



**REQUEST FOR SEALED PROPOSALS**

**HUMAN RESOURCES INFORMATION  
SYSTEM (HRIS) SOLUTION  
SJPC-HRS -01142022**

**SOUTH JERSEY PORT CORPORATION  
101 Joseph A. Balzano Boulevard  
Camden, NJ 08103**

**Proposal Due Date: Friday, January 14, 2022 at 11:00am EST**

**INFORMATION TO RESPONDENTS**

Sealed proposals shall be received in accordance with Public Advertisement as required by law, a copy of said notice being attached hereto and made part of these specifications.

**Submission of Proposals**

All proposals must be submitted in sealed envelopes bearing on the outside the name of the proposer, address and the name of the professional service for which the proposal is submitted. Proposals must be addressed to the attention of:

SOUTH JERSEY PORT CORPORATION, c/o PATRICK BOYLE, SENIOR PURCHASING AGENT, 101 Joseph A. Balzano Boulevard (formerly Beckett Street) ,Camden, NJ 08103

Proposals Forwarded through the Mail must contain the following statement on the envelope:

“THIS IS A SEALED PROPOSAL AND SHALL NOT BE OPENED AND READ UNTIL JANUARY 14, 2022 AT 11:00AM BY PATRICK BOYLE, OR HIS DESIGNEE: SJPC-HRS-01142022

The South Jersey Port Corporation (hereinafter “SJPC”) will not assume responsibility for proposals not delivered in person to the above address.

The sealed proposals will be opened and recorded at South Jersey Port Corporation’s Balzano Marine Terminal, 101 Joseph A. Balzano Boulevard (formerly Beckett Street), Camden, New Jersey 08103.

**Receipt of Proposals**

All proposals must be received by January 14, 2022 at 11:00am EST. No proposal will be accepted after the specified time.

**Reservations**

The SJPC reserves the right to reject any or all proposals, to waive irregularities and technicalities, to request re-submissions, and to award proposals as the SJPC deems will best serve the interests of the SJPC.

Questions regarding this Request for Proposals may be directed to Patrick Boyle , Senior Purchasing Agent at [pboyle@southjerseyport.com](mailto:pboyle@southjerseyport.com). No questions will be answered after 5pm on January 3, 2022.

# **REQUEST FOR PROPOSALS**

## **HUMAN RESOURCES INFORMATION SYSTEM (HRIS) SOLUTION**

### **OVERVIEW**

The South Jersey Port Corporation (SJPC) is an agency of the State of New Jersey with a mission to develop, maintain and operate marine terminals and related intermodal transportation infrastructure within the South Jersey Port District. The agency has primary offices and port operations in Camden, New Jersey at the Balzano Marine Terminal and the Broadway Terminal. The agency also has facilities in Salem and Paulsboro. SJPC is grantee of Foreign Trade Zone #142.

<http://southjerseyport.com/facilities/balzano-marine-terminal/>

### **ADVERTISEMENT FOR BIDS**

South Jersey Port Corporation  
Request for Sealed Proposals for  
**HUMAN RESOURCES INFORMATION SYSTEM (HRIS) SOLUTION**

Notice is hereby given that sealed Proposals for a Human Resources Information System (HRIS) Solution pursuant to N.J.S.A. 19:44A-20.7, will be received by the South Jersey Port Corporation (herein after "SJPC"). Three (3) original sealed copies of each firm's proposals shall be submitted to Patrick Boyle, Senior Purchasing Agent, South Jersey Port Corporation, 101 Joseph A. Balzano Boulevard (formerly Beckett Street), Camden, NJ 08103, by 11:00am EST on January 14, 2022 at which time the sealed proposals will be opened and recorded.

Each submission to be considered shall comport to the criteria set forth in the proposal packets. The proposal packets may be obtained from SJPC at <http://www.southjerseyport.com> or upon request to: South Jersey Port Corporation, Attention: Patrick Boyle, Senior Purchasing Agent, 101 Joseph A. Balzano Boulevard (formerly Beckett Street), Camden, NJ 08103 or by calling 856-757-4950.

Bidders are required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.

### **SCOPE OF WORK**

The South Jersey Port Corporation (SJPC) is soliciting proposals to establish a contract with one (1) qualified and experienced vendor to provide a single, robust integrated enterprise Human Resources Information System (HRIS) solution. The current vision is to streamline our day-to-day activities, eliminate unnecessary tasks and house all our current HRIS needs in one system, while maintaining data integrity and efficient end user functionality.

This solution should cover all keys areas including:

- a. Payroll
- b. Time and attendance
- c. Benefits Administration
- d. Recruiting / Applicant Tracking
- e. Onboarding
- f. Position Management
- g. Performance Management
- h. Compensation Management
- i. Learning Management
- j. Expense Management
- k. Reporting & Analytics
- l. Compliance
- m. Employee Engagement
- n. Mobile

Proposals will be considered from qualified and experienced firms who are regularly established in the business of providing HRIS, and who in the judgment of SJPC are financially responsible. Through prior work performed, firms must be able to show evidence of reliability, capability, experience, and knowledgeable personnel to perform the services.

The contract term for this service will be three-years, with the option for an additional two-year extension at the discretion of SJPC. This extension is also subject to the availability and appropriation annually of sufficient funds as may be required to meet the extended obligation.

## **GENERAL REQUIREMENTS QUESTIONNAIRE**

### **1. Company Overview**

#### **Background**

1. Provide a brief history of your firm.
2. What is your primary business focus?
3. Provide company brochure/literature/whitepapers if available.
4. What separates you from your competition?
5. Please describe your most recent accomplishments over the last year.

#### **Customer Base**

1. How many clients do you serve?
2. What is the average size of your customers?
3. What is your client retention rate?

#### **Financial**

1. Are you public or privately held?
2. Provide evidence of the financial stability of your firm.
3. If public, can you provide public filing reports from the past 5 years, if requested?

### **Development and Deployment**

1. How does your company stay current with technology?
2. Is your product developed in-house or by third-party?
3. How do you roll out new upgrades or products to your clients?
4. Are all clients on the same version of the software or are a percentage on older versions without updating?
5. What is the minimum and maximum amount of time between software releases recommended before we upgrade?
6. How do you prioritize your product development roadmap?
7. To what extent are current customers involved in providing user feedback for product development?

## **2. Technology**

### **Architecture**

1. How modern is your technological architecture?
2. Did you develop your entire platform or have you acquired parts? Please describe in detail which were developed in house and which were acquired and adapted.
3. Who are your product partners?
4. Is your product scalable for the future?
5. Is your product an open or closed architecture? Please describe.
6. Provide a high level technical architecture graphic of the proposed solution.
7. How many administrators can we have in the system?
8. Are there any components that are loaded on the client that we would not have access to modify/view?
9. Is your system architecture comprised of a single or multiple databases? Are there third-parties?

### **Integration**

1. Do you have the ability to integrate with any best-of-breed solutions, wherever possible? Please describe any limitations.
2. Does the system allow programmatic access (Read) to data via an API?
3. Does the system allow programmatic updates (Write) to the data via an API?
4. If the system does allow API access, does the API allow user-based security permissions where we can restrict access to certain fields?
5. Which export/import formats does the system support for data?
6. Please describe how data feeds from our internal systems, third-party vendors, and benefits carriers will integrate with your product (ex – 360-degree data file feeds).
7. Does your system support mass-update configuration changes?
8. Does your system offer the ability to run, or create, a remit file to our third party retirement plan administrator each pay period to include items such as contributions, hours worked, wages, and demographic information?

### **Data Access**

1. Is data encrypted at rest?
2. Is data encrypted in transit?

3. Please describe the data storage and hosting environment and level of redundancy for data hosting.
4. Does the system retain/maintain employee records for a specific time? What is that time limit?
5. Is there a test environment for the customer to use?

### **Security and Stability**

1. Please provide an overview of your security controls.
2. How are your customers notified of any breach and/or vulnerability that is identified? What is the timeframe for the notification to the customer?
3. Define your hardware, and operating system requirements (including 3rd party and/or supporting requirements).
4. Provide a description of your company's disaster recovery options – redundancy and recovery procedures.
5. Which user roles are built into the system?
6. Does the system allow the creation of custom user roles?
7. Does the system have multi-level user defined approval levels?
8. Does the system support multi-factor authentication?
9. How often is data backed up and what type of backup schedule and routine is employed?

## **3. Product Functionality**

### **Payroll**

1. Does the system have an integrated payroll system? Please provide an overview description of your payroll system.
2. Does the system provide for and track taxes in all federal, state, and local tax jurisdictions in the United States and its territories?
3. Does the system monitor all tax requirements or is that our responsibility to let you know?
4. Does the system complete and pay all tax filing?
5. Does system have export capabilities to Accounting software?
6. Does the system have out of the box integration with accounting software?
7. Does the system track historical pay information?
8. Does the system have total compensation statements (real-time)?
9. Does the system have the capability to do mass notifications?
10. Is Payroll regulatory reporting available?
11. Describe how adjustments to exempt salaries are calculated, particularly partial pay.
12. If certain departments have permanent percent allocations to different departments (specifically for grants), can this be handled in your time system and/or payroll?
13. Are automatic direct deposits possible for each payroll?
14. Will federal, state, and local tax updates be made for me every quarter? Describe the update process.
15. Describe how adjustments to exempt salaries are calculated, particularly partial pay.
16. Can we run payroll on our own schedule and make last minute changes without added fees? Explain.
17. Does the system have an Employee Personal Expense Reimbursement (PER) feature?
18. Can the system allocate hours/dollars to another cost center through the payroll process?
19. If we use another time system, which file formats/specifications are needed to send that file to payroll?

20. Is your system able to generate and track hours for employees, but not pass these hours to payroll for calculation, to be used for allocation costing?
21. Is your system able to handle fringe allocations for deductions?
22. Are rules for premiums pays – overtime, double time, time-and-a-half– fully configurable by the user? Please document.
23. Does your system calculate garnishments based on state and federal calculations requirements?
24. Does your system have the capability to assign multiple rates to employees?
25. When working on the payroll entries, is the company Payroll Administrator able to open an employee while in the payroll batch to edit their individual pay data?
26. Can your system accommodate multiple pay rates for the same person working in different roles/positions?
27. Does your system issue Paperless Paychecks & W2s?
28. Does your system track YTD, QTD, MTD and last payroll amounts by earning type, and by employee?
29. Does your system support an unlimited number of earning definitions? If there are limits, please describe.
30. Is your system able to process termination checks and maintain the original date in the system of the termination check - even if recording the payroll costs and taxes on a later date?
31. Does your system support retro pay and overtime calculations within the program?
32. Does timesheet information interface with payroll easily and/or seamlessly?
33. Can your system import an excel file to create a bonus pay run?
34. Does your system calculate retro pay adjustments based on an effective date?
35. Does your system process all garnishments – withholdings from checks and payments to agencies?
36. Does the solution support varying pay cycles?
37. Does your system have the ability to report an employee's earning, tax, and deduction information for any given pay cycle or time period?
38. Does your system have the ability to calculate employee salary overpayment(s) and implement declining balance payroll deductions to recoup (current year - net pay) OR recover (past year - gross pay) such overpayment(s) AND to adjust wages for current year and to note a prior period adjustment for past years?
39. Does your system have the ability to provide a net pay calculator to end users for "what if" deduction scenarios?
40. Does the system have the ability to set up Company holidays that may differ from calendar holidays? Example – The Friday after Thanksgiving is a Corporate Holiday; however, it is not paid at the Holiday Rate.
41. Does the system have a Gross up Calculator?
42. Can we set up an integration with the GL in the financial system or ERP?
43. HSA Deductions - if an employee has not selected a high deductible health plan does your system automatically prevent the employee from having any HSA deduction on their paycheck?
44. HSA Deductions - Are employee HSA deductions direct deposited automatically each time payroll is processed into the employee HSA bank account?
45. Can specific earnings be scheduled for a specific payroll cycle (i.e., once a month)?
46. Does your system support effective dating with deductions?

### **Time and Attendance**

1. Please describe your Time and Attendance module.

2. Does the system allow for Paid Time off requests with Manager Approval?
3. Will Managers have access to team members' PTO Balances to review when they request time off?
4. Does the system allow for Managers to view and approve timesheets daily?
5. Does the system allow for different time keeping options? (i.e., clock-in and out for hourly employees, checking for sales force)?
6. Does the system allow for geo-fencing for attendance?
7. Can the attendance system be integrated with additional data from CRM or other employee performance and activity tracking tools to allow independent confirmation of work activity?
8. Does the system have Paid-Time-Off accrual tracking?
9. Does the system allow for tiered time off accruals?
10. Does the system have paid and unpaid time off tracking?
11. Does the system have automatic bumping through seniority accrual levels?
12. Do you provide schedule tracking with points?
13. Is this module accessible via all mobile devices?
14. How many methods of recording time apply? (clocks, web punch, kiosk face punch, mobile, timesheets)
15. How easy is it for Manager/Admin to view exceptions (missed punch, tardy, early punch, etc.)?
16. Do you utilize anything around attendance points?
17. How can we utilize approvals? Weekly, pay period etc.?
18. Does your system utilize scheduling? If so, how are schedules created? How can EEs view? What if changes are required?
19. Can different schedules exist for different areas of the company?
20. Does your system allow administrators to prohibit specified dates?
21. Does your system flag potential errors on timesheets and restrict approval of major errors, such as missed punches?
22. Does your system have attendance incident tracking? If so, provide brief overview.
23. Describe the ability for the system to apply separate OT rules to employees who work different jobs or are part of another unique grouping.
24. Does your system allow for flexible reporting & analytics on labor and OT?
25. Does the system enable both the user and HR to enter time?
26. Does your time and attendance module include labor allocation and a fully integrated timekeeping system that eliminates the instance of duplication of information?
27. Does the system have the ability to assign approvers and reviewers by group?
28. Does the system allow for viewing employee attendance data for a defined period?
29. Does the system have the ability to revise timesheet (and all timesheet fields) after timesheet period?
30. Does the system have the capability to assign certain hours to different departments and rates?
31. Does the system have the ability to configure the time sheet screen for users, groups of users, or the entire company?
32. Is the system able to display actual punch times while rounding hours and displaying the rounded totals in the total hours section of the time sheet?
33. Does the system allow managers to view/approve requests for edits and time off? Can the system require comments to identify reasons for time sheet changes?
34. Does the system offer multiple punching methods that can be utilized such as time clocks, computer punching, and a smart-phone application with punch capability?



35. Does the system have automatic notifications to remind employees and supervisors to finish/approve time sheets based on a client configured deadline? If not automatic, is there the ability to press a button to send out to all, without needing to specify in program who those are that need to finish?
36. Can time records be locked from further edits?
37. Does the system support employee sign-off of time cards with notification of "I certify that this timesheet is correct"?
38. Does the system provide configurable grace and tardy rules by employee group?
39. Does the system support an unlimited number of pay codes and pay categories for tracking employee time?
40. Does the system allow managers to easily identify and resolve exceptions in a user friendly manner within program?
41. Can Managers/supervisors view all their employees' time and attendance records on a single screen for the entire pay period without the need to scroll between days of the week and/or employee?
42. Are there warnings or highlighted areas for Managers to easily see when something is out of the ordinary for an employee's time sheet?
43. Does the system have the ability to allow for meal and break periods?
44. Does the system allow for shift differentials and unique rules?
45. Do you have a mobile app allowing users to track their time & attendance remotely?
46. Does the system allow for unique payments, i.e. meal allowances?

### **Benefits**

1. Explain how the system facilitates reporting to third party vendors such as benefit providers.
2. Does the system offer an interface with benefit carriers? Which ones?
3. Does the system offer employees with a Total Compensation Benefit statement?
4. Does the benefit data automatically populate in payroll? Is it real-time or a batch process?
5. Does your system have a module to maintain Worker's Compensation Claims, Costs, tracking lost time, restrictions, legal reporting requirements, regular reporting, etc.?
6. In transmitting data to carriers, do you employ fully automated, electronic file feeds? Can these file feeds be customized to carrier specifications? Can you adhere to HIPAA file standards?
7. Can the user/administrator track and view enrollment status online? Describe available on-screen tools, dashboards, reports, etc.
8. Are cost calculations for all employee options (including those subject to a dynamic calculation, such as life insurance and disability) visible to the employee on the enrollment screen?
9. Is there a limit on the number of benefit plans that can be configured in the proposed system?
10. Does the system include defined start and stop dates for benefit/deduction?
11. Does the system define and maintain benefit/deductions for the employee and employer?
12. Does the system allow for configuration of eligibility rules based on employment information and employee personal information?
13. Are employee benefit enrollments effective dated and will the system automatically update employees' payroll information to begin on that effective date?
14. Does the system support life insurance imputed amount for both viewing by employee and payroll processing?
15. Does the system support unique enrollment dates for each benefit plan?
16. Can the system run Total Compensation statements – is there an additional cost for this?
17. Can we access a billing suite that pulls monthly enrollments for billing reconciliation?

18. Does the system allow administrators to prohibit specified dates?
19. Does the system flag potential errors on timesheets and restrict approval of major errors, such as missed punches?

### **Recruiting / Applicant Tracking**

1. Provide a brief description of your recruiting and applicant management system.
2. Does the system transfer demographic data upon hire to HR module?
3. Is the system able to connect and post through online job boards like Indeed? Are any preconfigured?
4. Does the system integrate (out of the box) with any 3<sup>rd</sup> party applicant tracking / talent acquisition systems currently on the market?
5. Does the system allow administrators to create, delete, and modify the application templates and application questions?
6. Can administrators create and customize email triggers based on actions (candidate status changes, offer letters, interviews, etc.)?
7. Can the system prevent applicants from applying for the same job twice?
8. Does the system allow administrators to define qualifying (knockout) questions to automatically reject ineligible candidates (e.g., are you legally permitted to work in the United States)?
9. Does the system provide government compliant diversity and EEO questionnaires for candidate tracking?
10. Does the solution track candidate/applicant evaluations, such as permitting interviewers to enter notes, or providing questionnaires about necessary job skills?
11. Can hiring managers upload interview documents?
12. Does the system provide analytics and reporting capabilities for Time to fill, demographic (EEO), candidate source, current open roles/status, breakdown by department, etc.?
13. Does the system generate customized offer letters/packets?
14. Can the system submit or create a general application or profile for future consideration?
15. Does the system pre-screen unqualified candidates?
16. Can the system manage multiple and/or evergreen openings for the same role?
17. Does the system allow for an internal job board to post requisitions separately from the external job board?
18. Can candidates view the job board/career page on a mobile device without compromising utility?
19. Can candidates complete all aspects of the application process on the mobile application?
20. Does the system have the ability to parse resumes and allow candidates to attach resumes?
21. Once hired, describe the process and ease of moving candidate profile data from the external candidate profile to the new employee profile.
22. Does the system have a filtering functionality and ease of search for finding open positions by department, function, location, etc.?
23. Does your system allow for an automatic e-mail response to applicants and candidates? If so, please describe the communication types included in the application. Can we customize the responses?

### **Onboarding**

1. Provide an overview of your Onboarding, detailing the user experience from recruiting to hiring to onboarding.
2. Does your system allow for E-verify with a direct link?
3. Does your system offer E-sign submission, print capabilities, and additional uploads as attachments?
4. What is configurable as far as email notifications for required documents (clearances, CPR, Licenses)?

5. Does your system offer onboarding dashboards for HR, MIS, managers, etc.?
6. Can employees independently retrieve forgotten passwords during the onboarding process?
7. Can that workflow also notify when any changes in hiring occur (change in start date, spelling of name, etc.)?
8. Does your system have the ability to provide electronic new hire packets, with ability to attach or link to external URLs?
9. Does your system support E-Verify integration?
10. Onboard Tracking: We want recruiters and hiring managers to easily see the progress of all onboarding participants and activities and have automatic nudges and reminders when activities are approaching or are past due. Describe how this is accomplished in your solution.
11. Onboard Learning: we would like to push content-rich learning items such as videos, documents, welcome messages, links, etc. to help make the new hire's day one experience a great one. How does your solution enable us to do this and can the new hire – before day one – access content kept in the learning module so that we can track completion?
12. Onboard Provisioning: In the spirit of paperless HR, how would you recommend and/or what tools are included in the solution to help us create and manage internal forms and communications for such things as getting security badges, ordering computer hardware/software, understanding security expectations, office/desk space set-up, order nameplates, business cards, etc.?
13. Does your system have the ability to automatically notify new hire of activities he/she needs to complete and then send reminder?
14. Does your system include I-9 Verification?
15. Data Security: Does your system have the ability to restrict access to employees and their onboarding documents based on user role?
16. Document Repository: Does your system contains a library of forms used for data collection and retain copies of forms completed by employees during onboarding?
17. Does your system have the ability to assign tasks, collect data, collect signatures, store, and retrieve documents related to the person's employment?
18. Does your system have the ability to assign onboarding forms by Employee Type?
19. Does your system allow for eSignatures for job descriptions?
20. Describe how the I9 and e-Verify process work in your system.
21. Does your system have the ability for new hires to complete, sign, and send onboarding documents electronically?
22. Does your system have the ability to support a paperless onboarding process with W-4, I-9 documents, electronic signatures, and the generation of the ongoing unique employee identification number?
23. Is employee data available throughout entire application upon approval with no need for duplicate data entry?
24. Can forms can be stored in an electronic repository for easy, anytime access.
25. Can new hires be transitioned seamlessly into HR/Payroll after the offer has been accepted?
26. Does your system have the ability to delegate a proxy or change the owner for any specific task?

### **Position Management**

1. Does your system indicate budget period?
2. Does your system allow overstaffing for positions and in-lieu-of titles?
3. Does your system support the generation of organization charts based on position "reports to" hierarchy?
4. Does your system store unlimited history of changes recorded to the position record?
5. Does your system track status of position approvals?

6. Does your system maintain jobs across multiple departments, geographical locations, companies, divisions, and other structural distinctions?
7. Does your system track EEO, FLSA, and other compliance-related data?
8. Does your system track job details including name, description, class/stratum, job family, job type, salary band or grade, FT/PT?
9. Does your system retain job history including title changes, reclassification, and inclusion in career paths?
10. Does your system maintain job status (active, inactive)?
11. Does your system track all employee job-specific data (job grades, job families, salary, reports to, union, etc.)?
12. Does your system create/manage jobs and job details?
13. Will the system enable us to track positions currently including those budgeted now, in the future, and in the past?
14. What information associated with the employee is controlled by the position? What are the system rules for calculating FTE?

### **Performance Management**

1. Does your system offer an online performance management system?
2. Does your system allow for continuous journaling? Can the journals be accessed outside the performance review?
3. Are employee journals automatically shared with their Supervisor? Can journals be marked as private and not shared with anyone? Can journals be associated to a Goal? Can Journals be included in a Performance Review?
4. Does the system provide a Talent Dashboard with a summary view of pay and performance for their team?
5. Does system allow for 360/periodic reviews?
6. Does the system have an employee survey function and/or integrated with third party survey software?
7. Does system allow for competency based employment development plans?
8. Does the system provide the ability to automate the review process?
9. Does the system allow managers and employees to select a rating from a predetermined rating scale?
10. Does the system have the ability to complete performance improvement plans, assign to an employee and track the completion of action items throughout the process?
11. Describe how feedback can be collected at the end of each project and how that feedback is consolidates into the employee's annual review.
12. Describe how peer to peer feedback can be given and how it can be tracked.
13. Describe how multiple reviewers can be assigned to one employee and what each of the reviewers can see. (Can they see each other's comments? Can the manager see everyone's)?
14. Does the system provide printable/pdf capabilities?
15. Does the system have the ability to electronically acknowledge review discussion took place?
16. Does the system enable administrators and managers to view the status of the review process at any time?
17. Does the system enable administrators to assign different review forms for different employees within the same review cycle?
18. Does the system have the ability to attach documents to a performance review (e.g. emails, communications, notes, etc.)?
19. Can the questions be customized for evaluations?

20. Can the rating scales be customized for evaluations?
21. Is there a section to enter employee performance review information, including comments and dates?
22. Does the system enable individual weighting of goals within the review form?
23. Does the system provide a custom competency library?
24. Can we custom design our performance review forms?
25. Can we aggregate performance scores based on weightings and pre-established criteria?
26. Does the system enable us to create, modify, and manage criteria including weights, order, and formatting?
27. Does the system provide for the administration and tracking of performance improvement or remediation plans and associated activities?
28. Does the system have the ability to administer multiple types of performance reviews/appraisals (ranking/grading, 360-reviews, self-review, peer-review) at configurable intervals?
29. Ability to create separate "plans" for different sub sets of employees?
30. Can the system track different levels of performance management (30 day checklist, 90 day review, and annual review)
31. Delivers a configurable "out-of-the box" performance management process (i.e., goal setting, feedback gathering, review, performance summary).
32. Does your system support manager and employee performance feedback throughout the performance cycle?
33. Does your system support the ability for users to assign/align development goals to organizational goals?
34. Does your system support assigning activities to goals and/or objectives?
35. Does your system support varying goal formats: Management by Objective, SMART, and Objective and Key Results?
36. Track percentage completion for specific goals and objectives
37. Ability for managers to cascade goals based on alignment with departmental or organizational goals?
38. Ability for managers and employees to establish date-effective goals and objectives.
39. Ability to include specific goals in Reviews.
40. Track historical performance for an employee, a supervisor's reports, or other hierarchy segmentation. Maintaining performance feedback and rating history.
41. Does your system support journaling about an Employee's performance? Are employee journals automatically shared with their Supervisor? Can journals be marked as private and not shared with anyone? Can Journals be included in a Performance Review?
42. What is the best feature in your Performance management system?
43. Does your system allow for continuous journaling? Can the journals be accessed outside the performance review?
44. Provides a centralized gateway for managers to monitor the progress of their performance management activities — in one place.
45. Please describe any Performance capabilities available via mobile device (i.e. view-only vs update functionality).
46. Can reviews be seen by multiple layers of management and can comments be made by all levels?
47. Summarizes performance review in an easy-to-read format that can be printed for future reference.
48. Does the system generate automatic reminders and automatic assignment of due dates for performance events?
49. Provide for detailed and summary performance reporting.
50. Enables employees to complete self-evaluations.

51. Sign-off and acknowledgement capability for both manager and employee.
52. Does your system enable managers to identify high potential employees during the performance process?
53. Can system conduct Exit Interview and handle robust employee surveys?
54. Does the system provide a Talent Dashboard with a summary view of employee's performance activity and pay for their team?
55. Ability to save work in process/draft reviews and provides option to return to complete.

### **Compensation Management**

1. Provide an overview of the key compensation features of your system.
2. Does your system incorporate performance results into your compensation plans?
3. Does your system automatically calculate the merit increases for the Manager if they enter in a dollar amount, it provides the % increase and if they enter in the % it calculates the dollar amount?
4. Does your system allow for a configurable and flexible approval process for compensation plans?
5. Does your system automatically calculate the Managers budget totals, used, and remaining across their team based on compensation rules
6. Does your system provide guidelines to the Manager for merit increases?
7. Do you support Super Approvers and what approval functions can they perform for others?
8. What happens if you have a comp plan setup with the approval of "next level supervisor" but you change supervisors in the middle of a comp plan process? Does the comp stay with the supervisor that was originally setup or will it carry forward to the new supervisor?
9. Does your system support multiple approvers of plan recommendations and return denied plans to originating manager?
10. Does your system automatically calculate the Managers budget totals, used, and remaining across their team based on compensation rules?
11. Does your system have the ability to support roll up of cascading budgets and display team budget summaries (i.e., percent of budget utilized)?
12. Does your system support building salary budgets?
13. Can we set up a compensation cycles on any interval?
14. Does your system support multiple payout periods and off cycle rewards?
15. Does your system support multiple pay practices by business unit, location and job?
16. Does your system create a document to notify employees of new changes to their title, base salary, variable pay, etc.?
17. Does the system provide an on- line view of the employee's total compensation package including pension, benefits, perks, bonuses and incentives?
18. Does the performance rating scale need to match the configured plan guidelines?
19. Provides the ability to include performance factor as a component of the merit guideline matrix.
20. Do administrators have the ability to setup merit matrices in order to provide guidelines to managers?
21. Can a manager allocate and submit the plan on behalf of managers that report up to them?
22. Provides budget worksheets to assist managers in compensation planning.
23. Does your system automatically calculate the merit increases for the Manager if they enter in a dollar amount, it provides the % increase and if they enter in the % it calculates the dollar amount?
24. Will business leaders be able to view compensation planning worksheets for direct reports and downstream subordinates?
25. The solution facilitates an automated process for increases and enables administration of employee base salaries and hourly pay salary change workflows.
26. Can a mass increase be given to a specified subset of employees?
27. Is compensation fully integrated with the HRIS and payroll functions?

28. Maintain compensation-related history for roles.
29. Explain how your system creates and retains salary history.
30. Do we need to use your Performance Management solution to use the Compensation module?
31. Does your system include the performance rating on the compensation worksheet?
32. Describe the integration with position management and how salary ranges/grades are established in the system, grades are assigned to positions, and positions are assigned to associates.
33. Is there a way to export a report to show everyone who has approved merit increases?
34. What types of Reporting & Analytics are available?
35. Ability to report on compensation across organizational levels, by paybands, job levels, job types, specific positions, locations, and other specifics.
36. How is compensation modeling handled in your system?
37. Does your system have the ability to cap compensation adjustments at maximum or indicate when over maximum?
38. Ability to configure workflows associated with increases below/above established ranges, payband promotions.
39. Explain how your system calculates, displays, and reports compa-ratio and/or quartile information.
40. Configure role-based security for a compensation manager.

### **Learning Management**

1. Please describe your Learning Management functionality.
2. Do you have any features to create content or facilitate peer-to-peer learning?
3. Does any content come with your training module? Please explain.
4. Is this an integrated in-house solution or third-party?
5. How are training courses delivered by your product?
6. How training courses should be created to be uploaded to your product?
7. Can external training courses be accessed?
8. Describe any learning administration functionality e.g. licenses, certifications, training completion tracking, course listing, registrations, etc.
9. Is there ability to course write (authoring tool) or include aspects of gamification into training initiative?
10. Does the learning assignments link to Outlook for calendaring of activities?
11. If applicable, does the learning management system have robust communication tools such as announcements, scheduling, and facilitator and learner profiles?
12. Can the system track when certifications, licenses, etc. are about to expire?
13. The system can provide access to training library.
14. The system provides ability to develop and schedule employee training courses.
15. How does your system accommodate offerings to different classes?
16. Tracks multiple language proficiency information including speaking, reading, and writing, for each employee.
17. Ability to manage (scheduling, reporting) compliance training.
18. Ability to search for employees on training, education, experience, certifications and licenses.
19. Reporting capability for administrators - tracking completion and performance for individuals, as well as segmented by organizational levels or other segmentations.
20. Ability to connect to external vendor courses.
21. Ability to create and maintain a catalog of courses.
22. Does your system support updating an employee's talent profile with transcript data?
23. Does your system provide the ability for users to upload and share self-generated content?
24. Does your system provide the ability to link to content on external sources?

25. Does your system provide notification and viewing of certification requirements that are expiring in different incremental periods (e.g., 30, 60, 90 days)?
26. Can the user see the employee's required and recommended learning activities?
27. Can the user access an individual development plan?
28. Can the user view all courses available within the catalog by location, competency requirements, and learning path?
29. Please describe any Learning capabilities available via mobile device (i.e. view-only vs update functionality).
30. What was the original release date of your Learning Management system (i.e., version 1.0)?

### **Expense Management**

1. Describe your system's capabilities of providing expense management.
2. Is this developed in-house or provided by third-party?
3. Ability to log and track employee mileage with approval workflow for reimbursement through accounting/payroll.
4. System capable of managing employee-entered expenses.
5. Capable of allowing employees to enter expenses directly. Expenses include but are not limited to: mileage, travel, meals, printing, seminars, office supplies, licenses.
6. Employee vs. employer expense.
7. Ability to incorporate an electronic approval path for reimbursement claims.
8. Route employee expense reimbursements from Accounts Payable to Payroll for a consolidated remittance.
9. Can we generate spend reports based on reimbursement data?
10. Can employees capture, submit receipts directly from a mobile device? Can these be routed for approval?

### **Analytics and Reporting**

1. Does the system provide dashboards? Please provide examples.
2. Does system have Ad Hoc report writing and modification? Is this third-party or developed in-house? Please describe.
3. Describe any analytics tools available with your system. Are these included in the basic package?
4. Describe how a non-technical user can obtain reports from the system without assistance.
5. What standard reports do you offer with your package?
6. Do you offer point-in-time reporting? Please describe.
7. Provide salary and benefits reporting and total cost analysis. Reports designed by one person can be used by other users.
8. User-friendly interface for accessing & running reports
9. Does the system have the ability to pull reports listing employees on leave, types of leave, etc. for accurate leave tracking? Describe.
10. What is your standard policy or recommendation for the transfer of historical data? Pay data, employee work history data, etc.
11. Provides easy-to-use report catalog; user is not required to understand the database design.
12. Can the system perform calculations within reports such as Turnover and Retention rates for a specific time interval?
13. Presents data in a way that makes it easy for users to navigate within a database and assemble reports.



14. Is your system capable of producing historical reports relating to items including, but not limited to, job title, pay, employee status, etc.? If no, does your system generate reports based solely on current employee data?
15. Reports can be generated on demand.
16. Can a journal entry report be run that can be imported into an accounting system?
17. Benefit tracking: Health insurance, supplemental insurance.
18. Stat report (Name, employee #, project #, title, hire date, pay rate, standard hours, health code, w/c code, pension eligible).
19. Employer Contribution Report.
20. Reports can be assigned an expiration date for automatic purging or archiving.
21. Reports be run while managers are in other parts of the system simultaneously.
22. Provides access to unlimited years of check and schedule history.
23. Provides ability to schedule standard and ad hoc reports.

### **Compliance**

1. As human resource regulations change, how do you ensure your clients stay in compliance? What technologies do you offer for Compliance?
2. Do you offer ACA services?
3. What services can you provide as far as processing Year End?
4. Do you provide Tax services? If yes, to what extent?
5. Explain how your system maintains OSHA logs.
6. Describe how the software facilitates the maintenance of employee data and creation of employee history (status changes, promotions, demotions, transfers, etc.?).
7. How do you track FMLA leave?
8. Do you offer Applicant Tracking Systems that meet Affirmative Action requirements?
9. Does the system provide EEO Reporting?
10. Does the system track the work opportunity tax credit?
11. Do we maintain state mandated paid leave policies? (i.e. NJFLA, NJFLI, etc.).
12. Can your system accommodate mandated meal and rest breaks?
13. Does your service provide resources for state mandated trainings, such as CA and CT anti-harassment training?
14. Does your service file and collect PA local taxes, including Philadelphia and Pittsburgh?
15. Does your service do new hire reporting on behalf of employers? Do you do termination reporting?
16. Do you provide EITC notices for employees?
17. The system has the ability for provide Compliance Tracking.
18. Provides HIPAA training and compliance reporting related to the training.
19. Vets-4212.
20. Does the system provide reports to file 6055 and 6056 – including forms 1094-C and 1095-C? Does information auto-populate?
21. Does your service do new hire reporting on behalf of employers?
22. See #11.
23. Does the system provide EEO Reporting?
24. Do you offer Applicant Tracking Systems that meet Affirmative Action requirements?
25. Includes affirmative action compliance features.
26. Provides military and veteran status for employees.
27. Tracks ADA and disability information.
28. COBRA letters can be generated from the system.
29. Automatic notification of I-9 expiration/visa expiration.

30. Multi-Worksite Reports.
31. How do you stay current with changes in human resources?

### **Employee Self Service**

1. Does the system allow for employee self-service?
  - a. Ability for employees to access pay stubs, payroll history, W-2.
  - b. Ability for employees to access PTO accruals and other benefit availability / eligibility.
  - c. Ability for employees to update: address, phone number, W-4, beneficiary
  - d. Ability for new hired employees to complete Onboarding before start date:
    - i. I-9
    - ii. W-4
    - iii. Address
    - iv. Direct Deposit Information
    - v. Emergency Contact
    - vi. Electronic document approval
2. Does system have ability for managers to view or change data related to their direct and indirect employees?
3. Ability to search employees by employee number, name, company, location, status, job, pay group, department number, etc.
4. What data can employees download from the self-service portal? Is Administrative Security available to define specific data that cannot be downloaded regardless of the user's execution rights?
5. Is there functionality to limit access to different fields/sections of system based on defined employee groups?
6. What type of functionality is available through your mobile app?
7. Is there a built in confirmation / review process so that any self-service change/updates to data can be reviewed/approved by an HR department staff member with appropriate permissions before being committed to the system?
8. How do you support electronic signatures?
9. Does system offer ability to recognize fellow coworkers for achievements?
10. What alerts/notifications e.g. certification or license expiring, new policy acknowledgement are available?
11. Employee initiated transactions without paper forms; e.g. phone, address change, emergency contacts? Describe the items that employees may directly access and self-manage.
12. Can the employee self-service portal house important employee documents for reference (e.g. Employee Handbooks, policies, etc.)?

### **Engagement**

1. Does your application support employee surveys and employee engagement tools?
2. Same as #9 in above section.
3. Does the solution offer reward & recognition capabilities?
4. Do you offer a mobile app? If so, how are engagement capabilities utilized on the app for our employees?
5. Please provide an overview of how your user experience helps drive user adoption, even among non-technical users. What are any unique aspects?

6. Social Learning: discuss your capabilities to provide a social learning experience including what tools or resources are provided with the solution.
7. Does your solution provide a Survey tool? Describe the capabilities.
8. Create custom questions with variety of response types (T/F, 1-5 scale, agree/disagree scale, open text, etc.)
9. Ability to run evergreen (always-on) surveys (e.g., New Hire survey).
10. Ability to only send to target population based on department, job title, etc.
11. Prepackaged surveys proven to provide data points that can be used to drive actionable change.
12. Prepackaged surveys for new hires and terminations.
13. Export raw data from active or completed surveys.
14. Predictive analytics / actionable items, especially around attrition.

### **Mobile**

1. What is your approach to providing mobile access to your product?
2. Do you offer a mobile app? What is included in the app? Please describe the functionality.
3. Did you develop your mobile app or was it developed by a third-party?
4. Please explain how the application suite is optimized for use on mobile devices (tablets, phones, etc.)? Are there limitations?
5. For mobile access, operating systems are supported and which are best supported (Android, iOS, Windows Mobile, etc.)?
6. Explain how self-service works on a mobile device.
7. Can employees and supervisors make changes for approval using mobile app?
8. How many customers does your company have that are using mobile capability? What is the average size customer using mobile capabilities?
9. Can employees clock in/out through the app and have approvals routed to supervisors?
10. Does the mobile application have geo-fencing capability (only allowing an employee to clock in within a certain area)?
11. Can employees the access following:
  - a. Paycheck, history, W2
  - b. Schedules
  - c. Benefits
  - d. Company directories
  - e. Handbooks
12. Can employees request time off and review time off balances?
13. Can expense reports be submitted through the app?

## **4. Service**

### **Implementation**

1. What is your process for effectively managing the implementation process?
2. Do you use subcontractors for any part of the implementation?
3. What is your typical estimated time frame for completing initial implementation of the system?
4. What is the billing model for implementation? Is it Time & Materials or Fixed-Fee?
5. What could cause us to have implementation fees in addition to what is on the initial quote?
6. What experience does your implementation team have?

7. Can you describe your business model of using remote and/or on-site implementation experts, and explain why you use this model?
8. Do you offer a service agreement or a contract?
9. Describe the makeup of your typical implementation team.
10. What are your expectations in terms of client resources?
11. How will our account be managed following implementation?
12. What is your approach to data conversion?
13. Describe how you would approach implementation with poor or missing data.
14. How much history can be imported into the system?
15. Is there a migration tool from test to production or are changes manually made in both places?
16. Describe your issues management approach and plan.
17. Describe your approach to identifying, managing, mitigating, and tracking of project risks. Provide a sample risk mitigation plan.

### **Customer Support**

1. Describe your service model.
2. What is the location of your customer service?
3. What are your hours of operation?
4. Do you have a dedicated rep model or a call center environment?
5. What are your customer service statistics?
6. Beyond your customer service model, what kind of experience do your service teams have?
7. What is your client retention rate?
8. What is the average tenure of account managers?
9. Define the Support Structure (Tiered Approach, Client assigned 1 point of contact, etc.).
10. Do you provide garnishment services?
11. How is progress and/or success measured for the service team?
12. Beyond your customer service model, what kind of experience do your service teams have?
13. Do you provide any user group initiatives?
14. Can you provide evidence of superior customer service?
15. What notification do you provide customers concerning upgrades?
16. Do you use any outsourcing as a part of your customer support model?
17. What specialist support do you provide for technical, payroll and tax questions?
18. Are client support services available via Chat?

### **Training**

1. Provide an overview of your approach to training clients.
2. Describe the types of training/courses available.
3. Is there an additional cost for training?
4. What on-going training is available?
5. What client communications do you provide to clients?
6. What training materials are included within the system?
7. Give examples of the types of requests/development/configuration that would result in fees outside of subscription/maintenance costs.

## **SUBMISSION/PROPOSAL REQUEST**

The proposal should include:

- 1.** Letter of Transmittal – The letter is not intended to be a summary of the proposal itself and must contain the following statements and information:
  - a. Company name, address, and telephone number(s) of the firm submitting the proposal.
  - b. Name, title, address, e-mail address, and telephone number of the person or persons to contact who are authorized to represent the firm and to whom correspondence should be directed.
  - c. Federal and state taxpayer identification numbers of the firm.
  - d. The letter must be signed by a corporate officer or other individual who is legally authorized to bind the applicant to both its proposal and cost schedule.
  - e. General Vendor Information- Please provide the following information:
    - i. Length of time in business
    - ii. Length of time in business of providing proposed services
    - iii. Total number of clients
    - iv. Total number of public sector clients
    - v. Number of full-time personnel in:
      - vi. Consulting
      - vii. Installation and training
      - viii. Sales, marketing and administrative
      - ix. Location of headquarters and field offices
      - x. Location of office which would service this account
- 2.** Provide the name, title, address and telephone number of three references for clients whom you have provided similar services. Please provide information referencing the actual services provided, customer size (number of users), and the length of tenure providing services to this client.
- 3.** Staff Resources – Identify names of principals and key personnel who will perform the work.
- 4.** The SJPC facilities are federally regulated under the Maritime Transportation Security Act and onsite vendor representatives must possess a Transportation Worker Identification Credential (TWIC) issued by the Transportation Security Administration. See Application for TWIC Escort Sponsorship

5. Bid Form: Complete the bid form, including a cost schedule for work identified under the “Scope of Work” section.

6. General Requirements Questionnaire: Please provide sufficient responses to the questions in this section.

#### **ADDITIONAL APPLICANT RESPONSIBILITIES IN RESPONDING TO PROPOSALS**

The applicant/proposer shall, in response to the SJPC’s Request for Proposal, also include the following information as indicated on the Web Site Bid Page:

- a) Insurance. The proposer shall provide documentation of insurance as requested.
- b). Small Business Enterprise Questionnaire. The applicant/proposer shall submit a completed form (exhibit Q1).
- c) Mandatory Equal Opportunity. The applicant/proposer shall submit a completed form (exhibit Q2 and Q3).
- d) Stockholder Disclosure Certificate. The applicant/proposer shall submit a completed form (exhibit Q4).
- e) Non-Collusion Affidavit. The applicant/proposer shall submit a completed form (exhibit Q5).
- f) Debarred List Affidavit. The applicant/proposer shall submit a completed form (exhibit Q6).
- g) Affirmative Action Evidence for Procurement. The applicant/proposer shall submit a completed form (exhibit Q7).
- h) Business Registration Certificate. The applicant/proposer shall submit a completed form (exhibit Q8).
- i) Set-Off State Tax. The applicant/proposer shall submit a completed form (exhibit Q9).
- j) Acknowledgement of Receipt of Addenda Form. The applicant/proposer shall submit a completed form (exhibit Q10).
- k) Executive Order #129 Vendor Disclosure Form. The applicant/proposer shall submit a completed form (exhibit Q11).
- l) Executive Order #189 Vendor Code of Ethics Affidavit. The applicant/proposer shall submit a completed form (exhibit Q12).
- m) Executive Order #117 Two Year Chapter 51/ Vendor Certification and Disclosure of Political Contributions. The applicant/proposer shall submit a completed form (exhibit Q13).

- n) Executive Order #151 Contract Compliance. The applicant/proposer complete and submit form AA302 (exhibit Q14).
- o) Employee Information Report. The applicant/proposer shall submit a completed form AA302 (exhibit Q15).
- p) Ownership Disclosure Form. The applicant/proposer shall submit a completed form (exhibit Q16).
- q) Buy American Notice. In the performance of the work under this contract, the contractor and all subcontractors shall use only domestic materials. (exhibit Q19).
- r) Executive Order #117 Pay-to-Play Restrictions. The applicant/proposer shall submit a completed form (exhibit Q20).

### **BID BOND**

The Form of Bid Security shall be a BID BOND to accompany the BID Proposal Package in the amount of 10% of the total bid price not to exceed \$20,000.

### **EXECUTIVE ORDER NO. 271 COMPLIANCE**

Per attached Executive Order No. 271, the contractor of any subcontractors that is party to this contract (“covered contractor(s)”) must maintain a policy that requires all covered workers to either provide adequate proof to the covered contractor that they have been fully vaccinated or submit to COVID-19 testing at a minimum one to two times weekly.

South Jersey Port Corporation shall require bidders for contracts to certify prior to executing a contract that the bidder, if awarded a contract, shall comply with Executive Order No, 271. Covered contractors shall certify, at the time of submission of an invoice that they have complied with Executive Order during the period of time covered by the invoice.

### **INSURANCE REQUIREMENTS**

#### **PROFESSIONAL and/ or CONTRACTOR SERVICES CONTRACTS**

##### **A. General Insurance Requirements**

1. The Contract shall not commence until the Professional Service Contractor has obtained, at their own expense, all of the insurance as required hereunder and such insurance has been approved by the South Jersey Port Corporation; nor shall the Contractor allow any Subcontractor to commence work on any South Jersey Port Corporation projects until all insurance required of the Subcontractor has been so obtained and approved by the Contractor. Approval of insurance

required of the Contractor will be granted only after submission to the South Jersey Port Corporation, original certificates of insurance signed by authorized representatives of the insurers or, at the South Jersey Port Corporation request, certified copies of the required insurance policies.

2. The Contractor shall require all Subcontractors to maintain during the term of the Contract commercial general liability insurance, business auto liability insurance, and workers compensation and employer's liability insurance at the same limits required of Professional Service Contractor.
3. All insurance policies required hereunder shall be endorsed to provide that the policy is not subject to cancellation and non-renewal until thirty (30) days prior written notice has been given to the Owner by the Contractor, except in the case of non-payment of premiums which is ten (10) days.
4. No acceptance and/or approval of any insurance by the South Jersey Port Corporation shall be construed as relieving or excusing the Contractor (or the Contractor's Surety, if applicable) from any liability or obligation imposed upon either or both of them by provisions of this Contract.
5. Any deductibles or retention's of (\$25,000) or greater shall be disclosed by the Contractor, and are subject to South Jersey Port Corporation's written approval. Any deductible or retention amounts elected by the Contractor or imposed by the Contractor's insurer(s) shall be the sole responsibility of the Contractor.
6. All insurance coverage shall be with AM Best Rating A-, VIII or better insurance companies licensed to do business in the State of New Jersey.
7. Insurance provided to the South Jersey Port Corporation as specified herein shall be primary, and any other insurance, self-insurance, coverage or indemnity available to the Owner and Owner's shall be excess of and non-contributory with insurance provided.
8. Contractor shall name South Jersey Port Corporation as Additional Insured on all liability policies (except Workers' Compensation and Professional Liability Policy, where applicable), for ongoing operations and completed operations on a primary and noncontributory basis. of the Additional Insured's respective directors, officers, partners, members, employees, agents and representative shall also be afforded coverage as an Additional Insured. Coverage should be provided for a period of three years subsequent to the completion of work/final payment for any claims-made base policies.
9. Waiver of Rights of Subrogation: Contractor shall waive all rights of recovery against South Jersey Port Corporation for loss or damage covered by any of the insurance maintained by the Contractor.

**REQUIRED COVERAGES - the following may be provided through a combination of primary and excess policies in order to meet the minimum limits set forth below:**

**Workers' Compensation and Employer's Liability:**

Provided in the State in which the work is to be performed and elsewhere as may be required and shall include:

- a) Workers' Compensation Coverage: Statutory Requirements



- b) Employers Liability Limits not less than:
 

Bodily Injury by Accident:	\$500,000 Each Accident
Bodily Injury by Disease:	\$500,000 Each Employee
Bodily Injury by Disease:	\$500,000 Policy Limit
- c) Jones Act/Maritime Liability and USL&H Coverage, as applicable.
- d) Includes coverage for sole proprietors, partners, members or officers who will be performing the work.

**Commercial General Liability:**

Provided on ISO form CG 00 01 04 13 or an equivalent form including Premises - Operations, Independent Contractors, Products/Completed Operations, Broad Form Property Damage, Contractual Liability, and Personal Injury and Advertising Injury.

- a) Occurrence Form with the following limits:
 

(1) General Aggregate:	\$2,000,000
(2) Products/Completed Operations Aggregate:	\$2,000,000
(3) Each Occurrence:	\$1,000,000
(4) Personal and Advertising Injury:	\$1,000,000

**Automobile Liability:**

- a) Coverage to include All Owned, Hired and Non-Owned Vehicles (or "Any Auto"), if you do not have any Owned Vehicles you are still required to maintain coverage for Hired and Non-Owned Vehicles as either a stand-alone policy or endorsed onto the Commercial General Liability policy above
- b) Per Accident Combined Single Limit                      \$1,000,000

**Commercial Umbrella Liability:**

- a) Policy(ies) to apply on a Following Form Basis of the following:
  - (1) Commercial General Liability,
  - (2) Automobile Liability, and
  - (3) Employers Liability Coverage.
- b) Minimum Limits of Liability
 

Occurrence Limit:	\$2,000,000
Aggregate Limit:	\$2,000,000

**Technology Errors & Omissions Insurance:**

- a) Minimum Limits of Liability
 

Per Claim Limit:	\$5,000,000
Aggregate Limit:	\$5,000,000
- b) The Definition of "Covered Services" shall include the services required in the scope of this contract.

### **Privacy Liability**

- a) Subcontractor shall maintain coverage for third party liability arising out of breach of privacy, inclusive of confidential and proprietary business information, HIPAA violations and other breaches of personally identifiable information and/or protected health information, that may arise from their work with this contract. Coverage shall include Privacy Breach Notification and Credit Monitoring.
- b) Minimum Limits of Liability  
Per Claim Limit: \$5,000,000  
Aggregate: \$5,000,000
- c) Privacy Liability may be evidenced as part of a Technology Errors and Omissions Policy.

### **Indemnification:**

The selected services provider will protect, defend, indemnify and hold harmless the South Jersey Port Corporation, including its respective officials, employees, agents and representatives from and against any and all losses, penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities arising out of or resulting from the performance of the work or the completed operations provided that any such claims, damage, loss or expense is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of the tangible property including the loss of the use resulting there from; and is caused in whole or in part by any negligent or willful act or omission of the Contractor, Subcontractor(s), Sub-subcontractor(s), and anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable.

In any and all claims against the South Jersey Port Corporation or any of their respective officials, employees, agents and representatives, by an employee of the selected services provider, Contractor, Subcontractor, or any Sub-subcontractor, or anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable, the indemnification obligation shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for any Contractor, Subcontractor or any Sub-subcontractor under Workmen's Compensation Acts, Disability Benefits Acts, or other Employee.

These Indemnification provisions shall survive the termination of this Contract.

### **EXAMINATION AND RESPONSIBILITY**

Questions raised by Bidders shall be in writing and will only be officially answered by the issuance of Addenda to all bidders. Only such Addenda will be considered part of the Contract Documents.

Bidders must carefully examine, for themselves, the plans, detailed drawings, estimated quantities and the location of the proposed work, if applicable. They shall exercise their own judgement as to the full scope and nature of the work, the difficulties to be encountered and the accuracy of estimated quantities, when

given. Each Bidder will be held fully responsible for having complied with, and thoroughly understood the Contract Documents prior to submitting their bid; and shall not, at any time, thereafter dispute such estimates, nor assert that there was any misunderstanding in regard to the nature or amount of work to be done.

**QUALIFICATIONS OF BIDDERS**

The Owner may make such investigation, as is deemed necessary, to determine the ability of the Bidder to perform the work; and the Bidder shall furnish to the Owner all such information and data for this purpose as the Owner may request. The Owner reserves the right to reject any bid if the evidence submitted by, or the investigation of such Bidder fails to satisfy the Owner that such Bidder is properly qualified to carry out the obligations of the Contract, and to complete the work therein contemplated. Conditional bids will not be accepted. See also paragraphs in these documents relating to subcontract work.

**SUBMISSION OF BIDS**

Bids must be submitted at the specified time due in sealed envelopes bearing the name and address of the Bidder on the outside, and also bearing, on the outside, reference to work bid upon. Any bid may be submitted or withdrawn prior to the scheduled time for the opening of bids, or the authorized postponement thereof. Any bid received after the time and date specified in the Advertisement for Bids or Addenda will not be considered.

**REJECTION OF BIDS**

The Owner reserves the right to reject any or all Bids received. The Owner also reserves the right to receive any and all Bids in whatsoever form they may be, and to waive any informalities in said Bids; or to award the work to whichever Bidder or Bidders it may be considered advantageous so to do, regardless of Bid prices.

**SUBCONTRACT WORK**

The Bidder shall submit with their Bid, a description of Contract Work they will not be performing with their organization, if any.

**OBLIGATIONS OF BIDDERS**

At the time of the opening of Bids, each Bidder will be presumed to have read, and to be thoroughly familiar with the Bid Documents, including all Addenda. The failure or omission of any Bidder to receive or

examine any form, instrument, or document, shall in no way relieve the Bidder from any obligations in respect to their bid.

### **CONDITION OF WORK**

Each Bidder must inform themselves fully of the conditions relative to the project under which the work will be performed. Failure to do so will not relieve a successful Bidder of their obligation to furnish all material and labor necessary to carry out the provisions of the Bid Documents, and to complete the contemplated work set forth in their Bid.

### **LIQUIDATED DAMAGES**

In case the Contractor fails to complete the work contracted for, in a manner satisfactory to and acceptable to the Owner, within the stipulated time limit, then the Contractor shall and will pay to the Owner for each and every day they, the Contractor, shall be in default, the sum of Two Thousand Dollars (\$2,000.00) or the sum equal to 1/20 of one percent (1%) of the total consideration provided for under the contract, whichever sum is the greater, which sum per day is agreed upon, fixed and determined by the parties hereto to be liquidated damages, not a penalty.

The Owner shall recover said damages by deducting the amount thereof out of any monies which may be due or become due to Contractor, or by an action of law against the Contractor or their surety, or by either or both of these methods.

In case the Contractor shall be delayed due to the failure on the part of the Owner to furnish anything on its part to be furnished, or of any other cause beyond the control of the Contractor, they shall be entitled to such an extension of time for the delivery of equipment, materials, work and supplies as is the judgement of the Owner shall be fair and just.

### **FINANCIAL DISCLOSURE**

The Applicant/Proposer shall file all Financial Disclosure Statements as required by Law.

### **EVALUATION OF RESPONSES**

#### **Method**

It is the policy of the SJPC that the selection of vendors shall be on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required. The SJPC will put each proposal submitted through a process of evaluation to determine responsiveness to all administrative and technical requirements of the RFP.

The evaluation criteria are intended to be used to make a recommendation to the SJPC Board of Directors, who will award the contract, but who are not bound to use the criteria or to award to Respondent on the basis of the recommendation. Furthermore, the SJPC reserves the right to vary from this procedure as it determines to be in the SJPC's best interest.

**Compliance Check**

All Proposals will be reviewed to verify that minimum requirements have been met. Proposals that have not followed the requirements in this RFP or do not meet minimum content and quality standards may be eliminated from further consideration.

**Analysis**

The evaluation team will analyze how the Respondents qualifications, experience, professional content and proposed methodology meet the SJPC's requirements. Each requirement should be addressed to the best of the vendor's ability. Requirements that ask the vendor to describe their solution to a specific SJPC issue will be critical. Points will be assigned by each committee member using the evaluation criteria below as a guideline.

**Criteria**

Qualifications will be evaluated using the following criteria:

**1. Respondent's Qualification and Experience**

Verifiable technical capacity, experience on similar projects and an outstanding record of successfully completed projects. Documentation of these projects should be provided. Past performance on similar projects may be included.

**2. Project Approach and Methodology**

Respondent's familiarity with and understanding of the project opportunities and challenges/constraints. Demonstrate processes that will highlight Respondent's ability to provide innovative solutions and complete the work as outlines in the RFP. Respondents should provide a detailed methodology for accomplishing the project goals.

**3. Cost/Cost Effectiveness**

The extent to which the total cost present to complete the project provides benefits worth the expense.

**Additional Information**

The SJPC reserves the right to reject any or all proposals and to waive informalities and minor irregularities in proposals received if deemed in the best interest of the SJPC to do so. A final decision will be made only after all proposals have been received and evaluated and presented to the SJPC Board of Directors for consideration. The SJPC's evaluation process is designed to identify the vendor that provides the most

advantageous solution to the SJPC by including an evaluation of each vendor's technical capabilities, past performance, and overall cost of the proposal to the SJPC.

In order to be considered, 3 (three) hard copies of the Proposal must be received by the SJPC in a sealed envelope marked:

“THIS IS A SEALED PROPOSAL AND SHALL NOT BE OPENED AND READ UNTIL JANUARY 14, 2022 AT 11:00AM BY PATRICK BOYLE OR HIS DESIGNEE: SJPC-HRS-01142022; and addressed to the South Jersey Port Corporation, Attention: PATRICK BOYLE, Senior Purchasing Agent, 101 Joseph A. Balzano Boulevard (formerly Beckett Street), Camden, NJ 08103.

SEALED Proposals may be mailed or hand delivered to: SJPC: South Jersey Port Corporation, Attention: Mr. Patrick Boyle, Senior Purchasing Agent, 101 Joseph A. Balzano Boulevard (formerly Beckett Street), Camden, NJ 08103

An electronic copy may be requested after the proposal opening.

The SJPC reserves the right to make any and all decisions regarding the selection of the Project Team and to waive any formality and to take any action that the SJPC determines, in its sole discretion, to be in the best interest of the SJPC. The provisions of the RFP are made for the benefit of the SJPC, and no right shall be deemed to accrue to any person submitting a state of qualifications or proposal by reason of the submission of any statement of qualification or proposal, or by the waiver or non-enforcement of any provisions or requirements of the RFP or by reason of any term or terms thereof.





## South Jersey Port Corporation Application for TWIC Escort Sponsorship

In accordance with 33 CFR 101.514, all persons requiring unescorted access to restricted South Jersey Port Corporation (SJPC or "Port Corporation") facilities must possess a Transportation Worker Identification Credential (TWIC) before such access is granted. Persons seeking access to SJPC facilities who do not physically possess a TWIC may only enter SJPC facilities with an SJPC approved TWIC escort as a side-by-side companion. Each designated TWIC escort will be allowed to escort a maximum of five (5) individuals at any one time.

The sponsoring employer making the nomination for TWIC escorts shall submit the application at least seven (7) days prior to assignment as a TWIC escort. Application shall include a full-size color copy of the TWIC of the nominated employee and certification of training as per 33 CFR 105.215. In addition, the sponsoring employer must certify that the nominated TWIC escort is a full-time employee of the company.

In requesting application for TWIC escorts, the sponsoring company assumes all responsibility for each nominated employee to meet the mandated TWIC escorting requirements relating to restricted area access and agrees to assume any liability imposed by competent Federal authorities for failure of such nominated employee to discharge all responsibilities in accordance with all federal law and policy.

### **Sponsoring Company Information**

Company Name: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Contact Person Title: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Work Phone: \_\_\_\_\_

Mobile Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Fax: \_\_\_\_\_

\_\_\_\_\_



**NOTE: The applicant does not sign the TWIC Escort Sponsorship form. The applicant only signs the training acknowledgement.**

**Nominated Employee Information**

Full Name (First, Middle, Last): \_\_\_\_\_

Date of Birth (mm, dd, year): \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Work Phone: \_\_\_\_\_

Mobile Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Fax: \_\_\_\_\_

Date Employed by Nominated Employer: \_\_\_\_\_

TWIC escorting privileges are granted at the sole discretion fo the SJPC, for a period determined by the SJPC, and the SJPC reserves the right to deny granting escorting privileges or to suspend, revoke or deny renewal of escorting privileges previously granted as follows:

1. Submittal by an employer or nominated applicant of false or misleading information.
  - Failure to adhere to the policies, rules and regluations of the SJPC or other applicable federal, state or local laws and regulations, including, but not limited to:
    - Any attempt to gain entrance to the SJPC’s facilitiles, or restricted areas within its facilities, through fraud or deception;
    - Any attempt to bypass established entry points;
    - Use or attempted use of a credential issued to anyone other than the approved TWIC escort, or loaning of an approved TWIC escort credential to another person;
    - Failure to perform escorting duties in the manner prescribed in this policy.
2. Conviction of an approved TWIC escort of any offense for which he or she would have initially been denied approval in accordance with the policies of the Port Corporation.
3. Failure to present a TWIC upon request, loss of TWIC privileges or an expired TWIC,
4. An employer no longer meets the criteria under which their eligibility was initially established or an approved TWIC escort leaves the employment of the company for which escorting privileges were approved.
5. **The TWIC Escort privileged expire on the expiration of the TWIC card** provided when certified. When the ecor’s TWIC expires, a new application and retrain is required with the renewal TWIC card.

**Submitted by:**

Full Name (First, Middle, Last): \_\_\_\_\_

Title: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

*I certify that the applicant named in the application has received escort training as per 33 CFR 105.215.*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Name Printed*

\_\_\_\_\_  
*Date*

*I certify that the applicant named in this application is a full-time employee of the sponsoring company named above.*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Name Printed*

\_\_\_\_\_  
*Date*

*I certify to the best of my knowledge and belief that this application is correct and complete and I accept all terms and conditions contained herein.*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Name (Printed)*

\_\_\_\_\_  
*Date*

**ATTACH A COLOR COPY OF BOTH SIDES OF THE APPLICANT'S TWIC CARD.**

Return completed Application for TWIC Escort Sponsorship, TWIC Escort Acknowledgment and the copy of the applicant's TWIC card to:

South Jersey Port Corporation  
ATTN: Chuck O'Leary  
Kevin Greenjack  
P.O. Box 129  
Camden, NJ 08101-0129

Or send via email as an attached PDF file to:

[coleary@southjerseyport.com](mailto:coleary@southjerseyport.com) [kgreenjack@southjerseyport.com](mailto:kgreenjack@southjerseyport.com)

**Questions regarding the SJPC TWIC Escort Training can be directed to the above.**

**EXECUTIVE ORDER NO. 271**

WHEREAS, on March 9, 2020, I issued Executive Order No. 103, declaring the existence of a Public Health Emergency, pursuant to the Emergency Health Powers Act ("EHPA"), N.J.S.A. 26:13-1 et seq., and a State of Emergency, pursuant to the New Jersey Civilian Defense and Disaster Control Act ("Disaster Control Act"), N.J.S.A. App A:9-33 et seq., in the State of New Jersey for Coronavirus disease 2019 ("COVID-19"); and

WHEREAS, through Executive Order Nos. 119, 138, 151, 162, 171, 180, 186, 191, 200, 210, 215, 222, 231, 235, and 240, issued on April 7, 2020, May 6, 2020, June 4, 2020, July 2, 2020, August 1, 2020, August 27, 2020, September 25, 2020, October 24, 2020, November 22, 2020, December 21, 2020, January 19, 2021, February 17, 2021, March 17, 2021, April 15, 2021, and May 14, 2021, respectively, the facts and circumstances of which are adopted by reference herein, I declared that the COVID-19 Public Health Emergency continued to exist and declared that all Executive Orders and Administrative Orders adopted in whole or in part in response to the COVID-19 Public Health Emergency remained in full force and effect; and

WHEREAS, in accordance with N.J.S.A. App. A:9-34 and -51, I reserve the right to utilize and employ all available resources of State government to protect against the emergency created by COVID-19; and

WHEREAS, as COVID-19 continued to spread across New Jersey, I have issued a series of Executive Orders pursuant to my authority under the EHPA and the Disaster Control Act, to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-133, Nos. 135-138, Nos. 140-166, Nos. 168-173, No. 175, Nos. 177-181, No. 183, Nos. 186-187, Nos. 189- 198, No. 200, Nos. 203-204, No. 207, and

Nos. 210-211 (2020) and Nos. 214-216, Nos. 219-220, Nos. 222-223, No. 225, Nos. 228-235, Nos. 237-244, No. 246, No. 249, Nos. 251-253, Nos. 263-264, and Nos. 266-267 (2021), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, on June 4, 2021, I signed Assembly Bill No. 5820 into law as P.L.2021, c.103 and issued Executive Order No. 244, which terminated the Public Health Emergency declared in Executive Order No. 103 (2020) but maintained the State of Emergency declared in that same Order; and

WHEREAS, P.L.2021, c.103 provided that following the termination of the Public Health Emergency declared in Executive Order No. 103 (2020), the Governor, Department of Health ("DOH") Commissioner (the "Commissioner"), and the head of any other State agency may continue to issue orders related to implementation of recommendations of the Centers for Disease Control and Prevention ("CDC") to prevent or limit the transmission of COVID-19 and related to vaccine distribution, administration, and management, COVID-19 testing, and data collection; and

WHEREAS, parties that contract with the State government provide essential services to the public and interact with the public on a regular basis, and because of the nature of their work, a significant portion of their workers are not able to work remotely; and

WHEREAS, ensuring the safety of the government workforce during this overall escalation in COVID-19 cases, hospitalizations, and deaths resulting from the B.1.617.2 ("Delta") variant is essential for continued operation and service to the public, and it is fitting and proper to require additional protections to the State workforce and public by requiring contractors to provide their vaccination or testing status as a

condition of entry onto State property and into State facilities, including property and facilities leased by a contractor; and

WHEREAS, the CDC has reported that new variants of COVID-19 have been identified in the United States, and that certain variants, particularly the Delta variant, are more transmissible than previous strains; and

WHEREAS, the State has experienced significant overall upticks in critical COVID-19 metrics since July of this year, including COVID-19 positive cases, the rate of transmission, spot positivity, and new hospitalizations, that warrant additional precautions in certain settings, especially those with a substantial number of unvaccinated individuals; and

WHEREAS, while over 5.7 million people in the State have been fully vaccinated against COVID-19, additional steps are necessary to ensure continued vaccinations of individuals in certain settings of concern to protect against the spread of COVID-19; and

WHEREAS, on July 6, 2021, the U.S. Department of Justice's Office of Legal Counsel issued an opinion concluding that Section 564 of the Food, Drug, and Cosmetic Act, 21 U.S.C. § 360bbb-3 does not prohibit public or private entities from imposing vaccination requirements while vaccinations are only available pursuant to Emergency Use Authorization ("EUA"); and

WHEREAS, ensuring that parties that contract with the State government provide adequate COVID-19 safeguards to their workers performing on or in connection with a State government contract will decrease worker absence, reduce labor costs, and improve the efficiency of contractors and subcontractors at sites where they are performing work for the State; and

WHEREAS, the CDC has emphasized that COVID-19 vaccines are effective, in that they can prevent individuals from getting and spreading the virus, and can prevent severe illness in individuals who do contract COVID-19; and

WHEREAS, this Order is related to vaccination management, COVID-19 testing, data collection, and the implementation of CDC recommendations, and is thus authorized under P.L.2021, c.103;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. Each executive department and agency, including an independent authority, shall, to the extent permitted by law, ensure that contracts or agreements entered into by the executive department or agency include a clause that the contractor or any subcontractors, at any tier, that is party to the contract ("covered contractor(s)") must maintain a policy that requires all covered workers to either provide adequate proof to the covered contractor that they have been fully vaccinated or submit to COVID-19 testing at minimum one to two times weekly. This clause shall also be required to be incorporated into lower-tier subcontracts. Any covered worker subject to a policy maintained pursuant to this paragraph that has not provided adequate proof that the covered worker is fully vaccinated must submit to a minimum of weekly or twice weekly testing on an ongoing basis until fully vaccinated.

2. This Order shall apply to any new contract, new solicitation for a contract, extension or renewal of an existing contract, and exercise of an option on an existing contract, if it is a contract for services, construction, including demolition,

remediation, removal of hazardous substances, alteration, custom fabrication, repair work, or maintenance work, or a leasehold interest in real property through which covered workers have access to State property, and the cost or contract price thereof is to be paid, in whole or in part, with or out of executive department or agency funds. This Order shall not apply to financial assistance, including but not limited to grants, bonds, loans, or tax credits; contracts or subcontracts whose value is less than the State bid advertising threshold under N.J.S.A. 52:34-7; employees who perform work outside of the State; or contracts solely for the provision of goods.

3. Covered workers may demonstrate proof of full vaccination status by presenting the following documents to the covered contractor if they list COVID-19 vaccines currently authorized for EUA in the United States and/or the World Health Organization ("WHO"), along with an administration date for each dose:

- a. The CDC COVID-19 Vaccination Card issued to the vaccine recipient by the vaccination site, or an electronic or physical copy of the same;
- b. Official record from the New Jersey Immunization Information System (NJIIS) or other State immunization registry;
- c. A record from a health care provider's portal/medical record system on official letterhead signed by a licensed physician, nurse practitioner, physician's assistant, registered nurse or pharmacist;
- d. A military immunization or health record from the United States Armed Forces; or



- e. Docket mobile phone application record or any state specific application that produces a digital health record.

Covered contractors collecting vaccination information from covered workers must comport with all federal and State laws, including but not limited to the Americans with Disabilities Act, that regulate the collection and storage of that information.

4. To satisfy the testing requirement, a covered worker must undergo screening testing at minimum one to two times weekly. Where a covered contractor requires an unvaccinated covered worker to submit proof of a COVID-19 test, the worker may choose either antigen or molecular tests that have EUA by the U.S. Food and Drug Administration ("FDA") or are operating per the Laboratory Developed Test requirements by the U.S. Centers for Medicare and Medicaid Services. Where a covered contractor provides the unvaccinated covered worker with on-site access to COVID-19 tests, the covered contractor may similarly elect to administer or provide access to either an antigen or molecular test. If the covered worker is not working on-site during a week where testing would otherwise be required, the covered contractor's policy need not require the worker to submit to testing for that week. This requirement shall not supplant any requirement imposed by the covered contractor regarding diagnostic testing of symptomatic workers or screening testing of vaccinated workers.

5. Covered contractors must have a policy for tracking test results from testing required by this Order and must report results to local public health departments.

6. An executive department or agency shall require bidders for contracts subject to this Order to certify at the time of bid or proposal or prior to executing a contract that the bidder, if

awarded a contract, shall comply with this Order by having the policies and practices required by this Order in place, and shall collect all data necessary for compliance with this Order. Covered contractors shall certify, at the time of submission of an invoice, that they have complied with this Order during the period of time covered by the invoice.

7. For purposes of this Order, "covered worker" means any full-time or part-time worker for a covered contractor working on or in connection with a contract with an executive department or agency that requires such worker to enter, work at, or provide services in any place, site, installation, building, room, or facility in which any executive department or agency conducts official business or is within an executive department or agency's jurisdiction, custody, or control, or that relates to offering services for State employees, their dependents, or the general public.

8. For purposes of this Order, a covered worker shall be considered "fully vaccinated" for COVID-19 two weeks or more after they have received the second dose in a two-dose series or two weeks or more after they have received a single-dose vaccine. Individuals will only be considered fully vaccinated where they have received a COVID-19 vaccine that is currently authorized for emergency use by the FDA or the WHO, or that are approved for use by the same. Workers who are not fully vaccinated, or for whom vaccination status is unknown or who have not provided sufficient proof of documentation, shall be considered unvaccinated for purposes of this Order.

9. Nothing in this Order shall prevent a covered contractor from instituting a vaccination or testing policy that includes additional or stricter requirements, so long as such policy

comports with the minimum requirements of this Order. A covered contractor may also maintain a policy that requires more frequent testing of covered workers.

10. The Commissioner is hereby authorized to issue a directive supplementing the requirements outlined in this Order, which may include, but not be limited to, any requirements for reporting vaccination and testing data to the DOH. Actions taken by the Commissioner pursuant to this Order shall not be subject to the requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

11. The State Director of Emergency Management, who is the Superintendent of State Police, shall have the discretion to make additions, amendments, clarifications, exceptions, and exclusions to the terms of this Order.

12. It shall be the duty of every person or entity in this State or doing business in this State and of the members of the governing body and every official, employee, or agent of every political subdivision in this State and of each member of all other governmental bodies, agencies, and authorities in this State of any nature whatsoever, to cooperate fully in all matters concerning this Order, and to cooperate fully with any Administrative Orders issued pursuant to this Order.

13. No municipality, county, or any other agency or political subdivision of this State shall enact or enforce any order, rule, regulation, ordinance, or resolution which will or might in any way conflict with any of the provisions of this Order, or which will or might in any way interfere with or impede its achievement.

14. Penalties for violations of this Order may be imposed under, among other statutes, N.J.S.A. App. A:9-49 and -50.

15. This Order shall take effect immediately and shall remain in effect until revoked or modified by the Governor.

GIVEN, under my hand and seal this  
20<sup>th</sup> day of October,  
Two Thousand and Twenty, and  
of the Independence of the  
United States, the Two  
Hundred and Forty-Sixth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor