrow reimbursable fees for services rendered shall be at a flat fee rate, at \$12,500 per month.

3. For any work done for a specific development project where a third-party escrow has been established the rate :

- a. Principal and Managing Partner- \$200/hr;
- b. Senior Associate Planner - \$175/hr;
- c. Senior Construction Manager/Project Manager - \$175/hr;
- d. Associate Planner - \$150/hr;
- e. Design Associate- \$150/hr;
- f. Sustainability Manager - \$150/hr;
- g. Administrator - \$40/hr;
- h. Intern - \$35/hr.

4. CONSULTANT may not bill for the following ordinary administration and overhead: clerical and bookkeeping time related to the project, all telephone and facsimile costs, costs of reproduction of up to twenty (20) copies of no more than one (1) draft and one (1) final copy of project memorandums or reports, and travel expenses involving travel to places less than fifty (50) miles from CONSULTANT's office in Montclair, New Jersey.

5. CONSULTANT is hereby placed on notice that no Department Head, individual member of the Governing Body, or any agent, servant or employee of the TOWNSHIP possesses

any lawful authority to: (a) engage the rendition of services or the performance of work; (b) authorize the continuation of services or work beyond the amount specifically approved in the Resolution and Certificate of Funds; or to (c) represent that future funds will be available as compensation for current services. Any such acts shall be deemed ultra vires and beyond the scope of any authority that individual may possess. No bills, statement or vouchers for any amount exceeding that originally approved will be honored or paid by the TOWNSHIP, irrespective of whether such services were actually performed.

6. CONSULTANT recognizes that all services rendered are subject to the approval of the Chief Financial Officer, and that payment for such services is conditioned upon the issuance of a Purchase Order by the Township encompassing the services for which compensation is sought.

7. CONSULTANT shall submit detailed invoices to the TOWNSHIP for services rendered each month no later than fifteen (15) days subsequent to the close of the month. All invoices submitted by CONSULTANT shall set forth a list of the personnel who furnished services, their billing rates (as specified in paragraph 1) and the number of hours they worked on the assignment. In the event additional payment is sought by CONSULTANT for work performed beyond the scope of services, such work shall only be performed and payment shall only be rendered upon approval by the Township Council.

8. During the term of this agreement, CONSULTANT shall maintain professional liability malpractice insurance coverage with an insurance company licensed and authorized to do business in the State of New Jersey with coverage not less than \$1,000,000. CONSULTANT shall provide the Township Attorney and Municipal Clerk with proof of a valid certificate of insurance listing the TOWNSHIP as a certificate holder. To the extent that this insurance

coverage is scheduled to lapse at any time before the end of the contract, CONSULTANT shall provide proof of renewal or new insurance coverage no later than thirty (30) days before the termination of the current coverage.

9. CONSULTANT agrees, subject to the provisions herein, to indemnify and hold the Client harmless from any damage, liability or cost to the extent caused solely by CONSULTANT's negligent acts, errors or omissions in the performance of professional services under this Agreement. CONSULTANT is not obligated to indemnify the Client for the Client's own negligence or intentional acts

10. The provisions of this agreement are subject to the limitations of provisions of the New Jersey Tort Claim Act, N.J.S.A. 59:2-1 et seq., and the New Jersey Contractual Liability Act, N.J.S.A. 59:13-1 et seq.

11. This agreement shall be governed by the laws of the State of New Jersey without regard to principles of conflict of laws. All contract claims under this agreement shall be subject to and governed by the provisions of the New Jersey Contractual Liability Act (N.J.S.A. 59:13-1 et seq.

12. CONFLICT OF INTEREST—CONSULTANT agrees that it will not work for any third-party developer in the TOWNSHIP. If a client of CONSULTANT proposes a project in the TOWNSHIP, CONSULTANT shall immediately notify the TOWNSHIP and the TOWNSHIP shall arrange for a substitute planner to oversee the project.

13. This Agreement is terminable on thirty (30) days written notice.

IN WITNESS WHEREOF, the parties have set their hands and seals the day and year first above written.

ATTEST:

TOWNSHIP OF WEST ORANGE

KAREN J. CARNEVALE, R.M.C

By:_____
SUSAN McCARTNEY, MAYOR

WITNESS:

NISHUANE GROUP

By:_____

RESOLUTION

WHEREAS, N.J.S.A. 52:27D-437.16 mandates the inspection of dwellings for lead based paint hazards; and

WHEREAS, the Department of Community Affairs (the “DCA”) has promulgated regulations N.J.A.C. 5:28-2.1, et. seq., which govern and requires the Township to hire a lead contractor to perform inspections for lead based paint hazards in every single-family, two-family, and multiple dwelling within the Township; and

WHEREAS, the Township has been awarded a grant in the amount of \$45,400 from the DCA to fund the Township’s lead paint inspection and testing program; and

WHEREAS, the inspection and testing for lead based paint requires specialized training, certification and licensure, the contract to retain a consultant to provide lead-based paint inspection and testing services constitutes a professional services agreement exempt from the requirements of a public bid procurement under the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, LEW Environmental Services (“LEW”) responded to the Township’s March 22, 2024 Request for Qualifications pursuant to a fair and open process for the award of a professional services agreement to administer and manage provide management support services in administering lead-based paint inspections and testing services in residential rental dwelling on behalf of the Township between May 1, 2024 through December 31, 2024; and

WHEREAS, LEW has agreed to administer and manage lead-based inspection services pursuant to the terms and conditions set forth in the professional services agreement annexed hereto as Exhibit “A” (the “Agreement”); and

WHEREAS, the prices and rates for the services to be provided by LEW for administering lead-based paint inspections and testing services in residential rental dwelling are set forth in Cost Proposal submitted by LEW annexed to the Agreement as Exhibit “**B;**” and

NOW, BE IT HEREBY RESOLVED, by the Township Council of the Township of West Orange that the Mayor be and is hereby authorized to execute an agreement, in the form annexed hereto as Exhibit “**A,**” to retain LEW to administer and manage lead-based paint inspections on behalf of the Township on the terms and conditions set forth therein; and it is further

RESOLVED that Township is authorized to utilize the grant funds awarded from the DCA towards costs and expenses incurred related to the implementation of the Township’s lead paint inspection and testing program; and it is further.

RESOLVED that notice of this award shall be available in the Clerk’s office in accordance with applicable law.

Karen J. Carnevale, R.M.C.
Municipal Clerk

Bill Rutherford,
Council President

Adopted: April 24, 2024

I hereby certify funds are available from: _____
Account No.

John O. Gross, Chief Financial Officer

AGREEMENT FOR LEAD-BASED PAINT INSPECTION SERVICES

THIS AGREEMENT made and entered into on this 24th day of April, 2024 by and between the **TOWNSHIP OF WEST ORANGE**, a municipal corporation of the State of New Jersey, located at Town Hall, 66 Main Street, West Orange, County of Essex and State of New Jersey, hereinafter called the “TOWNSHIP,” party of the first part, and **LEW ENVIRONMENTAL SERVICES**, located at 181 U.S. Highway 46, Mine Hill, New Jersey 07803, hereinafter referred to as “CONSULTANT”, party of the second part.

WITNESSETH THAT:

WHEREAS, N.J.S.A. 52:27D-437.16 mandates the inspection of dwellings for lead based paint hazards; and

WHEREAS, the Department of Community Affairs (the “DCA”) has promulgated regulations N.J.A.C. 5:28-2.1, et. seq., which govern and requires the TOWNSHIP to hire a lead contractor to perform inspections for lead based paint hazards in every single-family, two-family, and multiple dwellings within the TOWNSHIP; and

WHEREAS, on or about March 22, 2024, the Township advertised and issued a Request for Qualifications (the “RFQ”) for a Professional Services Agreement for a Consultant to Provide Management Support Services in Administering Lead-Based Paint Inspections and Testing Services in Residential Rental Dwellings on Behalf of the Township (“LEAD-BASED PAINT INSPECTION AND TESTING SERVICES”), annexed hereto as Exhibit “A,” in conformance to the governing DCA regulations; and

WHEREAS, on April 3, 2024, CONSULTANT submitted a submission in response to the RFQ (the “SUBMISSION”), annexed hereto as Exhibit “B;” and

WHEREAS, the SUBMISSION set forth a proposed Cost Proposal for the performance of the LEAD-BASED PAINT INSPECTION AND TESTING SERVICE and

WHEREAS, the TOWNSHIP has been awarded a Grant Agreement (the “GRANT AGREEMENT”) with the DCA to fund the certain costs incurred by the TOWNSHIP for the LEAD-BASED PAINT INSPECTION AND TESTING SERVICES, a copy of the GRANT AGREEMENT is annexed hereto as Exhibit “C.”

NOW, THEREFORE, in consideration of the mutual promises, terms and conditions hereinafter set forth, the parties hereto agree as follows:

1. The TOWNSHIP hereby retains the services of CONSULTANT for the period May 1, 2024 through December 31, 2024 to provide administer and manage LEAD-BASED PAINT INSPECTION AND TESTING SERVICES pursuant to: (i) N.J.S.A. 52:27D-437.16 et. seq.; (ii) the regulations promulgated by the DCA governing LEAD-BASED PAINT INSPECTION AND TESTING SERVICES; and (ii) TOWNSHIP Ordinance 2847-24.

2. CONSULTANT shall provide LEAD-BASED PAINT INSPECTION AND TESTING SERVICES as set forth in the RFQ, annexed hereto as Exhibit “A” and the SUBMISSION, annexed hereto as Exhibit “B.” CONSULTANT hereby agrees that to the extent that the SUBMISSION conflicts with the terms and conditions of the RFQ, the RFQ shall govern. CONSULTANT agrees that to the extent that the terms set forth in this Agreement conflicts with the terms and conditions of the SUBMISSION or the RFQ, the terms set forth in this Agreement shall govern. The rate for any of the LEAD-BASED PAINT INSPECTION AND TESTING SERVICES shall not exceed the rates set forth in the “Lead Inspection Services for the Township of West Orange Cost Proposal” in the SUBMISSION.

3. CONSULTANT shall comply at all times with all requirements set forth under state law, including, but not limited to N.J.S.A. 52:27D-437.16.

4. CONSULTANT shall comply at all times with all requirements set forth under the regulations promulgated by the DCA governing LEAD-BASED PAINT INSPECTION AND TESTING SERVICES.

5. CONSULTANT shall not act in any way contrary to the terms of the GRANT AGREEMENT, annexed hereto as Exhibit “C;” nor shall CONSULTANT act in any way to compromise the TOWNSHIP’S funding awarded pursuant to the GRANT AGREEMENT.

6. CONSULTANT is hereby placed on notice that no Department Head, individual member of the Governing Body, or any agent, servant or employee of the TOWNSHIP possesses any lawful authority to: (a) engage the rendition of services or the performance of work; (b) authorize the continuation of services or work beyond the amount specifically approved in the Resolution and Certificate of Funds; or to (c) represent that future funds will be available as compensation for current services. Any such acts shall be deemed ultra vires and beyond the scope of any authority that individual may possess. No bills, statement or vouchers for any amount exceeding that originally approved will be honored or paid by the TOWNSHIP, irrespective of whether such services were actually performed.

7. CONSULTANT recognizes that all services rendered are subject to the approval of the Chief Financial Officer, and that payment for such services is conditioned upon the issuance of a Purchase Order by the Township encompassing the services for which compensation is sought.

8. CONSULTANT shall submit detailed invoices to the TOWNSHIP for services rendered each month no later than fifteen (15) days subsequent to the close of the month. All

invoices submitted by CONSULTANT shall set forth with specificity the tasks performed, the individual performing the tasks, and the amount of time spent on each task.

9. During the term of this agreement, CONSULTANT shall maintain professional liability malpractice insurance coverage with an insurance company licensed and authorized to do business in the State of New Jersey with coverage not less than \$1,000,000 for each claim and \$1,000,000 aggregate each policy as set forth on Page 17 of the RFQ. CONSULTANT shall provide the Township Attorney and Municipal Clerk with proof of a valid certificate of insurance listing the CONSULTANT as a certificate holder. To the extent that this insurance coverage is scheduled to lapse at any time before the end of the contract, CONSULTANT shall provide proof of renewal or new insurance coverage no later than thirty (30) days before the termination of the current coverage.

10. The provisions of this agreement are subject to the limitations of provisions of the New Jersey Tort Claim Act, N.J.S.A. 59:2-1 et seq., and the New Jersey Contractual Liability Act, N.J.S.A. 59:13-1 et seq.

11. This agreement shall be governed by the laws of the State of New Jersey without regard to principles of conflict of laws. All contract claims under this agreement shall be subject to and governed by the provisions of the New Jersey Contractual Liability Act (N.J.S.A. 59:13-1 et seq.

IN WITNESS WHEREOF, the parties have set their hands and seals the day and year first above written.

TOWNSHIP OF WEST ORANGE

ATTEST:

KAREN J. CARNEVALE, R.M.C

By:_____
SUSAN McCARTNEY, MAYOR

LEW ENVIRONMENTAL SERVICES

WITNESS:

By:_____

Exhibit “A”

Request For Qualifications

**Consultant to Provide Management Support Services in
Administering Lead-Based Paint Inspections and Testing
Services in Residential Rental Dwellings on Behalf of the
Township in Accordance with N.J.A.C. 5:28A Title 5.**

Community Affairs, Chapter 28A

**Lead-Based Paint Inspections in Residential Rental Dwellings
(New Jersey P.L. 2012 Chapter 182, a.k.a. Lead Base
Paint Hazards in Residential Rental Properties)**



ISSUE DATE: March 22, 2024

DUE DATE & TIME: April 3, 2024 at 10:00 AM

Issued by: Township of West Orange

REQUEST FOR QUALIFICATIONS
FOR PROFESSIONAL SERVICES

NOTICE IS HEREBY GIVEN that pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.5, qualifications are being solicited by the Township of West Orange for the following professional services for the 2024 calendar year. The submission date is Wednesday, April 3, 2024 by 10:00 AM. Proposal packages are available via email to: preynolds@westorange.org or on the Township website.

Professional Services Requested: The Township is seeking a consultant to provide management support services in administering lead-based paint inspections and testing Services in residential rental dwellings on behalf of the Township in accordance with N.J.A.C. 5:28A Title 5. Community Affairs, Chapter 28A (New Jersey P.L. 2012 Chapter 182, also known as the Lead Base Paint Hazards in Residential Rental Properties).

Please submit sealed request for qualifications no later than 10:00 AM on Wednesday, April 3, 2024, to the Township of West Orange, 66 Main Street, West Orange, NJ 07052, Attn: Panayiota Reynolds, QPA. Envelopes should be clearly marked with title of RFQ, name and address of party submitting, at the address mentioned above and should be mailed or hand delivered. All submissions will be publicly opened and read out loud in the Council Chambers of the above address at 11:00am Submissions by Corporations, Partnerships and sole proprietors must include a completed Disclosure of Ownership (N.J.S.A. 52:25-24.2), a valid NJ Business Registration Certificate P.L. 2004, c57, and must comply with the Equal Employment Opportunity requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27. Additional Pay to Play Requirements Contractors are advised of the responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Enforcement Commission, pursuant to N.J.S.A. 19:44-20.13(P.L. 2005, c, 271, s.3), if the contractor receives contracts in excess of \$50,000 in the aggregate from public entities during the calendar year. It is the contractor'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 .

Panayiota Reynolds

Purchasing Agent, R.P.P.S, QPA

TOWNSHIP OF WEST ORANGE

REQUEST FOR QUALIFICATIONS

FOR THE POSITION OF MANAGING THE ADMINISTRATIVE SUPPORT SERVICES

TO ENSURE COPLIANCE WITH NEW JERSEY LEAD-BASED PAINT LAW REQUIREMENTS IN RESIDENTIAL

RENTAL PROPERTIES FOR 2024

SUBMISSION DATE: April 3, 2024 at 10:00am

SUBMISSION OF PROPOSAL STATEMENTS: One (1) original and one (1) copy, copy can be a flash/USB drive should be sent to the contact below in sealed envelopes.

CONTACT PERSON:

Panayiota Reynolds, R.P.P.S, QPA

Purchasing Agent

Township of West Orange

66 Main Street

West Orange, NJ 07052

SCOPE OF SERVICES

The Township of West Orange seeks proposals from professional consulting businesses or firms qualified to provide management support services through a comprehensive management program in accordance with N.J.A.C. 5:28A Title 5, Community Affairs, Chapter 28A for Lead-Based Paint Inspections in Residential Rental Dwellings in compliance with New Jersey P.L. 2021 Chapter 182, also known as Lead Base Paint Hazards in Residential Rental Properties. The Township is looking to ensure that inspections shall be performed on certain single-family, two-family, and multiple rental dwelling for lead base paint hazards every three years or upon tenant turnover where there is no valid lead-safe or lead-free certification. Vendor will be responsible for providing reporting to the State of New Jersey in required timeframe.

OWNERSHIP OF MATERIAL

The Township shall retain all of its rights and interest in any and all documents and property both hard copy and digital furnished by the Township to the successful Respondent for the purpose of assisting the successful Respondent in the performance of this Contract. All such items shall be returned immediately to the Township at the expiration or termination of the Contract or completion of any related services, pursuant thereto, whichever comes first. None of the documents and/or property shall, without the written consent of the Township, be disclosed to others or used by the successful Respondent or permitted by the successful Respondent to be used by their parties at any time except in the performance of the resulting Contract.

Ownership of all data, materials and documentation originated and prepared for the Township pursuant to this Contract shall belong exclusively to the Township. All data, reports, computerized information, programs and materials shall be delivered to and become the property of the Township upon completion of the project. The successful Respondent shall not have the right to use, sell, or disclose the total of the interim or final work products, or make available to third parties, without the prior written consent of the Township.

QUALIFICATION CONTENT

1. On behalf of the Township, develop a Lead Based Paint Inspection program for all Residential Rental Dwellings built prior to 1978;
2. Develop a fee structure in accordance with the New Jersey P.L. 2012 Chapter 182;
3. Develop and maintain a list of authorized Lead Inspectors/Evaluators that can perform unit testing for owners and landlords;
4. Develop program protocols for visual inspections in accordance with the New Jersey Department of Health (DOH) protocols;
5. Maintain internal correspondence with the property owners and landlords;
6. Maintain internal correspondence with the Township Health, Planning and Development, and Building Departments or any other necessary agency;
7. Develop a corrective plan of action in the event of significant paint damage is required to be remediated or there is a formal report of EBL exposure to a child within the Township;
8. Communicate all requisite compliance reporting forms or documentation with New Jersey State Agencies, i.e., DCA and DOH;
9. Dedicate a sufficient number of staff members to obtain a list of potential residential units built prior to 1978 that have been identified and are subject to the provisions of the law;
10. Develop a communication process to ensure all owners and landlords are notified of the law in writing, the requirements of the law, and outline the procedures for compliance. This process shall include and maintain these records by:

- a. Creating and maintaining a database on behalf of the Township to include a list of all residential rental units built prior to 1978.
 - b. Creating a mailing list and distribute all necessary letters and forms to all residential rental units built prior to 1978;
- 11. In writing, notify each owner or landlord of their obligation to comply with New Jersey P.L. 2012 Chapter 182. The vendor must notify each owner or landlord, at a minimum, three times before the compliance date of July 22, 2024;
- 12. Provide a dedicated email address and phone number to all residential rental units built prior to 1978 to answer questions and inquiries received from the owners, landlords, or general public during regular business hours;
- 13. Develop and maintain a database of compliance and certificates issued. Furthermore, the database shall include:
 - a. All notifications are tracked and logged in accordance with the property address, including the Block and Lot numbers;
 - b. Track all units that require an inspection;
 - c. Track all units that have completed the Lead-Based Paint inspection;
 - d. Track all non-compliant properties.
- 14. Notify the Township of all non-conforming and non-compliant properties;
- 15. Develop a mechanism for documenting all rental properties deemed lead-free.
- 16. Provide Sample Result Reports. Attach two examples of Lead Base Paint Inspection Reports.
- 17. Testing Equipment. Identify make, model, condition, and serial number, licensing and registration of testing device(s) to be used. Describe the source of radiation, type of analyzer, protocol for substrate corrections, and use of the dosimeter;
- 18. Ability. Describe your firm's ability to provide services:
 - a. Hours of Operation. Include your hours and days of operation. Include description of timing of inspections and requirement of Township personnel.
 - b. Describe your commitment to provide expedited services upon request, including cost.
 - c. How many current employees are capable of providing the requested services? State if vendor personnel will be identified with company issued identification worn during inspections, particularly when enter client premises (work site).
 - d. Describe scheduling of inspection services by vendor.
 - e. Provide document(s) detailing steps preparing for a Lead Based-paint inspection for the consumer
 - f. Commitment to provide lab service performed by a State-approved and accredited lab qualified to perform such services whether if performed by "in house" or third party for inspections and re-inspections.
 - g. Describe what method will be utilized to deliver lab results to the Township by the vendor for each unit inspected and/or re-inspected:
 - i. How much time is needed between assessment and notification to the Township?

- ii. Should results indicate Lead Hazards the vendor shall notify the landlord/property owner and Township accordingly.
 - h. Once abatement of lead hazards has occurred by the landlord/property owner, the Vendor shall notify the Township once a successful reinspection has been completed.
19. Fee Schedule/Payment
- a. Furnish inspection and assessment services for lead-based paint hazards and lead safe clearance as follows:
 - i. List the fees for an initial inspections and testing bedroom(s) up to six and any additional bedroom thereafter;
 - ii. List the fee for standard re-inspection trip fee;
 - iii. List the fee per dust wipe;
 - iv. List minimal number for dust wipes generally needed consisting of floors, windowsills, window wells or similar high friction areas, and commitment to take sufficient dust wipe samples to satisfy the requirements of P.L. 2021 chapter 182;
 - v. Provide preliminary cost of inspection/re-inspection based on the rental registration by the landlord/property owner prior to the actual performance;
 - b. Furnish payment schedule for services.

Contract Term

The contract time period will commence upon the signature of both the Township and the vendor form the date of signing and must be completed no later than December 31, 2024.

Procurement Process and Schedule

The selection of Qualified Respondents is not subject to the bidding provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. The selection is subject to the New Jersey Local Unit Pay to Play Law, N.J.S.A. 19:44A-20.4 et seq. The Township has structured a procurement process to assure that each person and/or firm is provided an equal opportunity to submit a Qualification Statement in response to the RFQ. Qualification statements will be evaluated in accordance with criteria set forth in section 2 of this RFQ, which will be applied in the same manner to each Qualification Statement received. Respondents agree to at all times to abide by all requirements of the New Jersey law, including, but not limited to the aforementioned "Pay to Play" laws, as well as any and all relevant Executive Orders and the New Jersey Election Law Enforcement Commission disclosure requirements.

Conditions Applicable to RFQ

Upon submission of a Qualification Statement in response to this RFQ, the Respondent acknowledges and consents to the following conditions:

- This RFQ does not commit the Township of West Orange to issue a Request for Proposal.
- The Township reserves the right to exercise its judgment to weigh the relative merit and deficiencies, if any, in all responses and commits. The Township reserves the right to reject for any reason, all responses and components thereof and eliminate any and all Respondents submitting this RFQ from consideration.
- The Township reserves the right (in its sole judgment) to reject any Respondent that submits incomplete responses to this RFQ, or a Qualification Statement that is not responsive to this RFQ.
- The Township reserves the right, without prior notice, to supplement, amend, or otherwise modify this RFQ, or otherwise request additional information.
- All Qualification Statements shall become the property of the Township and will not be returned.
- All Qualification Statements will be made available to the public at the appropriate time, as determined by the Township (in the exercise of its sole discretion) in accordance with law.
- The Township may request Respondents to send representatives to the Township for interviews.
- Neither the Township, nor its respective staff, consultants nor advisors shall be liable for any claims for damages resulting from the solicitation or preparation of the Qualification Statement. There shall be no reimbursement to Respondents for the cost of preparing and submitting a Qualification Statement for participating in this procurement process.

Addenda or Amendments to RFQ

During the period provided for the preparation of responses to the RFQ, the Township may issue addenda, amendments or answers to written inquiries. Those addenda will be noticed by the Township and will constitute a part of the RFQ. All responses to the RFQ shall be prepared with full consideration of the addenda issued prior to the proposal submission date.

Standard Requirements of Technical Qualifications

Respondents shall submit technical qualifications which contain the following:

- Business name, the principal place of business, and if different, the place where services will be provided.
- Respondents must have a minimum of five (5) years' experience.
- The education, qualifications, experience, and training, and licenses of all persons who would be assigned to provide services along with their names and titles.
- A listing of all other engagements where services of the types proposed, were provided in the past. This should include other Township governments, businesses or other government entities. Contact information for references must be provided.
- A statement shall be provided by respondent that neither its firm nor any individual assigned to this engagement are disbarred, suspended, or otherwise prohibited from professional practice by any federal, state, or local agency.

- The attached submission form can be replaced with respondents own prepared resume. All questions must be addressed as requested.
- Applicant must provide proof of licensure or certification in areas of study surrounding solid waste and/or recycling.

SUBMISSION CHECKLIST

1. Submission Form and Cost Proposal in accordance with Section II
2. Statement of Ownership Disclosure
3. Mandatory Equal Employment Opportunity Language
4. Affirmative Action Compliance Notice (Exhibit A)
5. Americans with Disabilities Act of 1990
6. Non-Collusion Affidavit
7. New Jersey Business Registration Certificate (Copy)
9. Prohibited Russia-Belarus Activities & Iran Investment Activities
10. Political Disclosure Statement
11. Certificate of Insurance
12. Licenses pertaining to this RFQ

Cost Analysis

Respondents should submit a cost proposal which would include any proposed retainer, the services to be provided at a flat rate, if all or any services will be billed through hourly rates and what are the established rates. The Township shall in its discretion, provide a fee schedule with hourly rates depending on the nature of the matter. By submission of a proposal, you acknowledge and agree to adhere to the fee schedule.

Submission Evaluation

When the Township is in need of a particular service, the selection will be the most advantageous submission based on all of the evaluation factors set forth in this RFQ.

Each submission must satisfy the objectives and requirements detailed in this RFQ. The successful respondent shall be determined by an evaluation of the total content of the qualifications submitted. The Township reserves the right to:

Not select any of the submissions or select only portions of a particular Respondent's qualifications for further consideration (however Respondents may specify portions of proposal that they consider "bundled").

Award a contract for the requested services at any time within the 12-month contract period after review of the qualifications and approval by Township Council through resolution. Every submission shall be valid through this time period.

Submission Limitations

This RFQ is not intended to be an offer, order, or contract and should not be regarded as such, nor shall any obligation or liability be imposed on the Township by issuance of this RFQ. The Township reserves the right to refuse any submission.

Use of Information

Any specifications, drawings, sketches, models, samples, data, computer programs, documentation, technical or business information and the like, furnished or disclosed by the Township to the Respondent in connection with this RFQ, shall remain the property of the Township. When in tangible form, all copies of such information shall be returned to the Township upon request. Unless such information was previously known to the Respondent, free of any obligation to keep it confidential, or has been or is subsequently made public by the Township or a third party, it shall be held in confidence by the Respondent, shall be used only for the purposes of this RFQ and shall not be used for other purposes except upon such terms and conditions as may be mutually agreed upon in writing.

General Terms and Conditions

The Township reserves the right to reject any or all submissions, if necessary, or waive any informality in the submission.

In case of failure by the successful Respondent, the Township may procure the articles or services from other sources, deduct the cost of the replacement from money due the Respondent under the contract and hold the Respondent responsible for any excess cost.

The Respondent shall maintain sufficient insurance to protect against all claims under Workmen's Compensation, General, Professional, and Automobile Liability.

Each submission must be signed by the person authorized to do so.

Township assumes no responsibility for submissions received after designated date and time due.

By submission of qualifications, the Respondent certifies that the service to be furnished will not infringe upon any valid patent, trademark, or copyright.

The successful Respondent shall, at its expense, defend any and all actions or suits charging such infringement, and will save the Township harmless.

No Respondent shall influence, or attempt to influence, or cause to be influenced, any Township Officer or employee to use their official capacity in any manner.

No Respondent shall cause or influence, or attempt to cause influence, any Township Officer or employee to use their capacity to secure unwarranted privileges or advantages for the Respondent.

Should any differences arise between the contracting parties as the meaning or intent of these instructions or specifications, the Townships decision shall be final and conclusive. The Township shall not be responsible for any expenditure of monies or other expenses incurred by the Respondent in making its request for consideration.

All necessary forms required by this RFQ shall be completed and submitted as part of this submission

Instructions for Submission

Respondents must submit an original and one (1) copy of their Qualification Statement

Designated Contact Person:

Panayiota Reynolds, Purchasing Agent, RPPS, QPA

Township of West Orange

66 Main Street

West Orange, NJ 07052

Submissions must be received Wednesday, April 3, 2024 at 10:00 A.M. Preferred delivery methods are US mail or hand delivery. Facsimile or electronic delivery will not be accepted.

To be responsive, Qualification Statement must provide all requested information and conform to instructions. Qualification Statements and related information must be bound and signed by Respondent.

All Respondents hereby agree to work under the terms and conditions as set by the Township. If awarded a contract by Township Council Resolution during 2024

calendar year, that contract will be in effect for one year.

Evaluations

The Township of West Orange's objective by soliciting Qualification Statements is to establish a pre-qualified group of professionals that will provide high quality and effective cost services to the Township. The Township will consider Qualification Statements only firms and individuals, in the Townships judgment, have demonstrated the capability and willingness to provide high quality services to the citizens of the Township in the manner described in the RFQ. The Township on the basis of the most advantageous will evaluate proposals with the following criteria:

Ranking Percentage and Criteria for Evaluations

- 35% Experience and reputation in the field
- 20% Knowledge of the Township and subject matter as it's related to contract
- 10% Availability to accommodate meeting attendance
- 25% Cost details, including the hourly rates of each of the individuals who will perform certain services and time estimates for each individual, all expenses (if applicable)
- 5% The utilization of local contractors and businesses, whenever possible.
- 5% Other factors demonstrated to be in the best interest of the Township

Questions /Answers

Below are a few questions/answers that may be helpful that have been asked:

Q: since mail has to go the residents of properties built before 1978. How many of these properties currently exist?

A: There are approximately 12,722 residential properties constructed prior to December 31, 1978 located in the Township of West Orange;

Q: Do you have this number or I need to do the work to obtain it?

A: The Township has a list of approximately 12,722 residential properties constructed prior to December 31, 1978 and will provide a copy to the successful vendor;

Q: As far as pricing, are you looking for example a cost to do the work for the township. example \$30K and the cost per inspection/ landlord \$X... I am just making up numbers \$30K is just a number.

A: Please refer to RFQ #19. Fee Schedule/Payment detail on page 6;
Successful vendor will provide their total cost to provide the management support services in administering lead-based paint inspections and testing services in residential rental dwellings on behalf of the Township in accordance with N.J.A.C. 5:28A Title 5. Community Affairs, Chapter 28A (New Jersey P.L. 2012 Chapter 182, also known as the Lead Base Paint Hazards in Residential Rental Properties).

Q: Am I the one doing the mailing or will the township do the mailing?

A: The successful vendor is responsible for all mailings

Q: If the visual fails, are we required to do another visual or is a dust wipe is needed?

A: If the visual inspection fails and remediation is required, the following is required as per N.J.A.C. 5:28A-2.5(e): Upon conclusion of the remediation, the following procedure shall be followed:

1. If the owner utilized interim controls for remediation, the lead evaluation contractor or permanent local agency shall conduct an additional inspection within 60 days of the initial

inspection by using dust wipe sampling. If the inspections shows that the hazard no longer exists, the lead evaluation contractor or permanent local agency shall certify the unit as lead-safe on the form prescribed by the Department The certification shall be valid for a period of two years from the date of issuance; and

2. If the owner utilized abatement for remediation, and a lead abatement clearance certificate has been issued by the local enforcing agency in accordance with N.J.A.C. 5:17, then the lead-free certificate issued at the final clearance inspection shall exempt the dwelling from future periodical lead-based paint inspections.

Q: Who collects the \$20.00 for the state?

A: The Township is responsible for collecting the \$20.00 on behalf of the State of New Jersey but shall be collected at the time of application.

Q: regarding the 12,722 residents. Do you already have these addresses identified?

A: YES

Q: Will the Township provide the awarded Vendor with the list of Rental registrations with addresses and contact information in order for the vendor to contact and maintain?

A: Yes, the Township will provide a list of rental registrations from our mercantile license registration system. In addition, the Township has a list of approximately 12,722 residential properties constructed prior to December 31, 1978 and will provide a copy to the successful vendor

(REVISED 4/10)

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 ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not 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 will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter 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 meet targeted county employment goals established in accordance with 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, and labor unions, that it does not discriminate on the basis of age, race, 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 targeted 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, race, 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 (electronically provided by the Division and distributed to the public agency through the Division's website at www.state.nj.us/treasury/contract_compliance)

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance 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 Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27**.

REQUIRED EVIDENCE

AFFIRMATIVE ACTION REGULATIONS N.J.S.A. 10:5-31, et seq. (N.J.A.C. 17:27)

If awarded a contract, the Bidder will be required to comply with the requirements of N.J.S.A. 10:5-31, et seq., and N.J.A.C. 17:27 within five (5) days after receipt of the notification of intent to award the contract, the Bidder shall present one of the following:

Appropriate evidence that the Contractor is operating under an existing federally approved or sanctioned affirmative action program; or

A Certificate of Employee Information Report Approval issued in accordance with N.J.A.C. 17:27-4; or

An initial Employee Information Report consisting of forms provided by the Affirmative Action Office and completed by Contractor in accordance with N.J.A.C. 17:27-4.

The Bidder must submit no later than three (3) days after the signing of the Contract an Initial Project Manning Table consisting of forms provided by the Affirmative Action Office and completed by Contractor in accordance with N.J.A.C. 17:27-7.

Bidders are referred to the Bidder's Information Section of the Bid Packet for a further description of the above requirements.

NO BIDDER MAY BE ISSUED A CONTRACT UNLESS THEY COMPLY WITH THE AFFIRMATIVE ACTION REGULATIONS OF N.J.S.A. 10:5-31, et seq.

The following questions must be answered by all Bidders:

Do you have a federally-approved or sanctioned Affirmative Action Program?

Yes _____ (If yes, submit a copy of such approval.) No _____.

Do you have a State Certificate of Employee Information Report approval?

Yes _____ (If yes, submit a copy of such approval.) No _____.

The undersigned Bidder certifies that he is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31, et seq., and agrees to furnish the required documentation pursuant to the law.

COMPANY: NAME: _____

SIGNATURE & TITLE: _____

NOTE: A **bid must be rejected as non-responsive if a Bidder fails to comply with requirements of N.J.S.A. 10:5-31, et seq.**, within the time frame stipulated.

AFFIDAVIT OF NON-COLLUSION

The undersigned bidder of full age, being duly sworn according to law depose and hereby specifically certifies that:

To the best of the bidder's knowledge and belief, the annexed bid proposal for this project has not been prepared in collusion with any other bidder of like item or services and the prices, discounts, terms and conditions thereof have not been directly or indirectly communicated by or on behalf of the bidder to any person other than *the* recipient of the bid and will not be communicated *to any* person prior to the official opening of the bid.

The bidder fully understands that no premiums, rebates, or gratuities are permitted either with, prior to, or after signing of contract. Any violation will result in cancellation and removal from the bid list.

The bidder further certifies that the undersigned has the necessary authority, to sign this stipulation stating that the bidder has not entered into any agreement, or otherwise taken any action in restraint of free competitive bidding in connection with this bid.

All references to the bidder are understood to include the undersigned and all principals, partners and officers of the bidder.

(Signature) _____

Subscribed and sworn to

Before me this day _____ of 20 _____

AFFIANT _____

NOTARY PUBLIC OF

MY COMMISSION EXPIRES: 20 _____

INSURANCE REQUIREMENTS AND ACKNOWLEDGEMENT FORM

Certificate(s) of Insurance shall be filed with the Municipal Clerk's Office upon award of contract by the Mayor and Township Council.

The minimum amount of insurance to be carried by the Professional Service Entity shall be as follows:

PROFESSIONAL LIABILITY INSURANCE

Limits shall be a minimum of \$1,000,000.00 for each claim and \$1,000,000.00 aggregate each policy period.

Acknowledgement of Insurance Requirement:

(Signature)

(Date)

(Printed Name and Title)

This form must be completed, signed and returned with RFP.

NON-CONFLICT OF INTEREST CERTIFICATION

REQUEST FOR QUALIFICATIONS

**Consultant to Provide Management Support Services in
Administering Lead-Based Paint Inspections and Testing
Services in Residential Rental Dwellings on Behalf of the
Township in Accordance with N.J.A.C. 5:28A Title 5.**

Community Affairs, Chapter 28A

**Lead-Based Paint Inspections in Residential Rental Dwellings
(New Jersey P.L. 2012 Chapter 182, a.k.a. Lead Base
Paint Hazards in Residential Rental Properties)**

The undersigned certifies to the Township of West Orange, County of Essex, State of New Jersey that in performing services to the Township he/she is aware of no circumstance that would constitute a conflict of interest, financial or otherwise, between him/her (or his/her firm) and the interests of the Township. The undersigned certifies that he/she has made a search of his/her firm's client base and has executed this certification subsequent to such search. The undersigned acknowledges this a continuing certification, and shall remain in effect for the term of the services contained in the solicited request for qualifications. I certify that the foregoing statements made by me are true and accurate to my personal knowledge; I am making this certification in good faith. I am aware that if any of the foregoing statements made by me are false, the Board is free to terminate any professional service agreement entered into with the undersigned and/or his or her firm.

Certifying Official:

Print Name: _____

Signed By: _____

Title: _____

Date: _____

AMERICANS WITH DISABILITIES ACT OF 1990

Equal Opportunity for Individuals with Disability

The contractor and the Township of West Orange, (hereafter "TOWNSHIP") 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, 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 TOWNSHIP 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 TOWNSHIP in any action or administrative proceeding commenced pursuant to this Act. The contractor shall indemnify, protect, and save harmless the TOWNSHIP, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind of 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 TOWNSHIP's grievance procedure, the contractor agrees to abide by any decision of the TOWNSHIP which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the TOWNSHIP, or if the TOWNSHIP 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 TOWNSHIP 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 TOWNSHIP or any of its agents, servants, and employees, the *TOWNSHIP shall* expeditiously forward or have forwarded to the contractor every demand, complaint, notice, summons, pleading, or other process received by the TOWNSHIP or its representatives.

It is expressly agreed and understood that any approval by the TOWNSHIP 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 TOWNSHIP pursuant to this paragraph.

It is further agreed and understood that the TOWNSHIP 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 TOWNSHIP from taking any other actions available to it under any other provisions of the Agreement or otherwise at law.

I acknowledge:

Signature of Vendor

TOWNSHIP OF WEST ORANGE

DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

Proposer: _____

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 Director finds a person or entity to be in violation of the principles which are the subject of this law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring, declaring the party in default and seeking debarment or suspension of the person or entity.

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: Must check appropriate boxes

- ☐ Is not providing goods or services of \$20,000,000 or more in the energy sector of Iran, including a person or entity 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 New Jersey Turnpike Authority 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

You must 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.

Name: _____	Relationship to Proposer: _____
Description of Activities: _____	

Duration of Engagement: _____	Anticipated Cessation Date: _____
Proposer Contact Name: _____	Contact Phone Number: _____

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 Township of West Orange, State of New Jersey is relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the Township to notify the Township 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 Township of West Orange, State of New Jersey and that the Township at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): _____ Signature: _____

Title: _____ Date: _____

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Contractor Instructions

Business entities (contractors) receiving contracts from a public agency that are NOT awarded pursuant to a “fair and open” process (defined at N.J.S.A. 19:44A-20.7) are subject to the provisions of N.J.S.A. 19:44A-20.26. This law provides that 10 days prior to the award of such a contract, the contractor shall disclose contributions to:

- any continuing political committee (a.k.a., political action committee)
- any candidate committee of a candidate for, or holder of, an elective office:
 - of the public entity awarding the contract
 - of that county in which that public entity is located
 - of another public entity within that county
 - or of a legislative district in which that public entity is located or, when the public entity is a county, of any legislative district which includes all or part of the county

The disclosure must list reportable contributions to any of the committees that exceed \$200 per election cycle that were made during the 12 months prior to award of the contract. See N.J.S.A. 19:44A-8 and 19:44A-16 for more details on reportable contributions.

N.J.S.A. 19:44A-20.26 itemizes the parties from whom contributions must be disclosed when a business entity is not a natural person. This includes the following:

- individuals with an “interest” ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit
- all principals, partners, officers, or directors of the business entity or their spouses
- any subsidiaries directly or indirectly controlled by the business entity
- IRS Code Section 527 New Jersey based organizations, directly or indirectly controlled by the business entity and filing as continuing political committees, (PACs).

When the business entity is a natural person, “a contribution by that person’s spouse or child, residing therewith, shall be deemed to be a contribution by the business entity.” [N.J.S.A. 19:44A-20.26(b)] The contributor must be listed on the disclosure.

Any business entity that fails to comply with the disclosure provisions shall be subject to a fine imposed by ELEC in an amount to be determined by the Commission which may be based upon the amount that the business entity failed to report.

The enclosed list of agencies is provided to assist the contractor in identifying those public agencies whose elected official and/or candidate campaign committees are affected by the disclosure requirement. It is the contractor’s responsibility to identify the specific committees to which contributions may have been made and need to be disclosed. The disclosed information may exceed the minimum requirement.

The enclosed form, a content-consistent facsimile, or an electronic data file containing the required details (along with a signed cover sheet) may be used as the contractor’s submission and is disclosable to the public under the Open Public Records Act.

The contractor must also complete the attached Ownership Disclosure Certification. This will assist the agency in meeting its obligations under the law. **NOTE: This section does not apply to Board of Education contracts.**

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Required Pursuant To N.J.S.A. 19:44A-20.26

**This form or its permitted facsimile must be submitted to the local unit
no later than 10 days prior to the award of the contract.**

Part I – Vendor Information

Vendor Name:			
Address:			
City:		State:	Zip:

The undersigned being authorized to certify, hereby certifies that the submission provided herein represents compliance with the provisions of N.J.S.A. 19:44A-20.26 and as represented by the Instructions accompanying this form.

_____	_____	
Signature	Printed Name	Title

Part II – Contribution Disclosure

Disclosure requirement: Pursuant to N.J.S.A. 19:44A-20.26 this disclosure must include all reportable political contributions (more than \$200 per election cycle) over the 12 months prior to submission to the committees of the government entities listed on the form provided by the local unit.

☐ Check here if disclosure is provided in electronic form.

Contributor Name	Recipient Name	Date	Dollar Amount
			\$

Continuation Page

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Required Pursuant To N.J.S.A. 19:44A-20.26

Page ____ of ____

Vendor Name:

[illegible]

**List of Agencies with Elected Officials Required for Political Contribution Disclosure
N.J.S.A. 19:44A-20.26**

County Name: Essex

State: Governor

Legislative District #s: 26, 27, 28, 29, 34, & 40

State Senator and two members of the General Assembly per district.

County:

County Commissioners	County Clerk	Sheriff
County Executive	Surrogate	Registrar of Deeds

Municipalities (Mayor and members of governing body, regardless of title):

Belleville Township	Irvington Township	Orange City
Bloomfield Township	Livingston Township	Roseland Borough
Caldwell Borough	Maplewood Township	South Orange Village
Cedar Grove Township	Millburn Township	Verona Township
East Orange City	Montclair Township	West Caldwell Township
Essex Fells Township	Newark City	West Orange Township
Fairfield Township	North Caldwell Borough	
Glen Ridge Borough	Nutley Township	

Boards of Education (Members of the Board):

Belleville Town	NONE
Bloomfield Township	
Caldwell-West Caldwell	
Cedar Grove Township	
Essex Fells Borough	
Fairfield Township	
Glen Ridge Borough	
Irvington Township	
Livingston Township	
Millburn Township	
Newark City	
North Caldwell Borough	
Nutley Town	
Roseland Borough	
South Orange-Maplewood	
Verona Borough	
West Essex Regional	
West Orange Town	

Fire Districts (Board of Fire
Commissioners):

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	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 non-corporate 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	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 ***Township of West Orange*** 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 ***Township of West Orange*** to notify the ***Township of West Orange*** 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

Township of West Orange to declare any contract(s) resulting from this certification void and unenforceable.

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

TOWNSHIP OF WEST ORANGE, NEW JERSEY

Professional Service Contract
Qualification and Costs Submission Form

Note: A separate resume can be attached.

1. Please provide the name and address of Names and roles of the individuals who will perform the services and description of their education, municipal experience and experience with projects similar to the services contained herein including their education, degrees and certifications.

2. References and record of success of same or similar service.

3. Description of ability to provide the services in a timely fashion (including staffing, familiarity and location of key staff.

4. Cost details, including the hourly rates of each of the individuals who will perform services, and all expenses:

Authorized Representative _____ (signature)

Telephone # _____

FAX # _____

ACKNOWLEDGEMENT OF CORRECTIONS, ADDITIONS AND DELETIONS FORM

I, _____ of the firm
_____ hereby acknowledge that any
corrections, additions and/or, deletions have been initialed and
dated in this Submission Package.

(Signature) _____

(Date) _____

TOWNSHIP OF WEST ORANGE

CHECKLIST

SUBMISSION DATE: Wednesday, April 3, 2024 at 10:00 A.M.

The following items are required to be **included** with the sealed submission:

- **Qualification Statement**
- Non-Collusion Affidavit
- Disclosure of Ownership Form
- Insurance Requirement Acknowledgement Form
- Mandatory Equal Employment Opportunity Notice Acknowledgement
- Copy of your Business Registration Certificate as issued by the State of New Jersey, Department of Treasury, Division of Revenue
- Non- Conflict of Interest Declaration
- Political Disclosure Certification
- Prohibited Iran Investment Activities
- Licenses pertaining to this RFQ
- AMERICANS WITH DISABILITIES ACT OF 1990
- Receipt of Addendum

Reminder: Please submit one (1) original and one (1) additional set of the sealed submission. Copy can be on a USB stick/flash drive.

Exhibit “B”



181 US Highway 46
Mine Hill, NJ 07803

Phone: 908-654-8068
Fax: 908-654-8069
info@lewenvironmental.com

The Township of West Orange

REQUEST FOR QUALIFICATIONS FOR
MANAGING THE ADMINISTRATIVE SUPPORT SERVICES
TO ENSURE COMPLIANCE WITH NEW JERSEY LEAD-
BASED PAINT LAW REQUIREMENTS IN RESIDENTIAL
RENTAL PROPERTIES FOR 2024

ORIGINAL

Individual Authorized to Commit LEW
Environmental Services LLC, and Its
Resources to an Agreement:

Greg Krueger, Senior Vice President
(908) 654-8068 ex. 67

The Township of West Orange
66 Main Street
West Orange, NJ 07052

Attn: Panayiota Reynolds,
Purchasing Agent

**MANAGING THE
ADMINISTRATIVE SUPPORT
SERVICES TO ENSURE
COMPLIANCE WITH NEW
JERSEY LEAD-BASED PAINT
LAW REQUIREMENTS IN
RESIDENTIAL RENTAL
PROPERTIES FOR 2024**

**SUBMISSION DEADLINE
April 3, 2024
10:00am**

HEADQUARTERS LOCATION

LEW Environmental Services National Headquarters
181 US Hwy 46
Mine Hill, New Jersey 07803

Phone: (908) 654-8068

Fax: (908) 654-8069

Toll Free: (800) 783-0567

www.lewenvironmental.com

info@lewenvironmental.com

bids@lewenvironmental.com

Hours of Operation:

Monday-Friday

8:00 AM – 5:00 PM (EST)



ABOUT US

LEW Environmental provides property-oriented services including:

- environmental testing
- consulting
- remediation
- training

Projects of all sizes for entities including:

- residential
- commercial
- industrial
- governmental

Areas of specialization include:

- lead-based paint
- mold
- asbestos
- radon
- indoor air quality
- underground tanks
- phase I, II, and III environmental assessments

OUR EXPERTISE

LEW Environmental delivers honest, reliable, and cost-effective turnkey solutions to clients, ensuring the highest quality service. The knowledgeable and friendly team of LEW's professionals is dedicated to providing state-of-the-art, 21st century solutions to service a full array of environmental needs and goals.

Experienced specialists in the environmental testing and remediation field who hold over 100 certifications and continue to develop expertise support our full-service capability. LEW Environmental's stellar reputation has been built by delivering skillful solutions time and again for over 25 years. Our new and repeat customers can count on us for trusted solutions, peace of mind, and great satisfaction.

RECOGNITION

As a leader in the environmental services industry, LEW Environmental Services has shared its expertise with national organizations, government agencies, and media outlets: • The US General Accounting Office (GAO) • **CNBC**

- HUD's Guidelines for the Evaluation and Control of Lead-Based Paint and Lead-Based Paint Hazards (2012)
- National Lead Safe Housing and Indoor Environmental Conference & Expo – Lead Star Award for Outstanding Service in the Lead Poisoning Prevention and Lead Hazard Control Fields
- NBC's Today Show
- ABC Emma Lazarus Award in Healthcare Facilities
- The Architects League of Northern New Jersey
- The New York Times
- Good Housekeeping
- The National Apartment Association (NAA)
- IAQ Publications, Inc. Contractor of the Year Award – Lead Tech
- NBC's George to the Rescue
- National Association of Home Builders (NAHB)
- National Center for Healthy Homes, Preventing Lead Exposure in Children (2014)
- New Jersey Apartment Association:

LEAD

**FULLY
LICENSED
INSURED AND
BONDED**

**RECOGNIZED
EXPERTS
FOR OVER
25 YEARS**

MOLD

ASBESTOS

**CONSULTING
REMEDATION
TRAINING
AND MORE**

**NATIONAL
RELATIONSHIPS**

RADON

TANKS

**EXCEPTIONAL
CUSTOMER
SERVICE**

TOWNSHIP OF WEST ORANGE

CHECKLIST

SUBMISSION DATE: Wednesday, April 3, 2024 at 10:00 A.M.

The following items are required to be **included** with the sealed submission:

- **Qualification Statement**
- **Non-Collusion Affidavit**
- **Disclosure of Ownership Form**
- **Insurance Requirement Acknowledgement Form**
- **Mandatory Equal Employment Opportunity Notice Acknowledgement**
- **Copy of your Business Registration Certificate as issued by the State of New Jersey, Department of Treasury, Division of Revenue**
- **Non- Conflict of Interest Declaration**
- **Political Disclosure Certification**
- **Prohibited Iran Investment Activities**
- **Licenses pertaining to this RFQ**
- **AMERICANS WITH DISABILITIES ACT OF 1990**
- **Receipt of Addendum**

Reminder: Please submit one (1) original and one (1) additional set of the sealed submission. Copy can be on a USB stick/flash drive.

TOWNSHIP OF WEST ORANGE, NEW JERSEY

Professional Service Contract
Qualification and Costs Submission Form

Note: A separate resume can be attached.

1. Please provide the name and address of Names and roles of the individuals who will perform the services and description of their education, municipal experience and experience with projects similar to the services contained herein including their education, degrees and certifications.

See List following this page

2. References and record of success of same or similar service.

The Township of South Orange

LEW is vendor providing management and dust wipe sampling/ inspection services for NJ Law for
Rental Dwellings

Phone: 973-378-7775

The Township of Hillsborough - LEW is vendor providing management and dust wipe sampling/ inspection
services for NJ Law for Rental Dwellings

Phone: 973-378-7775

The Township of Verona - LEW is vendor providing management and dust wipe sampling/ inspection
services for NJ Law for Rental Dwellings

Phone: 973-378-7775

3. Description of ability to provide the services in a timely fashion (including staffing, familiarity and location of key staff.

See attached Proven Process

4. Cost details, including the hourly rates of each of the individuals who will perform services, and all expenses:

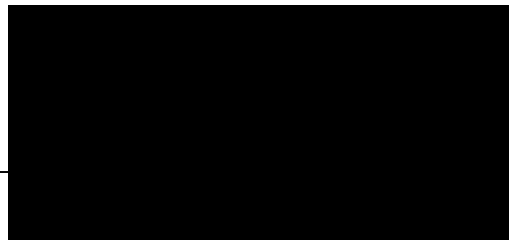
See separate Fee sheet

Authorized Representative

 (signature)

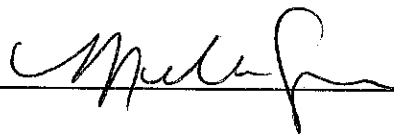
Telephone #

FAX #



ACKNOWLEDGEMENT OF CORRECTIONS, ADDITIONS AND DELETIONS FORM

I, Melissa Guagenti, Vice President of Customer Success of the firm
LEW Environmental Services, LLC hereby acknowledge that any
corrections, additions and/or, deletions have been initialed and
dated in this Submission Package.

(Signature) 

(Date) 4/2/2024

TOWNSHIP OF WEST ORANGE

REQUEST FOR QUALIFICATIONS FOR THE POSITION OF MANAGING THE ADMINISTRATIVE SUPPORT SERVICES TO ENSURE COMPLIANCE WITH NEW JERSEY LEAD-BASED PAINT LAW REQUIREMENTS IN RESIDENTIAL RENTAL PROPERTIES FOR 2024

PROJECT APPROACH AND METHODS FOR COMPLYING WITH SCOPE OF WORK

LEW Environmental is one of the nation's oldest, most acknowledged, and respected environmental lead testing and evaluation entities. With more than 30 years assisting NJ agencies, property owners and residents, prior NJEHA Business partner of the Year, LEW looks forward to assisting you and your community.

LEW Environmental Services, LLC (LEW) believes that to provide our clients with the highest level of professional and technical environmental services, we must have a clear understanding of the requirements and goals of our clients' needs, as well as a complete and up-to-date understanding of all the appropriate regulations.

New Jersey's Lead-Safe Certification Law: Lead-Based Paint Inspections in Rental Dwelling Units: N.J.A.C. 5:28A went into effect on July 22, 2022. The law requires under Section 1. B. that a municipality provide for the required visual and potential lead dust wipe sampling either through a permanent local agency who performs such inspections OR, in the case of a municipality that does not maintain such permanent local agency for inspections, the municipality shall hire a lead evaluation contractor, certified to provide lead paint inspection services by the Department of Community Affairs (DCA).

Some municipalities do not have such a permanent agency or will not have the ability to meet the requirements of this new law. LEW Environmental provides the appropriate Professional Services "Staffing" (Certified by NJ DOH, & DCA.) to perform the required Visual Paint Inspection and/or Lead Dust Wipe sampling.

SCOPE OF WORK

The inspection methodology required for The Township of West Orange is Visual Inspections.

LEW will provide proper staffing to perform all the labor necessary for the completion of visual assessments to comply with NJAC 5:28A in the dwelling unit(s) and a common area.

Exteriors will not be included in assessment per NJAC 5:28A. Visual assessment will be performed in accordance with the HUD Guidelines and regulations at 42 U.S.C. § 4851b.

If no deteriorated paint (presumed hazards) is noted, a Lead-safe certification will be issued per NJAC 5:28A. If deteriorated paint (presumed hazards) is noted, a Lead-safe certification will NOT be issued per NJAC 5:28A.

Deteriorated paint will be required to be addressed by abatement or interim controls, followed by a post-remediation inspection with dust wipes (additional site visit and dust wipe fees will apply).

LEW is licensed/certified by the applicable regulatory agency to perform the proposed services and all of our environmental professionals and staff are certified by the appropriate regulatory agency.

Inspections shall be performed on certain single-family, two-family, and multiple rental dwelling for lead based paint hazards every three years or upon tenant turnover where there is no valid lead-safe or lead-free certification.

PROGRAM PROTOCOLS AND CONTRACT MANAGEMENT

For ease of use for the municipalities, we are excited to have developed a powerful new, all-in-one technology to manage DCA's lead based paint regulations. It is a brand-new exclusive portal, built and designed specifically for municipalities to manage their lead paint inspection data. The combination of our lead expertise and proprietary data platform will help minimize municipal effort and ensure compliance.

Contract management will be under the direction of Dan McGowan, CEO and Greg Krueger, Senior Vice President. Alongside the two upper management will be the aid of the following team members, Melissa Guagenti, Vice President of Customer Success, Jelena Ristic, Office Manager, our customer service team and LEW's team of knowledgeable New Jersey certified lead-based inspectors and risk assessors.

Since the law came into effect LEW has been the preferred vendor for partnership, managing the program for many municipalities. We have the financial, technological, and human resources to properly meet the requirements of this RFP. Our administrative staff has substantial experience in contacting clients within 24 hours of notification, and scheduling/mobilizing our staff to be on-site in a timely manner. It is this ability, along with our previously mentioned experience and resources, which provides our clients with a level of comfort. We certainly appreciate the opportunity to work with our clients and to provide them with precise and professional expertise.

As LEW being your preferred partner, we will reach out to property owners, schedule, and perform the service and charge the property owners directly for the service. We will maintain all data in our proprietary online portal and provide access to The Township of West Orange. This ensures compliance on your behalf with LEW performing all the work.

LEW will also be responsible for providing reporting and any Municipality fees and NJ State fees to the Municipality in a required time frame.

The LEW Environmental Proven Process:

1. LEW Environmental will utilize any available public records to create and maintain a database of rental dwelling units identified as requiring inspection per municipal code 209-46. This will include sending an OPRA request to The Township of West Orange to gather the list of registered rental properties.
 2. LEW will contact Landlords electronically through our portal, email, phone, or mailers to educate them on the NJ Law and sign up for services.
 3. LEW has a dedicated email address, info@njleadlaw.com and phone number for landlords, owners, or general public to inquire and ask any questions about the inspections and the law.
 4. Landlords will schedule the appropriate inspection dates in real-time through the portal. With dynamic routing, immediately, LEW's staff is assigned and will perform inspections. All payments are made and tracked electronically through the LEW platform, including any municipal and the New Jersey state fee of \$20.00 per unit. LEW will then remit the state and local fees to the municipality on a monthly basis.
 5. The Township will have access to the status of all inspections required in their town as well as the ability to view/upload reports. This includes:
 - a. All units that require an inspection;
 - b. Units that have completed the inspections;
 - c. All non-compliant properties;
 - d. All units deemed lead-free or lead-safe
 - e. All reports and reports with lab results
 - f. All units that have failed and require reinspection
- All notifications are tracked and logged in accordance with the property address, including block and lot numbers.
6. The LEW technology will continuously follow up with units that have not been completed to ensure compliance ahead of the mandatory completion date. As inspection is needed to be completed again in the future, the system will pro-actively notify the Landlord and maintain the data for the town.
 7. As part of the inspection, the inspector enters all required information and results directly into the portal. The results and report are available within 10 business days and will be sent directly to landlord and uploaded in the municipality portal.

LEW plans to utilize current management, office staff, and field personnel to carry out this contract.

A video of our proven process can be found by going to www.bit.ly/415XTib or by scanning the code below.



How It Works



PARTNER

Establish a strategic partnership with the municipality where LEW Environmental is the recommended partner



PREPARE

LEW prepares a joint letter describing the regulation, program and benefits to all



DATA SHARE

Municipality provides contact information for known impacted properties



NOTIFY

LEW utilizes advanced marketing capabilities to notify property owners and set follow-up dates for additional communication



INSPECTIONS

Testing services are scheduled and performed by the LEW Environmental staff with 30+ years of tenant/landlord experience



REPORTING

All landlord data and lead-safe certifications are uploaded to the town portal, so the municipality has real-time access to status and compliance



SEAMLESS FOLLOW UP

If a property tests positive for lead hazards, the system will follow up to ensure remediation has been completed



PAYMENTS

LEW bills the property owner directly for the service at set rates for the entire municipality



FINALIZE

The portal notifies the property owner and the municipality when the report is completed. Notice is sent to the property owner to file directly with the municipality



TRACK

If the municipality provides filing data, our system can track outstanding filings



ENVIRONMENTAL SERVICES

NJ Lead Law Implementation Plan Example

Township

Item #	Action	Responsible Party	Target Date	Completed (Y/N)	Notes
1	Hold kick off meeting	Dan McGowan	4/1/2024	Y	
2	Establish initial partnership letter	Dan McGowan	4/1/2024	Y	
3	Finalize agreed upon partnership letter	All	4/1/2024	N	
4	Provide property owner information	Town	4/5/2024	N	Name, Address, Email
5	Upload property information into the portal	LEW IT	4/5/2024	N	
6	Send communication to property owners	LEW Marketing	4/8/2024	N	
7	Start performing services	LEW Operations	4/8/2024	N	
8	Provide municipality list of incorrect contact information	LEW Marketing	4/15/2024	N	
9	Reminder email providing direct ability to ask questions	LEW Marketing	4/15/2024	N	Timing based on email vs. address
10	Provide municipality portal login information - complete demo	LEW IT	5/1/2024	N	
11	Hold Initial Status Summary Meeting	All	5/1/2024	N	Determine alternative strategies
12	Send 60 day-out notification	LEW Marketing	5/1/2024	N	
13	Send 30 day-out notification	LEW Marketing	6/01/2024	N	
14	Send final notification	LEW Marketing	7/01/2024	N	
15	Send violation notice to property owners not in compliance	LEW Marketing	8/01/2024	N	

EXAMPLE OF LETTER TO LANDLORDS ON TOWN LETTERHEAD

New Jersey Lead Safe Certification

The Township has partnered with **LEW Environmental** to provide a comprehensive solution to ensure compliance with the new NJ law. Township records indicate one of your rental properties might be impacted by this new law.

N.J.A.C. 5:28A Lead-Based Paint Inspections in Rental Dwelling Units

The new law states that certain rental units in TOWN, built before 1978 are required to have a visual inspection to assess for lead hazards completed at the next tenant turnover, or by July, 2024.

Property owners with multiple unit buildings who have been registered with the DCA more than 10 years should speak with a member of LEW Environmental's staff prior to scheduling your inspection to see if your units qualify for an exemption.

Depending on the results of the visual inspection, a lead safe certification will be issued which is proof of compliance with the regulation. The Lead-Safe Certification will be valid for a two-year period. If a tenant turnover occurs after the expiration of the certificate, another inspection is required. If there is no tenant turnover then another inspection is required one year after the certificate expires (three years after the initial inspection).

Property owners that fail to comply with the new inspection requirements may be subject to a penalty of up to \$1,000 per week

LEW Environmental

The Township has partnered with LEW Environmental to conduct lead-safe certification inspections for your town. LEW Environmental boasts over 30 years of industry experience and safety excellence and are New Jersey's largest and most recognized Lead Evaluation entity. LEW Environmental inspectors are NJDOH certified and committed to cost-effective solutions for property owners.

How It Works

LEW Environmental has the leading technology in the lead industry. Service can be easily scheduled at your convenience by scanning the QR Code below, going to www.njleadlaw.com or calling our office at 1-800-783-0567. Service set up and confirmations will be emailed to you. With our proprietary lead portal, you have access to all information in real-time, including the lead-safe certificate, and all information is automatically sent to XXX and the state of NJ on your behalf. You will receive automated future reminders as well when service is needed again. It's fast, easy and ensures compliance!

Compliance Starts Here



**Scan here to learn more or to
schedule your inspection**

www.NJLeadLaw.com

800-783-0567

LEW
ENVIRONMENTAL SERVICES

POST REMEDIATION INSPECTION/CLEARANCE

The timely, accurate, and legally defensible collection of Dust Wipe samples, Soil Samples, and Clearance sampling is a necessity for any successful lead program. LEW recognizes these facts, has implemented a program, and trained our staff to continually remember and follow the necessary procedures to assure that such requirements are followed and the integrity of the data is not compromised.

LEW has a long-term relationship with a laboratory, which participates in the National Lead Laboratory Accreditation Program (NLAAP) (federally required) and has proven continual proficiency while participating in the Environmental Lead Analytical Proficiency Testing rounds (ELPAT) (requirement of HUD/EPA). LEW, in most situations, can provide three different sample results turnaround times, whereby offering our clients the most efficient project completion, occupant disturbance and costs savings. We offer a same day turnaround, a twenty-Four (24) hour turnaround time and a three-day turnaround time. LEW currently uses a two (2) part chain-of-custody, one copy stays with LEW in our project folder, the other one (1) copy goes with the samples to the Laboratory which gets signed by all parties who touch the samples inclusive of the lab manager and returned to LEW with the copy of the lab results. This provides for the maximum level of accountability and provides for the highest level of legally defensible lab data.

To assure all our clients that the proper procedures are being followed in a constantly changing environmental field, all LEW's Inspectors and Risk Assessors have been instructed/educated and well trained in HUD's 2012 standards along with the United States Environmental Protection Agency's (EPA) finalized regulation, "Lead; Identification of Dangerous Levels of Lead, Final Rule".

Once remediation has occurred in a unit, the landlord will schedule the reinspection through LEW's website. LEW will utilize in-house staff (Lead Risk Assessors) to perform the clearances. The same scheduling procedure as the initial inspection will be utilized. Once the lab receives the samples and analyze, they will send the results to our office via email, and the inspector will prepare the clearance report with lab analysis and will upload into the portal.

Understanding the action levels is also a key component for properly understanding the necessary interim controls, Lead-safe work practices, or abatement procedures either required or recommended. Since many of LEW's employees are also certified as Lead Abatement Supervisors and are actively writing lead specifications they understand the importance of these action levels, the collection procedures employed and the consequences of improper remediation/interim control activities.

Lead Inspection Services for the Township of West Orange Cost Proposal

LEW would like to thank you for allowing us this opportunity to be of service and proposes to perform the above stated services for the following amount.

**LEW Environmental Website Scheduling
and Management Portal:**

Free of Charge

Visual Inspection per unit:

\$250.00

- Required Inspection for West Orange per N.J.A.C. 5:28A

Lead-Based Paint XRF inspection per unit

**\$150.00 (Add-On to the
Visual Inspection)**

Performed by a NJ Licensed Lead Inspector-Risk Assessor, an XRF Inspection is available to the requesting party as an add-on to the Visual Inspection. An XRF inspection will allow a dwelling unit to be certified lead-based paint free and become exempt from the regulation forever. * A Lead-Free Certificate will only be issued if no lead-based paint is found.

Post Remediation Inspection/Clearance per unit:

\$295.00

Includes dust wipe samples.

Minimum number of dust wipes for reinspection is 9 dust wipes to satisfy the requirements of P.L. 2021 chapter 182.

Mailers to Landlords/Owner (If requested)

**\$1.60 per standard
letter/postcard**

****LEW will collect any municipality fee and \$20 per unit state fee via the Website and send to the municipality when further direction is given.**

****The above pricing will be held for up to 2 years for The Township of West Orange**



181 US Hwy 46
Mine Hill, NJ 07803
(908) 654-8068
(800) 783-0567
Fax (908) 654-8069
www.lewenvironmental.com
info@lewenvironmental.com

Individuals performing work on the project, their areas of responsibility, experience, and qualifications

Individuals	Education, Experience & Qualifications	Years with our company
Greg Krueger	See attached Resume	20
Mark Franz	See attached Resume	26
Alex Salvador	See attached Resume	13
Michael Mosier	See attached Resume	5
Neheru Singh	See attached Resume	9
Andrew Wong	See attached Resume	2
Yerani Heredia	See attached Resume	.5
Nyire Edmonds-Grant		
Danny Feliciano		
Christopher Reed		
Marwan Khater		



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GREG KRUEGER

LEW Environmental Services

Education

Senior Vice President

BS Environmental Science, Marist College, Poughkeepsie, NY

Summary of Professional Experience/Qualifications

- Over 20 years of professional experience as an environmental services investigator and manager

Project Experience

- Representative relevant experience includes:
 - As Sr. VP: Responsible for day-to-day operations of administration and consulting divisions; maintains corporation compliance with all regulatory matters; and ensures projects remain within timeline and budgets.
 - Consulted with clients to maintain federal and state regulatory compliance within multiple environmental disciplines.
 - Trained employees in lead-based paint, asbestos, and indoor air quality investigations.
 - Conducted in-house and client based seminars for mold assessment and remediation with attendees ranging from maintenance personnel to CEOs.
 - Taught Indoor Air Quality course for Rutgers adult health programs, which included asbestos concerns.
 - Prepared Asbestos O&M plans for various properties.
 - Selects, and develops, or revises training programs to meet state, federal or other entities requirements.
 - Seeking, Evaluating and hiring all instructors for Asbestos, Mold, Lead and Safety (OSHA) training programs
 - Reviews evaluations for all instructors conducting training programs (Asbestos, Mold, Lead and OSHA.
 - Monitors the performance of all instructors.
 - Monitors the quantity and quality of training course materials including manuals/handouts, hands-on materials as well as schedules.
 - Oversees and monitors administrative process for training and training programs.
 - Manages and oversees health and safety training programs for Lew Corp field employees.
 - Manages training programs offered to public at Lew Corp, and client's sites.
 - Participated in an ICLE seminar to discuss the legal aspects of Asbestos
 - Oversaw over 2,000 asbestos investigations for homes that were affected by Hurricane Sandy.
 - Maintained radioactive safety and respiratory programs, including audits.
 - Developed protocols for volatile organic compound sampling utilizing EPA method TO-15.
 - Responsible for purchasing and maintaining all technical equipment.
 - Developed and implemented indoor air quality division that included hundreds of investigations for exposure to fungi,



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GREG KRUEGER

LEW Environmental Services

Senior Vice President

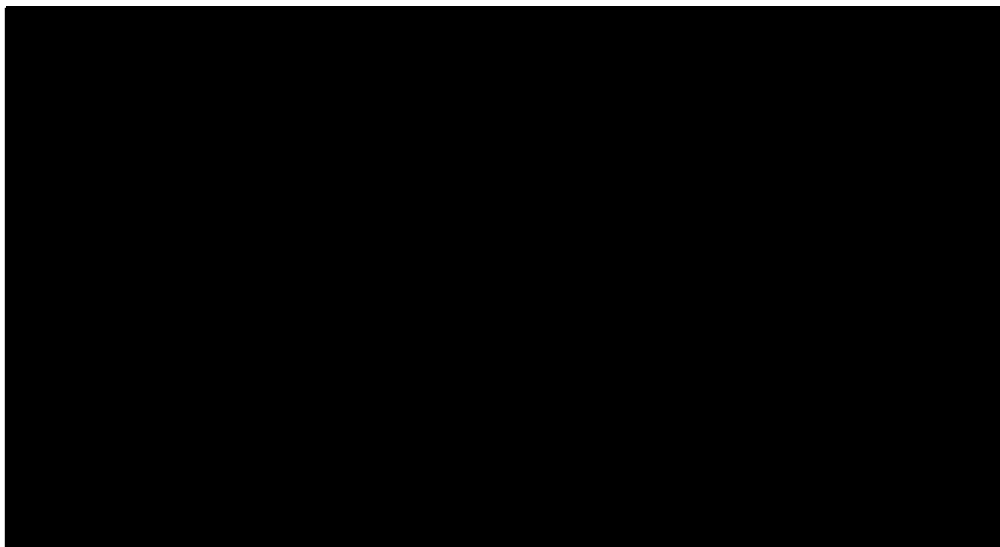
bacteria, human pathogens and associated risks.

- Technically advised all junior and senior personnel on indoor air quality projects.
- Responsible for maintaining company indoor air quality reference library.
- Performed hundreds of lead-based paint inspections and risk assessments in residential, commercial and government facilities.
- Implemented technological upgrades in lead-based paint assessments that reduced report turnaround time from two weeks to several days.
- SOP development for multifamily microbial and moisture surveys.

Employment Period	Job Title	Employer
2011 - present	Sr. Vice President	LEW Corp, Mine Hill, NJ
2007 - 2011	Sr. Project Manager	LEW Corp, Mountainside, NJ
2003 - 2007	IH/Safety Engineer	LEW Corp, Mountainside, NJ

Honors, Professional Affiliations, Achievements, Relevant Specialized Training, Publications, and Presentations

- Certified Lead-based Paint Risk Assessor for NJ, NY, PA, CT, HI, MT, and AK
- Counsel-certified Indoor Environmental Consultant – ACAC
- Counsel-certified Microbial Consultant – ACAC
- NJ Radon Measurement Technician
- Florida Certified Mold Assessor
- New York State licensed Mold Assessor
- Healthy Housing Specialist
- AHERA Asbestos Building Inspector
- 40 Hour OSHA/HAZWOPER
- ACAC Board Member





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Alex Salvador
Project Manager
LEW Environmental Services, LLC.

Education: AASApplied Science, Essex County Community College, 2004

Summary of Professional Experience/Qualifications

- Over 7 years of professional experience performing fungal and indoor air quality investigations, lead-based paint inspections and risk assessments as well as asbestos inspections and bulk sampling.
- Licensed Lead Inspector/Risk Assessor, a licensed AHERA Asbestos Inspector, and a Microbial Consultant for residential and public buildings.

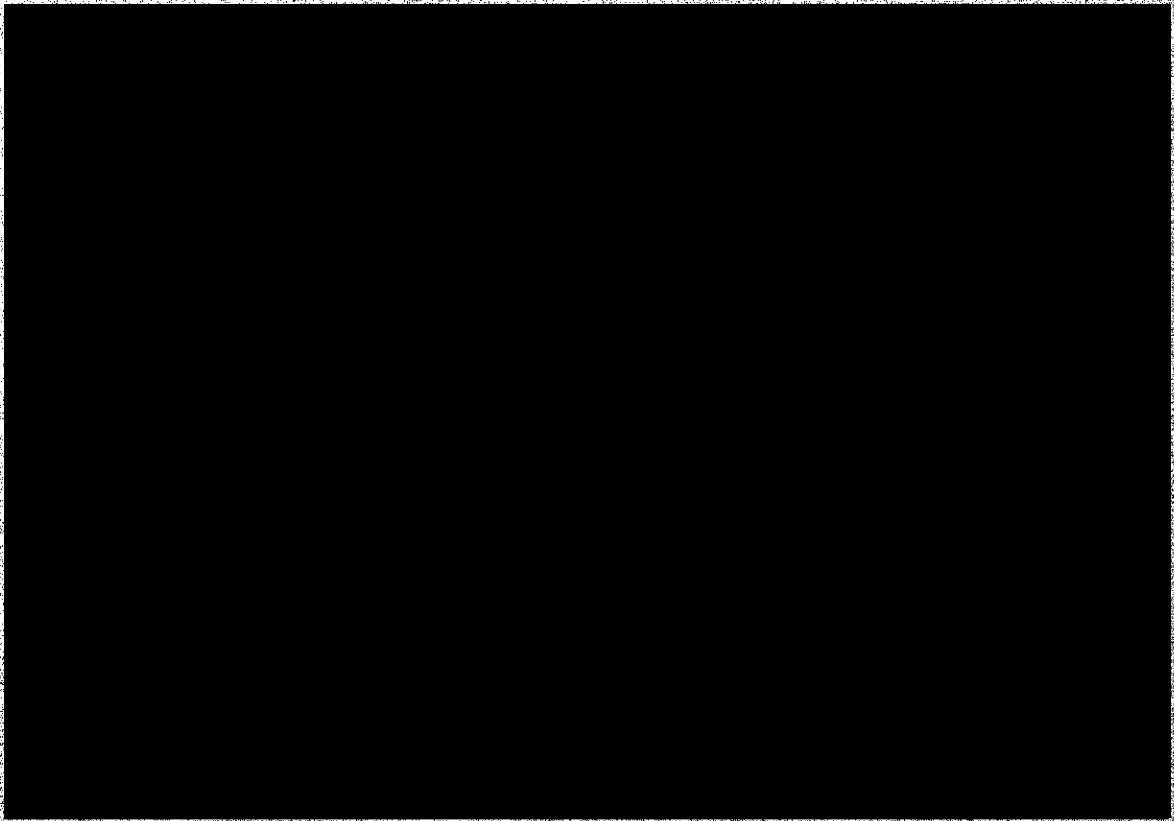
Project Experience

- Representative relevant experience includes:
- Conducts field environmental testing and evaluation, data review, and prepares detailed technical reports on findings and recommendations.
- Conducted over 200 lead-base paint and risk assessment inspections in multifamily and residential projects.
- An EPA approved principal bilingual English and Spanish instructor in EPA 40 CFR RRP for lead safe practices and dust wipe technician and has taught several classes pertaining to lead-based paint safe work practices and dust wipe sampling procedures.

Employment Period	Job Title	Employer
2010 - present	Senior Project Manager	LEW Corp, Mine Hill, NJ

Honors, Professional Affiliations, Achievements, Relevant Specialized Training, Publications, and Presentations

- 5-Day Lead Inspector/Risk Assessor NAETI - Ocean, NJ
- 3-Day EPA/AHERA Asbestos Inspector NAETI - Ocean, NJ
- 1-Day Training in RRP Rule CFR 40 Part 745.225
- 1-Day Training in Dust Sampling Tech CFR 40 Part 745.225
- 40 Hour OSHA Training CFR Hazwoper
- 8 Hour OSHA Hazwoper Training
- ACAC Council Certified Mold Investigator, Certification # 1605031
- CT Lead Inspector/Risk Assessor, License #2246
- DC Lead Risk Assessor, License # DC16-7318
- HI Lead Inspector, Certification # PB-0850
- NJ Lead Inspector/Risk Assessor, ID# 022779
- NJ Radon Certificate, Radiation Data Certification # 90016
- NY Lead Inspector/Risk Assessor, NY-R-110651-1





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Mark Franz
Project Manager
LEW Environmental Services, LLC.

Education: See relevant specialized training and certifications held below

Summary of Professional Experience/Qualifications

- Over 14 years of professional experience as experience operating and maintaining heavy equipment.
- Over 10 years' experience working in all phases of construction as a lead abatement supervisor and has done over 1000 lead-based paint projects.

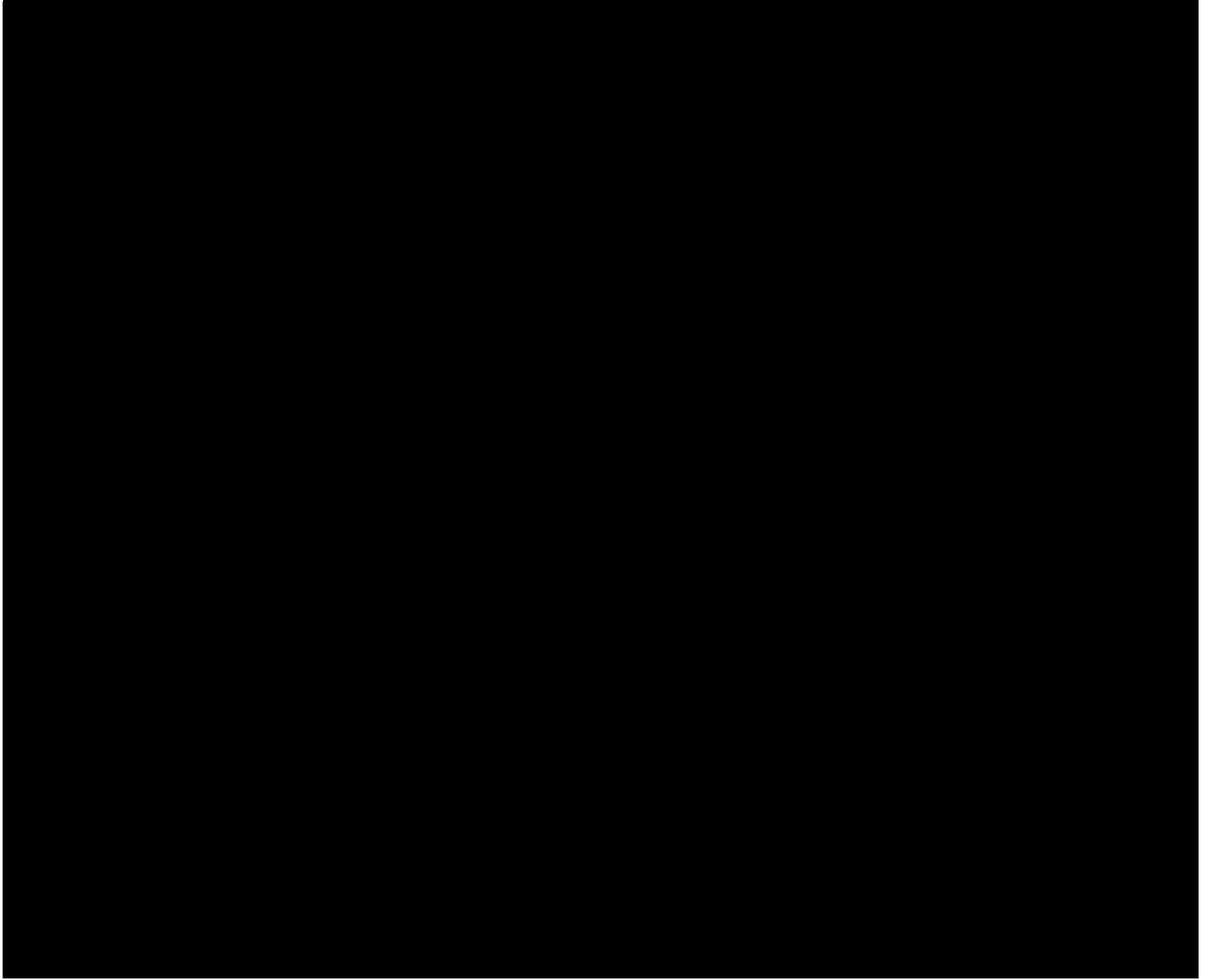
Project Experience

- Representative relevant experience includes:
- Conducted risk assessment, inspections and Lead abatement supervision for lead base paint in residential, public and commercial buildings.
- Proven ability to supervise work crews and work with a multi-disciplinary team.
- Prepares technical reports for lead projects, and conducts field XRF testing and various sampling.
- As a licensed lead abatement supervisor, performs many varied tasks on abatement projects such as project oversight, soil sampling, and clearance dust wipes, obtaining permits, sight sketches, project coordination and worker protection.
- Competent with all techniques associated with abatement such as component and mechanical removal, replacement, encapsulation and enclosure.
- Experienced in performing large volume, short turn-around time frame lead evaluation activities.
- Active participant in HUD's big buy program through Masimax, and HUD's single family foreclosure program.

Employment Period	Job Title	Employer
1997 - present	Project Manager	LEW Corp, Mine Hill, NJ

Honors, Professional Affiliations, Achievements, Relevant Specialized Training, Publications, and Presentations

- OSHA 40-hour Hazardous Materials Handler
- Heavy Equipment Operator, Commercial Driver License (CDL)
- NJ Lead Inspector/Risk Assessor ID#003265 Permit#009922
- NJ Lead Supervisor-Housing/Public ID#00365 Permit#009406
- NY Certified Lead Risk Assessor NY-01-062003-168
- NY Certified Lead Supervisor NY-01-062003-407
- PA Certified Lead Risk Assessor Cert. #000689
- FL Certified Lead Risk Assessor FL-02-0520031468
- FL Certified Lead Supervisor FL-02-0520031469
- DE Certified Lead Inspector Cert. # LI-00-0004
- DE Certified Lead Risk Assessor Cert#LRA-01-0050





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MIKE MOSIER

LEW Environmental Services

Senior Project Manager

EDUCATION:

University of Lynchburg, Lynchburg, VA

Bachelor of Arts, Graduated: May 2012

SUMMARY OF PROFESSIONAL EXPERIENCE/QUALIFICATIONS

- Performs lead-based paint inspections and risk assessments.
- Licensed Lead Inspector/Risk Assessor
- Licensed NYS/AHERA Asbestos Inspector

PROJECT EXPERIENCE

- Representative relevant experience includes:
 - Conducts field environmental testing, evaluation, data review, and prepares detailed technical reports on findings and recommendations.
 - Conducts lead-based paint and risk assessment inspections in multifamily and Residential projects.

**EMPLOYMENT PERIOD
COMPANY**

WORK EXPERIENCE

2018 – Present

Lead Paint Risk Assessor

LEW Environmental Services– Mine Hill, NJ

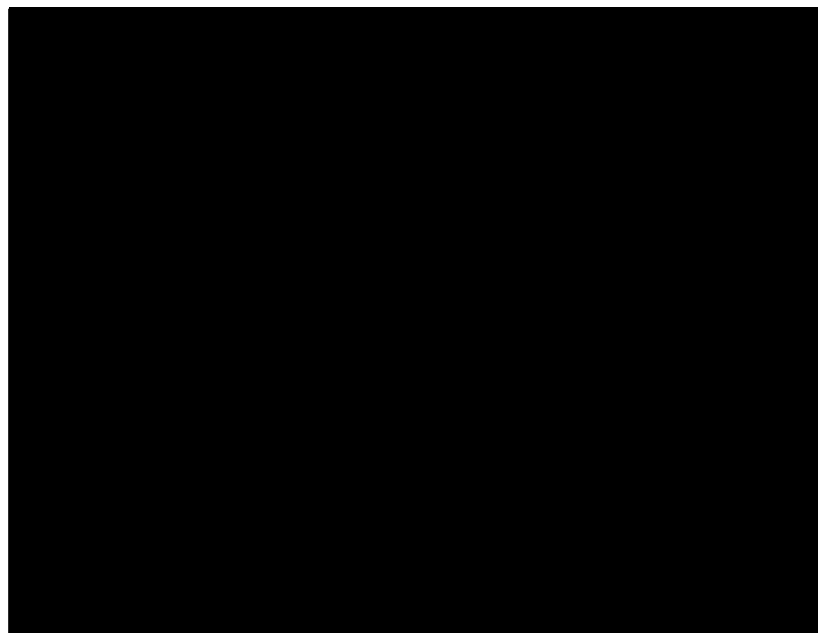
2015 – 2018

IH/Asbestos Inspector

Empire Environments – Towaco, NJ

CERTIFICATIONS:

- NJ Lead Inspector/Risk Assessor ID# 033123
- NYS Department of Labor Asbestos Certificate Cert# 15-14733
- NYS EPA/AHERA Asbestos Building Inspector ID# 49976
- OSHA HAZWOPER (40Hr)
- OSHA Construction Safety (40Hr)
- Renovate, Repair and Painting 40 Part CFR 745.225 Certified





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www.lewenvironmental.com

NEHERU SINGH
LEW Environmental Services, LLC
Field Inspection Technician

QUALIFICATIONS

Neheru Singh responsibilities include risk assessment, inspections, as well as, mold remediation and Lead abatement for lead base paint in residential, public and commercial buildings. He prepares technical reports for lead projects, and conducts field XRF testing and various sampling. During the four years at LEW Corporation, Mr. Singh has done over 1000 lead-based paint projects, including XRF and Asbestos testing of homes that were impacted by hurricane Sandy. He also worked on Lead Abatement and Mold Remediation projects on single family and Town homes in abating lead-based paint according to the Federal guidelines and Mold Remediation.

EXPERIENCE

Low Environmental Services, formerly LEW Corporation

2014-Present

- Mold remediation/Lead abatement
- Lead Based Paint XRF Inspections
- NY and NJ Asbestos Inspections

Worked on Lead Abatement and Mold Remediation projects on single family and Town homes in abating lead-based paint according to the Federal guidelines and Mold Remediation.

Jeys Management 2007-2014

Maintenance Technician

Responsibilities include Electrical, Plumbing, Carpentry and HVAC. Installed Rinnai "on-demand" water heaters as well as Storage tank water heaters. Involved in total renovation of hurricane Sandy ravaged condominiums that involved removing sheetrock, floors, insulation, water heaters, kitchen cabinets and granite countertops, furnaces as well as their heating and cooling vents and eventually the reinstallation of each.

Involved in rental property management which include tenant selection, lease preparation and rent collection. Resolved duties of a typical landlord on an on-call basis

EDUCATION

Building Inspector *National Asbestos & Environmental Training Institute* 2013
Ocean Township, New Jersey

Lead Inspector / Risk *National Asbestos & Environmental Training Institute* 2013
Ocean Township, New Jersey

Lead Dust Wipe Technician	<i>Lew Corp</i>	2011
	Mountainside, New Jersey	
Renovate Repair and Painting	<i>Lew Corp</i>	2011
	Mountainside, New Jersey	

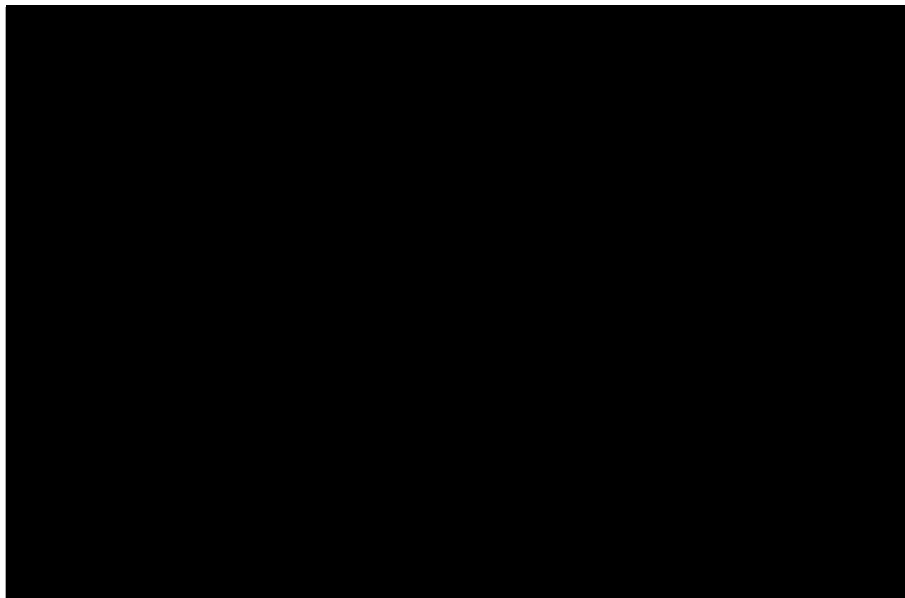
CERTIFICATIONS

EPA Lead Risk Assessor LBP-R-128957-1

NY Risk Assessor NY-R-128957-1

NY State Asbestos 14-00697

NJ Risk Assessor 030103





181 US Hwy 46
Mine Hill, NJ 07803
(908) 654-8068
(800) 783-0567
Fax (908) 654-8069
www.lewenvironmental.com

ANDREW WONG

(212) 300-7076 • Queens, NY • aw1800@nyu.edu

EXPERIENCE

Environmental Field Technician

LEW Environmental Services | Mine Hill, NJ

August 2021 – Present

Perform various environmental investigations, including – but not limited to – XRF inspections, dust wipe sampling, lead water testing. Generate reports from said investigations. Report to the Senior Project Manager to communicate and facilitate project progress with other team members.

EPA-certified Lead Inspector

Aerotek | New York, NY

December 2020 – August 2021

Conducted surface-by-surface investigations of painted surfaces in residential areas to detect presence of lead using an X-Ray Fluorescence machine; identified room-equivalents and document component type as well as the underlying substrate and color and level of deterioration of paint for each reading across all rooms. Responded to queries from residents (e.g. lead paint hazards, abatement protocol, legal requirements, etc.).

Assistant Lead Inspector

Aerotek | New York, NY

October 2020 – December 2020

Followed an EPA-certified lead inspector to assist in proper documentation of tested surfaces on a tablet, phone, and paperwork (chains of custody and affidavits). Obtained samples of surfaces that tested positive for laboratory analysis. Photographed any deteriorating surfaces to set up an alert for particularly hazardous conditions. Promoted to EPA-certified lead inspector.

Teacher

C2 Education | Little Neck, NY

June 2018 - Present

Instruct students in lessons relating to language arts and science curricula. Provide instruction on SAT, ACT, and high school admissions tests. Assist in college admissions preparation. Monitor student progress and coordinate with director to plan out student programming. Maintain classroom environment with a ratio of 3 students to 1 student while providing the equivalent of one-on-one tutoring to each. Perform occasional administrative work (answering phone calls or emails, grading exams, setting up curriculum material/answer keys). Versed in both in-person and virtual instruction.

Key Accomplishments:

- Multiple students achieved 90+ percentile scores Average score increases of 150/4 points on SAT/ACT, respectively.
- Part of the team that reversed a budget deficit left behind by the previous center director.

EDUCATION

New York University | Masters of Science in Environmental Science

December 2018

- GPA: 3.5/4.0

New York University | Bachelors of Arts in Environmental Studies

May 2016

- GPA: 3.3/4.0
- Minors in Anthropology and Conservation Biology

SKILLS

OS X | Windows | iOS | Microsoft Office | Google Suite | Adobe | GIS | EPANET | Primavera Risk Analyzer





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(800) 783-0567
Fax (908) 654-8069
www.lewenvironmental.com

Yerani Heredia
Field Inspection Technician
LEW Environmental Services, LLC.

Talented environmental professional with experience in Lead-based paint inspections, water sampling, dust sampling and soil sample. I am passionate about helping industries maintain a balance between economic development and environmental and human health.

SKILLS

- Work Ethic
- Critical Thinking
- GPS management, Georeferencing knowledge with ArcGis software
- Excellent attention to details
- Spanish native language
- Laboratory work, data entry
- Experience using World, Power Point and Excel

EXPERIENCE

LEW ENVIRONMENTAL SERVICES, LLC
LEAD BASED-PAINT INSPECTOR

MINE HILL, NJ
3/2023-PRESENT

- Performs lead-based paint inspections and risk assessments
- Licensed Lead Inspector/Risk Assessor

TESTOR TECHNOLOGY
LEAD-BASED PAINT INSPECTOR

- ☐ Conduct Lead-based paint inspection
- ☐ Generate a report
- ☐ Conduct water sampling for lead
- ☐ Conduct dust sample after abatement and interim control

POPULUS GROUP/LEW CORPORATION
LEAD BASED PAINT INSPECTOR TRAINEE

NEW YORK, NY
12/2021-03/2022

- ☐ Conducted Lead-based paint inspection
- ☐ Filled out field checklist and draw a sketch

JERSEY CITY DEPARTMENT OF HEALTH
INTERNSHIP: ENVIRONMENTAL HEALTH SPECIALIST

JERSEY CITY, NJ
08/2021 - 09/2021

- Enforced state and local public health and environmental regulations

- Conducted routine restaurant, bathing, swimming pool and youth camp inspections
- Responded to nuisance, housing, and food complaints

**RUTGERS'S UNIVERSITY NEWARK
INTERNSHIP: RESEARCH ASSISTANT**

**NEWARK, NJ
05/2019-10/2019**

- Prepared chemical solutions
- Measured conductivity
- Compiled And analyzed data

EDUCATION

**BIG APPLE OCCUPATIONAL SAFETY INC.
EPA-LEAD BASED PAINT RISK ASSESSOR INITIAL**

**NEW YORK, NY
06/2022-06/2022**

**RUTGERS UNIVERSITY NEW BRUNSWICK
Environmental & public health program (EPH)**

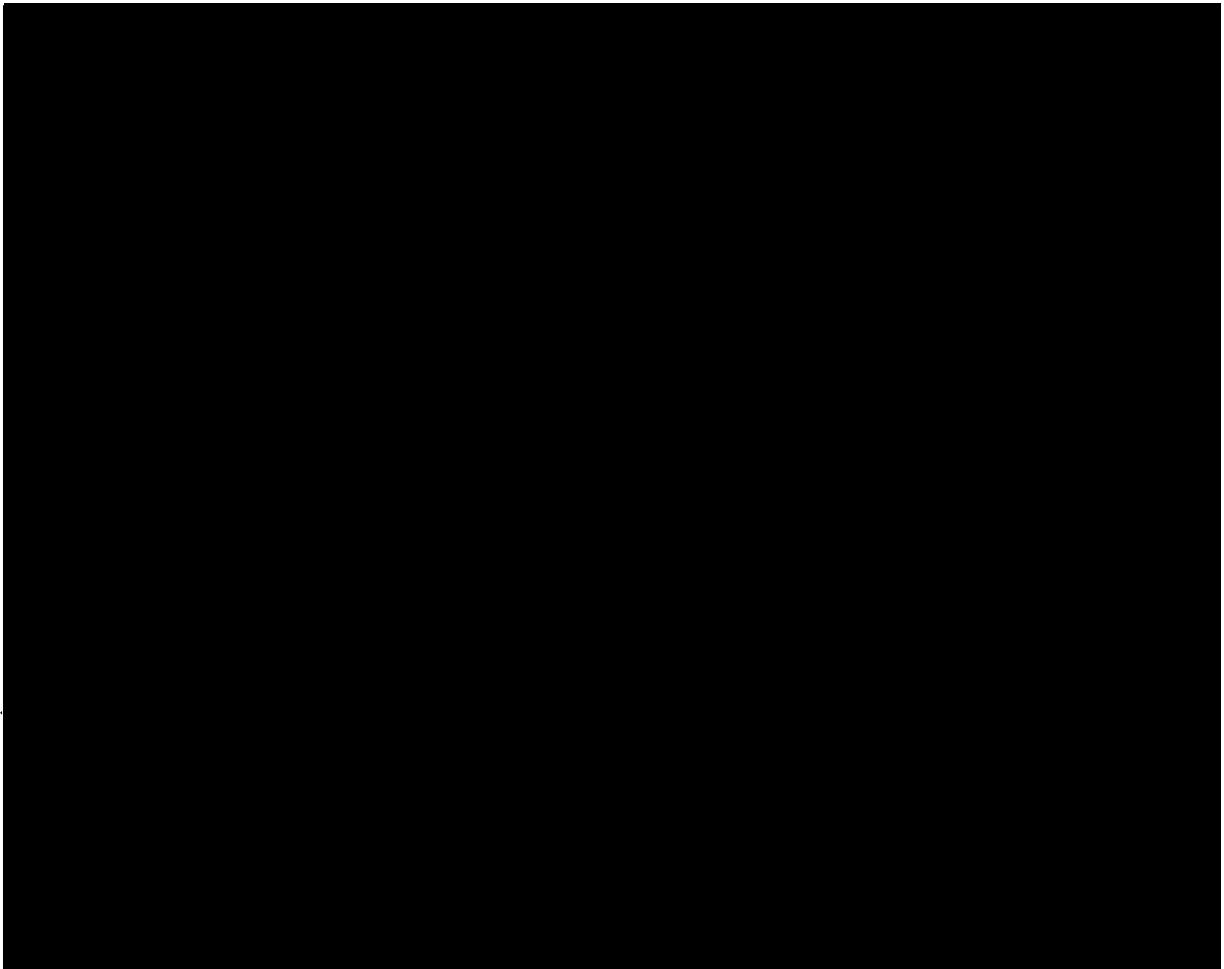
**JERSEY CITY, NJ
05/2021- 07/2021**

**HUDSON COUNTY COMMUNITY COLLEGE
Associate's degree: Environmental Studies**

**JERSEY CITY, NJ
09/2018-05/2021**

**PONTIFICIA UNIVERSIDAD CATÓLICA MADRE Y MAESTRA
Bachelor of science: Ecology and Environmental
Management**

**DOMINICAN REPUBLIC
09/2010- 09/2015**





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www.lewenvironmental.com

Lead Inspection References and Project Experience

LEW Environmental has been providing Lead Inspections per this new Rental law since it was put into effect, July 2022. We have been providing the Lead Inspection services to landlords all over New Jersey, and have been the preferred vendor for New Brunswick, Hillsborough, South Orange, Dover, and many others.

We have provided services to the below list of Government Agencies for the past 5 years.

Below is a list of other City governments and other levels of government, as well as, contact information for the recipients of the similar services.

City of New Brunswick

Daniel Dominquez
78 Bayard Street
New Brunswick, NJ 08901
ddominguez@cityofnewbrunswick.org

Hillsborough Township

Michael Carr
379 South Branch Road
Hillsborough, NJ, 08844
Phone: 908-369-5652
Email mcarr@hillsborough-nj.org

The Township of South Orange

Julie Doran
76 South Orange Avenue, Suite 302
South Orange, NJ, 07079
Phone: 973-378-7715
Email jdoran@southorange.org

Housing Authority of the City of Paterson

60 Van Houten Street
Paterson, NJ 07505
Irma Gorham, Executive Director
973-345-5080
igorham@patersonha.org
2017-2018
Lead Inspections, Risk Assessment, Lead Compliance

Jersey City Housing Authority

400 US Highway #1
Jersey City, New Jersey 07306
201-706-4721
kpinnock@jcha.us
2019- Present
Lead Inspection, Risk Assessments, Lead Reevaluation and Compliance, Mold inspections,

New York City Housing Authority

90 Church Street

New York, New York 10007

Mikhail Ginzburg

857-221-8686

mikhail.ginzburg@nycha.nyc.gov

Lead Inspections, Risk Assessments, Lead Consulting

Trenton Housing Authority - Contract # 210127

875 New Willow Street

Trenton, NJ 08638

Jonathan Moore

609-310-4667

jmoore@tha-nj.org

2022- Present

Lead Inspection, Risk Assessments, Lead Reevaluations and Compliance

Housing Authority of Hoboken

40 Harrison Street

Hoboken, New Jersey 07030

Ravon Anderson

201-687-1315

randerson@myhhanj.com

Lead inspection, Risk assessments

REQUIRED EVIDENCE

AFFIRMATIVE ACTION REGULATIONS N.J.S.A. 10:5-31, et seq. (N.J.A.C. 17:27)

If awarded a contract, the Bidder will be required to comply with the requirements of N.J.S.A. 10:5-31, et seq., and N.J.A.C. 17:27 within five (5) days after receipt of the notification of intent to award the contract, the Bidder shall present one of the following:

Appropriate evidence that the Contractor is operating under an existing federally approved or sanctioned affirmative action program; or

A Certificate of Employee Information Report Approval issued in accordance with N.J.A.C. 17:27-4; or

An Initial Employee Information Report consisting of forms provided by the Affirmative Action Office and completed by Contractor in accordance with N.J.A.C. 17:27-4.

The Bidder must submit no later than three (3) days after the signing of the Contract an Initial Project Manning Table consisting of forms provided by the Affirmative Action Office and completed by Contractor in accordance with N.J.A.C. 17:27-7.

Bidders are referred to the Bidder's Information Section of the Bid Packet for a further description of the above requirements.

NO BIDDER MAY BE ISSUED A CONTRACT UNLESS THEY COMPLY WITH THE AFFIRMATIVE ACTION REGULATIONS OF N.J.S.A. 10:5-31, et seq.

The following questions must be answered by all Bidders:

Do you have a federally-approved or sanctioned Affirmative Action Program?

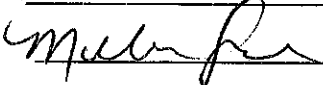
Yes X (If yes, submit a copy of such approval.) No .

Do you have a State Certificate of Employee Information Report approval?

Yes X (If yes, submit a copy of such approval.) No .

The undersigned Bidder certifies that he is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31, et seq., and agrees to furnish the required documentation pursuant to the law.

COMPANY: NAME: LEW Environmental Services, LLC, Melissa Guagenti

SIGNATURE & TITLE:  VP, Customer Success

NOTE: A bid must be rejected as non-responsive if a Bidder fails to comply with requirements of N.J.S.A. 10:5-31, et seq., within the time frame stipulated.

Certification 21276

CERTIFICATE OF EMPLOYEE INFORMATION REPORT
RENEWAL

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of **15-JUN-2017** to **15-JUN-2024**

LEW CORPORATION
1090 BRISTOL ROAD
MOUNTAINSIDE

NJ 07092



A handwritten signature in dark ink, appearing to read "Ford M. Scudder".

FORD M. SCUDDER
State Treasurer

STATE OF NEW JERSEY

Division of Purchase & Property
Contract Compliance Audit Unit
EEO Monitoring Program

EMPLOYEE INFORMATION REPORT

IMPORTANT-READ INSTRUCTIONS CAREFULLY BEFORE COMPLETING FORM. FAILURE TO PROPERLY COMPLETE THE ENTIRE FORM AND TO SUBMIT THE REQUIRED \$150.00 FEE MAY DELAY ISSUANCE OF YOUR CERTIFICATE. DO NOT SUBMIT EEO-1 REPORT FOR SECTION B, ITEM 11. For instructions on completing the form, go to: <http://www.state.nj.gov/eo/eo1/eo1report.pdf>

SECTION A - COMPANY IDENTIFICATION

1. FID. NO. OR SOCIAL SECURITY 223180481		2. TYPE OF BUSINESS ☐ 1. MFG ☒ 2. SERVICE ☐ 3. WHOLESALE ☐ 4. RETAIL ☐ 5. OTHER		3. TOTAL NO. EMPLOYEES IN THE ENTIRE COMPANY 21	
4. COMPANY NAME LEW Corporation					
5. STREET 181 US Highway 46		CITY Mine Hill	COUNTY Morris	STATE NJ	ZIP CODE 07803
6. NAME OF PARENT OR AFFILIATED COMPANY (IF NONE, SO INDICATE) None					
7. CHECK ONE: IS THE COMPANY: ☒ SINGLE-ESTABLISHMENT EMPLOYER ☐ MULTI-ESTABLISHMENT EMPLOYER					
8. IF MULTI-ESTABLISHMENT EMPLOYER, STATE THE NUMBER OF ESTABLISHMENTS IN NJ					
9. TOTAL NUMBER OF EMPLOYEES AT ESTABLISHMENT WHICH HAS BEEN AWARDED THE CONTRACT N/A					
10. PUBLIC AGENCY AWARDED CONTRACT					
CITY		COUNTY	STATE	ZIP CODE	

Official Use Only	DATE RECEIVED	INAGUE DATE	ASSIGNED CERTIFICATION NUMBER

SECTION B - EMPLOYMENT DATA

11. Report all permanent, temporary and part-time employees ON YOUR OWN PAYROLL. Enter the appropriate figures on all lines and in all columns. Where there are no employees in a particular category, enter a zero. Include ALL employees, not just those in minority/non-minority categories, in columns 1, 2, & 3. **DO NOT SUBMIT AN EEO-1 REPORT.**

JOB CATEGORIES	ALL EMPLOYEES			PERMANENT MINORITY/NON-MINORITY EMPLOYEE BREAKDOWN									
	COL. 1 TOTAL (Cols 2 & 3)	COL. 2 MALE	COL. 3 FEMALE	***** MALE *****					***** FEMALE *****				
				BLACK	HISPANIC	AMER. INDIAN	ASIAN	NON MIN.	BLACK	HISPANIC	AMER. INDIAN	ASIAN	NON MIN.
Officials/Managers	2	2	0	0	0	0	0	2	0	0	0	0	0
Professionals	0	0	0	0	0	0	0	0	0	0	0	0	0
Technicians	3	3	0	1	1	0	0	1	0	0	0	0	0
Sales Workers	2	2	0	0	0	1	0	1	0	0	0	0	0
Office & Clerical	5	0	5	0	0	0	0	0	2	0	0	0	3
Craftworkers (Skilled)	9	9	0	8	0	0	0	1	0	0	0	0	0
Operatives (Semi-skilled)	0	0	0	0	0	0	0	0	0	0	0	0	0
Laborers (Unskilled)	0	0	0	0	0	0	0	0	0	0	0	0	0
Service Workers	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	21	16	5	9	1	1	0	5	2	0	0	0	3
Total employment from previous report (if any)	39	31	8	11	4	0	0	16	3	0	0	0	4
Temporary & Part-Time Employees	The data below shall NOT be included in the figures for the appropriate categories above.												

12. HOW WAS INFORMATION AS TO RACE OR ETHNIC GROUP IN SECTION B OBTAINED? ☒ 1. Visual Survey ☒ 2. Employment Record ☐ 3. Other (Specify)		14. IS THIS THE FIRST Employee Information Report Submitted? 1. YES ☐ 2. NO ☒	15. IF NO, DATE LAST REPORT SUBMITTED MO. DAY YEAR 03 25 2010
13. DATES OF PAYROLL PERIOD USED From: 06/16/2019 To: 06/29/2019			

SECTION C - SIGNATURE AND IDENTIFICATION

16. NAME OF PERSON COMPLETING FORM (Print or Type) Greg Krueger		SIGNATURE 	TITLE Senior Vice President	DATE MO. DAY YEAR 07 17 2019
17. ADDRESS NO. & STREET 191 US Highway 46	CITY Mine Hill	COUNTY Morris	STATE NJ	ZIP CODE PHONE (AREA CODE, NO., EXTENSION) 07803 908 - 654 - 8068

STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name: LEW ENVIRONMENTAL SERVICES, LLC

Trade Name:

Address: 181 US HWY 46
MINE HILL, NJ 07803

Certificate Number: [REDACTED]

Effective Date: October 29, 2021

Date of Issuance: November 10, 2021

For Office Use Only:
[REDACTED]

AFFIDAVIT OF NON-COLLUSION

The undersigned bidder of full age, being duly sworn according to law depose and hereby specifically certifies that:

To the best of the bidder's knowledge and belief, the annexed bid proposal for this project has not been prepared in collusion with any other bidder of like item or services and the prices, discounts, terms and conditions thereof have not been directly or indirectly communicated by or on behalf of the bidder to any person other than *the* recipient of the bid and will not be communicated to *any* person prior to the official opening of the bid.

The bidder fully understands that no premiums, rebates, or gratuities are permitted either with, prior to, or after signing of contract. Any violation will result in cancellation and removal from the bid list.

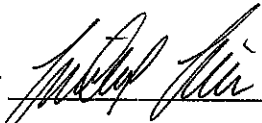
The bidder further certifies that the undersigned has the necessary authority, to sign this stipulation stating that the bidder has not entered into any agreement, or otherwise taken any action in restraint of free competitive bidding in connection with this bid.

All references to the bidder are understood to include the undersigned and all principals, partners and officers of the bidder.

(Signature) 

Subscribed and sworn to

Before me this day APRIL 2 of 20 24

AFFIANT 
NOTARY PUBLIC OF UNION
MY COMMISSION EXPIRES: 20 25

Michael J Mosier NOTARY PUBLIC STATE OF NEW JERSEY ID # 60119551 MY COMMISSION EXPIRES JANUARY, 3 2025
--

INSURANCE REQUIREMENTS AND ACKNOWLEDGEMENT FORM

Certificate(s) of Insurance shall be filed with the Municipal Clerk's Office upon award of contract by the Mayor and Township Council.

The minimum amount of insurance to be carried by the Professional Service Entity shall be as follows:

PROFESSIONAL LIABILITY INSURANCE

Limits shall be a minimum of \$1,000,000.00 for each claim and \$1,000,000.00 aggregate each policy period.

Acknowledgement of Insurance Requirement:

LEW Environmental Services, LLC



(Signature)

4/2/2024

(Date)

Melissa Guagenti, Vice President of Customer Success

(Printed Name and Title)

This form must be completed, signed and returned with RFP.

NON-CONFLICT OF INTEREST CERTIFICATION

REQUEST FOR QUALIFICATIONS

**Consultant to Provide Management Support Services in
Administering Lead-Based Paint Inspections and Testing
Services in Residential Rental Dwellings on Behalf of the
Township in Accordance with N.J.A.C. 5:28A Title 5.**

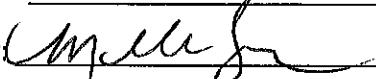
Community Affairs, Chapter 28A

**Lead-Based Paint Inspections in Residential Rental Dwellings
(New Jersey P.L. 2012 Chapter 182, a.k.a. Lead Base
Paint Hazards in Residential Rental Properties)**

The undersigned certifies to the Township of West Orange, County of Essex, State of New Jersey that in performing services to the Township he/she is aware of no circumstance that would constitute a conflict of interest, financial or otherwise, between him/her (or his/her firm) and the interests of the Township. The undersigned certifies that he/she has made a search of his/her firm's client base and has executed this certification subsequent to such search. The undersigned acknowledges this a continuing certification, and shall remain in effect for the term of the services contained in the solicited request for qualifications. I certify that the foregoing statements made by me are true and accurate to my personal knowledge; I am making this certification in good faith. I am aware that if any of the foregoing statements made by me are false, the Board is free to terminate any professional service agreement entered into with the undersigned and/or his or her firm.

Certifying Official:

Print Name: Melissa Guagenti

Signed By: 

Title: Vice President of Customer Success

Date: 4/2/2024

AMERICANS WITH DISABILITIES ACT OF 1990

Equal Opportunity for Individuals with Disability

The contractor and the Township of West Orange, (hereafter "TOWNSHIP") 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, 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 TOWNSHIP pursuant to this contract, the contractor

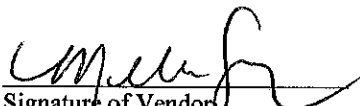
agrees that the performance shall be in strict compliance with the Act. In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the TOWNSHIP in any action or administrative proceeding commenced pursuant to this Act. The contractor shall indemnify, protect, and save harmless the TOWNSHIP, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind of 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 TOWNSHIP's grievance procedure, the contractor agrees to abide by any decision of the TOWNSHIP which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the TOWNSHIP, or if the TOWNSHIP 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 TOWNSHIP 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 TOWNSHIP or any of its agents, servants, and employees, the *TOWNSHIP shall* expeditiously forward or have forwarded to the contractor every demand, complaint, notice, summons, pleading, or other process received by the TOWNSHIP or its representatives.

It is expressly agreed and understood that any approval by the TOWNSHIP 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 TOWNSHIP pursuant to this paragraph.

It is further agreed and understood that the TOWNSHIP 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 TOWNSHIP from taking any other actions available to it under any other provisions of the Agreement or otherwise at law.

I acknowledge:


Signature of Vendor

TOWNSHIP OF WEST ORANGE

DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

Proposer: LEW Environmental Services, LLC

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 Director finds a person or entity to be in violation of the principles which are the subject of this law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring, declaring the party in default and seeking debarment or suspension of the person or entity.

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: Must check appropriate boxes

- ☒ Is not providing goods or services of \$20,000,000 or more in the energy sector of Iran, including a person or entity 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 New Jersey Turnpike Authority 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.

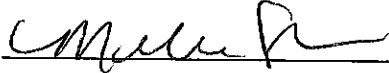
Part 2: PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN

You must 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.

Name: _____	Relationship to Proposer: _____
Description of Activities: _____	

Duration of Engagement: _____	Anticipated Cessation Date: _____
Proposer Contact Name: _____	Contact Phone Number: _____

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 Township of West Orange, State of New Jersey is relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the Township to notify the Township 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 Township of West Orange, State of New Jersey and that the Township at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): Melissa Guagenti Signature: 

Title: Vice President of Customer Success Date: 4/2/2024

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Contractor Instructions

Business entities (contractors) receiving contracts from a public agency that are NOT awarded pursuant to a "fair and open" process (defined at N.J.S.A. 19:44A-20.7) are subject to the provisions of N.J.S.A. 19:44A-20.26. This law provides that 10 days prior to the award of such a contract, the contractor shall disclose contributions to:

- any continuing political committee (a.k.a., political action committee)
- any candidate committee of a candidate for, or holder of, an elective office:
 - of the public entity awarding the contract
 - of that county in which that public entity is located
 - of another public entity within that county
 - or of a legislative district in which that public entity is located or, when the public entity is a county, of any legislative district which includes all or part of the county

The disclosure must list reportable contributions to any of the committees that exceed \$200 per election cycle that were made during the 12 months prior to award of the contract. See N.J.S.A. 19:44A-8 and 19:44A-16 for more details on reportable contributions.

N.J.S.A. 19:44A-20.26 itemizes the parties from whom contributions must be disclosed when a business entity is not a natural person. This includes the following:

- individuals with an "interest" ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit
- all principals, partners, officers, or directors of the business entity or their spouses
- any subsidiaries directly or indirectly controlled by the business entity
- IRS Code Section 527 New Jersey based organizations, directly or indirectly controlled by the business entity and filing as continuing political committees, (PACs).

When the business entity is a natural person, "a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity." [N.J.S.A. 19:44A-20.26(b)] The contributor must be listed on the disclosure.

Any business entity that fails to comply with the disclosure provisions shall be subject to a fine imposed by ELEC in an amount to be determined by the Commission which may be based upon the amount that the business entity failed to report.

The enclosed list of agencies is provided to assist the contractor in identifying those public agencies whose elected official and/or candidate campaign committees are affected by the disclosure requirement. It is the contractor's responsibility to identify the specific committees to which contributions may have been made and need to be disclosed. The disclosed information may exceed the minimum requirement.

The enclosed form, a content-consistent facsimile, or an electronic data file containing the required details (along with a signed cover sheet) may be used as the contractor's submission and is disclosable to the public under the Open Public Records Act.

The contractor must also complete the attached Ownership Disclosure Certification. This will assist the agency in meeting its obligations under the law. **NOTE: This section does not apply to Board of Education contracts.**

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

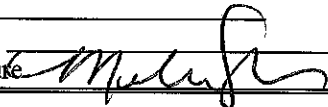
Required Pursuant To N.J.S.A. 19:44A-20.26

**This form or its permitted facsimile must be submitted to the local unit
no later than 10 days prior to the award of the contract.**

Part I – Vendor Information

Vendor Name:	LEW Environmental Services, LLC		
Address:	181 US Highway 46		
City:	Mine Hill	State: NJ	Zip: 07803

The undersigned being authorized to certify, hereby certifies that the submission provided herein represents compliance with the provisions of N.J.S.A. 19:44A-20.26 and as represented by the Instructions accompanying this form.

Signature  Printed Name Melissa Guagenti Title Vice President of Customer Success

Part II – Contribution Disclosure

Disclosure requirement: Pursuant to N.J.S.A. 19:44A-20.26 this disclosure must include all reportable political contributions (more than \$200 per election cycle) over the 12 months prior to submission to the committees of the government entities listed on the form provided by the local unit.

☐ Check here if disclosure is provided in electronic form.

Contributor Name	Recipient Name	Date	Dollar Amount
			\$
	NONE		

Continuation Page

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Required Pursuant To N.J.S.A. 19:44A-20.26

Page ____ of ____

Vendor Name:

[illegible]

**List of Agencies with Elected Officials Required for Political Contribution Disclosure
N.J.S.A. 19:44A-20.26**

County Name: Essex

State: Governor

Legislative District #s: 26, 27, 28, 29, 34, & 40

State Senator and two members of the General Assembly per district.

County:

County Commissioners

County Clerk

Sheriff

County Executive

Surrogate

Registrar of Deeds

Municipalities (Mayor and members of governing body, regardless of title):

Belleville Township

Irvington Township

Orange City

Bloomfield Township

Livingston Township

Roseland Borough

Caldwell Borough

Maplewood Township

South Orange Village

Cedar Grove Township

Millburn Township

Verona Township

East Orange City

Montclair Township

West Caldwell Township

Essex Fells Township

Newark City

West Orange Township

Fairfield Township

North Caldwell Borough

Glen Ridge Borough

Nutley Township

Boards of Education (Members of the Board):

Belleville Town

NONE

Bloomfield Township

Caldwell-West Caldwell

Cedar Grove Township

Essex Fells Borough

Fairfield Township

Glen Ridge Borough

Irvington Township

Livingston Township

Millburn Township

Newark City

North Caldwell Borough

Nutley Town

Roseland Borough

South Orange-Maplewood

Verona Borough

West Essex Regional

West Orange Town

**Fire Districts (Board of Fire
Commissioners):**

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: LEW Environmental Services, LLC

Organization Address: 181 US Highway 46, Mine Hill, NJ 07803

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	Address
Mainline Environmental LLC	1100 Superior Avenue East, #1620, Cleveland, OH 44114

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 non-corporate 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	Address
Mainline Environmental LLC	1100 Superior Avenue East, #1620, Cleveland, OH 44114

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 ***Township of West Orange*** 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 ***Township of West Orange*** to notify the ***Township of West Orange*** 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

Township of West Orange to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print):	Melissa Guagenti	Title:	VP, Customer Success
Signature:		Date:	4/2/2024

Subcontractor Utilization

Environmental Hazards Services, LLC. (EHS)

LEW Environmental has a long-term relationship with Environmental Hazards Services, LLC. (EHS) laboratory, which participates in the National Lead Laboratory Accreditation Program (NLAAP) (federally required) and has proven continual proficiency while participating in the Environmental Lead Analytical Proficiency Testing rounds (ELPAT) (requirement of HUD/EPA).

EHS provides its services to government, private, business, and residential clients. EHS prides itself on providing clients with excellent service through the application of knowledgeable staff to good laboratory practices and strict adherence to the QA/QC program.

LEW will be submitting samples to EHS for the timely, accurate, and legally defensible collection of Dust Wipe samples, Soil Samples, and Clearance sampling for the duration of this contract.

LEW, in most situations, can provide three different sample results turnaround times, whereby offering our clients the most efficient project completion, occupant disturbance and costs savings. We offer a same day turnaround, a twenty-Four (24) hour turnaround time and a three-day turnaround time. LEW currently uses a two (2) part chain-of-custody, one copy stays with LEW in our project folder, the other one (1) copy goes with the samples to the Laboratory which gets signed by all parties who touch the samples inclusive of the lab manager and returned to LEW with the copy of the lab results. This provides for the maximum level of accountability and provides for the highest level of legally defensible lab data. LEW's experience has taught us to also use the 2-part chain-of-custody to document other findings, which neither our clients nor LEW wants to be questioned about after the fact. To provide a higher level of service to our clients and maximize speed and data storage, LEW established the ability to electronically have the lab transmit the lab results to us. LEW can also produce reports in digital forms.

Attached you will find EHS Accreditations, organizational chart, and Quality Assurance Manual.

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY/
DIVISION OF REVENUE
PO BOX 252
TRENTON, N J 08646-0252

TAXPAYER NAME:

ENVIRONMENTAL HAZARDS SERVICES,LLC

TRADE NAME:

ADDRESS:

**7469 WHITEPINE ROAD
RICHMOND VA 23237**

SEQUENCE NUMBER:

1658170

EFFECTIVE DATE:

08/10/11

ISSUANCE DATE:

06/22/13

James J. Persone

Director
New Jersey Division of Revenue

FORM-BRC

This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.

(04-08)-5205840



PHILIP D. MURPHY

Governor
LOCATION
101 S BROAD ST
TRENTON NJ 08608

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF CODES AND STANDARDS
LEAD HAZARD UNIT

LT. GOVERNOR SHEILA Y. OLIVER

Commissioner
MAILING ADDRESS
101 S BROAD ST
TRENTON NJ 08618

Certificate - Lead Evaluation Contractor

RECERTIFIED

This is to certify that the Department of Community Affairs has certified

LEW ENVIRONMENTAL SERVICES,LLC
181 US HIGHWAY 46
MINE HILL NJ 07803

To act as a Lead Evaluation Contractor on the following Projects

Residential
Public Buildings
Comm/Steel Structure

Cert #:



Effective Date: 4/1/2023

Expiration Date: 3/31/2025

Certificate Type: 2 YEAR



KLACERT (Rev 04/30/2019)

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type. See Specific Instructions on page 3.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. LEW Environmental Services, LLC	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. ☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate ☒ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► P Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. ☐ Other (see instructions) ►	
	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ (Applies to accounts maintained outside the U.S.)	
	5 Address (number, street, and apt. or suite no.) See instructions. 181 US Highway 46	
	6 City, state, and ZIP code Mine Hill, NJ 07803	
	7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Social security number								
				-			-	

OR

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign
Here

Signature of
U.S. person ►

Daniel J McGowan

Date ►

1/2/2024

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)
Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What Is backup withholding*, later.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
1/22/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER The James B. Oswald Company 1100 Superior Avenue East Suite 1500 Cleveland OH 44114	CONTACT NAME: Steven Galica	FAX (A/C, No): 216-839-2815	
	PHONE (A/C, No, Ext): [REDACTED]	E-MAIL ADDRESS: [REDACTED]	
INSURED LEW Environmental Services LLC; LEW Corporation NAETI Services LLC; Mainline Environmental LLC; Environmental Innovative Technologies 181 US Highway 46 Mine Hill, NJ 07803	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Great Divide Insurance Company		25224
	INSURER B: SELECTIVE WAY INS CO		26301
	INSURER C:		
	INSURER D:		
	INSURER E:		
INSURER F:			

COVERAGES CERTIFICATE NUMBER: 448290093 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ All Primary & ☒ Non-Contributory GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PROJECT ☐ LOC OTHER:	Y	Y	ECP2037673-11	5/17/2023	5/17/2024	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$25,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
B	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY	Y	Y	S2527496	5/17/2023	5/17/2024	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	☐ UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$	Y	Y	FFX2037674-11	5/17/2023	5/17/2024	EACH OCCURRENCE \$9,000,000 AGGREGATE \$9,000,000 \$
A	☒ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y	N/A	WCA2037668-11	5/17/2023	5/17/2024	☒ PER STATUTE ☐ OTHER 3A: NJ & FL E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
A	☒ Professional Liability Contractors Pollution Liability Retro-Date: 06/17/1992	N	Y	ECP2037673-11 ECP2037673-11	5/17/2023 5/17/2023	5/17/2024 5/17/2024	Each Claim 1,000,000 Aggregate 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Additional Insured and Waiver of Subrogation as designated above is provided when required of the Named Insured by written contract or agreement.
Follow-Form Excess policy is excess over Commercial General Liability, Automobile Liability, Employer's Liability, Professional Liability and Contractor's Pollution Liability.

CERTIFICATE HOLDER

CANCELLATION

LEW Environmental Services LLC; LEW Corporation
NAETI Services LLC; Mainline Environmental LLC
Environmental Innovative Technologies
181 US Highway 46
Mine Hill, NJ 07803

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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181 US Hwy 46
Mine Hill, NJ 07803
(908) 654-8068
(800) 783-0567
Fax 908-654-8069

LEAD-BASED PAINT EVALUATION REPORT DWELLING UNIT(S) INSPECTION

Performed At:

[REDACTED]

Performed For:

[REDACTED]

Prepared By:

LEW Environmental Services, LLC.
181 US Hwy 46
Mine Hill, NJ 07803

Phone (908) 654-8068
Fax (908) 654-8069

Inspection Date: 08/23/2023
Project Number: 737

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Contact Information

Site

Name	
Street Address	
Year Of Construction	

Client

Name	
Contact	
Street	
Phone Number	

Site Evaluator

Site Evaluator	Joshua Ambrose
Certification Number	NJDHSS 013579
Instrumentation	Viken Pb200i Serial #1323
Signature	<i>Joshua Ambrose</i>
Date	August 23, 2023

Firm

Organization:	LEW Environmental Services, LLC.
Certification #:	NJDCA 00015E
Street:	181 US Hwy 46
City, State & Zip:	Mine Hill, NJ 07803
Phone Number:	908-654-8068
Web Address:	www.lewcorp.com



0X

Executive Summary

On 08/23/2023 Joshua Ambrose, of LEW Environmental Services, LLC. performed a lead-based paint inspection at [REDACTED]. Only dwelling unit and common area interiors were inspected. Exteriors were not part of the scope of services. The lead-based paint inspection sampling protocol that was applied follows "Inspections in Single-Family Housing" Chapter 7 of the HUD Guidelines (2012 revision) and the protocol as referenced in USEPA 40 CFR Part 745.227(b). See Appendix B Lead Paint Inspection Report for the complete set of X-Ray Fluorescence data. In addition to the HUD required inspection protocol, paint condition was noted.

The apartment unit A-Wall pertains to the wall that is in the same plane or closest to the street address of the property. Laundry room A-Wall pertains to the wall that holds the entrance door. The apartment building exterior A-Wall pertains to the side of the building that faces the street address.

The tables below indicate the location of the lead-based paint found. Each positive reading applies to all similar components in the same room equivalent (room, hall, stairwell, building exterior, etc.) For a lead-based paint free certification, the lead must be stripped or the leaded component replaced and confirmation achieved. Enclosure and encapsulation are not acceptable methods for a lead-based paint free certification.

Any component listed as "Deteriorated" in the table(s) below will require remediation per NJAC 5:28A using either abatement (permanent) or interim controls (temporary) in order to obtain a lead-safe certification. Abatement shall be performed by a NJ Licensed lead abatement firm using licensed lead abatement supervisors and workers. Interim control work shall be performed by EPA RRP certified firms using an EPA certified RRP Renovator. After completion of interim control work, a lead-based paint post-remediation with dust wipes will be required. After completion of abatement work, a lead-based paint abatement clearance will be required.

Apartment B Components with Lead Based Paint

Room Equivalent	Component	Substrate	Value (mg/cm ²)	Paint Condition
NONE				

Apartment D Components with Lead Based Paint

Room Equivalent	Component	Substrate	Value (mg/cm ²)	Paint Condition
NONE				

EPA 40 CFR 745.227(h) states lead-based paint is present on any surface that is tested and found to contain lead equal to or in excess of 1.0 milligrams per square centimeter or equal to or in excess of 0.5% by weight. Local thresholds may be lower than this Federal standard.

Regulatory Requirements

Required Disclosure

A summary of this lead-based paint evaluation report must be provided to new lessees (tenants). A complete copy of this report must be provided to purchasers and owners of this property and it must be made available to new tenants under federal law (24 CFR PART 35 AND 40 CFR PART 745) before they become obligated under a lease or sales contract. Landlords (lessors) and sellers are also required to distribute an educational pamphlet approved by the U.S. Environmental Protection Agency and include standard warning language in their leases or sales contracts to ensure that parents have the information they need to protect their children from lead-based paint hazards."

Should the recipient of this report receive federal subsidy they are responsible to comply with all requirements of 24 CFR Part 35 Requirements for the Notification, Evaluation and Reduction of Lead-Based Paint Hazards in Federally Owned Residential Property and Housing Receiving Federal Assistance; Final Rule which, are applicable to the type of program they are participating in and the dollar amount of subsidy being received. If this property or any of its tenants receives financial federal assistance, the results of the evaluation or hazard reduction activities must be provided by the designated party (client) to the owner of the referenced property and the occupants within 15 calendar days of the date when the designated party receives this report, or makes the presumption that lead-based paint hazards do exist.

Required Training for Workers

Should the lead-based paint and lead hazard reduction activities be part of a program which receives federal subsidy or a New Jersey multifamily building, all persons performing "Interim Controls" or "Standard Treatments" must be trained in accordance with 29 CFR 1926.59 and be supervised by an individual who successfully completed one of the following courses:

1. A lead-based paint abatement supervisors course accredited in accordance with 40 CFR 745.225
2. A lead-based paint abatement worker course accredited in accordance with 40 CFR 745.225
3. The lead-based paint Maintenance Training Program, "Work Smart, Work Wet, and Work Clean to Work Lead Safe", prepared by the National Environmental Training Association for EPA and HUD
4. "The Remodeler's and Renovator's Lead-Based Paint Training Program," prepared by HUD and the National Association of the Remodeling Industry
5. Another course approved by HUD for this purpose after consultation with EPA.

In accordance with Section 35.1340 all Lead-Based Paint and Lead Hazard reduction activities, which are not exempt (see regulations) require Lead Dust Wipe Clearance testing by a 1) certified lead inspector, 2) certified risk assessor or 3) a dust wipe sampling technician whose work is reviewed by a certified risk assessor.

If a renovation at the property is to occur, all work should comply with 40 CFR 745 Subpart E-Residential Property Renovation.

Controlling Lead-Based Paint

There are different options available for controlling lead-based paint. Each option has its own associated costs and benefits both short and long term. In most cases, a combination of the options can be implemented to reduce the possibility of lead contamination. LEW Environmental Services, LLC. strongly suggests that each option is thoroughly contemplated before beginning any activity.

Components that are found to be positive for lead-based paint should be checked for deterioration. Lead-based paint in deteriorated condition is considered a paint-lead hazard. Those components should be address as soon as possible using lead safe work practices at a minimum. However, if any components are found to test positive for lead based paint, they should be considered for future component removal or paint stripping.

Abatement for Lead-Based Paint Free Certification

Component Removal

Component removal is a permanent solution to the issue of potential exposure of lead. It requires taking the old lead-based painted component out and replacing it with a new non-lead painted component. The cost associated with this option depends mostly on the cost of the replacement component. Since labor is most often the more costly aspect of controlling lead issues, many owners choose component removal over more labor intensive methods. Components often chosen for removal are wood trim, windows, most doors, and exterior railings. Plaster and drywall ceilings and walls, fire rated doors, and wood porch components should also be considered.

Paint Stripping

Paint stripping is a permanent solution to the issue of potential exposure of lead. The paint can be removed either in-place or by an off-site processing facility. In-place removal can be mechanical or chemical. In-place paint stripping has the issue of proper disposal of the hazardous waste generated.

Mechanical stripping scrapes the paint off the substrate. Most times dry scraping is prohibited, but sanding or scraping can be done in conjunction with engineering controls to reduce airborne and settled lead dust. Power tools used to remove the paint must be equipped with a HEPA filtered shroud. Wetting a surface and hand scraping is also permitted. The components most often chosen for hand scraping are window and door jambs. Power tools are better equipped to handle larger surface areas.

Chemical stripping in-place uses strong chemicals to soften the paint for easier removal from the substrate. The chemicals are either very acidic or very basic, so proper training and protection for the worker is imperative. Generally, the chemicals must remain in-place overnight, so maintaining a secure worksite separate from occupants is mandatory.

Off site facilities use much stronger chemicals to remove the lead-based paint from the component. Components often chosen for off-site paint removal are intricate metal pieces. Sometimes this method is used for intricate wood work, but the stronger chemicals soften the wood and can drive lead into the wood while removing the paint.

Abatement to Control Lead-Based Paint Hazards

Enclosure

Enclosure is the option of sealing off the lead-based painted component by sealing it in with another building material. Such materials would include, but are not limited to; sheet rock, paneling, vinyl or aluminum siding and radiator covers, etc. Enclosure is not a permanent solution; and, if the enclosure material ever becomes disturbed, the lead-based paint is exposed. Depending on the building material used for enclosure, this can be an affordable option. Depending on the enclosure option taken it is possible that no lead abatement procedures need to be followed; but, of course, consult a professional before beginning.

Encapsulation

Encapsulation is the process of using an encapsulant-type of product that is applied over the lead-painted component. There are currently many different types of encapsulants on the market, and they come in many different forms. Some encapsulants are like stucco, some are like a two-part epoxy, some are like a heavy latex paint, and some are like a cement or plaster. Different types of encapsulants have different life expectancies and some come in different colors. None of the encapsulants are guaranteed forever, although some do come with a life or 10 to 20 year guarantee. To be considered a true lead abatement method according to the American Society of Testing Materials (ASTM) the encapsulant must meet their longevity criteria of at a minimum twenty (20) years. This option is not a permanent solution; and if the encapsulant ever becomes disturbed, the lead-based paint is exposed. Encapsulation is typically the least expensive option and has currently been accepted at the federal level as a viable and affordable option for lead abatement or in-place management, assuming the encapsulant meets the ASTM requirements for encapsulants.



Interim Control Options

An In-Place Management program is an on going set of measures designed to temporarily reduce human exposure or possible exposure and accessibility to lead-based paint hazards. Such measures include specialized cleaning, repairs, maintenance, paint stabilization, painting, temporary containment, and management and resident education programs. Monitoring, conducted by owners, and reevaluations conducted by professionals, are integral elements of interim controls. Interim controls include dust removal; paint film stabilization; treatment of friction and impact surfaces; installation of soil coverings, such as grass or sod; ground covering plants so as not to allow for easy accessibility, and land-use controls

Unlike Abatement, Interim Controls are considered to be temporary repairs and are not to be used as permanent solutions to lead-based hazards. Interim controls strategies are a very effective and cost saving program to substantially reduce the potential for lead poisoning. However, interim controls programs will only work and prove effective if reevaluation is continually performed. Reevaluation is the combination of a visual assessment and collection of environmental samples by a certified risk assessor on an on-going basis to determine if a previously implemented lead-based hazard control measure is still effective and if the dwelling remains lead-safe.

LEW Environmental Services, LLC. strongly suggests that HEPA vacuuming and Lead-Specific Cleaning detergent/LEDIZOLV wash downs should continue on a routine basis and a continual visual inspection/assessment and sample collection should be performed at least every 1 to 3 years, or until the dust levels continually remain below actionable levels.

Procedures & Methodology

Location Conventions

When reviewing Appendix A "Floor Plan" and Appendix B "Lead-Based Paint Evaluation Report", you will notice that the letters A, B, C, and D are used to identify the location of specific components. The key to correct orientation is the location of the "A" wall, which is depicted on the floor plan or in the Executive Summary. The "B" wall, "C" wall, and "D" wall run clockwise from the "A" wall. The Lead-Based Paint Evaluation Report lists this information under the "Wall" column. The "Location" column uses numbering of replicated components starting with "1" at left and continuing sequentially to right respectively to describe the location of the component while facing the wall identified.

Paint Testing

X-Ray Fluorescence

X-Ray Fluorescence (XRF) paint testing is performed to detect the presence of lead on painted surfaces. The XRF instrument is state-of-the art equipment. XRF testing is usually the preferred method of testing, because it is non-destructive, quantitative and can be performed on the spot with acceptable accuracy. LEW Environmental Services, LLC. 's evaluators follow the manufacturer's suggested use and the Performance Characteristic Sheet of the XRF instrument being used. The results of the XRF testing are the basis for drawing conclusions and making recommendations in the report.

All LEW Environmental Services, LLC. 's evaluators follow 40 CFR 745 and the HUD Guidelines for testing lead using an XRF instrument. All federal, state and city regulations are followed when applicable. The evaluator will test one of each and every different type of testing combination (component) in each room being surveyed. Each XRF reading is assigned an exclusive sample reference number and a measurement that is stored in the instrument. Each sample reference number location is logged on a PDA for future reference, testing location, and report generation. The above described testing format is followed unless otherwise not practical or if the evaluator's judgment decides to test in a different systematic approach.

The federal level for lead based paint testing is 1.0 mg/cm^2 . It should be noted that detected lead levels below current levels still could create lead dust or lead-contaminated soil hazards if the paint is turned into dust by abrasion, scraping, or sanding leading to possible elevated blood lead levels. Lead poisoning is a cumulative affect. Should a



child or an adult inhale or ingest sufficient quantities of low concentrations of leaded paint, dust, or soil, it will accumulate in the body's systems and could eventually cumulate to an elevated blood level of concern. Any untested building components should be considered lead-based paint until tested.

Calibration Check Readings

In addition to the manufacturer's recommended warm up and quality control procedures, LEW Environmental Services, LLC. collects quality control readings as recommended in the HUD Guidelines. Quality control for XRF instrumentation instruments involves readings to check calibration.

For each XRF instrument, one set of XRF calibration check readings are recommended at least every four hours. The first is a set of three nominal-time or source decay corrected time XRF calibration check readings to be taken before the inspection begins for the day. The second occurs either after the day's inspection work has been completed, or at least every four hours, whichever occurs first. LEW Environmental Services, LLC.'s XRF calibration check readings are taken on the Standard Reference Material (SRM) paint film nearest to 1.0 mg/cm² within the National Institute of Standards and Technology (NIST) SRM Used or the XRF manufacturer's factory supplied SRM film. Three readings are collected on the SRM. The average of the three readings on the SRM must be within the acceptable plus and minus tolerances for proper calibration as detailed in the Performance Characteristic Sheet (PCS). All calibration checks are taken with the SRM film positioned at least several inches away from any potential source of lead (LPA-1 XRF only reads 3/8" deep lead).

Three readings are taken each time calibration check readings are made, The readings are taken using the nominal time that is specified in the LPA-1's Performance Characteristic Sheet. The average of the readings are compared to the known value and if the average value is within the acceptable calibration check tolerance specified in the LPA-1's XRF Performance Characteristic Sheet the instrument is considered in control. If the average readings are not within the calibration check tolerance the instrument is not used until the instrument is brought back into control.

Paint Chips

Paint chips are taken for confirmation of lead based paint, or as a solution to inconclusive measurement recorded by the use of XRF testing. Paint chips are typically not taken unless absolutely necessary. On components that are right on the XRF action level, a paint chip is the only other way to get a conclusive determination as to the level of lead in the paint and if the component should be considered as actionable or not. Paint chips, when taken, are usually taken from an inconspicuous areas and tape and/or paint is placed over the removed paint location.

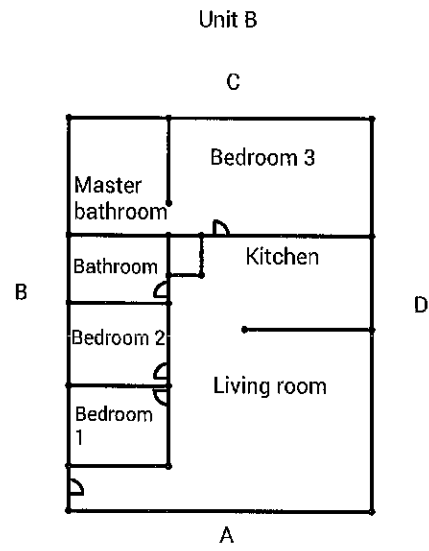
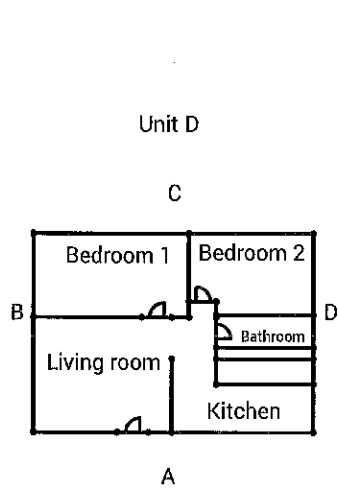
When the inspector collects paint-chip samples for analysis, they are analyzed by a laboratory recognized under the EPA's National Lead Laboratory Accreditation Program (NLLAP). Paint-chip samples contain all layers of paint (not just peeled layers) and must always include the bottom layer. If results will be reported in mg/cm², including a small amount of substrate with the sample will not significantly bias results. Substrate material should not, however, be included in samples reported in weight percent. Paint from 4 square inches (25 square centimeters) should provide a sufficient quantity for laboratory analysis. Smaller surface areas may be used, if the laboratory indicates that a smaller sample is acceptable.

Current action levels for lead in paint:

PAINT CHIP ACTION LEVELS BY PERCENT WEIGHT	0.5% OR 5000 parts per million
PAINT CHIP ACTION LEVELS BY WEIGHT PER AREA	Same as XRF action levels, may be state dependent

Appendix A

Floor Plan



Appendix B

Lead-Based Paint Evaluation Report

Apartment B was undergoing renovation during the lead inspection. LEW Inspector Joshua Ambrose tested all building components that were present.

Apartment B is missing result 29436. This XRF result was taken on a painted radiator pipe that did come back positive. After testing in multiple other locations, and getting negative results for each. Lew inspector Joshua Ambrose decided to remove XRF result 29436, due to it being a positive reading on solder associated with the pipe, not the paint.

Company Vikon Detection
Model Pb2001
Type XRF Lead Paint Analyzer
Serial Num 1835
App Ver: Pb2001.7.1.0

Job Id	Reading #	Concentration	Units	SSD Result	Calibrator	Action	Lev	Read Thru	NonSecs	Date	Time	User	Mode	Analytic Mode	Site Address	Unit #	Area	Room	Structure	Member	Substrate	Wall	Location	Condition
8230929	29307	1 mg/cm2	0.2	TRUE	1	FALSE	5	8/23/2023	9:33:18	LE.W	Action Level	Paint									Wood	D	1	Intact
8230929	29308	1 mg/cm2	0.2	TRUE	1	FALSE	5	8/23/2023	9:33:52	LE.W	Action Level	Paint									Wood	D	1	Intact
8230929	29309	1 mg/cm2	0.2	TRUE	1	FALSE	5	8/23/2023	9:34:36	LE.W	Action Level	Paint									Wood	D	1	Intact
8230929	29310	0.1 mg/cm2	0.2	TRUE	1	FALSE	2	8/23/2023	9:35:11	LE.W	Action Level	Paint									Wood	D	1	Intact
8230929	29311	0.1 mg/cm2	0.2	TRUE	1	FALSE	2	8/23/2023	9:35:28	LE.W	Action Level	Paint									Wood	D	1	Intact
8230929	29312	0.1 mg/cm2	0.2	TRUE	1	FALSE	2	8/23/2023	9:35:48	LE.W	Action Level	Paint									Wood	D	1	Intact
8230929	29313	0.1 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	9:37:50	LE.W	Action Level	Paint								Unit			
8230929	29314	0 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	9:38:04	LE.W	Action Level	Paint								Unit	Living Room	Door	
8230929	29315	0.2 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	9:38:32	LE.W	Action Level	Paint								Unit	Living Room	Door	Buck
8230929	29316	0 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	9:39:11	LE.W	Action Level	Paint								Unit	Living Room	Door	Frame
8230929	29317	0.2 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	9:39:48	LE.W	Action Level	Paint								Unit	Living Room	Window	Frame
8230929	29318	0.1 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	9:40:16	LE.W	Action Level	Paint								Unit	Living Room	Room	Wall
8230929	29319	0.2 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	9:41:28	LE.W	Action Level	Paint								Unit	Living Room	Room	Wall
8230929	29320	0.1 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	9:42:09	LE.W	Action Level	Paint								Unit	Living Room	Room	Wall
8230929	29321	0.2 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	9:42:41	LE.W	Action Level	Paint								Unit	Living Room	Room	Wall
8230929	29322	0.1 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	9:43:05	LE.W	Action Level	Paint								Unit	Living Room	Room	Wall
8230929	29323	0 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	9:43:46	LE.W	Action Level	Paint								Unit	Living Room	Room	Baseboard
8230929	29324	0.1 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	9:44:27	LE.W	Action Level	Paint								Unit	Kitchen	Room	Baseboard
8230929	29325	0.3 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	9:45:30	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
8230929	29326	0.3 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	9:45:54	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
8230929	29327	0.3 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	9:46:26	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
8230929	29328	0 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	9:46:52	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
8230929	29329	0.2 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	9:47:22	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
8230929	29330	0.2 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	9:48:11	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
8230929	29331	0.3 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	9:48:45	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
8230929	29332	0 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	9:49:10	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
8230929	29333	0.2 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	9:50:07	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
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8230929	29336	0.2 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	10:16:44	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
8230929	29337	0.1 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	10:17:21	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
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8230929	29339	0.2 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	10:18:19	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
8230929	29340	0.3 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	10:18:43	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
8230929	29341	0.1 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	10:19:12	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
8230929	29342	0.2 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	10:19:38	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
8230929	29343	0.1 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	10:20:24	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
8230929	29344	0 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	10:20:50	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
8230929	29345	0 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	10:21:27	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
8230929	29346	0.1 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	10:22:25	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
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8230929	29348	-0.2 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	10:23:17	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
8230929	29349	0.2 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	10:23:50	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
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8230929	29351	0.1 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	10:24:37	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
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8230929	29353	0 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	10:25:30	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
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8230929	29359	0 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	10:29:33	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
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8230929	29361	0.1 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	10:31:00	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
8230929	29362	0.2 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	10:31:31	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
8230929	29363	0 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	10:32:02	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
8230929	29364	0 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	10:32:28	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
8230929	29365	0.1 mg/cm2	0.2	Negative	FALSE	1	FALSE	2	8/23/2023	10:32:53	LE.W	Action Level	Paint								Unit	Kitchen	Room	Wall
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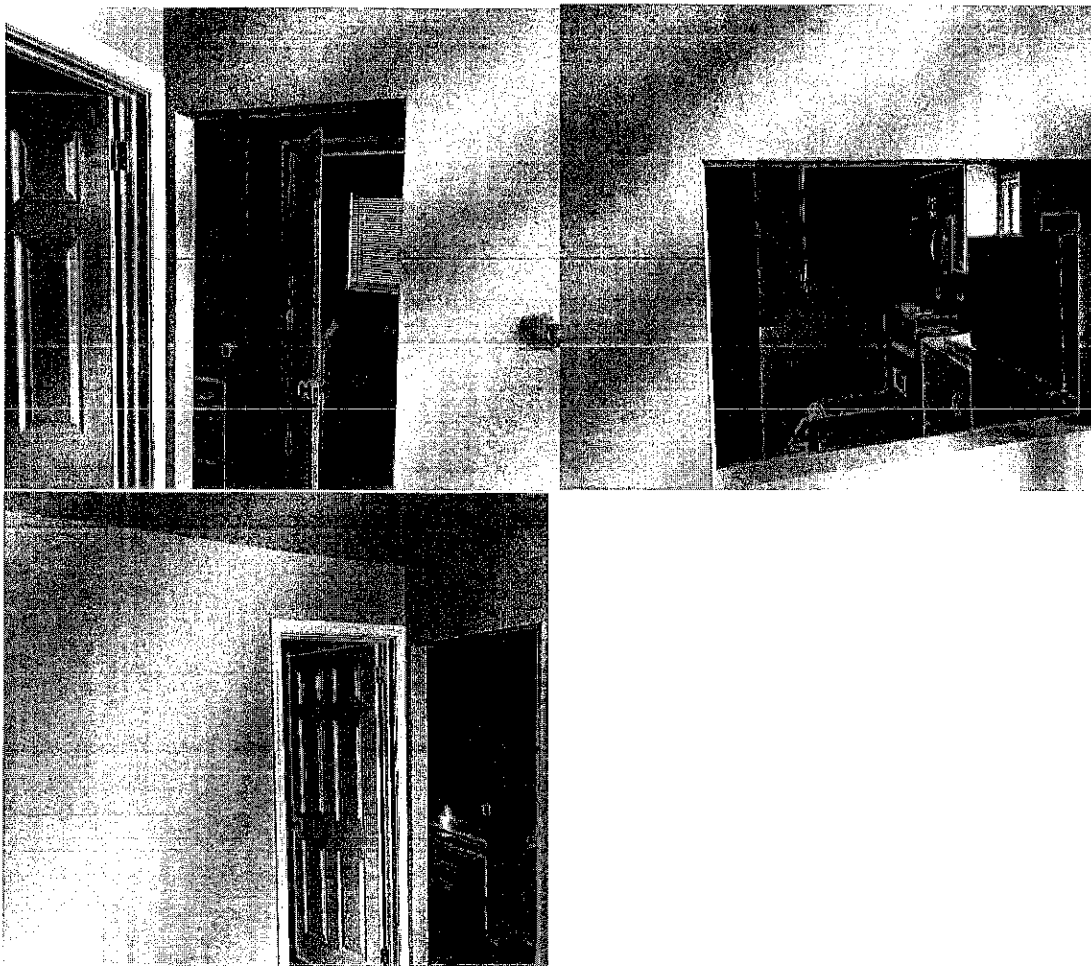
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8230929	25368	0.2 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:35:07 L.E.W	Action Level	Paint	D	Unit	Bathroom	Cabinets	Frame	Wood	C	1	Intact
8230929	25369	0.1 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:35:55 L.E.W	Action Level	Paint	D	Unit	Bathroom	Room	Ceiling	Wood	C	1	Intact
8230929	25370	0.2 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:39:16 L.E.W	Action Level	Paint	D	Unit	Living Room/Kitchen	Room	Ceiling	Drywall	C	1	Intact
8230929	25371	0.2 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:39:59 L.E.W	Action Level	Paint	D	Unit	Living Room/Kitchen	Room	Wall	Drywall	D	1	Intact
8230929	25372	0.1 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:40:51 L.E.W	Action Level	Paint	D	Unit	Living Room/Kitchen	Window	Sill	Wood	D	1	Intact
8230929	25373	0.1 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:41:23 L.E.W	Action Level	Paint	D	Unit	Living Room/Kitchen	Window	Casing	Wood	D	1	Intact
8230929	25374	0.3 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:41:57 L.E.W	Action Level	Paint	D	Unit	Living Room/Kitchen	Room	Wall	Drywall	D	1	Intact
8230929	25375	0.2 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:42:43 L.E.W	Action Level	Paint	D	Unit	Living Room/Kitchen	Door		Wood	B	1	Intact
8230929	25376	0.1 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:43:18 L.E.W	Action Level	Paint	D	Unit	Living Room/Kitchen	Door	Casing	Wood	B	1	Intact
8230929	25377	0 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:43:48 L.E.W	Action Level	Paint	D	Unit	Living Room/Kitchen	Door	Jamb	Wood	B	1	Intact
8230929	25378	0.2 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:44:54 L.E.W	Action Level	Paint	D	Unit	Living Room/Kitchen	Room	Wall	Drywall	B	1	Intact
8230929	25379	0.2 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:45:50 L.E.W	Action Level	Paint	D	Unit	Living Room/Kitchen	Room	Wall	Drywall	C	1	Intact
8230929	25380	0.2 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:46:15 L.E.W	Action Level	Paint	D	Unit	Living Room/Kitchen	Radiator	Baseboard	Metal	C	1	Intact
8230929	25381	0.1 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:46:15 L.E.W	Action Level	Paint	D	Unit	Living Room/Kitchen	Cabinets	Frame	Wood	C	1	Intact
8230929	25382	0.2 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:47:08 L.E.W	Action Level	Paint	D	Unit	Bathroom 1	Radiator	Baseboard	Metal	A	1	Intact
8230929	25383	0.1 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:48:15 L.E.W	Action Level	Paint	D	Unit	Bathroom 1	Closet	Door Casing	Wood	A	1	Intact
8230929	25384	0.1 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:48:55 L.E.W	Action Level	Paint	D	Unit	Bathroom 1	Closet	Wall	Drywall	A	1	Intact
8230929	25385	0.2 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:49:23 L.E.W	Action Level	Paint	D	Unit	Bathroom 1	Closet	Shelf Support	Drywall	A	1	Intact
8230929	25386	0.1 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:50:04 L.E.W	Action Level	Paint	D	Unit	Bathroom 1	Window	Casing	Wood	B	1	Intact
8230929	25387	0.1 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:50:34 L.E.W	Action Level	Paint	D	Unit	Bathroom 1	Window	Frame	Wood	B	1	Intact
8230929	25388	0 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:51:01 L.E.W	Action Level	Paint	D	Unit	Bathroom 1	Window	Sill	Wood	B	1	Intact
8230929	25389	0 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:51:56 L.E.W	Action Level	Paint	D	Unit	Bathroom 1	Door		Wood	D	1	Intact
8230929	25390	0.2 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:52:29 L.E.W	Action Level	Paint	D	Unit	Bathroom 1	Door	Casing	Wood	D	1	Intact
8230929	25391	0.4 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:53:55 L.E.W	Action Level	Paint	D	Unit	Bathroom 1	Door	Jamb	Wood	D	1	Intact
8230929	25392	0.2 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:53:50 L.E.W	Action Level	Paint	D	Unit	Bathroom 1	Room	Wall	Drywall	D	1	Intact
8230929	25393	0.3 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:55:55 L.E.W	Action Level	Paint	D	Unit	Bathroom 1	Room	Wall	Drywall	A	1	Intact
8230929	25394	0.2 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:54:17 L.E.W	Action Level	Paint	D	Unit	Bathroom 1	Room	Wall	Drywall	B	1	Intact
8230929	25395	0.2 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:54:40 L.E.W	Action Level	Paint	D	Unit	Bathroom 1	Room	Wall	Drywall	C	1	Intact
8230929	25396	0 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:55:05 L.E.W	Action Level	Paint	D	Unit	Bathroom 1	Room	Ceiling	Drywall	C	1	Intact
8230929	25397	0.2 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:55:35 L.E.W	Action Level	Paint	D	Unit	Bathroom 2	Room	Ceiling	Drywall	C	1	Intact
8230929	25398	0.3 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:56:09 L.E.W	Action Level	Paint	D	Unit	Bathroom 2	Room	Wall	Drywall	A	1	Intact
8230929	25399	0.2 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:56:27 L.E.W	Action Level	Paint	D	Unit	Bathroom 2	Room	Wall	Drywall	B	1	Intact
8230929	25400	0.2 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:56:52 L.E.W	Action Level	Paint	D	Unit	Bathroom 2	Room	Wall	Drywall	C	1	Intact
8230929	25401	0.1 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:57:15 L.E.W	Action Level	Paint	D	Unit	Bathroom 2	Room	Wall	Drywall	D	1	Intact
8230929	25402	0 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:57:53 L.E.W	Action Level	Paint	D	Unit	Bathroom 2	Closet	Wall	Drywall	C	1	Intact
8230929	25403	0.2 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:58:23 L.E.W	Action Level	Paint	D	Unit	Bathroom 2	Closet	Shelf Support	Drywall	C	1	Intact
8230929	25404	0 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:58:49 L.E.W	Action Level	Paint	D	Unit	Bathroom 2	Closet	Shelf	Wood	C	1	Intact
8230929	25405	0.1 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:59:18 L.E.W	Action Level	Paint	D	Unit	Bathroom 2	Radiator	Baseboard	Metal	B	1	Intact
8230929	25406	0 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	10:59:54 L.E.W	Action Level	Paint	D	Unit	Bathroom 2	Window	Casing	Wood	B	1	Intact
8230929	25407	0.1 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:00:32 L.E.W	Action Level	Paint	D	Unit	Bathroom 2	Window	Sill	Wood	B	1	Intact
8230929	25408	0 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:00:58 L.E.W	Action Level	Paint	D	Unit	Bathroom 2	Window	Frame	Wood	B	1	Intact
8230929	25409	0.1 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:01:25 L.E.W	Action Level	Paint	D	Unit	Bathroom 2	Window	Sill	Wood	B	1	Intact
8230929	25410	0.1 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:01:54 L.E.W	Action Level	Paint	D	Unit	Bathroom 2	Door		Wood	D	1	Intact
8230929	25411	0.1 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:02:36 L.E.W	Action Level	Paint	D	Unit	Bathroom 2	Door	Jamb	Wood	D	1	Intact
8230929	25412	0.1 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:03:01 L.E.W	Action Level	Paint	D	Unit	Bathroom 2	Door	Casing	Wood	D	1	Intact
8230929	25413	0.2 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:03:39 L.E.W	Action Level	Paint	D	Unit	Bathroom 2	Door	Casing	Wood	A	1	Intact
8230929	25414	0.2 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:07:59 L.E.W	Action Level	Paint	D	Unit	Bathroom 2	Door		Wood	A	1	Intact
8230929	25415	0.2 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:08:29 L.E.W	Action Level	Paint	D	Unit	Bathroom 2	Radiator	Baseboard	Metal	B	1	Intact
8230929	25416	0.1 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:09:42 L.E.W	Action Level	Paint	D	Unit	Bathroom 3	Window	Casing	Metal	B	1	Intact
8230929	25417	0 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:10:13 L.E.W	Action Level	Paint	D	Unit	Bathroom 3	Room	Ceiling	Drywall	B	1	Intact
8230929	25418	0.1 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:10:45 L.E.W	Action Level	Paint	D	Unit	Bathroom 3	Room	Ceiling	Drywall	B	1	Intact
8230929	25419	0.3 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:10:45 L.E.W	Action Level	Paint	D	Unit	Bathroom 3	Room	Wall	Drywall	A	1	Intact
8230929	25420	0 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:11:31 L.E.W	Action Level	Paint	D	Unit	Bathroom 3	Room	Wall	Drywall	A	1	Intact
8230929	25421	0 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:11:58 L.E.W	Action Level	Paint	D	Unit	Bathroom 3	Room	Wall	Drywall	C	1	Intact
8230929	25422	0.3 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:12:24 L.E.W	Action Level	Paint	D	Unit	Bathroom 3	Room	Wall	Drywall	C	1	Intact
8230929	25423	0.1 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:12:48 L.E.W	Action Level	Paint	D	Unit	Bathroom 3	Room	Wall	Drywall	D	1	Intact
8230929	25424	0.1 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:13:37 L.E.W	Action Level	Paint	D	Unit	Bathroom 3	Window	Casing	Wood	D	1	Intact
8230929	25425	0.2 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:14:05 L.E.W	Action Level	Paint	D	Unit	Bathroom 3	Window	Sill	Wood	D	1	Intact
8230929	25426	0 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:14:31 L.E.W	Action Level	Paint	D	Unit	Bathroom 3	Window	Frame	Wood	D	1	Intact
8230929	25427	0.2 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:15:14 L.E.W	Action Level	Paint	D	Unit	Bathroom 3	Radiator	Baseboard	Metal	D	1	Intact
8230929	25428	0.1 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:15:51 L.E.W	Action Level	Paint	D	Unit	Bathroom 3	Door		Wood	A	1	Intact
8230929	25429	0.4 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:16:38 L.E.W	Action Level	Paint	D	Unit	Bathroom 3	Door		Wood	A	1	Intact
8230929	25430	0.2 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:17:04 L.E.W	Action Level	Paint	D	Unit	Master Bathroom	Room	Wall	Drywall	A	1	Intact
8230929	25431	0.2 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:17:33 L.E.W	Action Level	Paint	D	Unit	Master Bathroom	Room	Wall	Drywall	B	1	Intact
8230929	25432	0.2 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:17:56 L.E.W	Action Level	Paint	D	Unit	Master Bathroom	Room	Wall	Drywall	C	1	Intact
8230929	25433	0.1 mg/cm2	0.2 Negative	FALSE	1	FALSE	2/8/23/2023	11:18:25 L.E.W	Action Level	Paint	D	Unit	Master Bathroom	Room	Ceiling	Drywall	D	1	Intact

8230929	29434	0.2 mg/cm2	0.2 Negative	FALSE	1	FALSE	2	8/23/2023	11:19:00	L.E.W	Action Level	Paint	0	Unit	Master Bathroom	Window	Casing	Metal	B	1	Intact
8230929	29435	0 mg/cm2	0.2 Negative	FALSE	1	FALSE	2	8/23/2023	11:19:43	L.E.W	Action Level	Paint	0	Unit	Master Bedroom	Radiator	Baseboard	Metal	B	1	Intact
8230929	29437	0 mg/cm2	0.2 Negative	FALSE	1	FALSE	2	8/23/2023	11:22:29	L.E.W	Action Level	Paint	0	Unit	Bedroom 3	Pipe	Vertical	Metal	B	1	Intact
8230929	29438	0.5 mg/cm2	0.2 Negative	FALSE	1	FALSE	2	8/23/2023	11:24:31	L.E.W	Action Level	Paint	0	Unit	Bedroom 1	Pipe	Vertical	Metal	B	1	Intact
8230929	29439	0.1 mg/cm2	0.2 Negative	FALSE	1	FALSE	2	8/23/2023	11:25:24	L.E.W	Action Level	Paint	0	Unit	Master Bathroom	Pipe	Vertical	Metal	B	1	Intact
8230929	29440	0 mg/cm2	0.2 Negative	FALSE	1	FALSE	2	8/23/2023	11:26:08	L.E.W	Action Level	Paint	0	Unit	Master Bathroom	Pipe	Vertical	Metal	B	1	Intact
8230929	29441	1 mg/cm2	0.2	TRUE	1	FALSE	5	8/23/2023	11:26:59	L.E.W	Action Level	Paint	0					Wood	B	1	Intact
8230929	29442	1 mg/cm2	0.2	TRUE	1	FALSE	5	8/23/2023	11:27:36	L.E.W	Action Level	Paint	0					Wood	B	1	Intact
8230929	29443	1 mg/cm2	0.2	TRUE	1	FALSE	5	8/23/2023	11:28:10	L.E.W	Action Level	Paint	0					Wood	B	1	Intact
8230929	29444	0 mg/cm2	0.2	TRUE	1	FALSE	2	8/23/2023	11:28:45	L.E.W	Action Level	Paint	0					Wood	B	1	Intact
8230929	29445	0 mg/cm2	0.2	TRUE	1	FALSE	2	8/23/2023	11:29:01	L.E.W	Action Level	Paint	0					Wood	B	1	Intact
8230929	29446	0.1 mg/cm2	0.2	TRUE	1	FALSE	2	8/23/2023	11:29:18	L.E.W	Action Level	Paint	0					Wood	B	1	Intact

Appendix C

Photographs





Lead - FREE
CERTIFICATE
LEAD - FREE (INTERIOR) ONLY

It is hereby certified that a lead based paint inspection, has been performed, and the results of this inspection indicate that no lead in the amount greater than or equal to 1.0 mg/cm² or greater than 0.5 % by weight in paint, was found on any building component using the protocols outlined in N.J.A.C. 5:17-3.2(c). Therefore, the dwelling(s) identified below qualify for the following exemption.

- ☐ N.J.A.C. 5:10-1.12(h)4 (Additional Lead Paint Fee) BHI Registration Number: N/A
- ☐ N.J.A.C. 5:10-6.6 (Lead-Safe Maintenance)
- ☐ N.J.A.C. 5:27-4.10(a)1 OR N.J.A.C. 5:15-4.2(c) (Rooming & Boarding OR Emergency Shelters) Facility ID: _____
- ☒ N.J.A.C. 5:28-2.1(a) State Housing Code
- ☐ CHILD OCCUPIED FACILITY (Daycare Centers, Preschools, etc.) PURSUANT TO N.J.A.C. 5:17

Site Address: _____ County: Ocean County Block: _____ Lot: _____

Applicable Units or Common Areas: All dwelling units and common areas

Name of Inspector / Risk Assessor: Joshua Ambrose NJDOH ID #: 039673

Name of Evaluation Contractor: LEW Environmental Services, LLC NJDCA CERT. #: 00015

Address of Evaluation Contractor: 181 US Hwy 46, Mine Hill, NJ 07803 Phone #: (908) 654-8068

Date(s) of Inspection: 08/23/2023 TO 08/23/2023

Date Certificate Issued: 08/24/2023 Signature of Inspector / Risk Assessor: Joshua Ambrose

THIS CERTIFICATE SHOULD BE KEPT BY THE OWNER AND TRANSFERRED TO ALL FUTURE OWNERS FOR LIFE OF STRUCTURE

Lead - FREE CERTIFICATE

It is hereby certified that a lead based paint inspection, has been performed, and the results of this inspection indicate that no lead in the amount greater than or equal to 1.0 mg/cm² or greater than 0.5 % by weight in paint, was found on any building component using the protocols outlined in **N.J.A.C. 5:17-3.2(c)**. Therefore, the dwelling(s) identified below qualify for the following exemption.

- ☐ **N.J.A.C. 5:10-1.12(h)4** (Additional Lead Paint Fee) BHI Registration Number: N/A
- ☐ **N.J.A.C. 5:10-6.6** (Lead-Safe Maintenance)
- ☐ **N.J.A.C. 5:27-4.10(a)1 OR N.J.A.C. 5:15-4.2(c)** (Rooming & Boarding OR Emergency Shelters) Facility ID: _____
- ☒ **N.J.A.C. 5:28-2.1(a)** State Housing Code
- ☐ **CHILD OCCUPIED FACILITY (Daycare Centers, Preschools, etc.)** **PURSUANT TO N.J.A.C. 5:17**

Site Address: _____ County: Ocean County Block: _____ Lot: _____

Applicable Units or Common Areas: All dwelling units and common areas

Name of Inspector / Risk Assessor: Joshua Ambrose NJDOH ID #: 039673

Name of Evaluation Contractor: LEW Environmental Services, LLC NJDCA CERT. #: 00015

Address of Evaluation Contractor: 181 US Hwy 46, Mine Hill, NJ 07803 Phone #: (908) 654-8068

Date(s) of Inspection: 08/23 / 2023 TO 08/23 / 2023

Date Certificate Issued: 08/24/2023 Signature of Inspector / Risk Assessor: Joshua Ambrose

THIS CERTIFICATE SHOULD BE KEPT BY THE OWNER AND TRANSFERRED TO ALL FUTURE OWNERS FOR LIFE OF STRUCTURE



**SAMPLE
LEAD
INSPECTION
REPORTS**



181 US Hwy 46
Mine Hill, NJ 07830
(908) 654-8068
(800) 783-0567
Fax 908-654-8069

Visual Paint Assessment Report

03/13/2024

On 03/12/24, LEW Environmental Services, LLC (NJPCA 00015 E) performed a visual paint condition assessment for the presence of deteriorated paint, chips or dust from painting activities and paint residue on floors at [REDACTED] (the "property") in compliance with NJAC 5:28A. Only the dwelling and common area interiors were included. Exteriors were not part of the assessment. The visual assessment followed the protocols found in HUD's Visual Assessment Training course.

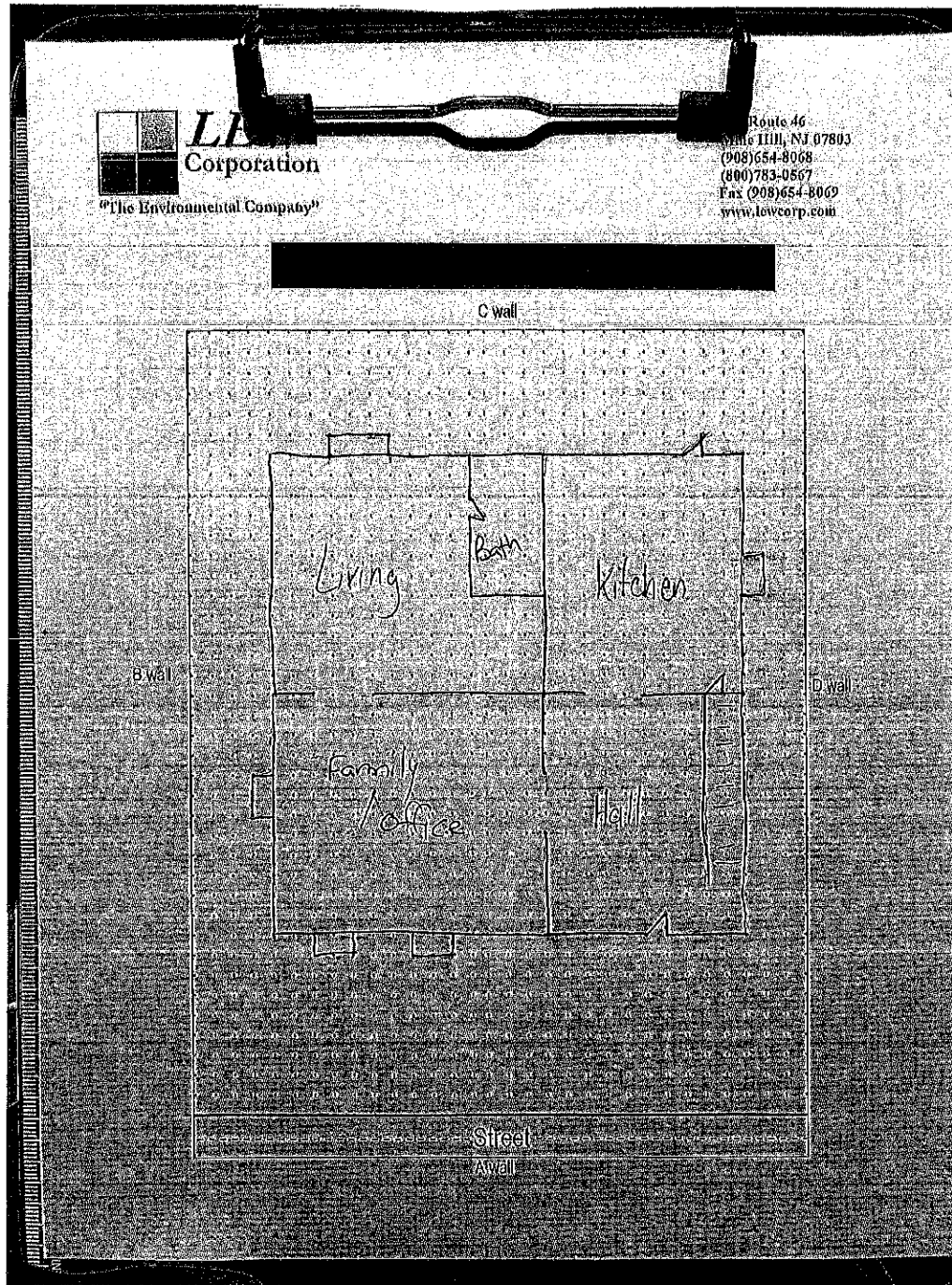
No deteriorated paint, chips or dust from painting activities or paint residue on floors were observed in the dwelling unit. The property is eligible for a lead-safe certificate per NJAC 5:28A. Certificate enclosed

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Nyire Grant", is written over a white background.

Nyire Grant
EPA Dust Wipe Technician, ID#D-I-T233827-23-00185
Encl: Floor Plan, Lead-safe Certificate;

Floor Plan(s)



Floor 1

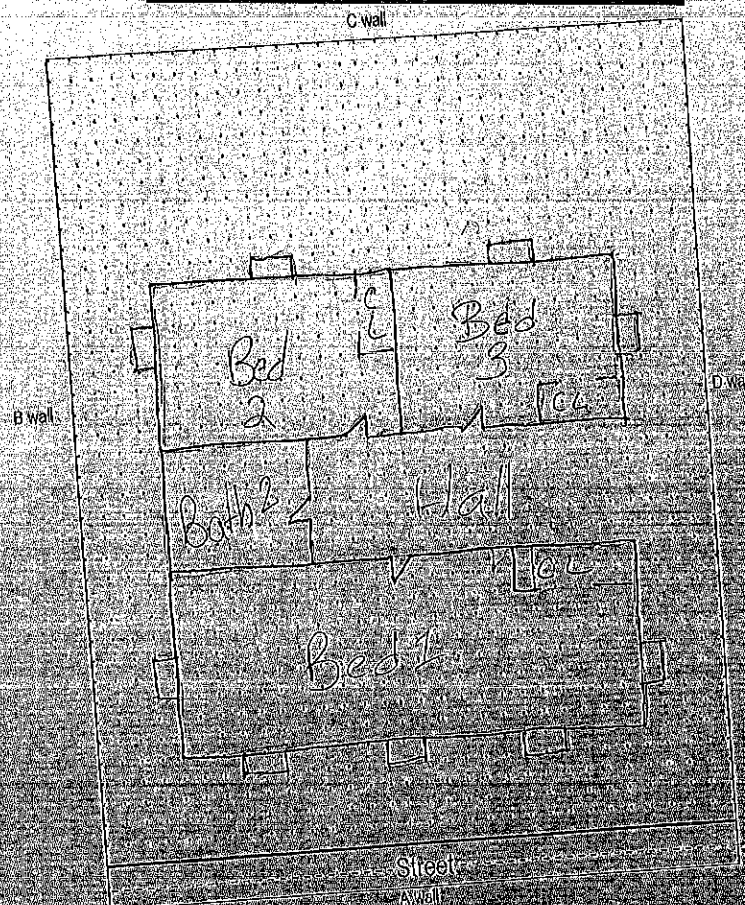
Low Environmental Services - [REDACTED]
Prepared By: LEW Environmental Services, LLC
03/13/2024



LEW
Corporation

"The Environmental Company"

Route 46
White Hill, NJ 07803
(908) 654-8068
(800) 783-0567
Fax (908) 654-8069
www.lewcorp.com



Floor 2

Low Environmental Services

Prepared By: LEW Environmental Services, LLC

03/13/2024



Lead Safe Certificate

It is hereby certified that a lead based paint visual inspection and/or dust wipe sampling has been performed in accordance with the protocols referenced in N.J.A.C. 5:17, and the results of which indicate that no lead-based paint hazards have been found in the dwelling unit listed below. It shall be the owner's responsibility to perform any required on-going evaluation and maintenance to ensure that the dwelling unit remain in a Lead - Safe condition. PURSUANT TO P.L.2003, c.311 (C.52:27D-437.1 et. seq.)

This certificate is **Valid For Two Years**

Site Address

56

Block

4

Lot

Applicable Dwelling Unit: **46 1st St**

(CERTIFICATE IS VALID FOR A DWELLING UNIT AND SHALL BE AFFIXED TO LEASE)

Insp/RA Name: Greg Krueger

Evaluation Contractor #: 00015-E

Phone: 908-654-8068

013865

Signature

ID#

Contractor Name:

Low Environmental Services, LLC

Contractor Address:

181 US Hwy 46

Mine Hill, NJ 07830

Date Issued:

03/12/24

(mm/dd/yyyy)

Nyire Grant

D-I-T233827-23-00185

Technician Signature

Technician Name ID#

Exhibit “C”



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO BOX 051
TRENTON, NJ 08625-0051

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lieutenant Governor

JACQUELYN A. SUÁREZ
Acting Commissioner

December 26, 2023

Contact: Susan McCartney

Municipality: Township of West Orange

Re: Lead Grant Assistance Program

Revision #: 0722 -01

Total Award Amount: \$ 45,400.00

Dear Mayor McCartney:

The New Jersey Department of Community Affairs (Department) hereby revises Agreement Number 0722 between the Department and Township of West Orange. The new Agreement Number is 0722 -01, effective January 1, 2024.

The purpose of this revision is to modify the grant/loan award period of the Agreement. The revised grant/loan award period is contained on the attached revised 'AGREEMENT DATA SHEET'.

Should you have any questions regarding this matter, please do not hesitate to contact me at 609-913-4407 or by e-mail at Tiziana.Johnston@dca.nj.gov.

Sincerely,

Tiziana Johnston

Tiziana Johnston
Contract Administrator
Department of Community Affairs
Division of Local Government Services



GRANT AGREEMENT DATA SHEET**PROJECT INFORMATION**

FUNDING PROGRAM NAME: Lead Grant Assistance Program (LGAP) 2023

RECIPIENT INFORMATIONAGENCY NAME: Township of West OrangeADDRESS: 66 Main StreetWest OrangeNew Jersey 07052CHIEF FINANCIAL OFFICER: John O. GrossVENDOR ID #: [REDACTED]TELEPHONE NUMBER: (973) 525-4050**STATE INFORMATION**

DEPARTMENT: COMMUNITY AFFAIRS
DIVISION: Local Government Services
ADDRESS: 101 South Broad Street
P. O. Box 803
Trenton, NJ 08625-0803

CONTACT PERSON: Tiziana Johnston
TELEPHONE NUMBER: (609) 913-4407

FUNDING AMOUNT AND SOURCE OF FUNDSGRANT AWARD TOTAL \$ 45,400.00**GRANT/LOAN AWARD PERIOD**

GRANT/LOAN AWARD PERIOD: January 01, 2023 THROUGH June 30, 2024

LENGTH OF AWARD PERIOD: 1 Year, 6 Months

LIQUIDATION OF OBLIGATIONS MUST BE MADE BY: June 30, 2024

PURPOSE OF GRANT/LOAN

This award will provide funding for implementation of LGAP Program for the Municipality

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Financial and Performance Reporting

- A. The grant budget as used in this Section means the financial plan to carry out the purpose of the grant which is to assist municipalities by helping offset the costs of compliance with the obligations imposed on them by P.L. 2021, c. 182.
- B. The Grantee is required to submit a final expenditure report at the conclusion of the grant period. The expenditure report file is to include expense supporting documentation that includes: copies of employee cumulative payment registers, copies of PO's, vendor invoices and cancelled checks front & back for period of 1/1/2023 through 12/31/2023 was originally due by 1/15/2024 and has been extended to 6/30/24.
- C. The grantee is required to submit a final progress report detailing the number of household inspections and results undertaken under this grant for the period of 1/1/2023 through 6/30/2024 by July 15, 2024.
- D. If reports are not submitted as required, the Department may, at its discretion, rescind the grant resulting in the grantee's requirement to reimburse the Department for grant funds awarded. The State of New Jersey may, at its discretion, take such action to withhold payments to the Grantees on any grant with other State agencies until the required reports have been submitted.

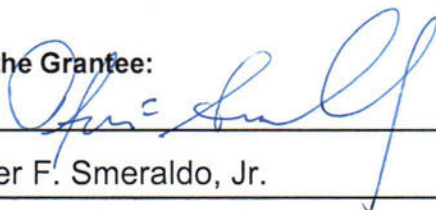
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DCA AND GRANTEE APPROVAL SIGNATURES

EXECUTION SIGNATURES

By the signatures below, the Grantee and DCA (the "parties") execute this updated agreement and confirm that they are mutually bound by all provisions contained herein and are fully authorized and empowered to enter into and bind their organization to all obligations under this agreement.

For the Grantee:

By:  (signature) (authorized delegate)

Peter F. Smeraldo, Jr. (print name)

Assistant Business Administrator (print title)

Date: 01/02/2024

For DCA:

By: _____ (signature)

(Commissioner or authorized delegate)

Jacquelyn A. Suárez

Acting Commissioner, Department of Community Affairs

Director, Division of Local Government Services

Date: _____



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 800
TRENTON, NJ 08625-0800
(609) 292-6420

PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

GRANT AGREEMENT

P.L. 2021, CHAPTER 182 LEAD GRANT ASSISTANCE PROGRAM

STATE OF NEW JERSEY

DEPARTMENT OF COMMUNITY AFFAIRS

This grant agreement is entered into between the New Jersey Department of Community Affairs (hereafter referred to as "DCA") and Township of West Orange (hereafter referred to as "Grantee"). DCA and Township of West Orange may be referred to individually as "Party" and jointly as "Parties."

Grant Number 0722

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WHEREAS, effective July 22, 2022, the Legislature enacted P.L. 2021, c. 182, “An Act concerning certain lead-based paint hazard, and residential rental property, and establishing lead-based paint hazard programs, supplementing P.L. 2003, c. 311 (C. 52:27D-437.1 et al.) amending various parts of the statutory law, and making an appropriation;” and

WHEREAS, pursuant to N.J.S.A. 52:27D-437.16(b)(1), a municipality that maintains a permanent local agency for the purpose of conducting inspections and enforcing laws, ordinances, and regulations concerning buildings and structures, is required to inspect for lead-based paint hazards certain specified single-family, two-family, and multiple rental dwellings, at the time periods set forth in the statute; and

WHEREAS, pursuant to N.J.S.A. 52:27D-437.16(b)(2) a municipality that does not maintain such a permanent local agency must hire a lead evaluation contractor, certified to provide lead paint inspection services by DCA, or enter a shared services agreement as permitted by law, for the purpose of conducting the inspections for lead-based paint hazards; and

WHEREAS, the inspection may consist of a visual inspection, or in the alternative through dust wipe sampling, depending upon the blood lead level of children six years of age or younger within the municipality; and

WHEREAS, the State of New Jersey, pursuant to Section 9 of P.L. 2021, c. 182, has, “appropriated from the General Fund to [DCA] the sum of \$3,900,000 to effectuate the purposes of P.L. 2021, c. 182 (C. 52:27D-437.16).” Further, pursuant to the FY 2023 Appropriations Act (P.L. 2022, Chapter 49), DCA received a grant-in-aid amount of \$3,900,000 for P.L. 2021, c. 182, for a total of \$7,800,000 in funding to effectuate the purpose of the Act; and

WHEREAS, DCA has allocated \$7,000,000 of this appropriation to the development the Lead Grant Assistance Program (“LGAP”) for the issuance of grant funds to municipalities for the purpose of assisting in municipal compliance with P.L. 2021, c. 182.

WHEREAS, DCA has determined that Grantee is eligible to receive [\$ 45,400] from the LGAP.

NOW, THEREFORE, pursuant to the terms of this grant agreement, DCA hereby grants [\$\$\$\$] 45,400 to the Grantee to be used for the purposes described herein.

GENERAL

I. Grant Agreement Data

Grantee Information

1. Grantee’s Name:

Township of West Orange

2. Grantee Address:

66 Main Street, West Orange, New Jersey, 07052

3. Financial Officer’s Name and Title:

John Gross, Chief of Staff/Chief Financial Officer/Comptroller

Grant Agency Information

1. Granting Agency Name:

New Jersey Department of Community Affairs

Division of Local Government Services

2. Granting Agency Address

101 South Broad Street

Trenton NJ 08625 -803

3. Grant Officer Name, Email Address and Phone Number

Tiziana, Johnston, tiziana.johnston@dca.nj.gov, (609) 913- 4407

Grant Amount

Total amount of grant: \$45,400

State Account Number: 23-100-022-8020-304

I. Compliance with Existing Laws

- A. The Grantee, in order to permit DCA to award this grant, agrees to comply with all Federal, State and municipal laws, rules, and regulations generally applicable to the activities in which the Grantee is engaged in the performance of this grant.
- B. These laws and regulations include, but are not limited to the following:
 - 1. Federal Office of Management and Budget (OMB) documents:
<http://www.whitehouse.gov/omb/circulars/>
 - 2. New Jersey Department of the Treasury, Office of Management and Budget documents:
 - i. Circular Letter 15-18-OMB, Single Audit Policy for Recipients of Federal Grants, State Grants and State Aid:
<http://www.state.nj.us/infobank/circular/cir0404b.htm>
 - ii. State Grant Compliance Supplement:
<http://www.state.nj.us/treasury/omb/publications/grant/index.shtml>
 - 3. State Affirmative Action Legal Citations: The Grantee agrees to require its contractors to comply with the requirements of N.J.A.C. 17:27, applicable provisions of N.J.S.A 10:5, et. al., and P.L. 1975, c.127 and all implementing regulations.
- C. Failure to comply with the laws, rules and regulations shall be grounds for termination of this grant.

II. Bonding and Insurance

The Grantee must maintain in force for the term of this grant agreement all levels of minimum liability coverage required by law. The Grantee must provide proof of such coverage to DCA upon request.

III. Indemnification

The Grantee shall be solely responsible for and shall keep, save, and hold the State of New Jersey harmless from all claims, loss, liability, expense, or damage resulting from all mental or physical injuries or disabilities, including death, to its employees or recipients of the Grantee's services or to any other persons, or from any damage to any property sustained in connection with the delivery of the Grantee's services that results from any acts or omissions, including negligence or malpractice, of any of its officers, directors, employees, agents, servants or independent contractors, or from the Grantee's failure to provide for the safety and protection of its employees, whether or not due to negligence, fault, or default of the Grantee. The Grantee's responsibility shall also include all legal fees and costs that may arise from these actions. The Grantee's liability under this agreement shall continue after the termination of this agreement with respect to any liability, loss, expense or damage resulting from acts occurring prior to termination.

IV. Assignability

The Grantee shall not subcontract the administration of this grant, nor shall any interest be assigned or transferred except as may be provided for in this grant agreement or with the express written approval of DCA. This does not prohibit a Grantee from using grant funds to pay for a lead evaluation contractor or enter into a shared services agreement, if permitted to do so under P.L. 2021, c. 182.

V. Availability of Funds

The Grantee shall recognize and agree that the funding under this grant agreement is expressly dependent upon the availability to DCA of funds appropriated by the State Legislature from State and/or Federal revenue or such other funding sources as may be applicable. A failure of DCA to make any payment under this grant agreement or to observe and perform any condition on its part to be performed under this grant agreement as a result of the failure of the Legislature to appropriate shall not in any manner constitute a breach of this grant agreement by DCA or an event of default under this grant agreement and DCA shall not be held liable for any breach of this grant agreement because of the absence of available funding appropriations. In addition, future funding shall not be anticipated from DCA beyond the duration of the award period set forth in this grant agreement and in no event shall the this grant agreement be construed as a commitment by DCA to expend funds beyond the termination date set in this grant agreement.

VI. Special Grant Conditions For "High Risk" Grantees

A. If applicable, a Grantee may be considered "high risk" if DCA determines that a Grantee:

1. Has a history of unsatisfactory performance.
2. Is not financially stable.
3. Has a financial management system which does not meet the standards set forth in Section VIII.
4. Has not conformed to terms and conditions of previous awards.

5. Is otherwise not responsible; and the DCA determines that an award will be made; special conditions and/or restrictions shall correspond to the high risk condition and shall be included in the award.
- B. Special conditions or restrictions may include:
1. Payment on a reimbursement basis.
 2. Withholding authority to proceed to the next phase until receipt or evidence of acceptable performance within a given funding period.
 3. Requiring additional, more detailed financial reports.
 4. Additional project monitoring.
 5. Requiring the Grantee to obtain technical or management assistance.
 6. Establishing additional prior approvals.
- C. If DCA decides to impose such conditions, DCA will notify the Grantee as soon as possible, in writing, of:
1. The nature of the special conditions/restrictions.
 2. The reason(s) for imposing the special conditions.
 3. The corrective actions that must be taken before the special conditions will be removed by DCA and the time allowed for completing the corrective actions.
 4. The method of requesting reconsideration of the conditions/restrictions imposed.

VII. Financial Management System

- A. The Grantee shall be responsible for maintaining an adequate financial management system, as required under N.J.A.C. 5:30, and will immediately notify DCA when the Grantee cannot comply with the requirements established in this Section of the grant agreement.
- B. If applicable, the Grantee's financial management system shall provide for:
1. **Financial Reporting:** Accurate, current, and complete disclosure of the financial results of each grant in conformity with generally accepted principles of accounting, and reporting in a format that is in accordance with the financial reporting requirements of the grant.
 2. **Accounting Records:** Records that adequately identify the source and application of funds for DCA supported activities. These records must contain information pertaining to grant awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays or expenditures and income.
 3. **Internal Control:** Effective internal and accounting controls over all funds, property and other assets. The Grantee shall adequately safeguard all such assets and assure that they are used solely for authorized purposes.
 4. **Budget Control:** Comparison of actual expenditures or outlays with budgeted amounts for each grant. Also, the relationship of the financial information with performance or productivity data, including the development of unit cost information required by DCA.

5. **Allowable Cost:** Procedures for determining reasonableness, allowability, and allocability of costs generally consistent with the provisions of Federal and State requirements.
 6. **Source Documentation:** Accounting records that are supported by source documentation.
 7. **Cash Management:** Procedures to minimize the time elapsing between the advance of funds from DCA and the disbursement by the Grantee, whenever funds are advanced by the DCA.
- C. DCA may review the adequacy of the financial management system of any applicant for financial assistance as part of a pre-award review or at any time subsequent to the award. If DCA determines that the Grantee's accounting system does not meet the standards described in paragraph B above, additional information to monitor the grant may be required by DCA upon written notice to the Grantee, until such time as the system meets with DCA approval.

VIII. Method of Payment

A one-time payment of \$ 45,400, will be made to the Grantee upon execution of this grant agreement.

IX. Allowable Costs

A. Limitation on Use of Funds

Grant funds must be used only for the implementation of P.L. 2021, c. 182. **Such costs may include the following:**

1. Hiring and training of municipal personnel who will perform inspections for lead-based paint hazards in rental units subject to Chapter 182 (including Lead Inspector/Risk Assessor training costs).
 - a. If permitted under P.L. 2021, c. 182, payment of an appropriate lead evaluation contractor or payment to another municipality in an appropriate shared service agreement.
2. Personnel costs attributable to lead-based paint hazard inspections by existing employees.
3. Materials and supplies required for carrying out such inspections, such as for dust wipe sampling.
4. Communications materials and mailings to known and potential property owners subject to inspection, including those intended to identify owners of single and two-family rental units.

Non-permissible uses of the funding include but are not limited to:

1. Human Resource services for the hiring of lead inspectors.
2. Municipal building operating costs.
3. Municipal finance department staff costs for required reporting activities.
4. Any related professional services such as the hiring of a marketing contractor, consultant or legal services associated with compliance under the Act.

B. Applicable Cost Principles

If applicable, for each type of organization, there is a set of Federal principals for determining allowable costs. Allowable costs will be determined in accordance with applicable Federal cost principles specific to the organization incurring the costs (e.g. Federal OMB Circulars A-87, A-122, A-21, etc.) and State requirements.

X. Period of Availability of Funds

The grantee must expend the funds and provide reporting pursuant to Section XVIII of this grant agreement no later than January 15, 2024.

XI. Matching and Cost Sharing

If applicable, the Grantee shall be required to account to the satisfaction of the DCA for matching and cost sharing requirements of the grant in accordance with Federal and State requirements.

XII. Program

A. If applicable, program income shall be defined as gross income earned by the Grantee from grant-supported activities. Such earnings include, but will not be limited to, income from service fees, sale of commodities, usage or rental fees, and royalties on patents and copyrights.

1. All program income earned during grant period shall be retained by the Grantee.

XIII. Audit Requirements

This grant, if it meets or exceeds the threshold of \$750,000.00 in Department of the Treasury Circular Letter 15-08-OMB, Single Audit Policy for Recipients of Federal Grants, State Grants and State Aid is covered by the audit requirements of the Department of the Treasury Circular Letter 15-08-OMB, Single Audit Policy for Recipients of Federal Grants, State Grants and State Aid.

XIV. Revision and Modification

A. Deviations from the allowable costs provided in Section IX shall not be permitted at anytime, nor shall this grant agreement be modified or amended without the express authorization of DCA.

XV. Property Management Standards

Property acquired in whole or in part with Federal or DCA funds or whose cost was charged to a project supported by Federal or DCA funds shall be utilized and disposed of in a manner generally consistent with State and Federal requirements.

XVI. Procurement Standards

Procurement of supplies, equipment, and other services with funds provided by this grant shall be accomplished in a manner generally consistent with Federal and State requirements. Adherence to the standards contained in the applicable Federal and State laws and regulations does not relieve the Grantee of the contractual responsibilities arising under its procurements. The Grantee is the responsible authority, without recourse to DCA, regarding the settlement and satisfaction of all contractual and administrative issues arising out of procurement entered in support of a grant.

XVII. Monitoring of Program Performance

- A. If applicable, the Grantee must assure compliance with applicable Federal requirements and that performance goals are being achieved. Grantee monitoring must cover each program, function or activity to monitor performance under grant supported activities to assure time schedules and objectives are being met, projected work units by time periods are being accomplished, and other performance goals are being achieved as applicable.
- B. The Grantee shall inform DCA of the following types of conditions which affect program objectives and performance as soon as they become known:
 - 1. Problems, delays, or adverse conditions which will materially impair the ability to attain program objectives, prevent meeting time schedules and goals, or preclude the attainment of project work units by established time periods. This disclosure shall be accompanied by a statement of the action taken, or contemplated, and any DCA assistance required to resolve the situation.
- C. DCA may, at its discretion, make site visits to:
 - 1. Review program accomplishments and management control systems.
 - 2. Provide such technical assistance as may be required.
 - 3. Perform fiscal reviews to ensure grant funds are being properly expended in a timely manner.

XVIII. Financial and Performance Reporting

- A. The grant budget as used in this Section means the financial plan to carry out the purpose of the grant which is to assist municipalities by helping offset the costs of compliance with the obligations imposed on them by P.L. 2021, c. 182.
- B. The Grantee is required to submit a final expenditure report at the conclusion of the grant period. The expenditure report file is to include expense supporting documentation that includes: copies of employee cumulative payment registers, copies of PO's, vendor invoices and cancelled checks front & back for period of 1/1/2023 through 12/31/2023 by 1/15/2024.
- C. The grantee is required to submit a final progress report detailing the number of household inspections and results undertaken under this grant for the period of 1/1/2023 through 12/31/2023 by 1/15/2024.
- D. Extensions to reporting due dates may be granted upon written request to the Department of Community Affairs (DCA), Division of Local Government Services (DLGS).

- E. If reports are not submitted as required, the Department may, at its discretion, rescind the grant resulting in the grantee's requirement to reimburse the Department for grant funds awarded. The State of New Jersey may, at its discretion, take such action to withhold payments to the Grantees on any grant with other State agencies until the required reports have been submitted.

XIX. Access to Records

- A. The Grantee in accepting this grant agrees to make available to DCA pertinent accounting records, books, documents and papers as may be necessary to monitor and audit Grantee's operations.
- B. All visitations, inspections and audits, including visits and requests for documentation in discharge of DCA's responsibilities, shall as a general rule provide for prior notice when reasonable and practical to do so. However, DCA retains the right to make unannounced visitations, inspections, and audits as deemed necessary.
- C. DCA reserves the right to have access to records of any Subgrantees and requires the Grantee to provide for DCA access to such records in any grant with the Subgrantee.
- D. DCA reserves the right to have access to all work papers produced in connection with audits made by the Grantee or independent certified public accountants, registered municipal accountants or licensed public accountants hired by the Grantee to perform such audits.

XX. Record Retention

- A. Except as otherwise provided, financial and programmatic records, supporting documents, statistical records and all other records pertinent to the grant shall be retained for a period of seven years, unless directed to extend the retention by DCA.
 - 1. If any litigation, claim, negotiation, action or audit involving the records is started before the expiration of the seven year period, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular seven year period, whichever is later unless otherwise directed by DCA.
 - 2. Records for nonexpendable property acquired with DCA funds shall be retained for seven years after its final disposition, unless otherwise provided or directed by DCA.
- B. For Federal and State purposes (unless otherwise provided):
 - 1. General - The retention period starts from the date of submission of the final expenditure report, or for grants that are renewed annually, from the date of submission of the annual financial report.
 - 2. Real Property and Equipment - The retention period for real property and equipment records starts from the date of the disposition, replacement or transfer at the direction of DCA.
- C. DCA may request transfer of certain records to its custody from the Grantee when it determines that the records possess long-term retention value and will make

arrangements with the Grantee to retain any records that are continuously needed for joint use.

XXI. Enforcement

A. Remedies for Noncompliance

If the Grantee materially fails to comply with the terms of this grant agreement, , DCA may take one or more of the following actions, as appropriate in the circumstances:

1. Disallow all or part of the cost of the activity or action not in compliance.
2. Request the balance of grant funds to be returned and/or seek reimbursement for funds expended that were not in compliance with the terms and conditions of the grant agreement.
3. Take other remedies that may be legally available.

B. Hearings, Appeals

In taking an enforcement action against the Grantee, DCA may provide the Grantee an opportunity for such hearing, appeal or other administrative proceeding to which the Grantee is entitled under any statute or regulation applicable to the action involved.

XXII. Termination and Suspension

A. The following definitions shall apply for the purposes of this Section:

1. Termination: The termination of a grant means the cancellation of assistance, in whole or in part, under a grant at any time prior to the date of completion.
2. Suspension: The suspension of a grant is an action by the Department which temporarily suspends assistance under the grant pending corrective action by the Grantee or pending a decision to terminate the grant by the Department.
3. Disallowed Costs: Disallowed costs are those charges to the grant which DCA or its representatives shall determine to be beyond the scope of the purpose of the grant, excessive, or otherwise unallowable.

B. DCA may terminate the grant in whole or in part whenever it is determined that the Grantee has failed to comply with the conditions of this grant agreement. DCA shall promptly notify the Grantee in writing of the determination and the reasons for the termination together with the effective date. Payments made to the Grantee or recoveries by DCA under the grant terminated for cause shall be in accord with the legal right and liability of the parties.

C. The Grant Closeout procedures in Section XXIV of the grant shall apply in all cases of termination of the grant.

XXIII. Grant Closeout Procedures

A. The following definitions shall apply for the purpose of this Section:

1. Grant Closeout: The closeout of a grant is the process by which the DCA determines that all applicable administrative actions and all required work of the grant have been completed by the Grantee.

2. Date of Completion: The date when all grant funding has been expended, and the Grantee has provided the required reporting pursuant to Section XVIII of this grant agreement, to the satisfaction and approval of DCA.
- B. The Grantee shall submit reports as prescribed by the timeframes set forth in Sections X and XVIII of this grant agreement upon completion of the grant period or termination of the grant.
 - C. The Grantee will, together with the submission of the report, refund to DCA any unexpended funds or unobligated (unencumbered) cash advanced, except such sums that have been otherwise authorized in writing by DCA to be retained.
 - D. If applicable, in the event a final audit has not been performed prior to the closeout of the grant, DCA retains the right to recover any appropriate amount after fully considering the recommendations on disallowed costs resulting from the final audit.

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DCA AND GRANTEE APPROVAL SIGNATURES

EXECUTION SIGNATURES

By the signatures below, the Grantee and DCA (the "parties") execute this agreement and confirm that they are mutually bound by all provisions contained herein and are fully authorized and empowered to enter into and bind their organization to all obligations under this agreement.

For the Grantee:

By: Susan McCartney (signature) (authorized delegate)
Susan McCartney (print name)
Mayor (print title)

Date: June 26, 2023

For DCA:

By: Jacquelyn A. Suárez (signature)
(Commissioner or authorized delegate)

Jacquelyn A. Suárez (print name)
Director (print title)

Date: 7/5/2023

RESOLUTION

WHEREAS, Fox Rothschild, LLP (“Counsel”), responded to the Township’s Request for Qualifications pursuant to a fair and open process for the year 2024; and

WHEREAS, Counsel has agreed to provide professional services for the calendar year 2024, pursuant to the terms and conditions set forth in the agreement annexed hereto as Exhibit “A;” and

WHEREAS, the Law Department recommends retention of Special Labor Counsel for the purpose of representing the Township to complete the Appellate Division Appeal of New Jersey Civil Service Commission Determination; and

WHEREAS, pursuant to pursuant to N.J.S.A. 40A:11-5(1)(a)(i), the proposed professional services contract is subject to an exception to the standard bidding procedures set forth in the Local Public Contracts Law;

NOW, BE IT HEREBY RESOLVED, by the Township Council of the Township of West Orange that the Mayor be and is hereby authorized to execute an agreement, in the form annexed hereto, to retain Counsel to provide services as Special Labor Counsel with a cap of \$20,000; and it is further

RESOLVED that notice of this award shall be available in the Clerk’s office in accordance with applicable law.

Karen J. Carnevale, R.M.C.
Municipal Clerk

Bill Rutherford,
Council President

Adopted: April 24, 2024

I hereby certify funds are available from Account No. _____

John O. Gross, Chief Financial Officer

AGREEMENT FOR LEGAL SERVICES – SPECIAL LABOR COUNSEL

THIS AGREEMENT made and entered into on this ____ day of April, 2024 by and between the **TOWNSHIP OF WEST ORANGE**, a municipal corporation of the State of New Jersey, located at Town Hall, 66 Main Street, West Orange, County of Essex and State of New Jersey, hereinafter called the “TOWNSHIP,” party of the first part, and **FOX ROTHSCHILD, LLP**, Attorneys at Law of the State of New Jersey, located at 49 Market Street, Morristown, New Jersey, hereinafter referred to as “COUNSEL,” party of the second part.

WITNESSETH THAT:

WHEREAS, the Governing Body of the TOWNSHIP has determined that it is in the best interests of the TOWNSHIP to retain the services of COUNSEL to complete the Appellate Division Appeal of New Jersey Civil Service Commission Determination, Docket Nos. A-00569-22 and A-1817-22;

NOW, THEREFORE, in consideration of the mutual promises, terms and conditions hereinafter set forth, the parties hereto agree as follows:

1. The TOWNSHIP hereby retains the services of COUNSEL to complete the Appellate Division Appeal of New Jersey Civil Service Commission Determination with a cap of \$20,000.
2. COUNSEL will not seek reimbursement for its routine costs and expenses such as regular mailing postage, copying, mileage, meals, or parking.
3. COUNSEL may seek reimbursement for extraordinary expenses such as the cost of deposing adverse witnesses, transcripts or hiring experts. Counsel may also seek reimbursement for certain limited administrative costs including costs related to legal research (i.e. Westlaw or Lexus charges) and overnight delivery charges (i.e. Fedex, UPS, etc.). Counsel

will not incur any of these extraordinary expenses and/or limited administrative costs without the express written approval of the applicable TOWNSHIP Department Head before these expenses are incurred.

4. COUNSEL'S responsibilities shall include all labor and other assigned matters.

5. COUNSEL recognizes that any and all approval for engagement of services must come from the Governing Body of the TOWNSHIP, and that no services, work or any efforts relative to the contract shall be commenced until the Governing Body adopts a duly authorized Resolution accompanied by a Certificate of Funds.

6. COUNSEL recognizes that all services rendered are subject to the approval and direction of the Law Department, and that payment for such services is conditioned upon the issuance of a Purchase Order by the Township encompassing the services for which compensation is sought.

7. COUNSEL is hereby placed on notice that the Billing Guidelines of the TOWNSHIP shall apply to this agreement for professional services. COUNSEL is further noticed that no Department Head, individual member of the Governing Body, or any agent, servant or employee of the TOWNSHIP possesses any lawful authority to: (a) engage the rendition of services or the performance of work; (b) authorize the continuation of services or work beyond the amount specifically approved in the Resolution and Certificate of Funds; or to (c) represent that future funds will be available as compensation for current services. Any such acts shall be deemed ultra vires and beyond the scope of any authority that individual may possess. No bills, statement or vouchers for any amount exceeding that originally approved will be honored or paid by the TOWNSHIP, irrespective of whether such services were actually performed.

8. COUNSEL shall submit detailed invoices to the TOWNSHIP for services rendered each month, with a copy to the Township Attorney, no later than fifteen (15) days subsequent to the close of the month. All invoices submitted by COUNSEL shall set forth with specificity the tasks performed, the attorney performing the tasks, and the amount of time spent on each task.

9. During the term of this agreement, COUNSEL shall maintain professional liability malpractice insurance coverage with an insurance company licensed and authorized to do business in the State of New Jersey with coverage not less than \$1,000,000. COUNSEL shall provide the Township Attorney and Municipal Clerk with proof of a valid certificate of insurance listing the TOWNSHIP as a certificate holder. To the extent that this insurance coverage is scheduled to lapse at any time before the end of the contract, COUNSEL shall provide proof of renewal or new insurance coverage no later than thirty (30) days before the termination of the current coverage.

10. The provisions of this agreement are subject to the limitations of provisions of the New Jersey Tort Claim Act, N.J.S.A. 59:2-1 *et seq.*, and the New Jersey Contractual Liability Act, N.J.S.A. 59:13-1 *et seq.*

11. This agreement shall be governed by the laws of the State of New Jersey without regard to principles of conflict of laws. All contract claims under this agreement shall be subject to and governed by the provisions of the New Jersey Contractual Liability Act (N.J.S.A. 59:13-1 *et seq.*

IN WITNESS WHEREOF, the parties have set their hands and seals the day and year first above written.

TOWNSHIP OF WEST ORANGE

ATTEST:

KAREN J. CARNEVALE, R.M.C

By:_____
SUSAN McCARTNEY, MAYOR

FOX ROTHSCHILD, LLP

WITNESS:

By:_____
KENNETH ROSENBERG, ESQ.

**AN ORDINANCE REPEALING AND REPLACING CHAPTER 25, SECTIONS 27 OF
THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
AND ESTABLISHING CHAPTER ____ FOR ENVIRONMENTAL PROTECTION
(TREE PROTECTION, REMOVAL AND REPLACEMENT)**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 25, Sections 27 of the Revised General Ordinances of the Township of West Orange be and are hereby **repealed** and **replaced** with the newly established Chapter ____ Section ____ of the Revised General Ordinances of the Township of West Orange, which establishes a Chapter dedicated to environmental protection in the Township of West Orange, and shall state as follows:

§ ____-1: Title

This Section shall be known as the “Tree Protection, Removal and Replacement Ordinance of the Township of West Orange”

§ ____-2: Findings and Purpose

a. A 2023 study commissioned by the Township of West Orange found that the tree canopy in West Orange has been dramatically declining and will continue to decline in future years without replanting and renewing protections for the tree canopy. The Township of West Orange finds that: trees are among the Township's most valuable natural resource assets, greatly enhancing the appearance of the Township and contributing to its suburban residential character; the integrity of Township and regional water resources is substantially affected by development on constrained land (e.g., steep slopes, wetlands and reduced depth to groundwater), tree removal, soil disturbance, stormwater management and the general use of land resources; the preservation, protection and planting of trees aids in the stabilization of soil by the prevention of erosion and sedimentation, reduces stormwater runoff and the potential damage it may create, increases groundwater recharge thus enhancing the groundwater supply to streams and wetlands and the yield of water supply wells, aids in the removal of pollutants from the air and assists in the generation of oxygen, provides a buffer and screen against noise and pollution, provides protection against severe weather, dramatically reduces “urban heat effect,” aids in the control of drainage and restoration of denuded soil subsequent to construction or grading, provides a haven for birds and other wildlife and otherwise enhances the environment, protects and increases property values, conserves and enhances the Township's physical and aesthetic appearance, and generally protects the public health, mental health, and safety as well as the general welfare.

b. Numerous governmental, professional, educational and business sources have cited the importance of trees to our well-being: "One acre of forest absorbs six tons of carbon dioxide and puts out four tons of oxygen, enough to meet the annual needs of 18 people." (U.S. Department of Agriculture). In one study, 83% of realtors expressed the belief that mature trees have a "strong or moderate impact" on the salability of homes listed for

under \$150,000 and on homes listed for over \$250,000 this perception increased to 98% (American Forests, Arbor National Mortgage). Healthy, mature trees are said to add an average of 10% to a property's value (USDA Forest Service). "Landscaping, especially with trees, can increase property values as much as 20%." (Management Information Services/ICMA). "The net cooling effect of a young, healthy tree is equivalent to 10 room-size air conditioners operating 20 hours a day." (U.S. Department of Agriculture). "If you plant a tree today on the west side of your home, in five years your energy bills should be 3% less. In 15 years the savings will be nearly 12%." (Dr. E. Greg McPherson, Center for Urban Forest Research). "Trees properly placed around buildings can reduce air conditioning needs by 30% and can save 20% to 50% in energy used for heating." (USDA Forest Service). "In laboratory research, visual exposure to settings with trees has produced significant recovery from stress within five minutes, as indicated by changes in blood pressure and muscle tension." (Dr. Roger S. Ulrich, Texas A&M University).

c. The purpose of this section is to protect and foster the existence and health of trees growing within the Township's borders, to preserve the maximum possible number of trees in the development of a site or lot; to protect specimen trees; to encourage innovative design and grading to promote the protection of existing trees, and to prevent indiscriminate, uncontrolled and excessive removal and cutting of trees, as well as land use activities inconsistent with accepted arboricultural practices, that contribute to the destruction or result in permanent injury to trees upon lots and tracts within the Township. The standards and procedures established by this chapter are intended to furnish criteria for the use of Township personnel, boards, committees, commissions and officers in evaluating applications involving tree removal for site plan, subdivision and other development approvals. They are further intended to inform those with interests in real property in the Township of the requirements for trees located in the Township. The purpose of this section is to protect trees, the environment, and owners of real property who would be affected adversely by the removal of trees from property belonging to another person. The issuance of permits is a procedure designed to effectuate these goals. In addition, the Tree Replacement Fund in no way relieves the Township from a yearly budgetary allocation dedicated to planting new trees in the Township.

§___-3 (Definitions)

The following definitions shall apply to this chapter:

APPLICANT—Owner of property or person with authority to apply for a Tree Removal Permit on any Lot.

APPEAL—The process by which an applicant may contest the grant or denial of a tree removal and replacement permit. Appeals shall be considered by the Township of West Orange Land Use Board in accordance with § 7, herein.

BUILDING—Any structure constructed for the support, shelter, enclosure of persons, animals, and/or a combination of materials containing a roof that is used to form a structure for either use, occupancy, and/or habitation.

CONSERVATION EASEMENT — A legal covenant restricting the use of land or natural features of the land that is described in the property deed and shown on a filed plat.

CROWN REDUCTION—Pruning (as defined herein) of the tree reducing the height or scope of the tree.

DBH — The measurement of the diameter of the trunk of a tree planted in the ground taken 4.5 feet from ground level on the uphill side of the tree.

DEVELOPMENT APPLICATION — An application filed with the Township Planning Board or Board of Adjustment pursuant to the Municipal Land Use Law and the Township land development ordinances for approval of a subdivision plat, site plan, planned development, conditional use, zoning variance or direction of the issuance of a permit pursuant to N.J.S.A. 40:55D-34 or N.J.S.A. 40:55D-3.

DRIP LINE — A vertical line extending from the outermost edge of the tree canopy or shrub branch to the ground beneath.

EMERGENCY CONDITIONS—Shall mean when trees are hazardous and the Township Forester and/or a Qualified Tree Expert determines that the non-viable tree will cause an unacceptable risk of damage to person or property because of extreme wind, stormwater or other weather events.

EMERGENCY TREE REMOVAL AND REPLACEMENT FORM—A form completed by the Applicant provided to the Township which shall be submitted to the Township Forester if tree(s) are removed under Emergency Conditions pursuant to this Chapter. Trees removed under emergency situations must be replaced in accordance with the requirements of this Ordinance.

ENDANGERED OR THREATENED SPECIES — Any species of tree or animal which has been determined by the Federal Fish and Wildlife Service or the State of New Jersey to be endangered or threatened.

IMPROVED LOT — A parcel of land with a building or other physical improvements.

INVASIVE VINE—Non- native vine that will climb up the tree and cause damage to the tree.

LAND USE BOARD — The Planning Board or Zoning Board of Adjustment of the Township of West Orange.

LOT—A designated parcel, tract of land established in the record as of local and county registers of deeds by plat, deed, subdivision, zoning lot of record, or as otherwise permitted by law.

MAJOR TREE — A tree species with a mature height of at least 50 feet.

MINOR TREE — An evergreen tree, ornamental tree or other small tree that is not defined as a Major Tree.

NONVIALBLE TREE — A hazardous tree that a Qualified Tree Expert and/or the Township Forester determines is dead, dying or otherwise non-viable.

PERSON — The owner of a parcel of real estate or any other individual, group, company, firm, corporation, partnership, association, society or other legal entity.

PROPERTY LINE TREE—Shall mean a tree whose tree-trunk is on more than one Lot and/or on the boundary of the Lot.

PRUNING—Pruning is the selective removal of branches or limbs of a tree.

QUALIFIED TREE EXPERT — A New Jersey Licensed Tree Expert pursuant to N.J.S.A. 45:15C-11 et seq. and is registered by the Township.

REPLACEMENT TREE — A native tree species approved by the Township Forester and of nursery grade, properly balled and burlapped, untreated with herbicides or pesticides and meeting the minimum measurements of a major or minor tree.

SPECIES — The common name of a tree.

SPECIMEN TREE — A tree in good health of unusual or exceptional form, size, age or shape for its species, including but not limited to those included on New Jersey's Big Tree List, or database, published and coordinated by the New Jersey Forest Service, or having a champion tree point total (girth in inches plus height in feet, plus one quarter of average crown spread in feet) within 10% of the point total of a tree of the same species

listed in New Jersey's Big Tree List, published in "New Jersey's Big Trees," by the New Jersey Forest Service.

STRUCTURE — A combination of materials to form a construction for occupancy, use or ornamentation, whether installed on, above or below the surface of a parcel of land, including but not limited to homes, buildings, above-ground tanks, pools, sheds, signs, fences, and towers.

STREET TREES OR SHADE TREES—A tree planted in a Township right-of-way within ten (10) feet of a curb.

SURROUNDING LOTS—The Lots immediately contiguous to the Applicant's Lot and the three (3) Lots immediately across the street from the Applicant's Lot, provided they are within one-hundred (100) feet of the Applicant's Lot. If the Applicant's Lot is located on the corner of a street, then the Surrounding Lots shall include each Lot contiguous the Applicant's lot, and the three (3) lots nearest to the Applicant across both roadways, provided they are within one-hundred (100) feet of the Applicant's Lot.

TOWNSHIP FORESTER—The Township-designated person primarily responsible for enforcing this chapter and who is qualified to do so by having the status of a Qualified Tree Expert; appointed by the Township of West Orange to implement this chapter and to carry out other related responsibilities as the Township may provide, including, but not limited to, developing and recommending (i) Township Woodlands Retention and Protection Plan; (ii) Township Tree Inventory; and (iii) Planting Schedule.

TREE — A self-supporting perennial woody plant having a diameter of at least 2.5 inches measured at a point 4.5 feet (or 54 inches) from the ground at the base of the tree on its uphill side.

TREE CANOPY—Tree canopy means the layer of leaves, branches, and stems of trees that cover the ground when viewed from above and that can be measured as a percentage of a land area shaded by trees.

TREE OF HEAVEN—(Alanthus altissima) An invasive tree that attracts Japanese Spotted Lantern flies which pose a serious threat to the native ecosystem.

TREE REMOVAL NEIGHBOR NOTIFICATION FORM – A form required to be completed by an Applicant seeking to remove any trees. The applicant shall certify that that the Tree Removal Neighbor Notification Form has been delivered to all neighbors who own Surround Lots, as defined herein, to the Applicant's property line in accordance with this Chapter.

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TREE REMOVAL AND REPLACEMENT APPLICATION—A form completed by the Applicant provided by the Township which shall be submitted to the Township Forester in accordance with Chapter XXX, § 5.

TREE REMOVAL AND REPLACEMENT PERMIT—A permit issued by the Township Forester to an Applicant who complies with all tree removal and replacement procedures set forth in this Chapter.

TREE REPLACEMENT FUND—A dedicated fund established pursuant to this chapter. The purpose of the fund is to permit any applicant who removes a viable tree and demonstrates lack of feasibility in replanting replacement trees on-site the ability to pay a fee to the Fund. The amount of the fee that the applicant shall contribute must be made in accordance with the provisions of this chapter; specifically Chapter XXX, § 8.

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VOLCANO MULCHING—Piling mulch against the trunk of a tree in the shape of a volcano causing tree roots to circle the trunk and subsequently weaken the tree. Thus, the tree root flare, which is the connection with the trunk root and the surface of the ground, shall remain visible at all times.

§ ____-4: Tree Removal and Replacement Permits

a. No person shall be granted permission to remove more than two (2) trees within a twenty-four (24) month period. No person shall cut, remove, or engage in activities that encroach upon the health of a tree or remove a non-viable tree with a DBH two-and-a-half (2.5”) inches or greater without first having been issued a Tree Removal and Replacement Permit from the Township. To obtain a permit, the Applicant must comply with the procedures set forth in Chapter XXX, § 5 and any replacement procedures in § ____, 8.

1. If any tree(s) sought to be taken down that are delineated by the Township Forester as viable or non-viable, the person seeking removal or who has removed tree(s) must comply with the tree replacement provisions set forth in Chapter XXX, § 8 and the Chart at Table “A;” unless the tree(s) removed are replanted on the Lot where the tree removal occurred.

2. All Tree Removal and Replacement Permits including Emergency Tree Removal Permits shall be accessible to the public subject to the confidentiality provisions of Daniel’s Law or any other similar law. All permits issued pursuant to this Chapter shall be posted to the Township’s website by the Township Forester.

3. All Tree Removal and Replacement Permits issued shall be posted on the tree(s) to be removed and in the property owner’s front door/window, so the tree removal permit is visible to any member of the public not less than seven (7) business days prior to removal.

4. For non-development applications, the Township Forester shall decide to grant or deny a Tree Removal and Replacement Permit Application within 30 days of

submission and shall notify the applicant and any objectors who have contacted the Township Forester. Application(s) made in connection with a development application shall comply with the procedures set forth in Chapter XXX, § 4(e) and shall be adjudicated by the Land Use Board. If the application is granted, the permit shall be issued by the Township Forester.

5. Permits granted under this section shall run with the land and shall remain in force and effect for 12 months from the date of issuance. Any permit not acted upon within a period of 12 months after issuance shall become null and void.

b. Prohibitions. Notwithstanding Subsection (a) above, no person shall do any of the following:

1. Cut down or remove any tree within wetlands, flood hazard areas, riparian zones, or other areas protected by state or federal law or applicable EPA or NJDEP regulations;
2. Cut down or remove any tree within a conservation easement;
3. Engage in activities which could cause a tree to die, including but not limited to topping, grade cut or fill, soil compaction within the drip line, chemical contamination, excessive alterations to established drainage patterns or mechanical damage.
4. Cut down or remove any tree on a slope with a grade of 10% or greater on a slope where vegetation is presently stabilizing soils.
5. Prune, cut down or remove any tree unless it is performed by a Qualified Tree Expert and who shall be registered with the Township of West Orange pursuant to § 5-27.1 *et seq.*
6. Perform street, curb and sidewalk construction or repairs unless utilizing methods that protect the roots and trunk of a tree, such as manual excavation, reducing the curb, curving sidewalks around a tree, and modifying driveway aprons to accommodate trees as directed by the Township Forester or Township Engineer.
7. Cut or remove any tree older than 25 years with a DBH of 10" or more.
8. Remove trees within one hundred (100) feet of a ridgeline.
9. Remove trees which will impair the growth and development of the remaining trees on the applicant's Lot or on adjacent Lots.
10. Remove trees if tree removal will negatively alter existing drainage patterns and stormwater runoff.

11. Remove tree if it will result in soil erosion or would increase dust.
12. Remove trees if it would increase the amount of stormwater runoff and/or negatively affect stormwater runoff patterns on any Lot(s), whether contiguous or not.
13. Remove trees if it would constitute a significant change in the screening between existing or proposed structures on roads and/or adjacent Lots.
14. Remove trees where it would alter topography of the area where such tree(s) are located and will create conditions which may be injurious to the trees or other trees located nearby.
15. Remove trees where it will impair suitable habitats and migratory zones for endangered or threatened species animals.
16. Engage in activities that cause harm to the health of the tree, including but not limited to, volcano mulching, cutting off light, water, or air, and/or fail to remove invasive vines or the invasive Tree of Heaven which harbors Japanese Spotted Lantern Flies which cause harm to native species of trees.
17. Cut down or remove trees in a landscaped buffered area.

c. Specific prohibitions related to construction activities:

1. In connection with any construction, prior to the issuance of a building permit or start of construction, snow fencing or other protective barriers shall be placed around trees that are not to be removed. The protective barriers shall be placed at the outermost edge beyond the drip line or tree canopy. All protective barriers shall remain in place until all construction activity is terminated. No equipment, chemicals, soil deposits or construction materials shall be placed within any area so protected by barriers. Any landscaping activities performed subsequent to the removal of the barriers shall be accomplished by hand labor and only using light machinery where necessary.
2. Storing and placing building material or debris or placing construction equipment within the drip line.

d. Exemptions. The following are exempt from the permit requirement of Subsection (a) above:

1. Property owners may remove hazardous or non-viable trees under Emergency Conditions prior to obtaining a Tree Removal and Replacement Permit. However, following the emergency removal of the tree or trees, the property

owner or agent thereof shall complete the Emergency Tree Removal and Replacement Form within seven (7) days of the removal. The person seeking emergency removal shall provide photographic and written proof of the Emergency Conditions by the Qualified Tree Expert to the Township Forester and include a hazard tree evaluation form at that time. Tree stumps must be preserved for inspection by the Township Forester and all removed tree(s) must be replaced on a one-to-one ratio within two-years of removal.

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2. Activities lawfully conducted on public lands or rights-of-ways by or on behalf of a local, county, state, federal or other governmental agency or entity, or a utility company, provided however, that to the extent possible, such entity shall provide a courtesy review of any tree removal and replacement to the Township Forester.

3. Tree removal in conjunction with a Woodland Management Plan(s) must be approved by the N.J. Forest Service.

e. Development applications. Every development application filed with the Land Use Board that proposes tree removal and replacement shall:

1. Preserve fifty (50%) percent of the trees on each developed Lot, and seventy (70%) percent on any undeveloped Lot.

2. Comply with all prohibitions and procedures listed in this Ordinance including but not limited to, providing the Township Forester and Land Use Board with a report from a Qualified Tree Expert outlining the reasons stated for the removal of tree(s) on the Lot, a tree replacement plan, and response from the Township Forester outlining their approval or disapproval of the tree removal application. If replanting or replacement of trees is performed offsite, the developer shall, apart from the fees paid into the Tree Replacement Fund, hire a landscape architect, licensed by the State of New Jersey, to oversee the species, quantities and placement of replacement trees. This shall be completed prior to the Construction Official and/or appropriate Township Official having issued a Final Certificate of Occupancy or within six (6) months of completion of the development. A bond shall be posted to ensure compliance and two year survival of the replanted trees.

3. Install protective fencing around the remaining trees and ensure the provisions of Chapter ___, Section 4(c) are complied with.

4. Obtain a written report indicating that the Township Engineer or his/her designee(s) has inspected the site and certified that all soil erosion and sediment controls and stormwater runoff controls required by this Chapter and applicable laws have been installed and completed. Copies of the certification shall be delivered to both the applicant and the Township Forester by the Township Engineer immediately after it is completed and made available to the public upon request;

5. Specify that no trees may be removed until after installation of stormwater runoff controls as required by this Ordinance, by Title 7, Chapter 8, § 7:8-5.4 and by Title 2, Chapter 90, Subchapter 1 of the New Jersey Administrative Code, respectively or any other applicable laws.

6. Provide written notice to the Township Forester and the Land Use Board not less than fourteen (14) days before any planned tree removal.

7. Ensure the Township Forester shall be onsite during all tree removal and replacement activities in connection with the development application. A stop work order may be issued by the applicable authority under this Chapter if the Township Forester is not onsite during the planned tree removal activities. Prior to the applicant's completion of its development project, the development applicant must have written permission/documentation from the Township Forester that the tree replacement has been completed in accordance with the development applicant's approved plan.

7. All parking lot owners shall maintain trees in compliance with Township Code § 25-12.1(o) and shall create 50% shade in the parking lots within five years.

f. If the proposed trees for removal are deemed by the Township Forester and/or a Qualified Tree Expert to be Property Line Tree(s), the owner of the Lot(s) are jointly and severally responsible for any costs associated with the removal of the Property Line Tree(s) and any replacement costs. If a Property Line Tree is unlawfully removed, both owners of the Lots where the Property Line Tree is located can be held liable pursuant to Chapter XXX, § 10.

§ ____-5: Application Procedure for Tree Removal and Replacement Permits

a. Every application for a tree removal and replacement permit shall be made by submission of the following:

1. Tree Removal and Replacement Application. The Applicant or Applicant's representative shall arrange for an informal in-person inspection with the Township Forester. The Applicant shall clearly mark the trunk of each tree proposed to be removed at the height of four and one-half (4.5) feet above the ground so that such tree or trees may be inspected more easily by the Township Forester at any time after the initiation of the application procedure set forth herein. The Township Forester will explain this portion of the Ordinance and provide advice as to the condition, value and recommended care of other trees on the Applicant's Lot to satisfy the educational purpose of the Chapter. Upon request, the Township Forester shall assist any Applicant with completing the Tree Removal and Replacement Application required by this section. If the tree replacement is to be done on-site, a survey (not more than one (1) year old) must be attached to the application to show the exact location of the replacement tree(s). The Township Forester's inspection shall confirm the location of the tree or trees sought to be removed, the reason for the application, and advise the Applicant whether the Tree Removal and Replacement Permit would be granted or denied based on the prohibitions contained in this ordinance.

2. An Applicant must submit to the Township Forester a Tree Removal and Replacement Application on forms provided by the Township. The Township Forester may request additional information to process the application.

3. The Tree Removal Neighbor Notification Form must be submitted to the Township with the Tree Removal and Replacement Application. The form shall be submitted in accordance herewith to all neighboring property owners who own the Surrounding Lots, as defined herein. The Applicant shall submit a written certification confirming the same. Failure to provide notice under this section shall be deemed a violation subject to enforcement under Chapter XXX, § 10.

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4. After the Township Forester and the owners of the Surrounding Lots receive the Tree Removal Neighbor Notification Form, the owners of the Surrounding Lots shall have seven (7) days to object to the proposed tree removal in writing articulating the basis for the objection. The Township Forester will have twenty-one (21) days thereafter to review any and all objections, the Tree Removal and Replacement Permit Application, and all other relevant documents to make a determination to grant or deny the Tree Removal and Replacement Permit.

b. The fees associated with the filing of a Tree Removal and Replacement Application shall be prescribed by Resolution, but shall be no less than \$100 per application A Tree

Removal and Replacement Application for a development application shall be prescribed by Resolution but no less than \$1,000 per application.

c. Every development application or application before a Land Use Board shall include a tree removal and replacement plan which shall include a map drawn to scale clearly showing the number and location of all trees to be removed and number and location of trees to be replaced. A Qualified Tree Expert's report addressing the factors set forth in Chapter **XXX** § 6 shall be submitted with each application.

§ ___-6: Factors to Address in Granting or Denying a Tree Removal and Replacement Permit

Factors to be Considered Where Tree Removal And Replacement is Sought. In deciding whether to issue a Tree Removal and Replacement Permit, the Township Forester shall consider whether the proposed tree removal and replacement complies with the provisions of this Ordinance, the prohibitions of tree removal set forth in Chapter XXX, § 4(b)-(d), and the tree replacement requirements set forth in Chapter XXX, § 8. In connection with a development application, an Applicant shall file a written report by a Qualified Tree Expert explaining how/why the prohibitions set forth in Chapter XXX § 4(b)-(e) are not violated and include a plan for tree replacement in accordance with Chapter XXX, § 8.

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§ ____-7: Appeal of Denial of Tree Removal and Replacement

Denial and granting of any application for a Tree Removal and Replacement Permit may be appealed directly to the Planning Board with written notice to the Secretary of the Planning Board within forty-five (45) days of the decision by the Township Forester to grant or deny an application. Only those who own the Surrounding Lots, who were required to be sent the Neighbor Notification Form shall have the right to appeal the decision of the Township Forester to grant a tree removal permit. Notice of the appeal shall be provided to all property owners who own a Surrounding Lot. The appellant who files the Appeal shall include a written report by a Qualified Tree Expert establishing why and how the Applicant has or has not complied with the factors set forth in § 6. It shall constitute a separate violation of the Ordinance if a tree is removed during the appeal process. All costs and fees associated with the Appeal shall be paid by the Appellant.

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§ ____-8: Tree Replacement

Every tree removed shall be replaced pursuant to this Chapter. In no instance is tree replacement to be considered a penalty, but rather the minimum requirement(s) to implement the purposes of this section. Tree replacement shall not be a substitute for, but shall be in addition to, any penalty imposed for violation of the provisions of this section. Tree replacement required by this Chapter shall be completed within six months of tree removal unless the Township Forester or Land Use Board grants an extension until the next appropriate planting season. If any replacement tree planted pursuant to this section fails to thrive or dies within two years, it shall be replaced by the property owner within six months and the same shall be viable for an additional two (2) years.

a. Tree replacement, as approved by the Township Forester, Land Use Board, and/or Township Engineer, shall be required to comply with Table “A.” except that hazardous or non-viable trees removed pursuant to Emergency Conditions shall be replaced on a one-to-one basis at the approval of the Township Forester. Tree Replacement shall occur in the following priority to amplify the goals of this Chapter to maintain the existing tree canopy within specific areas of the Township:

1. The owner/applicant shall replant tree(s) on the Lot that which they were removed.

2. If the tree cannot be replaced on the Lot or an adjacent Lot, the applicant shall have the burden of demonstrating how such replacement on their Lot is not feasible. If the owner/applicant cannot replace tree(s) on the site that which they were removed, the owner/applicant shall replant the tree(s) on the immediate adjacent properties.

3. If the owner/applicant is unable to replace tree(s) on the site that which they were removed or on the adjacent Lot(s), and the owner/applicant has less than .75 acres of land, the owner/applicant shall pay into the Tree Removal and Replacement Fund in accordance with this Chapter.

4. If the owner/applicant has greater than .75 acres of land, the owner/applicant must replace the removed trees on their Lot or an adjacent Lot in accordance with § 8(a)(1)-(2).

b. The Forester shall prioritize the Tree Removal and Replacement Fund to locations closest to the site of removal to amplify the goals of this Chapter. In furtherance of said goals, the Township Forester shall seek to prioritize replanting within 1,000 feet of the property line, and, if not feasible, anywhere within the municipality in accordance with Table “A.”

c. Tree Replacement Fund. Pursuant to this section, unless the Township Forester has approved replacement of the removed tree(s) on the permit holder’s property in

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accordance with Table “A,” the Township Forester shall condition tree removal upon payment to the Tree Replacement Fund, established hereunder. The Township Forester shall require payment to the Tree Replacement Fund if a person removes a viable tree as determined by the Township Forester which is not replaced on the same Lot, provided, however, that the applicant’s lot is less than .75 acres.

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1. **Tree Preservation and Replacement Fund:** A Tree Replacement Trust Fund dedicated to receive and disburse replacement tree fees when the permit applicant has conclusively demonstrated that it is not feasible to replace a tree(s) removed from the applicant’s lot with other qualifying tree(s) planted on that site in accordance with Table “A.” The Tree Replacement Fund may also accept contributions for its purposes from private or public sources. The amount to be paid in the Tree Replacement Fund shall be in accordance with Table “A” and shall be greater than the cost of on-site replacement both to encourage on-site tree replacement, the preferred approach under the Ordinance, and to assure that the Township is fully reimbursed for all fees and costs associated with off-site tree replacements. These fees shall be fixed by resolution and must be spent for tree replacements within one (1) year of the deposit into the account. All details of this fund shall be available to the public upon request. The Tree Replacement Fund in no way relieves the Township from a yearly budgetary allocation dedicated to planting new trees in the Township.

3. The amount to be paid to the Tree Replacement Fund shall be in accordance with Table “A” upon the approval of the Township Forester.

TABLE A

DBH of Tree	Required Action	Amount to Tree Replacement Fund
2.5"-6"	Replace with one 2.5" inch native non-pesticide/herbicide treated tree with a minimum of 6-feet tall	To be prescribed by Resolution
6"-13"	Replace with either two 4" inch native non-pesticide/herbicide treated trees; or four 2.5" native non-pesticide/herbicide treated trees. Each tree shall be a minimum of 6-feet tall.	To be prescribed by Resolution
13"-22"	Replace with either three 4" inch native non-pesticide/herbicide treated tree; or six 2.5" native non-pesticide/herbicide treated trees. Each tree shall be a minimum of 6-feet tall.	To be prescribed by Resolution
23"-32"	Replace with either four 4" inch native non-pesticide/herbicide treated tree; or eight 2.5" native non-pesticide/herbicide treated trees. Each tree shall be a minimum of 6-feet tall.	To be prescribed by Resolution
Over 33"	Replace with either five 4" inch native	To be prescribed by Resolution

	non-pesticide/herbicide treated tree; or ten 2.5" native non-pesticide/herbicide treated trees. Each tree shall be a minimum of 6-feet tall.	
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§ ____-9: Enforcement and Administration

In administering and enforcing this section, the Township Forester, the Township's Construction Official, Zoning Officer, Township Planner, Engineer, Chief of Police, or any other Township officer or designee, is hereby empowered to issue stop work orders whenever a claimed violation of this section is witnessed or reported.

§ ____-10: Violations and Penalties

a. Any person, firm, partnership, corporation, association, or other legal entity violating any of the provisions of this article shall, upon conviction of such violation, be punished by a fine not to exceed \$2,000 for each offense, in addition to the required mitigation for each tree illegally removed. Each illegally removed or damaged tree shall constitute a separate offense. Violations of this Ordinance shall be heard in the Municipal Court of competent jurisdiction.

b. The removal of a tree in violation of this section shall automatically invalidate or void any existing tree removal permit(s) associated with a property and terminate the issuance of any future permits until the matter has been resolved and any required tree replacement has been completed. This provision shall be applicable to contractors, agents and/or persons who remove tree(s) without properly registering with the Township in accordance with Chapter 5, § 27.1 *et seq.*

c. In addition to the suspension of any active tree removal permit, any company, business, or other entity whom removes or damages any tree in violation of this Ordinance shall be subject potential suspension of their tree removal license within the Township as follows:

1. First Offense: 90-day suspension;
2. Second Offense: 180-day suspension;
3. Third Offense: One year suspension; and
4. Any offense thereafter: permanent suspension.

§ ____-11: Severability, Repeal of Inconsistent Ordinances, and Effective Date

Any and all parts of ordinances which are inconsistent with any of the terms and provisions of this section be and the same are hereby repealed as to and to the extent of such inconsistency.

Any and all parts of ordinances which are inconsistent with any of the terms and provisions of this section be and the same are hereby repealed as to and to the extent of such inconsistency.

This section shall take effect upon final passage and publication as required by law.

SUSAN MCCARTNEY, MAYOR

**BILL RUTHERFORD,
COUNCIL PRESIDENT**

KAREN J. CARNEVALE, R.M.C., MUNICIPAL CLERK

INTRODUCED: January 23, 2024

ADOPTED:

Legislative History

The purpose of this ordinance is to repeal and replace Chapter 25, Sections 27 of the Revised General Ordinances of the Township of West Orange and to create a new Chapter of the Township Code for the purpose of protecting trees which are among the Township's most valuable natural resource assets, which greatly enhance the appearance of the Township and contribute to its suburban and residential character, which must be kept and maintained in good order to enhance the Township's physical and aesthetic appearance, and generally protect the public health and safety as well as the general welfare. Importantly, trees contribute positively to climate change, protection of the environment, and maintenance of storm waters.

**AN ORDINANCE AMENDING CHAPTER 16, SECTION 3 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(SWIMMING POOLS—PLOT PLAN REQUIRED; REVIEW FEE)**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 16, Section 3 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fees set forth in Chapter 16, Section 3 of the Revised General Ordinances of the Township of West Orange (the “Township Code”) such that the review fee for a plot plan regarding swimming pools shall be amendable by Resolution in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

II. CHAPTER 16, SECTION 3 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

§16-3 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “Plot Plan Required; Review Fee” which specifies the fee for review of a plot plan related to swimming pools shall be repealed and replaced by the following language:

All applicants for a swimming pool license shall submit, at the time of initial application for a license, five copies of a plot plan drawn to scale. The plot plan shall clearly disclose the location of the swimming pool, as well as all structures and appurtenant facilities which the applicant proposes to erect or install. In addition thereto the plan shall disclose the location of parking facilities, fencing, landscaping, sanitary facilities and the like. The plan review fee for new construction and renovations shall be set forth by Resolution. These fees are in addition to any license fee required. The requirements of this section shall also be in addition to any approvals required by any other provisions of State law or Township Ordinances.

Deleted: There shall be a plan review fee of \$150 for all new construction. If a renovation, the plan review fee shall be \$50 These fees are in addition to any license

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**BILL RUTHERFORD,
COUNCIL PRESIDENT**

**KAREN J. CARNEVALE, R.M.C.
MUNICIPAL CLERK**

INTRODUCED: April 9, 2024

ADOPTED: April 24, 2024

2849-24

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 16 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.

**AN ORDINANCE AMENDING CHAPTER 16, SECTION 4 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(SWIMMING POOLS—LICENSE FEES)**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 16, Section 4 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fees set forth in Chapter 16, Section 4 of the Revised General Ordinances of the Township of West Orange (the “Township Code”) such that the license fees for any person applying for a swimming pool shall be amendable by Resolution in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

II. CHAPTER 16, SECTION 4 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

§16-4 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “License Fees” which specifies the license fee for the operation of swimming pools shall be repealed and replaced by the following language:

Any person whose application for a swimming pool license is approved shall pay an annual license fee in an amount set forth by Resolution at the approval of the Township Council,

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

Deleted: as follows:¶

- ¶
- a. Hotel or Motel: \$400.¶
- b. Country Club: \$400.¶
- c. Health or Swim Clubs: \$500.¶
- d. Public Whirlpool or Jacuzzi: \$35 each.¶
- e. Multiple Housing Dwellings of more than four units: \$100.¶
- f. Condominium or Cooperative Complex: \$100.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**BILL RUTHERFORD,
COUNCIL PRESIDENT**

**KAREN J. CARNEVALE, R.M.C.
MUNICIPAL CLERK**

INTRODUCED: April 9, 2024

ADOPTED: April 24, 2024

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 16 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.