TOWNSHIP OF NORTH BERGEN
County of Hudson
State of New Jersey

REQUEST FOR QUALIFICATIONS (RFQ)

FAIR & OPEN PUBLIC SOLICITATION PROCESS

PROFESSIONAL SERVICES:
MUNICIPAL PUBLIC DEFENDER ALTERNATE,
MUNICIPAL COURT PROSECUTOR ALTERNATE & TENANT ADVOCATE

Submission Date:
THURSDAY, May 12, 2016
10:00 A.M. prevailing time

TOWNSHIP OF NORTH BERGEN
HUDSON COUNTY, NEW JERSEY

PUBLIC NOTICE FOR THE SOLICIATION OF REQUEST FOR QUALIFICATIONS FOR MUNICIPAL COURT PUBLIC DEFENDER ALTERNATE MUNICIPAL COURT PROSECUTOR ALTERNATE TENANT ADVOCATE

NOTICE IS HEREBY GIVEN that sealed request for qualifications submissions will be received by the Township of North Bergen Purchasing Agent for the services set forth below in accordance with the "fair and open process" pursuant to N.J.S.A. 19:44A-20.5, et seq.:

RFQ#	PROFESSIONAL SERVICE
➢ RFQ2016-20	Municipal Court Public Defender Alternate
➢ RFQ2016-21	Municipal Court Prosecutor Alternate
➢ RFQ2016-22	Tenant Advocate

Submission package may be examined or obtained at the Township Purchasing Office, Township of North Bergen, 4233 Kennedy Boulevard, Room 211, North Bergen, NJ, 07047 (phone 201-392-2040), Monday through Friday during business hours, 9:00 a.m. to 4:00 p.m. or downloadable on the Township's website www.northbergen.org/notices, beginning April 29, 2016.

Request for qualifications ("RFQ") responses shall be submitted to Suzanne Taylor, Purchasing Agent, Township of North Bergen, 4233 Kennedy Boulevard, North Bergen, NJ, 07047, on or before **THURSDAY, MAY 12, 2016 @ 10:00AM**, prevailing time, at which time said responses will be publicly opened and read in the Municipal Chambers.

Responses must be enclosed in a sealed envelope. The service provider must indicate the following on the outside of the envelope: (1) the name and address of the service provider; (2) the RFQ# and Title for which the response is submitted; and (3) "**Sealed RFQ Response**". Responses may be delivered by hand, overnight courier or mail. The envelope containing the response must be received by the Township of North Bergen by the date and time set forth above. No late responses will be accepted.

All professional service contractors are required to comply with the requirements of N.J.S.A. 52:32-44 (Business Registration of Public Contractors), N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 (Contract Compliance and Equal Employment Opportunities in Public Contracts).

Contracts will be awarded based on the most advantageous responses. A form of contract is available upon request from the Law Department. The Township of North Bergen reserves the right to reject any or all responses.

Suzanne Taylor
Purchasing Agent

INVITATION TO SUBMIT QUALIFICATIONS

Proposals are being solicited through a fair and open process in accordance with *N.J.S.A.* 19:44A-20.4, *et seq*.

Copies of Request for Qualifications (RFQ) will be available at the Township Purchasing Office, located at 4233 Kennedy Boulevard, Room 211, North Bergen, NJ as of April 29, 2016.

Sealed RFQ responses must be received by the Purchasing Agent no later than **10:00 a.m. on Thursday, May 12, 2016**. Proposals (one original and one copy) shall be submitted in a sealed envelope to:

Suzanne Taylor, Purchasing Agent
Township of North Bergen
4233 Kennedy Boulevard
North Bergen, NJ 07047

Respondents are expected to examine the RFQ with care and observe all its requirements. All questions about the meaning or intent of this RFQ shall be submitted in writing no less than 7 days prior to the due date of the proposal. All interpretations and clarifications considered necessary by the Township's representative in response to such comments and questions shall be responded to no less than 5 days prior to the due date of the proposal and will be posted online at www.northbergen.org/notices.

The Township assumes no responsibility and liability for costs incurred by the Respondents prior to the issuance of an agreement. The liability of the Township shall be limited to the terms and conditions of the contract. Respondents will assume responsibility for all costs not stated in their proposals. All unit rates either stated in the proposal or used as a basis for its pricing are required to be all-inclusive. Additional charges, unless incurred for additional work performed by request of the Township, are not to be billed and will not be paid.

Any contract entered into between the Respondent and the Township must be in accordance with and subject to compliance by both parties with the New Jersey Local Public Contracts Law. The Respondent must agree to comply with the nondiscrimination provisions and all other laws and regulations applicable to the performance of services thereunder. The Respondent shall sign and acknowledge such forms and certificates as may be required by this section.

No corporation or partnership shall be awarded any contract for the performance of any work or the furnishing of any goods, unless, with receipt of the proposal of said corporation or partnership, there is submitted a statement setting forth the names and addresses of all stockholders in the corporation or partnership who own ten (10) percent or greater interest therein. The Respondent shall complete and submit the form of statement that is included in this RFQ.

The right to reject any or all proposals and to waive immaterial formalities is reserved by the Township.

SCOPE OF SERVICES & EVALUATION CRITERIA

The Township of North Bergen ("Township") is soliciting qualifications to provide for the following Professional Services:

RFQ2016-20: Alternate Municipal Court Public Defender

Scope of Services:

The Township seeks an attorney to perform municipal court public defender services as an alternate to the Township's Public Defender, when that person is not available, or when that person is conflicted. Submissions should set forth experience in this area.

Compensation for alternate public defender services will be as follows:

- $200.00 per court session where appearance is required
- Disbursement reimbursement will be the same as that set forth above

RFQ2016-21: Alternate Municipal Court Prosecutor

Scope of Services:

The Township seeks an attorney to perform municipal court prosecutor services as an alternate to the Township's Prosecutor, when that person is not available, or when that person is conflicted. Submissions should set forth experience this area.

Compensation for alternate prosecutor services will be as follows:

- $200.00 per court session where appearance is required
- Disbursement reimbursement will be the same as that set forth above

RFQ2016-22: Tenant Advocate Attorney

Scope of Services:

The Township seeks an attorney to perform the services of Tenant Advocate. The roll and services of the Tenant Advocate are set forth in Township Ordinance 467-93, a copy of which is available upon request. Submissions should set forth experience in the area of landlord/tenant law.

Compensation for Tenant Advocate services will be as follows:

- $170.00 per hour
- Disbursement reimbursement will be the same as that set forth above

Qualifications responses will be evaluated by the Township of North Bergen on the basis of the most advantageous and other factors considered. The evaluation will consider:

1. Experience and reputation in the field.
2. Knowledge of the Township of North Bergen and of legal matters concerning the Township, and of the subject matter to be addressed under the area of expertise.
3. Familiarity with courts and tribunals before which Township matters may be brought.
4. Two (2) samples of the attorney's work product prepared within the past 24 months.
5. The amount of resources, including the number of attorneys and staff available to attend to Township matters.
6. Other factors if demonstrated to be in the best interest of the Township of North Bergen.

Each criteria will be scored from 0 – 10, 0 being the lowest, 10 being the highest for each factor. Each criteria have equal weight on scoring.

Scoring of submissions will be made by an evaluation committee, except that if any submission is made by a law firm with which the Township Attorney is associated, the Township Attorney will not participate in any way with the review of the submissions for that RFQ.

SCHEDULE OF EVENTS

EVENT	DATE
RFQ Issue Date	4/29/16
RFQ Response Due Date	5/12/16

SECTION 1: PROJECT OVERVIEW AND INSTRUCTIONS

1.0 PROJECT OVERVIEW

The Township seeks Qualifications to provide professional services listed herein.

1.1 CONTRACT TERM

The contract term is for a period commencing on the date of award and continuing through approximately May 12, 2017.

1.2 SINGLE POINT OF CONTACT

From the date this RFQ is issued until a proposer is selected and the selection is announced by the procurement officer, **proposers may not communicate with any Township staff, commissioners or officials regarding this procurement, except at the direction of Suzanne Taylor** the procurement officer in charge of the solicitation. Any unauthorized contact may disqualify the proposer from further consideration. Contact information for the single point of contact is as follows:

Procurement Officer: Suzanne Taylor
Township of North Bergen
4233 Kennedy Boulevard
North Bergen, NJ 07047
Phone: 201-392-2040
Fax: 201-392-8358
E-mail: STaylor@northbergen.org

1.3 REQUIRED REVIEW

1.3.1 Review RFQ. Proposers should carefully review all instructions, mandatory requirements, specifications, standard terms and conditions set out in this RFQ and promptly notify the procurement officer identified above in writing, fax or via e-mail of any ambiguity, inconsistency, unduly restrictive specifications, or error which they discover upon examination of this RFQ. This should include any terms or requirements within the RFQ that either preclude the proposer from responding to the RFQ or add unnecessary cost.

This notification must be accompanied by an explanation and suggested modification and be received by the deadline for receipt of inquiries set forth below. The Township will make any final determination of changes to the RFQ.

1.3.2 Form of Questions. Proposers with questions or requiring clarification or interpretation of any section within this RFQ must address these questions in writing, via e-mail, to the procurement officer referenced above on or before 5/5/16. Each question must provide clear reference to the section, page, and item in question. Questions received after the deadline may not be considered.

1.3.3 Township Response. The Township will provide written answers to proposers' questions. Any other form of interpretation, correction, or change to this RFQ will not be binding. Proposers must sign and return any addendum with their RFQ response. Questions and responses will be posted online at www.northbergen.org/notices.

1.4 PRE-PROPOSAL CONFERENCE

No pre-proposal conference is scheduled.

1.5 GENERAL REQUIREMENTS

1.5.1 Acceptance of Standard Terms and Conditions/Contract. By submitting a response to this RFQ, proposer agrees to acceptance of the standard terms and conditions as set out in this RFQ and the form of contract available from the Township Attorney. Much of the language included in the standard terms and conditions reflects requirements of New Jersey law. Requests for additions or exceptions to the standard terms and conditions including any necessary licenses, or any added provisions must be submitted to the procurement officer referenced above by the date for receipt of written/e-mailed questions and must be accompanied by an explanation of why the exception is being sought and what specific effect it will have on the proposer's ability to respond to the RFQ or perform the contract. Any material exceptions requested and granted to the standard terms and conditions language will be addressed in any formal written addendum issued for this RFQ and will apply to all proposers submitting a response to this RFQ. The Township will make any final determination of changes to the standard terms and conditions.

1.5.2 Resulting Contract. This RFQ and any addenda, the proposer's RFQ response, including any amendments and any clarification question responses, shall be included in any resulting contract. The Township's contract contains the contract terms and conditions which will form the basis of any contract between the Township and the selected proposer. In the event of a dispute as to the

duties and responsibilities of the parties under this contract, the contract, along with any attachments prepared by the Township, will govern in the same order of precedence as listed in the contract.

1.5.3 Mandatory Requirements. To be eligible for consideration, a proposer ***must*** meet the intent of all mandatory requirements. The Township will determine whether a proposer's RFQ response complies with the intent of the requirements. RFQ responses that do not meet the full intent of all requirements listed in this RFQ may be subject to point reductions during the evaluation process or may be deemed non-responsive.

1.5.4 Understanding of Specifications and Requirements. By submitting a response to this RFQ, proposer agrees to an understanding of and compliance with the specifications and requirements described in this RFQ.

1.5.5 Proposer's Signature. The proposals must be signed in ink by an individual authorized to legally bind the business submitting the proposal. The proposer's signature on a proposal in response to this RFQ guarantees that the offer has been established without collusion and without effort to preclude the Township from obtaining the best possible supply or service. Proof of authority of the person signing the RFQ response must be furnished upon request.

1.5.6 Offer in Effect for 60 Days. A proposal may not be modified, withdrawn or canceled by the proposer for a 60-day period following the deadline for proposal submission as defined in the Schedule of Events and proposer so agrees in submitting the proposal.

1.6 SUBMITTING A PROPOSAL

1.6.1 Content of Proposal. Proposers should address all requests for information and qualifications set forth in this RFQ.

1.6.2 Failure to Comply with Instructions. Proposers failing to comply with the instructions in this RFQ may be subject to point deductions.

1.6.3 Copies Required and Deadline for Receipt of Proposals. Proposers must submit one (1) original proposal, one (1) copy to the Township. Proposals must be sealed and labeled on the outside of the package. The service provider must clearly indicate the following on the outside of the envelope: (1) the name and address of the service provider; (2) the RFQ# and Title of the Professional Service for which the response is submitted and (3) "**Sealed RFQ Response**". ***Proposals must be received by Suzanne Taylor, Purchasing Agent, prior to 10:00 AM, local time, May 12, 2016.***

Forward proposals to: **Township of North Bergen**
Suzanne Taylor, Purchasing Agent
4233 Kennedy Boulevard
North Bergen, NJ 07047

1.6.4 Late Proposals. ***Regardless of cause, late proposals will not be accepted and will automatically be disqualified from further consideration.*** It shall be the proposer's sole risk to assure delivery at the designated office by the designated time. Late proposals will not be opened and will be returned to the proposer at the expense of the proposer or destroyed if requested.

1.7 COST OF PREPARING A PROPOSAL

1.7.1 Township Not Responsible for Preparation Costs. The costs for developing and delivering responses to this RFQ and any subsequent presentations of the proposal as requested by the Township are entirely the responsibility of the proposer. The Township is not liable for any expense incurred by the proposer in the preparation and presentation of their proposal or any other costs incurred by the proposer prior to execution of a contract.

1.7.2 All Timely Submitted Materials Become Township Property. All materials submitted in response to this RFQ become the property of the Township.

SECTION 2: RFQ STANDARD INFORMATION

2.0 AUTHORITY

This RFQ is issued under the authority of the Township of North Bergen. The RFQ process is a procurement option allowing the award to be based on stated evaluation criteria. No other evaluation criteria, other than as outlined in the RFQ, will be used.

2.1 PROPOSER COMPETITION

The Township encourages free and open competition among proposers. Whenever possible, the Township will design specifications, proposal requests, and conditions to accomplish this objective, consistent with the necessity to satisfy the Township's need to procure technically sound, cost-effective services and supplies.

2.2 RECEIPT OF PROPOSALS AND PUBLIC INSPECTION

2.2.1 Public Information. All information received in response to this RFQ, including copyrighted material, is subject to public disclosure and may be made available for public viewing after the time for receipt of proposals has passed with the following four exceptions: (1) bona fide trade secrets meeting the requirements of the Uniform Trade Secrets Act, Title 30, chapter 14, part 4, MCA, that have been properly marked, separated, and documented; (2) matters involving individual safety as determined by the Township; (3) any company financial information requested by the Township to determine vendor responsibility, unless prior written consent has been given by the proposer and (4) other constitutional protections, or as otherwise not subject to disclosure according to OPRA guidelines.

2.2.2 Procurement Officer Review of Proposals. Upon opening the proposals received in response to this RFQ, the procurement officer in charge of the solicitation will review the proposals and separate out any information that meets the referenced exceptions in Section 2.2.1 above, providing the following conditions have been met:

- Confidential information is clearly marked and separated from the rest of the proposal.
- The proposal does not contain confidential material in the cost or price section.
- An affidavit from a proposer's legal counsel attesting to and explaining the validity of any trade secret claim asserted by the proposer.

Information separated out under this process will be available for review only by the procurement officer, the evaluation committee members, and limited other designees. Proposers must be prepared to pay all legal costs and fees associated with defending a claim for confidentiality in the event of an open public records request from another party.

2.3 CLASSIFICATION AND EVALUATION OF PROPOSALS

2.3.1 Initial Classification of Proposals as Responsive or Non responsive. All proposals will initially be classified as either "responsive" or "non responsive". Proposals may be found nonresponsive any time during the evaluation process if any of the required information is not provided; or the proposal is not within the plans and specifications described and required in the RFQ. If a proposal is found to be nonresponsive, it may be subject to point deductions.

2.3.2 Determination of Responsibility. The Township will determine whether a proposer has met the standards of responsibility. Such a determination may be made at any time during the evaluation process if information surfaces that would result in a determination of non-responsibility.

2.3.3 Evaluation of Proposals. The Township will evaluate the proposals and recommend whether to award the contract to the firm determined to best meet the needs of the Township or, if necessary, to seek discussion in order to determine the firm to be selected. All responsive proposals will be evaluated based on stated evaluation criteria. The Township may consider such factors as accepted industry standards and a comparative evaluation of all other qualified RFQ responses in terms of differing quality and contractual factors. These will be used to determine the most advantageous offering to the Township.

2.3.4 Completeness of Proposals. Selection and award will be based on the proposer's proposal and other items outlined in this RFQ. Submitted responses may not include references to information located elsewhere, such as Internet websites or libraries, unless specifically requested. Information or materials presented by proposers outside the formal response or subsequent discussion may not be considered.

2.3.5 Opportunity for Discussion and/or Oral Presentation/Product Demonstration. After receipt of all proposals and prior to the determination of the award, the Township may initiate discussions with one or more proposers should clarification be necessary. In either case, proposers should be prepared to send qualified personnel to the Township of North Bergen to discuss technical and contractual aspects of the proposal. Oral presentations/demonstrations, if requested, shall be at the proposer's expense.

2.3.6 Contract Award. Contract awards, if any, will be made to the proposer or proposers who the Township determines can best provide the services required and provides all required documents. Formal contracts incorporating this RFQ, including the attachments hereto, and the selected proposals, will be executed by all parties.

2.4 TOWNSHIP'S RIGHTS RESERVED

While the Township has every intention to award contracts as a result of this RFQ, issuance of the RFQ in no way constitutes a commitment by the Township to award and execute any contract. Upon a determination that such action would be in its best interest, the Township, in its sole discretion, reserves the right to cancel or terminate this RFQ; reject any or all proposals received in response to this RFQ; waive any undesirable, inconsequential, or inconsistent provisions of this RFQ which would not have significant impact on any proposal; not award if it is in the best interest of the Township not to proceed with contract execution; or if awarded, terminate any contract if the Township determines adequate funds are not available.

SECTION 3: PROPOSER QUALIFICATIONS

3.0 REFERENCES

Proposers may provide references that are using services of the type proposed in this RFQ. The references may include county government, municipalities or universities where the proposer, preferably within the last three years, has successfully completed three contracts of this type. At a minimum, the proposer may provide the entities name, the location where the services were provided, contact person(s), contact's position, customer's telephone number, a complete description of the service type, dates the services were provided, and cost of services. These references may be contacted to verify proposer's ability to perform the contract. The Township reserves the right to use any information or additional references deemed necessary to establish the ability of the proposer to perform the conditions of the contract.

3.1 RESUMES/COMPANY PROFILE and EXPERIENCE

Proposer shall specify how long the individual/company submitting the proposal has been in the business of providing services similar to those requested in this RFQ and under what company name. A resume or summary of qualifications, work experience, education, skills, etc., which emphasizes previous experience in this area should be provided for all key personnel who will be involved with any aspects of the contract.

SECTION 4: PAYMENT TERMS

Although total contract costs will not be the determining factor, budget or allocations of funds will be considered.

4.0 Payments for services for contracts awarded will be paid upon the submission of itemized invoices detailing the work done and the time expended. Block billing will not be permitted. A Purchase Order will be processed and sent to you for signature. Payment will only be made following the formal approval on the claims list by the Township of North Bergen at its subsequent regular meeting.

SECTION 5: EVALUATION CRITERIA

5.0 EVALUATION CRITERIA AND EVALUATION PROCEDURE

The evaluation committee will review all proposals to determine if they satisfy the RFQ requirements and evaluate the proposals in accordance with the above described criteria and score each submission to determine which proposals to recommend to the governing body for award or to seek discussions before awarding a contract. The respondent or respondents determined to best meet the Township needs will then be recommended to the governing body for award of contract, based on all relevant factors.

5.1 EVALUATION CRITERIA

The evaluation committee will review and evaluate the offers as specified in the "Scope of Services and Evaluation Criteria" section.

Registering a Business with the New Jersey Department of the Treasury

Business organizations or individuals doing business in New Jersey are required to register with the Department of the Treasury, Division of Revenue. Registration is free and is a one-time action – there are no fees to register. However, you should update your contact and tax eligibility information as needed. Registration is required to conduct most business with any state, county, municipal, local board of education, charter school, county college, authority, or state college or university. The contracting agency may be required to have a copy of the "proof of registration certificate" submitted as part of a public bid or prior to issuing a purchase order.

To register: Businesses must complete **Form NJ-REG** and submit it to the Division of Revenue. The form can be filed online or by mailing a paper form to the Division. Online filing is strongly encouraged.

- Register online at www.nj.gov/treasury/revenue/taxreg.htm. Click the "online" link and then select "Register for Tax and Employer Purposes."

- Download the paper form and instructions at www.nj.gov/treasury/revenue/revprnt.htm.

- Call the Division at 609-292-1730 to have a form mailed to you.

- Write the Division at: Client Registration Bureau, PO Box 252, Trenton, NJ 08646-0252.

Note: If you operate a corporation, limited partnership, limited liability company or limited liability partnership, before registering, you must obtain legal authority to operate in the State of New Jersey. Generally, this is accomplished by filing an original business certificate with the Division of Revenue, such as a Certificate of Incorporation or Formation. For more information on this subject, visit www.nj.gov/treasury/revenue/filecerts.htm, or call 609-292-9292.

Registering as an individual: There is a simplified registration process for individuals doing business with any New Jersey government agency. The form can be downloaded from the web at www.nj.gov/treasury/revenue/pdforms/rega.pdf. To obtain a copy by mail, call 609-292-1730, or write to the Division at the Client Registration Bureau, PO Box 252, Trenton, NJ 08646-0252.

Questions? Call 609-292-1730 or submit e-mail: www.nj.gov/treasury/revenue/revcontact.html.

How do I receive the proof of registration certificate?

- New registrants. When completing Form NJ-REG, make sure you answer "Yes" to the contractor/sub-contractor question (Online: Item 17; Paper Form: Item 18). The Division of Revenue will mail the certificate to the mailing address you supply on your registration form.

- Previously Registered Businesses. Call 609-292-1730 and select option 3. The Division of Revenue's service agents will take your order and mail you a certificate. Please allow 7 to 10 working days to receive your certificate. Alternately, you may visit the Division's Client Registration Bureau in person and request a certificate. The address is 847 Roebling Avenue, Trenton, NJ 08611. Service desk hours are 8:30am to 4pm, weekdays, excluding holidays.

What information does the proof of registration contain? The certificate displays the following information: Business Name, Trade Name (If Applicable), Tax Payer ID (Usually the Employer Identification Number), Business Address, Contractor Certification Number (State Issued), Certification Issuance Date, Effective Date (Business Start Date Entered on Form NJ-REG).

STATEMENT OF OWNERSHIP OF CORPORATION OR PARTNERSHIP

New Jersey law, N.J.S.A. 52:25-24.2, provides that no corporation or partnership shall be awarded any state, county, municipal or school district contract for the performance of any work or the furnishing of any materials or supplies, unless prior to the receipt of the bid or accompanying the bid of said corporation or partnership there is submitted a statement. The statement shall set forth the names and addresses of all stockholders in the corporation or partnership who own ten percent (10%) or more of its stock of any class, or of all individual partners in the partnership who own a ten percent (10%) or greater interest therein.

If one or more of such stockholders or partners is itself a corporation or partnership, the stockholders holding ten percent (10%) or more of that corporation's stock, or the individual partners owning ten percent (10%) or greater interest in that partnership, as the case may be, shall also be listed. The disclosure shall be continued until names and addresses of every non-corporate stockholder, and individual partner, exceeding the ten percent (10%) ownership criteria established in this act has been listed.

Accordingly, this statement must be completed and submitted simultaneously with the bid.

In the case of corporate or partnership stockholders, continue the disclosure on extra sheets until all required individual stockholders or partners are disclosed.

(1) Names and addresses of all stockholders in _____, a corporation, who own ten percent (10%) or more of its stock of any class are:

Names:	Addresses:
_____	_____ _____
_____	_____ _____
_____	_____ _____
_____	_____ _____

(2) Names and addresses of all partners of _____, a partnership, owning an interest therein of ten percent (10%) or greater are:

Names:	Addresses:

_____	_____ _____
_____	_____ _____
_____	_____ _____
_____	_____ _____

(3) Continued information on stockholders or partnerships that are themselves corporations or partnerships (Use extra sheets if necessary and attach).

WITNESS:

_____(seal)
(Contractor)

By:_____
(Authorized Signature)

_____ (Signature)	
_____ (Printed Name)	_____ (Printed Name)
_____ (Title)	_____ (Title)
_____ (Date)	_____ (Date)

AFFIDAVIT OF NON-COLLUSION

STATE OF NEW JERSEY)
) ss.:
COUNTY OF)

I, _____ residing at _____ in the City/Town/Township/Borough of _____, and State of _____ , of full age, being duly sworn according to law upon my oath depose and say:

1. I am the _____of the firm of _____, the bidder making the bid for the Township of North Bergen ("Township") project, services and/or material bid, and I executed the Bid Proposal Form with full authority to do so; and I state that the bidder has not, directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above-named project and/or material bid, and that all statements contained in the bid and in this Affidavit are true and correct, and made with full knowledge that the Township relies upon the truth of the statements contained in the Bid Documents completed and submitted by the bidder, and in the statements contained in this Affidavit, in awarding the contract for the said project, services and/or material bid.

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

_____
(Signature of Affiant)

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

_____
(Printed Name)

_____
NOTARY PUBLIC

_____
(Title)

EEO/AFFIRMATIVE ACTION COMPLIANCE NOTICE
N.J.S.A. 10:5-31 AND N.J.A.C. 17:27
GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

All goods, professional service and general service contracts are required to submit evidence of appropriate affirmative action compliance to the Township of North Bergen and Division of Public Contracts Equal Employment Opportunity Compliance. During a review, Division representatives will review the Township files to determine whether the affirmative action evidence has been submitted by the vendor/contractor. Specifically, each vendor/contractor shall submit to the Township of North Bergen, prior to the execution of the contract, **one** of the following documents:

Goods and General Service Vendors

1. Letter of Federal Approval indicating that the vendor is under an existing Federally approved or sanctioned affirmative action program. A copy of the approval letter is to be provided by the vendor to the Township of North Bergen and the Division. This approval letter is valid for one year from the date of issuance.

Do you have a federally approved or sanctioned EEO/AA program? Yes □ No □
If yes, please submit a copy of such approval.

-OR-

2. A Certificate of Employee Information Report (hereafter "Certificate"), issued in accordance with N.J.A.C 17:27-4 or 4.3. The vendor must provide a copy of the Certificate to the Township of North Bergen as evidence of its compliance with the regulations. The Certificate represents the review and approval of the vendor's Employee Information Report, Form AA-302 by the Division. The period of validity of the Certificate is indicated on its face. Certificate must be renewed prior to their expiration date in order to remain valid.

Do you have a State Certificate of Employee Information Report Approval? Yes □ No □
If yes, please submit a copy of such certificate.

-OR-

3. The successful vendor shall complete an Initial Employee Report, Form AA-302 and submit it to the Division with $150.00 Fee and forward a copy of the Form to the Township of North Bergen. Upon submission and review by the Division, this report shall constitute evidence of compliance with the regulations. Prior to execution of the contract, the EEO/AA evidence must be submitted.

The successful vendor may obtain the Affirmative Action Employee Information Report (AA302) on the Division website http://www.state.nj.us/treasury/contract_compliance/.

The successful vendor(s) must submit the AA302 Report to the Division of Public Contracts Equal Employment Opportunity Compliance, with a copy to the Public Agency.

The undersigned vendor certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27 and agrees to furnish the required forms of evidence.

COMPANY:_____ SIGNATURE:_____

PRINT NAME:_____ TITLE:_____

DATE:_____

(REVISED 4/10)

EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)
N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. l7:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302 (electronically provided by the Division and distributed to the public agency through the Division's website at www.state.nj.us/treasury/contract_compliance)

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27**.

Township of North Bergen
Division of Purchasing
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

Solicitation Number:_____ **Respondent:**_____

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that the person or entity, or one of the person or entity's parents, subsidiaries, or affiliates, is not identified on a list created and maintained by the Department of the Treasury as a person or entity engaging in investment activities in Iran. If the Director finds a person or entity to be in violation of the principles which are the subject of this law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the person or entity.

I certify, pursuant to Public Law 2012, c. 25, that the person or entity listed above for which I am authorized to bid/renew:

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

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

In the event that a person or entity is unable to make the above certification because it or one of its parents, subsidiaries, or affiliates has engaged in the above-referenced activities, a detailed, accurate and precise description of the activities must be provided in part 2 below to the Township of North Bergen under penalty of perjury. Failure to provide such will result in the proposal being rendered as non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.

PART 2: PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN.

You must provide a detailed, accurate and precise description of the activities of the bidding person/entity, or one if its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below.

EACH BOX WILL PROMPT YOU TO PROVIDE INFORMATION RELATIVE TO THE ABOVE QUESTIONS. PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, PLEASE PHOTOCOPY THIS FORM.

Name_____ Relationship to Bidder/Offeror_____

Description of Activities _____

_____

Duration of Engagement_____ Anticipated Cessation Date _____

Bidder/Offeror Contact Name_____ Contact Phone Number _____

Certification: I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the above-referenced person or entity. I acknowledge that the Township of North Bergen is relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the Township to notify the Township in writing of any changes to the answers of information contained herein. I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with the Township of North Bergen and that the Township at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name(Print):_____ Signature:_____

Title:_____ Date:_____

State of New Jersey

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

DEPARTMENT OF THE TREASURY
DIVISION OF PURCHASE AND PROPERTY
OFFICE OF THE DIRECTOR
33 WEST STATE STREET
P.O. BOX 039
TRENTON, NJ 08625-0039
Telephone (609) 292-4886 / Facsimile (609) 984-2575

ANDREW P. SIDAMON-ERISTOFF
State Treasurer
JIGNASA DESAI-MCCLEARY
Director

The following list represents entities determined, based on credible information available to the public, to be engaged in prohibited activities in Iran pursuant to Pi. 2012, c. 25 ("Chapter 25"):

1. Bank Markazi Iran (Central Bank of Iran)
2. Bank Mellat
3. Bank Melli Iran
4. Bank Tejarat
5. National Iranian Tanker Company (NITC)
6. Sameh Afzar Tajak Company (SATCO)
7. Amona
8. Bank Saderat PLC
9. Bank Sepah
10. Belaz
11. Belneftkhim (Belarusneft)
12. Bharat Petroleum Corporation Ltd.
13. China International United Petroleum & Chemicals Co., Ltd. (Unipec)
14. China National Offshore Oil Corporation (CNOOC)
15. China National Petroleum Corporation (CNPC)
16. China National United Oil Corporation (China0H)
17. China Petroleum & Chemical Corporation (Sinopec)
18. China Precision Machinery Import-Export Corp. (CPMIEC)
19. Emirates National Oil Company
20. Grimley Smith Associates
21. Indian Oil Corporation
22. Industrija Nafte (INA)
23. Kingdream PLC
24. Liquified Natural Gas Limited
25. Maire Tecnimont SpA
26. Naftiran Intratrade Company (NICO)
27. Oil and Natural Gas Corporation (ONGC)
28. Oil India Limited
29. Panyu Chu Kong Steel Pipe Company, Ltd.
30. Persia International Bank
31. PetroChina Company, Ltd.
32. Petroleos de Venezuela (PDVSA Petroleo, SA)
33. Schwing America Inc.
34. Shandong FIN CNC Machine Company, Ltd.
35. Shanghai Sunry Petroleum Equipment Company, Ltd.
36. Sinohydro
37. SK Energy
38. SKS Ventures
39. Som Petrol AS
40. Sonangol
41. Zhuhai Zhenrong Company

List Date: January 28, 2013

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