**TOWNSHIP OF NORTH BERGEN**
**PLANNING BOARD**
**County of Hudson**
**State of New Jersey**

# REQUEST FOR QUALIFICATIONS (RFQ)

## FAIR & OPEN PUBLIC SOLICITATION PROCESS

## PROFESSIONAL SERVICES FOR NORTH BERGEN PLANNING BOARD: ATTORNEY

**Submission Date: JULY 15, 2014**

**TOWNSHIP OF NORTH BERGEN**
**PLANNING BOARD**
**HUDSON COUNTY, NEW JERSEY**

**PUBLIC NOTICE FOR THE SOLICIATION OF REQUEST FOR QUALIFICATIONS FOR A PROFESSIONAL SERVICE CONTRACT FOR THE NORTH BERGEN PLANNING BOARD**

**NOTICE IS HEREBY GIVEN** that sealed request for qualifications submissions will be received by the Township of North Bergen, Geraldine Baker 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 |
|---|---|
| ➢ RFQ-PB-2014-02 | Planning Board Attorney |

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.

Sealed request for qualifications ("RFQ") responses shall be submitted to Geraldine Baker, Planning Board Secretary, Township of North Bergen, 4233 Kennedy Boulevard, North Bergen, NJ, 07047, on or before JULY 15, 2014 AT 2:00 PM 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 of the Professional Service 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. The Township of North Bergen reserves the right to reject any or all responses.

Geraldine Baker
Planning Board Secretary

# INVITATION TO SUBMIT QUALIFICATIONS

Proposals are being solicited through a fair and open process in accordance with *N.J.S.A.* 19:44A-20.1, *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

These qualifications are being sought pursuant to the Local Public Contract Laws.

Sealed RFQ responses must be received by GERALDINE BAKER no later than JULY 15, 2014 AT 2:00PM (one original and one copy) shall be submitted in a sealed envelope to:

Geraldine Baker, Planning Board Secretary
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 5 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 there under. 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 Township shall retain all of its rights and interest in any and all documents and property both hard copy and digital furnished by the Township to the Respondent for the purpose of assisting the Respondent in the performance of this contract. All such items shall be returned immediately to the Township at the expiration or termination of the contract or completion of any related services, pursuant thereto, whichever comes first. None of the documents and/or property shall, without the written consent of the Township, be disclosed to others or used by the Respondent or permitted by the Respondent to be used by their parties at any time except in the performance of the resulting contract.

Ownership of all data, materials and documentation originated and prepared for the Township pursuant to this contract shall belong exclusively to the Township. All data, reports, computerized information, programs and materials related to this project shall be delivered to and become the property of the Township upon completion of the project. The Respondent shall not have the right to use, sell, or disclose the total of the interim or final work products, or make available to third parties, without the prior written consent of the Township. All information supplied to the Township may be required to be supplied on CD-ROM media compatible with the Township's computer operating system, windows based, Microsoft Office Suite 2003 or 2007.

Termination: If, through any cause, the Respondent shall fail to fulfill in a timely and proper manner obligations under the contract or if the Respondent violates any requirements of the contract, the Township shall have the right to terminate the contract by giving written notice to the Respondent of such termination at least thirty (30) days prior to the proposed effective date of the termination, unless the contract contains more favorable terms to the Township. Such termination shall relieve the Township of any obligation for the balances to the Respondent of any sum or sums as set forth in the contract.

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 Service:

**RFQ-PB-2014-02:** **Planning Board Attorney**

**Scope of Services:**
Attendance at all Planning Board meetings (regular and special)
Review of all submitted applications
Handle all Planning Board meetings
Meet with Township personnel, when necessary
Legal research (limited)
Handle court appearances, trials, motions and pre-trial proceedings

**Compensation will be as follows:**

- Meeting are paid by session at $500.00 per sessions
- $170.00 per hour for related work
- Copy Cost: $0.05/page for 8 ½" x 11"
  $0.07/page for 8 ½" x 14"
- Postage: Direct Reimbursement
- Travel Expenses: Prevailing IRS rate/mile plus Tolls and Parking
- Court Fees: Direct Reimbursement
- Filing Fees: Direct Reimbursement
- Transcript Cost: Direct Reimbursement
- Any other reasonable and necessary expenses incurred in the course of performing the contract: Direct Reimbursement

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

1. Experience and reputation in the field; noting the advanced degrees specific to the work contemplated by the Planning Board and those individuals who shall be available to perform the work, and other agencies similar to the North Bergen Planning Board which you have worked within the last five (5) years.
2. Knowledge of the Township of North Bergen Planning Board rules, regulations, calendar, ordinances and statutes that apply to the types of cases that come before the Board, and the subject matter to be addressed under the contract.
3. Availability to accommodate any required meetings of the Planning Board, even on short notice. Please note that the meetings of the North Bergen Planning Board occur at least monthly on the 1st Tuesday of the month. In addition, special meetings are called as required by the number of applications pending;
4. Other factors to be demonstrated to be in the best interest of the Township of North Bergen Planning Board.

## PROPOSER'S RFQ REMINDERS

**The Most Critical Things to Keep in Mind When Responding to**
**The Request for Qualifications for the Township of North Bergen**

- **Read the *entire* document.** Note critical items such as: mandatory requirements; supplies/services required; submittal dates; number of copies required for submittal; funding amount and source; contract requirements (i.e., contract performance security, insurance requirements, performance and/or reporting requirements, etc.).

- **Note the procurement officer's name, address, phone numbers and e-mail address.** This is the only person you are allowed to communicate with regarding the RFQ and is an excellent source of information for any questions you may have.

- **Attend the pre-proposal conference** if one is offered. These conferences provide an opportunity to ask clarifying questions, obtain a better understanding of the project, or to notify the Township of any ambiguities, inconsistencies, or errors in the RFQ.

- **Take advantage of the "question and answer" period.** Submit your questions to the procurement officer by the due date listed in the Schedule.

- **Follow the format required in the RFQ** when preparing your response. Provide point-by-point responses to all sections in a clear and concise manner.

- **Provide complete answers/descriptions.** Read and answer **all** questions and requirements. Don't assume the Township or evaluation committee will know what your company capabilities are or what items/services you can provide, even if you have previously contracted with the Township. The proposals are evaluated based solely on the information and materials provided in your response.

- **Use the forms provided**, i.e., cover page, sample budget form, certification forms, etc.

- **Review and read the RFQ document again** to make sure that you have addressed all requirements. Your original response and the requested copies must be identical and be complete. The copies are provided to the evaluation committee members and will be used to score your response.

- **Submit your response on time.** Note all the dates and times listed in the Schedule of Events and within the document, and be sure to submit all required items on time. Late proposal responses will not be accepted.

**This checklist is provided for assistance only and should not be submitted with Proposer's Response.**

## SCHEDULE OF EVENTS

| EVENT | DATE |
|---|---|
| RFQ Issue Date | JULY 2, 2014 |
| RFQ Response Due Date | JULY 15, 2014 |

## SECTION 1: PROJECT OVERVIEW AND INSTRUCTIONS

### 1.0 PROJECT OVERVIEW

The Township of North Bergen Planning Board seeks Qualifications to provide professional services listed herein.

### 1.1 CONTRACT TERM

The contract term is for a period beginning AUGUST 5, 2014 TO DECEMBER 31, 2014

### 1.2 SINGLE POINT OF CONTACT

From the date this Request for Qualifications (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 e-mailed inquiries set forth below. The Township will make any final determination of changes to the RFQ.

**1.3.2 Form of Questions.** 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. 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. 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 Organization of Proposal.** Proposers shall organize their proposal into sections that follow the format of this RFQ, with tabs separating each section. A point-by-point response to all numbered sections, subsections, and appendices is required. If no explanation or clarification is required in the proposer's response to a specific subsection, the proposer shall indicate so in the point-by-point response or utilize a blanket response for the entire section with the following statement:

**"(Proposer's Name)" understands and will comply.**

**1.6.2 Failure to Comply with Instructions.** Proposers failing to comply with these instructions 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 Geraldine Baker, Planning Board Secretary, prior to JULY 15, 2014 at 2:00pm.***

| | |
|---|---|
| **Forward proposals to:** | **Township of North Bergen** |
| | **Geraldine Baker, Planning Board Secretary** |
| **Via U S Postal Service:** | **4233 Kennedy Boulevard** |
| | **North Bergen, NJ 07047** |
| **Via Courier Service:** | **Same address as above** |

**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 and are to be appended to any formal documentation, which would further define or expand any contractual relationship between the Township and proposer resulting from this RFQ process.

## SECTION 2: RFQ STANDARD INFORMATION

### 2.0 AUTHORITY

This RFQ is issued under the authority of the Township of North Bergen Planning Board. 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 deemed public information and will 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 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 a "right to know" (open 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; the submitted price is found to be excessive or inadequate as measured by criteria stated in the RFQ; 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. If a proposer is found non-responsive, the determination must be in writing, made a part of the procurement file and mailed to the affected proposer.

**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. Proposers may also be required to make an oral presentation and/or product demonstration to clarify their RFQ response or to further define their offer. 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 award, if any, will be made to the proposer who the Township of North Bergen Planning Board determines who best can provide the services required and provides all required documents. A formal contract incorporating this RFQ, including Attachments A and B and the selected proposal, will be executed by all parties.

### 2.4 TOWNSHIP'S RIGHTS RESERVED

While the Township has every intention to award a contract as a result of this RFQ, issuance of the RFQ in no way constitutes a commitment by the Township to award and execute a 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

Proposer shall provide a minimum of three (3) 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 shall 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.

### 3.2 DETAIL AND SUPPORTING DOCUMENTATION

Contractor will provide sufficient detail, information, supporting documentation or examples of the following:

3.2.1 Name of Individual assigned primary responsibility for the project.

3.2.2 Names, addresses and telephone numbers of anticipated sub-contractors

3.2.3 Firm's experience with governmental agencies: Federal, State, County and Local.

3.2.4 Detail experience in administering similar projects. Explain the extent of your experience, how each element is addressed and whether the service is done in-house or contracted out.

3.2.5 Describe how your firm ensures good communication with clients (client report mechanisms, etc.).

3.2.6 Has contractor worked with New Jersey counties or municipalities on previous projects? Is contractor familiar with the terrain of New Jersey?

### 3.3 GENERAL ABILITIES/METHOD OF PROVIDING SERVICES

Proposer should provide a description of the work plan and the methods to be used that will convincingly demonstrate to the Township what the proposer intends to do, the ability to accomplish the work, and how the work will be accomplished.

3.3.1 The proposal submitted in response to the RFQ may be used as an example of a professional document produced by the contractor.

3.3.2 The contractor should have experience in all aspects of administering similar projects. Contractor and staff must be familiar with Federal and State statutes, regulations and procedures.

3.3.3 The contractor must have the ability to work with the government agencies at various levels, Federal, State and Local. History of good working relationships with counties and municipalities, specifically in New Jersey is helpful.

## SECTION 4: PAYMENT TERMS

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

**4.0** Successful respondent must provide itemized invoices to the Township. A Purchase Order will be processed and sent to your 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

The Township will review all proposals to determine if they satisfy the RFQ requirements and evaluate the proposals based upon the Evaluation Criteria. The respondent determined to best meet the Township needs will then be recommended to the governing body for award of contract, based on price and other factors.

### 5.1 EVALUATION PROCEDURE

The evaluation committee will evaluate the proposals and determine whether to award the contract to the best proposal or to seek discussions before awarding a contract. Selection and award will be based on the contractor's proposal and other items outlined in this RFQ. Responses must be complete and address all the criteria listed. Information or materials presented by contractors outside the formal response or subsequent discussion will not be considered.

### 5.2 EVALUATION CRITERIA

The evaluation committee will review and evaluate the offers as specified in the "Scope of Services and Evaluation Criteria" section as well as the following criteria:

**5.2.1 Qualifications/General Abilities.** Proposer shall demonstrate the ability to provide the capacity and personnel to provide those services required by specifications in the RFQ. Demonstrate ability to deliver work products on time and on-budget.

Experience and training of proposer employees shall meet the specific needs of the RFQ. Identify staff assigned to the project; staff can provide a wide range of professional training, certification, education and experience specific to the needs of the Township. Numbers of personnel available to service the contract are sufficient.

Proposal provides sufficient detail to establish expertise in the required services. References and work experience are sufficient, demonstrating that the contractor has the experience and the ability to provide services at the required level for the duration of the contract. Specific experience with Federal, County and local government agencies is preferred.

Proposal is professional in appearance. Information is organized, complete and meets RFQ requirements for content and format.

**5.2.2 Understanding of Project Scope/Proposed Methods/Procedures.** Proposer's analysis of the needs detailed in the RFQ and proposed actions are thorough and demonstrate proposer's ability to evaluate data and develop a reasonable response.

**5.2.3 Prior Experience and Familiarity.** Expertise of the firm shall be demonstrated by past contract successes providing government agencies with similar services. Respondent will be evaluated on knowledge, experience, prior collaboration and successful completion of projects/services similar to that requested in this RFQ. In addition to relevant experience, respondents shall provide personnel qualifications in their proposal. Contractor response addresses experience, training, preferred methods, and perspectives which provide unique advantage to the firm.

**5.2.4 Management/Organization/Accessibility.** Proposer provides general compliance and responsiveness to the Township's needs and requests issued in the RFQ.

Proposer presents procedures that ensure sufficient personnel are available to respond to unusual or unanticipated circumstances Contractor personnel are available for discussions and review. One or more methods of contacting proposer personnel are identified and a clear detail is provided for notification of a responsible individual.

**Attachment B**

## 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 form 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).

**CORPORATE DISCLOSURE STATEMENT**

The undersigned is an - Individual - Partnership - Corporation
**(Please indicate with circle)**

Under the laws of the State of_____

Having principal offices at _____

_____

_____

RESPECTFULLY SUBMITTED BY _____
(Name of Corporation, Partnership or Individual)

WITNESS: ADDRESS _____

_____ _____

TELEPHONE:_____

S/_____ SIGNATURE:_____

POSITION:_____ POSITION:_____

SSAN (If Individual):_____

FED ID# (IF Incorporated):_____

DATE:_____ DATE: _____

***NOTE:*** If Contractor is a **CORPORATION**, this proposal must be executed by its president, attested to by its secretary or assistant secretary, with the corporate seal affixed thereto. This proposal may be executed and attested to by other than the aforesaid corporate officers if they have been duly authorized to so act in behalf of the Contractor, pursuant to a resolution of the Corporate Board of Directors, or other authorization equivalent thereto. In that event, a certified copy of said resolution or authorization shall be attached to this proposal.

If Bidder is a **PARTNERSHIP**, then this proposal must be signed by at least one partner.

If Bidder is an **INDIVIDUAL**, please indicate Social Security Number in space provided above.

## OWNERSHIP STATEMENT

List the names and addresses of all stockholders who own ten (10%) percent or more of its stock. If none, so state.

If one or more such stockholders or partner is itself a corporation or partnership, the stockholders holding 10% or more of that corporation's stock, or the individual partners owning 10% of that corporation's stock, or the individual partners owning 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 10% ownership criteria established in this act, has been listed, in full compliance with Chapter 33 of the New Jersey Public Laws of 1977.

□ I certify that the list below contains the names and addresses of all stockholders holding 10% or more of the issued and outstanding stock of the undersigned.

□ I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

Legal Name of Bidder:_____

Name_____

Address_____

Percentage of Ownership_____%.

Name_____

Address_____

Percentage of Ownership_____%.

Name_____

Address_____

Percentage of Ownership_____%.

Name_____

Address_____

Percentage of Ownership_____%.

*(Note: Attach additional pages if necessary)*

# NON-COLLUSION AFFIDAVIT

STATE OF _____,

COUNTY OF _____.

_____(name) being first duly sworn, deposes and says that he is

_____ (give title) of_____ (Bidder), that such Bid is genuine and not collusive or sham; that said Bidder has not colluded, conspired, connived, or agreed, directly or indirectly, with any bidder or person to put in a sham bid, or that such other person shall refrain from bidding, and has not in any manner, directly or indirectly, sought by agreement of collusion, communication or conference with any person to fix the bid price of the bidder or any other bidder for the written contract, or to fix any overhead profit or cost element of said bid price, or of that of any other bidder, or to secure any advantage against the Township, or any other person interested in the proposed Contract; and that all statements contained in said Bid are true; and further, that the Bidder has not, prior to the official opening of the Bid, directly or indirectly, submitted this Bid, or the contents thereof, or divulged information or data relative thereto, to any association or to any member or agent thereof, or to any person who is not an employee of the Bidder, except the Surety which furnished Bid Security and consent of Surety for purposes of the making of this Bid, all in accordance with N.J.S.A. 52:34-15.

_____

(Signature of Affiant)

Sworn and subscribed to before me this _____day of _____, _____.

_____

(Signature of Notary Public)

My Commission expires: _____.

**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**.

# INSURANCE REQUIREMENTS AND ACKNOWLEDGMENT FORM

*Unless otherwise stated in the "Scope & Evaluation Criteria" section, the following insurance is required upon award of contract*:

Certificate(s) of Insurance shall be filed with the Township upon award of contract.

The minimum amount of insurance to be carried by the Professional Service Entity shall be as follows:

**PROFESSIONAL LIABILITY INSURANCE**

Limits shall be a minimum of $1,000,000.00 for each claim and $1,000,000 aggregate each policy period.

***Acknowledgment of Insurance Requirement:***

_____ _____

**(Signature)** **(Date)**

_____

**(Printed Name)**

_____

**(Title)**

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

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**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**

*New Jersey Is An Equal Opportunity Employer • Printed on Recycled Paper and Recyclable*