# *The Township of Barnegat*

## *In Accordance with*

## *Chapter 10 of the General Code Of the Township of Barnegat Sections 19, 20, 21*

## *Will receive Requests for Proposals For Professional Services 2019 no later than 4:00 PM, Friday, October 26, 2018*

# TOWNSHIP OF BARNEGAT
# 900 WEST BAY AVENUE
# BARNEGAT, NJ 08005

## GENERAL INSTRUCTIONS & CONDITIONS
## FOR TOWNSHIP REQUEST FOR PROPOSALS (RFP)

### 1.0 INSTRUCTIONS, FORMS AND SPECIFICATIONS

1.1 Instructions, forms and specifications may be obtained online at www.barnegat.net and/or in person or by mail from the Township of Barnegat, 900 West Bay Avenue, Barnegat, NJ 08005 (609) 698-0080 #190

1.2 All proposals are to be submitted on and in accordance with the Proposal Form approved for this proposal or on an exact replica as to wording and punctuation. Copies of this Proposal Form are available at the Township Clerk's Office or online at www.barnegat.net

1.3 All bidders should be required to **submit 1 (one) original and three (3) copies** , of their complete set of proposals in a sealed envelope approximately 10"X15" addressed to the Township of Barnegat, 900 West Bay Avenue, Barnegat, NJ 08005 to the Attention of the Municipal Clerk and clearly marked with the name and address of the bidder and Request for Proposal enclosed. Proposals may be hand-delivered or mailed, however, the Township disclaims any responsibility for bids forwarded by the U.S. Mail and/or Overnight Mail Carriers and that are received after the bid opening deadline.

1.4 All proposals should be required to be received by the Township Clerk's Office, Township Hall, 900 West Bay Avenue, Barnegat, NJ 08005 on or before the time and date specified in the specifications.

1.5 No proposals will be considered in which the Proposal, Specifications or any Provisions have been modified, without the permission of the Township Administrator.

1.6 Each proposal should be accompanied by a notarized Non-Collusion Affidavit executed by the bidder or, in case the bidder is a corporation, by a duly authorized representative of said corporation. Forms for this purpose are provided in your package.

1.7 Additional information or clarification of any of the instructions or information contained herein may be obtained from the Township Administrator or Township Clerk.

1.8 To better insure fair competition and to permit a determination of the lowest qualified bidder, proposals may be rejected if they show any omission, irregularities, alteration of forms, additions not called for, conditional or unconditional, non responsible RFP's or proposals that are obviously unbalanced.

1.9 Any bidder or bidders finding any discrepancy in or omission from the specifications, in doubt as to their meaning, or feel that the specifications are discriminatory, should notify the Township Administrator in writing not less than seven (7) days prior to the receipt of the proposals. Exceptions, as taken, in no way obligate the Township to change the specifications. As may be required, the Township Administrator will notify all prospective bidders in writing, by addendum duly issued of any interpretations or changes made to specifications or instructions.

### 2.0 PREPARATION OF THE REQUEST FOR PROPOSAL (RFP)

2.1 All bidders are encouraged to examine any drawings, specifications, schedules and instructions included in the proposal package. Failure to do so will be at the bidder's own risk.

2.2 All bidders are required to utilize type or clearly written ink print when completing the proposal form Unit and total price extensions should be fully extended in terms of dollars and cents. Decimal points and commas should be utilized when and where required. If and when applicable, a bidder chooses not to bid on specific items, they should then be required to placing the wording "No Bid" or "N/B" on the specified

line on the proposal form.

2.3 All bidders, when applicable, should clearly complete the space provided at the top of each proposal form with their name and current address.

2.4 No bidder will be allowed to offer more than one (1) price on each item, even though they may feel that they have two or more styles that will meet the specifications. Bidders must determine for themselves which item to offer. If any bidder should submit more than one (1) price on any item, all prices for the item may be rejected at the Township's discretion.

2.5 In the case of an error in the extension of prices on the proposal form (if requested), the unit price should govern. Unit prices shown should be considered to be net.

2.6 If erasures or other changes appear on the proposal forms, each erasure or change should be required to be initialed in ink by the individual signing the proposal.

2.7 The Request for Proposal number, the vendor's name and current business address should appear on any technical data or other information furnished by the vendor with the proposal.

2.8 Receipt of amendments/addendum by the bidders must be acknowledged prior to the proposal opening date. Addendum received prior to the proposal submittal, should be acknowledged in the appropriate space on the proposal form. Addendum received after the submittal of the proposal package should be required to forward a copy of the appropriate form to the Purchasing Division by either letter or fax acknowledging the receipt of the addendum.

2.9 Any documents intended to supplement or deviate from the express requirements of this Request for Proposals may result in a rejection of that quote. Bidder quotation forms duplicating the items listed on the enclosed proposal can be confusing and are not requested.

2.10 Signed proposal sheets and all the price sheets, which the bidder has offered, pricing, should be returned for the proposal to be considered.

**3.0 MODIFICATIONS OR WITHDRAWAL OF THE REQUEST FOR PROPOSAL (RFP)**

3.1 A quote that is the possession of the Township may be altered by letter, or fax transmission bearing the signature or name of the person authorized for submittal of a proposal, provided that it is received prior to the time and date of the proposal opening. Under no circumstances should the transmittal reveal the proposal price or any changes to those figures, but should only indicate the addition, subtraction or other change in the documents or required support materials.

3.2 A quote that is in the possession of the Township may be withdrawn by the bidder in person or by written notarized request up until the time of the proposal opening. Proposals may not be withdrawn after the proposal opening, unless formal approval has been granted by the Township Administrator.

3.3 The use of trade names by the Township is intended to be descriptive, but not restrictive and only to establish a standard for items that will be considered satisfactory. Proposals on all brands and models may be considered, provided the bidder clearly states in the proposal exactly what they propose for each item proposed. Specifications or descriptive literature should be forwarded with the proposal on all proposed substitutes or the quote may be found non-responsible. If a catalog is submitted, the page number where the item may be found must be marked for each item. A sample may be required for evaluation prior to the acceptance of a substitute.

3.4 If a bidder proposes an item different than the item identified and does not provide a manufacturer's specification for that item, the bidder may be found non-responsible for that item.

3.5 The Township Administrator reserves the right to approve or reject any proposed substitutes that are a variation from the Township's specifications or requirements and to accept any item or group of items as may be in the best interest of the Township.

**4.0 TAX EXEMPT STATUS**

4.1 The Township of Barnegat is exempt from Manufacturers federal excise tax and state sales tax.

**5.0 AWARD AND PURCHASE**

5.1 The Township hereby notifies all bidders that it will affirmatively insure, to the best of its ability that in any contract entered into pursuant to this advertisement, the minority business enterprises will be afforded full opportunity to submit bids in response to this Request for Proposal and will not be discriminated against on the grounds of race, color, sex or national origin in consideration of an award. The bidder hereby agrees that should the bidder be awarded a contract by the Township they will not discriminate against any person who performs work hereunder because of race, color, sex or national origin.

5.2 The Township reserves the right to reject any and/or all proposals, to waive any informalities or technical defects in the proposals, unless otherwise specified by the Township to accept any item or groups of items in the proposal, as may be in the best interest of the Township and in accordance with the New Jersey Local Public Contracts Law.

5.3 Upon award by the governing body a contract and a purchase order will be issued by the Township to the successful bidder for appropriate signatures. Upon execution of the contract the contractor should forward all contracts back to the Township for final approval and official signatures.

**6.0 ASSIGNMENT OF THE CONTRACT**

6.1 The contract should not transfer any interest in the contract, whether by assignment or otherwise, without the prior written approval of the Township.

**7.0 ABANDONMENT OR DELAY OF THE CONTRACT**

7.1 If the work to be done under this contract should be abandoned by the contractor or if at any time the Township Administrator should certify in writing to the Township Committee that the performance of the contract is unnecessarily or unreasonably delayed or that the contractor is willfully violating any of the conditions of the specifications or is executing the same in bad faith or not in accordance with the terms thereof, the Township may annul the contract or any part thereof by a written notice served upon the Contractor and the Township should thereupon have the power to contract for the completion of said work in the manner prescribed by law.

7.2 The cost and expense so charged should be deducted from and paid by the Township out of such monies as may be due or become due to the Contractor under and by virtue of the contract. In the case such expense should exceed the amount, which would have been completed by the Contractor their surety should pay the amount of such excess to the Township

**8.0 TERMINATION CLAUSE**

8.1 The failure of any contractor or supplier of the Township to comply with the terms of this proposal should subject any contract or purchase order to revocation.

**9.0 CONTRACTOR'S COOPERATION**

9.1 the Contractor should keep in touch with the Township Administrator or any other representative(s) of the township so designated by the Township Administrator and should actively cooperate in all matters pertaining to this contract in any way the Township Administrator may direct or to the end that the Township of Barnegat should receive efficient and satisfactory service. The Contractor should meet with the Township Administrator or his designated representative(s) when requested to answer any questions or to resolve any problems concerning the contract or they may be judged to have failed in the performance of the contract.

**10.0 RESERVATIONS**

10.1 The Township reserves the right to reject any and/or all proposals or parts of the proposals and to waive any informalities or technicalities in the proposals as the interest of the Township may require and may be permitted by Law.

10.2 The Township reserves the right to award contracts or place orders on a lump sum or individual item basis or such combination as should, in its judgment, is in the best interest of the Township of Barnegat and in accordance with the New Jersey Public Contracts Law.

10.3 The Township may waive minor differences in specifications provided these differences do not violate the specifications intent nor materially affect the operation for which the item or items are being purchased nor increased estimated operating, maintenance and repair cost to the Township.

**11.0 DEVIATIONS FROM THE SPECIFICATIONS**

11.1 In addition to the above requirements, all deviations from the specifications must be noted in detail by the bidder in writing at the time of the submittal of the formal proposal. The absence of a written list of specification deviations at the time of submittal of the proposal will hold the bidder strictly accountable to the Township for furnishing material(s), equipment or services in full accordance with the specifications as written and will be grounds for rejection upon delivery of any item(s) not fully meeting specifications.

**12.0 LAWS AND REGULATIONS**

12.1 In all operations related to any contract awarded under these specifications, all ordinances and regulations of the Township of Barnegat and all United States, State of New Jersey, County of Ocean and Township Laws, which should be or become applicable to and control or limit in any way the actions of those engaged as Principal or Agent, must be respected and complied with strictly. The Contractor should protect and indemnify the Township of Barnegat and its agents or employees against any claim or liability arising from or based on the violation of such laws, ordinances or reservations, whether by them or their employees.

**13.0 NEW JERSEY AFFIRMATIVE ACTION REQUIREMENTS (REQUIRED, see attached form)**

13.1 The provisions of Chapter 127. Public Laws of 1975 are applicable to this contract. Bidders are required to familiarize themselves and comply with the requirements of this statute. Prospective bidders must answer the attached questionnaire and as applicable, complete the Affirmative Action Affidavit or comply with other requirements of the law.

**14.0 PUBLIC/STOCKHOLDER DISCLOSURE REQUIREMENTS (REQUIRED, see attached form)**

14.1 Whereas, Chapter 33 of the Public Laws of 1977 provides that no corporation or partnership should 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 quote or accompanying 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 more of its stock of its stock of any class or of all individual partners in the partnership who own a ten (10%) percent or greater interest therein. Failure to furnish this information with your quote should be cause to reject the proposal.

**15.0 NON-COLLUSION AFFIDAVIT (REQUIRED, see attached form)**

15.1 By the submission of this required affidavit, the bidder certifies that the proposal has been arrived at independently and submitted without collusion with any other bidder, and that the contents of the proposal has been communicated by the bidder, nor to the best of their knowledge and belief, by any one of its agents, to any person not an employee or an agent of the bidder or its surety on any bond furnished herewith and will not be communicated to any person prior to the official opening of the proposal.

**16.0 INDEMNITY REQUIREMENTS**

16.1 If a contract is awarded, the successful bidder should be required to indemnify and hold the Township of Barnegat harmless from and against all liability and expenses, including attorney's fees, howsoever arising or incurred, alleging

and addresses of all stockholders in the corporation or partnership who own ten (10%) percent or more of its stock of its stock of any class or of all individual partners in the partnership who own a ten (10%) percent or greater interest therein. Failure to furnish this information with your quote should be cause to reject the proposal.

above should be deemed a material breach of the contract and should operate as an immediate termination thereof.
damage to property or injury to or death of, any person arising out of or attributable to the bidder's performance of the contract awarded.

16.2 Any property or work to be provided by the bidder under this contract will remain at the bidder's risk until written acceptance by the Township and the bidder will replace, at bidder's expense, all property or work damaged or destroyed by any cause whatsoever.

**17.0 INSURANCE REQUIREMENTS (REQUIRED)**

17.1 Unless otherwise required by special conditions of this Request for Proposal, if a contract is awarded, the bidder will be required to purchase and maintain during the life of the contract, Comprehensive General Liability Insurance, Comprehensive Automobile Liability Insurance and Worker's Compensation Insurance with limits of not less than those set forth below:

17.2 Comprehensive General Liability Insurance
General Liability limits of $1,000,000.00 each occurrence and $1,000,000.00 aggregate products and completed operations.

17.3 Worker's Compensation Insurance Statutory Coverage, including employer's liability coverage

Note: The successful bidder should provide the Township with certificates of insurance evidencing the overages required above. Such certificates should provide that the Township be given at least sixty (60) days prior written notice of any cancellation of, intention not to renew or material change in such coverage. These certificates must be provided and on file with the Township prior to commencing work in connection with this contract.

17.4 The providing of any insurance required herein does not relieve the bidder of any of the responsibilities or obligations assumed by the bidder in the contract awarded or for which the bidder may be liable by law or otherwise failure to provide and continue in force such insurance as required above should be deemed a material breach of the contract and should operate as an immediate termination thereof.

**18.0 CONFLICT OF INTEREST POLICY**

18.1 All proposal awards are subject to N.J.S.A. 40:69A-163 which states "no officer or employee elected or appointed in any municipality should be interested directly or indirectly in any contract or job for work or materials, or the profits thereof, to be furnished or performed, for any person operating any interurban railway, street railway, gas works, waterworks, electric light or power plant, heating plant, telegraph line, telephone exchange or other public utility within the territorial limits of such municipality."

**19.0 AMERICANS WITH DISABILITIES ACT OF 1990**

19.1 Discrimination on the basis of disability in contracting for the purchase of goods and services is prohibited. Bidders are required to read American with Disabilities language as indicated below and agree that the provisions of Title II of the Act are made a part of the contract. The contractor is obligated to comply with the Act and to hold the owner harmless.

19.1.1 The contractor and the Township of Barnegat, hereafter "owner" do hereby agree that the provisions of Title 11 of the American with Disabilities Act of 1990 (the "Act") (42 U.S.C. S121 01 et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant there unto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the owner pursuant to this contract, the contractor agrees that the performance should be in strict compliance with the Act.

In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act. During the performance of this contract, the contractor should defend the owner in any action or administrative proceeding commenced pursuant to this Act. The contractor should indemnify, protect, and save harmless the owner, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The contractor should at its own

expense, appear, defend and pay any and all changes for legal services and any and all cost and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the owner's grievance procedure. If any action or administrative proceeding results in an award of damages against the

owner, or if the owner incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the contract should satisfy and discharge the same at its own expense.

The owner, should, as soon as practicable after a claim has been made against it, give written notice thereof to the contractor along with full and complete particulars of the claim. If any action or administrative proceeding is brought against the owner of any of its agents, servants, and employees, the owner should expeditiously forward or have forwarded to the contractor every demand, complaint, notice, summons, pleading, or other process received by the owner or its representative.

It is expressly agreed and understood that any approval by the owner of the services provided by the contractor pursuant to this contract will not relieve the contractor of the obligations to comply with the Act and to defend, indemnify, protect, and save harmless the owner pursuant to this paragraph.

It is further understood that the owner assumes no obligation to indemnify or save harmless the contractor, its agents, servants, employees and subcontractors for any claim which may arise out of their performance of this Agreement. Furthermore, the contractor expressly understands and agrees that the provisions of this indemnification clause should in no way limit the contractor's obligation assumed in this Agreement, nor should they be construed to relieve the contractor from any liability, nor preclude the owner from taking any other actions available to it under any other provisions of this Agreement or otherwise at law.

**20.0 NEW JERSEY BUSINESS REGISTRATION CERTIFICATE (BRC) (REQUIRED)**

20.1 Whereas, N.J.S.A. 52:25-24.2 requires that each bidder (contractor) and subcontractor so named in the bid proposal should be required to submit proof of a New Jersey Business Registration Certificate (BRC) with the submission of the bid proposal. Proof of registration should be a copy of the bidder's Business Registration Certificate (BRC). A BRC can be obtained from the New Jersey Division of Revenue. Information on obtaining a BRC is available through the internet website at www.nj.gov/njbgs or by telephone at (609) 292-1730. Whereas, N.J.S.A. 52:32-44 imposes the following requirements on contractors and all subcontractors that knowingly provide goods and services for a contractor fulfilling this contract:

20.1.1 The contractor should provide written notice to its subcontractors and suppliers to submit proof of business registration to the contractor.

20.1.2 Prior to receipt of the final payment from a contracting agency, a contractor must submit to the contracting agency an accurate list of all subcontractors or attest that none were utilized.

20.1.3 During the term of this contract, the contractor and its affiliates should collect and remit, and should notify all subcontractors and their affiliates that they must collect and remit to the Director of New Jersey Division of Taxation, the use tax due pursuant to the Sales Tax Act (N.J.S.A. 54:32B-1 et seq.) on all sales of tangible personal property delivered into this State.

20.2 A contractor, subcontractor or supplier of a service who fails to provide proof of business registration or provides false business registration information should be liable to a penalty of $25.00 for each day of the violation, not to exceed $50,000.00 for each business registration not properly provided and/or maintained under a contract with a contracting agency. Information on the law and the requirements is available by calling (609) 292-1730.

Note: Failure to supply this required information with the bid package should be immediate grounds for the rejection of the bid.

**21.0 NEW JERSEY "PAY-TO-PLAY" LAW**

21.1 Business entities are advised of their responsibility to file an annual disclosure statement of political contributions with the New Jersey Election Law Enforcement Commission (ELEC) pursuant to N.J.S.A. 19:44A-20.27 if they receive contracts in excess of $50,000.00 from public entities in a calendar year.

21.2 Business entities are responsible for determining if filing is necessary. Additional information on this requirement is available from ELEC at (888) 313-3532 or at www.elec.state.nj.us.

21.3 Pursuant to Senate Bill (S-2) that has been signed into law in the State of New Jersey concerning "Pay-To-Play" issues, all Consultants are being placed on notice of the following:

21.3.1 The bill prohibits a county or municipality from entering into a contract having an anticipated value in excess of $25,000 with a business entity, except a contract that is awarded pursuant to a fair and open process, if that business entity has made a reportable contribution, in the case of a county to any county committee of a political party in that county, if a member of that political party is serving in an elective office of that county when the contract is awarded, or to any person serving in an elective public office of that county when that contract is awarded. In the case of a municipality, to any municipal committee of a political party in that municipality if a member of that political party is serving in an elective public office of that municipality when the contract is awarded, or to any candidate committee of any person serving in an elective public office of that municipality when that contract is awarded. A business entity that enters into such a contract with a county or municipality would be prohibited from making a contribution to any of these committees during the term of the contract.

**PLEASE EXECUTE THIS FORM AND SUBMIT WITH THE RFP PACKAGE**

**TOWNSHIP OF BARNEGAT**
**900 WEST BAY AVENUE**
**BARNEGAT, NJ 08005**

## RIGHT TO EXTEND – TIME FOR AWARD

The Township of Barnegat is required by the Local Public Contracts Law N.J.S.A. 40A:11-24, to make an award on products or service within sixty (60) days of the bid opening date.

Should the Township of Barnegat require an additional thirty (30) days extension to make an award of this bid, by signing this document you should grant the Township of Barnegat the right to extend this award up to ninety (90) days, if deemed necessary

**SIGNED:** _____
**(SIGNATURE)**

**TITLE:** _____
**(PRINTED OR TYPED)**

**COMPANY:** _____

**DATED:** _____/_____/_____

**TYPE OF PRODUCT OR SERVICE OFFERED:** _____

_____

_____

**PLEASE EXECUTE THIS FORM AND SUBMIT WITH THE RFP PACKAGE**

***PUBLIC/STOCKHOLDER DISCLOSURE STATEMENT***

**NAME OF BUSINESS:** _____

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

**Or**

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

- ☐ **Partnership**
- ☐ **Limited Partnership**
- ☐ **Subchapter S Corporation**

**Sign and notarize the form below, and, if necessary, complete the stockholder list below.**

**STOCKHOLDERS:**

Name: _____ Name: _____

Home Address: Home Address:

_____ _____

_____ _____

Name: _____ Name: _____

Home Address: Home Address:

_____ _____

_____ _____

Name: _____ Name: _____

Home Address: Home Address:

_____ _____

_____ _____

Subscribed and sworn before me this ___ day of _____, 20

(Affiant)

_____
(Print name & title of affiant)

_____ (Notary Public Signature)
My Commission Expires:

(Corporate Seal)

**PLEASE EXECUTE THIS FORM & SUBMIT WITH THE RFP PACKAGE**

NON-COLLUSION AFFIDAVIT

State of _____

County of _____

I, _____ residing in _____ in the County of
(Name of Affiant) (Name of Municipality)

_____ and State of _____ of full age, being duly sworn according to law on my oath depose and say that:

I am _____ of the firm of _____ the bidder making this Proposal
(Title or Position) (Name of Firm)

For the bid entitled _____
(Title of Bid Proposal)

And that I executed the said proposal with full authority to do so that said 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 that all statements contained in said proposal and in the affidavit are true and correct, and made with full knowledge that the

_____ relies upon the truth of the statements contained in said Proposal and

in the statements contained in this affidavit in awarding the contract for said project.

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 fid employees or bond fide established commercial or selling agencies maintained

By _____

Subscribed and sworn to me

Before this day _____, 20___

_____
(Signature)

_____
(Type or print name of affiant under signature)

Notary public of _____

My commission expires: ____/____/____ (Seal)

**PLEASE EXECUTE THIS FORM AND SUBMIT WITH THE RFP PACKAGE**

**N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127) and N.J.A.C. 17:27**
**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE**
**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 employments 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 contract 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 should 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 solicitation or advertisements for employees placed by or on behalf o the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contract officer advising the labor union or workers' representative of the contractor's commitments under this act and should post copies of the notice in conspicuous places available to employees and applicants for employment.

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

The contractor or subcontractor agrees to make good faith efforts to afford equal employment opportunities to minority and women workers consistent with Good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2, or Good faith efforts to meet targeted county employment goals determined by the Division pursuant to N.J.A.C. 17:27-5.2.

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

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all 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.

**PLEASE EXECUTE THIS FORM AND SUBMIT WITH THE RFP PACKAGE**

**N.J.S.A. 10:5-31 ET SEQ. (P.L. 1975, C.127) AND N.J.A.C. 17:27**
**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE**
**GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS**
**(CONTINUED)**

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

The contractor should 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 AA-302

The contractor and its subcontractors should furnish such reports or other documents to the Division of Public Contract 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 should 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.

Submitted by: _____
(Name of Firm)

Name: _____
(Please type or print)

Signature: _____

Title: _____

Date: _____/_____/_____

PLEASE EXECUTE THIS REQUIRED FORM AND SUBMIT WITH RFP PACKAGE

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

All successful bidders are required to submit evidence of appropriate affirmative action compliance to the County Division of Public Contracts Equal Employment Opportunity Compliance. During a review, Division representatives will review the County files to determine whether the affirmative action evidence has been submitted by the vendor/contractor. Specifically, each vendor/contractor should submit to the County, prior to 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 County 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 photo copy of such approval.

2. A Certificate of Employee Information Report (hereafter "Certificate"), issued in accordance with N.J.A.C. 17:27-1.1 et seq. The vendor must provide a copy of the Certificate to the County 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. Certificates 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 photo copy of such approval.

3. The successful vendor should 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 County. Upon submission and review by the Division, this report should constitute evidence of compliance with the regulations. Prior to execution of the contract, EE0/AA evidence must be submitted.

The successful vendor should complete an initial Employee Report (Form AA-302) on the Division website at www.state.nj.us/treasury/contract compliance.

The successful vendor(s) must submit the AA-302 Report to the Division of Public Contracts Equal Employment Opportunity Compliance, with a copy to 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.

The undersigned vendor further understands that his/her bid should be rejected as non-responsive if said contractor fails to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27.

Company: _____

Signature: _____

Print Name: _____

Title: _____ Date: _____/____/_____

## THE TOWNSHIP OF BARNEGAT
### *Request for Proposal for Professional Services Rate Sheet*

*Pursuant to public advertisement, we the undersigned hereby declare that we have carefully examined the attached proposal for furnishing and delivery of* ***Request for Proposals for Professional Services for the Calendar Year 2019 for the Township of Barnegat****. We propose to furnish the base Proposal according to the requirements of the specifications at a price exclusive to taxes.*

| | POSITION | Check which service(s) you are applying for | Hourly Rate/Flat Rate | Total "not to exceed" amount of contract |
|---|---|---|---|---|
| 1 | Township Attorney | | | |
| 2 | Attorney for Water/Sewer Utility | | | |
| 3 | Township & Water/Sewer Utility Engineer | | | |
| 4 | Conflict Township & Water/Sewer Utility Engineer & Special Project Engineer | | | |
| 5 | Township Planner | | | |
| 6 | Special Projects Architect | | | |
| 7 | Township Landscape Architect | | | |
| 8 | Township & Water/Sewer Utility Auditor | | | |

| | POSITION | Check which service(s) you are applying for | Hourly Rate/Flat Rate | Total "not to exceed" amount of contract |
|---|---|---|---|---|
| 9 | Labor Counsel & Human Resources Director | | | |
| 10 | Legal Counsel for Affordable Housing | | | |
| 11 | Affordable Housing Administrative Agent | | | |
| 12 | Township Bond Counsel | | | |
| 13 | Township Appraiser | | | |
| 14 | Appraisal And Title Work | | | |
| 15 | Township Prosecutor | | | |
| 16 | Alternate Township Prosecutor | | | |
| 17 | Township Public Defender | | | |
| 18 | Conflict Township Public Defender | | | |
| 19 | Planning Board Attorney | | | |
| 20 | Conflict Planning Board Attorney | | | |

| | POSITION | Check which service(s) you are applying for | Hourly Rate/Flat Rate | Total "not to exceed" amount of contract |
|---|---|---|---|---|
| 21 | Planning Board Engineer | | | |
| 22 | Conflict Planning Board Engineer | | | |
| 23 | Planning Board Landscape Architect | | | |
| 24 | Zoning Board Attorney | | | |
| 25 | Conflict Zoning Board Attorney | | | |
| 26 | Zoning Board Engineer | | | |
| 27 | Conflict Zoning Board Engineer | | | |
| 28 | Zoning Board Landscape Architect | | | |
| 29 | Township Physician | | | |
| 30 | Financial Advisor | | | |
| 31 | Animal Control Services | | | |

**All proposals** shall detail hourly rates/ flat rates for **ALL** staff that potentially could be assigned to the Township of Barnegat and any other "charges" for extra services not included in hourly rate/flat rate

**900 WEST BAY AVENUE**
**BARNEGAT, NJ 08005**

## BIDDER'S CHECKLIST

The following checklist is provided for each bidder to check off documents submitted with their bid;

A. Stockholders Disclosure Statement properly notarized listing stockholders or partners
Owning ten percent (10%) or more of corporation or partnership stock. (Required)

B. Non-Collusion Affidavit properly notarized. (Required)

C. New Jersey Business Registration Certificate (BRC) (Required)

D. Affirmative Action Evidence (Required)

E. W-9 Form

F. Authorized signatures on all forms.

G. Request for Proposal for Professional Services Rate Sheet.

# *Township of Barnegat*

## ***PROFESSIONAL SERVICES CONTRACTS TO BE AWARDED BY CRITERIA ESTABLISHED PURSUANT TO N.J.S.A. 19:44-01 ET SEQ.***

The Township of Barnegat solicits statements of qualifications for applicants for appointment for the following professional positions. Response should address the general criteria and mandatory minimum criteria for the position sought.

- **One (1) original and three (3) copies** (8 ½" x 11") of the proposal must be submitted.
- Proposals will be accepted up until October 26, 2018 at 4:00 PM at the office of the Municipal Clerk, 900 West Bay Avenue, Barnegat, NJ 08005. Mailed copies must be received not later than October 26, at 4:00 PM.
- The Township assumes no responsibility for delayed or lost mail.
- All proposals must be in a sealed envelope clearly marked on the exterior: **"RFP Professionals 2019."**
- All responses should be treated as confidential and reviewed only by the Mayor and Township Committee, unless otherwise required by law.
- Unless otherwise noted appointments should be for the calendar year 2019 and subject to the execution of an appropriate contract.

## *1-TOWNSHIP ATTORNEY*

The Township Attorney should be a New Jersey licensed attorney with at least five (5) years experience in all aspects of local government law, and familiarity with Titles 40 & 40A of the New Jersey Statutes. The individual(s) appointed as Township Attorney or primarily assigned by a firm must be a New Jersey licensed attorney, and have five (5) years prior experience as a Municipal Attorney. The Township Attorney may, in his/her discretion be assisted by employees of the Attorney's firm with lesser levels of experience. Alternatively, the Township will consider candidates who meet the experience levels set forth above through devotion of a significant portion of their practice time to representing municipal entities but who may not have achieved the requisite number of years as the appointed Municipal Attorney. Such candidates should submit at least two (2) letters of recommendation from attorneys who meet the time of service as Municipal Attorney requirements.

The Township requires the services of an attorney for many purposes; Municipal Attorney, Water & Sewer Utility Attorney, Affordable Housing Attorney and Labor Attorney. You will find all of these specifications enclosed, if you wish to submit an RFP for any combination of these please provide detailed rate schedule of a flat rate, hourly rate or discounted multiple rate. The Township Attorney shall serve as conflict for Water Sewer Attorney and Labor Attorney.

***PROPOSAL***

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve as Township Attorney based upon the attached compensation schedule.

**ALL proposals must include a "Not to exceed" amount for the 2019 contract year.**

*[Please fully describe or outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please, where applicable; indicate hourly rates, monthly or other flat fee rates, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *2 - ATTORNEY FOR WATER/SEWER UTILITY*

The Water/Sewer Attorney should be a New Jersey licensed attorney with at least five (5) years experience in all aspects of local government law, and familiarity with Titles 40 & 40A of the New Jersey Statutes. The individual(s) appointed as Water/Sewer Attorney or primarily assigned by a firm must be a New Jersey licensed attorney and have prior experience as a Water/Sewer Attorney. The Water/Sewer Attorney may, in his/her discretion be assisted by employees of the Attorney's firm with lesser levels of experience. Alternatively, the Township will consider candidates who meet the experience levels set forth above through devotion of a significant portion of their practice time to representing municipal entities but who may not have achieved the requisite number of years as the appointed Water/Sewer Attorney. Such candidates should submit at least two (2) letters of recommendation from attorneys who meet the time of service as Water/Sewer Attorney requirements. The Attorney for Water Sewer Utility shall serve as Conflict Attorney for Township Matters and/or Labor Attorney

***PROPOSAL***

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve as Water/Sewer Attorney based upon the attached compensation schedule.

**ALL proposals must include a "Not to exceed" amount for the 2019 contract year.**

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please where applicable; indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *3 - TOWNSHIP AND WATER/SEWER UTILITY ENGINEER*

The Township Engineer should have all applicable licenses to perform general engineering in New Jersey. His/her firm must be multi-disciplined with at least eight (8) years experience in all aspects of municipal and water & sewer engineering. The individual appointed or assigned by a Firm should have been licensed as an engineer for a minimum of five (5) years and have at least five (5) years prior experience as a Municipal Engineer. The appointed engineer may, in his/her discretion be assisted by employees of his/her firm with lesser levels of experience. Alternatively, the Township will consider candidates who meet the experience levels set forth above through devotion of a significant portion of their practice time to representing municipal entities but who may not have achieved the requisite number of years as the appointed Municipal Engineer. Such candidates should submit at least two (2) letters of recommendation from engineers who meet the time of service as Township Engineer requirements.

**PROPOSAL**

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve as Township Engineer and Water & Sewer Engineer based upon the attached compensation schedule.

**ALL proposals must include a "Not to exceed" amount for the 2019 contract year.**

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please where applicable; indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *4 - CONFLICT TOWNSHIP AND WATER/SEWER UTILITY ENGINEER AND SPECIAL PROJECTS ENGINEER*

The Conflict Township Engineer should have all applicable licenses to perform general engineering in New Jersey. His/her firm must be multi-disciplined with at least eight (8) years experience in all aspects of municipal, and water & sewer engineering. The individual appointed or assigned by a Firm should have been licensed as an engineer for a minimum of five (5) years and have at least five (5) years prior experience as a Municipal Engineer. The appointed engineer may, in his/her discretion be assisted by employees of his/her firm with lesser levels of experience. Alternatively, the Township will consider candidates who meet the experience levels set forth above through devotion of a significant portion of their practice time to representing municipal entities but who may not have achieved the requisite number of years as the appointed Conflict Township Engineer. Such candidates should submit at least two (2) letters of recommendation from engineers who meet the time of service as Township Engineer requirements.

**PROPOSAL**

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve as Conflict Township Engineer and Water & Sewer Engineer based upon the attached compensation schedule.

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please where applicable; indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *5-TOWNSHIP PLANNER*

The Township Planner should have all applicable licenses to perform general engineering in New Jersey. His/her firm must be multi-disciplined with at least eight (8) years experience in all aspects of municipal engineering. The individual appointed or assigned by a Firm should have been licensed as an engineer for a minimum of five (5) years and have five (5) years prior experience as a Municipal Planner. The appointed engineer may, in his/her discretion be assisted by employees of his/her firm with lesser levels of experience. Alternatively, the Township will consider candidates who meet the experience levels set forth above through devotion of a significant portion of their practice time to representing municipal entities but who may not have achieved the requisite number of years as the appointed Township Planner. Such candidates should submit at least two (2) letters of recommendation from engineers who meet the time of service as Township Planner requirements.

**PROPOSAL**

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve as Township Planner based upon the attached compensation schedule.

**ALL proposals must include a "Not to exceed" amount for the 2019 contract year.**

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please where applicable; indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *6 - SPECIAL PROJECTS ARCHITECT*

The Township Special Projects Architect should have at least eight (8) years experience as a Municipal Architect and should be knowledgeable in the areas of preparing and presentation of design proposals, producing detailed drawings, negotiating with contractors and other professionals, attending meetings with Township Officials, co-coordinating the work of contractors, making site visits to check on progress of a project and dealing with problems that may come up during the building process.

***PROPOSAL***

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual firm, or corporation, hereby proposes to serve as Township Special Projects Architect based upon the attached compensation schedule.

**ALL proposals must include a "Not to exceed" amount for the 2019 contract year.**

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please, where applicable: indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *7 - TOWNSHIP LANDSCAPE ARCHITECT*

The Township Landscape Architect should have at least eight (8) years experience as a Municipal Landscape Architect and should be knowledgeable in the areas of Parks and Recreation Planning and Design, Development Ordinance preparation, be capable of conducting field inspections when requested at the end of a maintenance bond period and should assist the Municipal Engineer with preparation of Performance Bond Estimates for plantings and decorative site amenities.

***PROPOSAL***

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve Township Landscape Architect based upon the attached compensation schedule.

**ALL proposals must include a "Not to exceed" amount for the 2019 contract year.**

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please where applicable; indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *8- TOWNSHIP & WATER/SEWER UTILITY AUDITOR*

The Township Auditor shall be employed with a multi-disciplined firm with at least eight (8) years experience in municipal and water & sewer utility auditing procedures, bond law, arbitrage, municipal budgeting and purchasing. The individual assigned shall have at least five (5) years as an appointed auditor and must be a CPA and RMA.

Proposal for calendar year audit "not to exceed" shall include:

- All confirmation costs, travel, copies etc., and include all funds, account groups, court report, animal report and single audit if necessary.

- Shall provide detailed billings as per date, staff person and hours.

Shall include separate price for Length of Service Award Program (LOSAP) review.

Shall include the hourly rate for other assistance and/or review of municipal budget, AFS, ADS etc.

Shall include any prices that the firm will charge to include a report and/or sign off for other debt issuances, such as bond issues or notes.

**PROPOSAL**

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve as Municipal Auditor based upon the attached compensation schedule.\

The proposal should take into consideration that the Township's CMFO will have completed the AFS, ADS and all audit schedules and footnotes.

**ALL proposals must include a "Not to exceed" amount for the 2019 contract year.**

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please where applicable; indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *9 - LABOR COUNSEL & HUMAN RESOURCES DIRECTOR*

The Township Labor Counsel should be a New Jersey licensed attorney with at least one (1) years experience in contract law, negotiations and knowledge of PERS/PFRS rules and regulations, and experience in negotiating Collective Bargaining Agreements. The individual(s) appointed as Township Labor Counsel or primarily assigned by a firm must be a New Jersey licensed attorney, and have at least five (5) years prior experience as an attorney. The Township Labor Counsel may, in his/her discretion be assisted by employees of the Attorney's firm with lesser levels of experience. Alternatively, the Township will consider candidates who meet the experience levels set forth above through devotion of a significant portion of their practice time to representing municipal entities but who may not have achieved the requisite number of years as the appointed Township Labor Counsel. Such candidates should submit at least two (2) letters of recommendation from attorneys who meet the time of service as Township Labor Counsel requirements.

The Township requires the services of an attorney for many purposes, Municipal Attorney, Water & Sewer Utility Attorney and Labor Attorney. You will find all of these specifications enclosed, if you wish to submit an RFP for any combination of these please provide detailed rate schedule of a flat rate, hourly rate or discounted multiple rate.

***PROPOSAL***

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve as Township Labor Counsel based upon the attached compensation schedule.

**ALL proposals must include a "Not to exceed" amount for the 2019 contract year.**

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please where applicable; indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *10 - LEGAL COUNSEL FOR AFFORDABLE HOUSING*

The Township Legal Counsel for Affordable Housing should be a New Jersey licensed attorney with at least eight (8) years experience in serving and performing as Legal Counsel in matters concerning municipality obligations in affordable housing obligations. Must be well versed in rules and regulations promulgated by the State of New Jersey Counsel on Affordable Housing. The individual(s) appointed as Legal Counsel or primarily assigned by a firm must be a New Jersey licensed attorney, admitted to the bar for at least five (5) years and have five (5) years prior experience as a Legal Counsel for Affordable Housing. The Legal Counsel for Affordable Housing may, in his/her discretion, be assisted by employees of the Attorney's firm with lesser levels of experience. Alternatively, the Township will consider candidates who meet the experience levels set forth above through devotion of a significant portion of their practice time to representing municipal affordable housing entities but who may not have achieved the requisite number of years as the appointed Legal Counsel. Such candidates should submit at least two (2) letters of recommendation from attorneys who meet the time of service as Legal Counsel Requirements.

The Township requires the services of an attorney for many purposes, Municipal Attorney, Water & Sewer Utility Attorney, Affordable Housing Attorney and Labor Attorney. You will find all of these specifications enclosed, if you wish to submit an RFP for any combination of these please provide detailed rate schedule of a flat rate, hourly rate or discounted multiple rate.

***PROPOSAL***

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve as Legal Counsel for Affordable Housing issues based upon the attached compensation schedule.

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please where applicable; indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *11 – AFFORDABLE HOUSING ADMINISTRATIVE AGENT*

The Township of Barnegat, County of Ocean is requesting a proposal from your firm to serve as its Affordable Housing Administrative Agent (AA). The scope of the work to be performed by the AA will be in accordance with COAH guidelines as spelled out in the Uniform Housing Affordability Controls. We would like your proposal to include the following, at a minimum:

- A statement of your background and experience in providing AA services
- Evidence that you have been recognized by COAH to function as an AA
- Preparation of re-sale and re-finance documents
- A specific scope of services, including the rates you would charge, the method and source of compensation
- The approach you would use to meet the monitoring requirements of COAH References

Barnegat Township's Housing Plan Element and Fair Share Plan was adopted August 25, 2009.

The Township intends to give considerable weight to experience, references and accessibility.

***PROPOSAL***

*Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve as Affordable Housing Administrative Agent based upon the attached compensation schedule.*

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please where applicable; indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *12 - TOWNSHIP BOND COUNSEL*

The Township Bond Counsel should be a New Jersey licensed attorney with at least ten (10) years experience as a municipal bond counsel with experience in bond law, arbitrage rules, and experience with municipal bond rating organizations. The individual attorney selected should have been admitted to the bar for at least eight (8) years and have six (6) years experience as the appointed municipal bond counsel.

With services rendered in connection with each bond sale, the firm shall stipulate what services are specifically included in bond issue service total charges and what types of services are separately billed.

The firm shall include hourly rate for other assistance.

The firm shall provide detailed billings as per date, staff person, description and hours.

It shall be stipulated that the firm will not bill the Township for more than one (1) professional's time for group phone conversations which include more than one (1) professional of the firm.

**PROPOSAL**

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve as Township Bond Counsel based upon the attached compensation schedule.

**ALL proposals must include a "Not to exceed" amount for the 2019 contract year.**

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please where applicable; indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *13 - TOWNSHIP APPRAISER*

The Township Appraiser should have at least eight (8) years experience as a Township Appraiser and should be knowledgeable in all aspects of Real Estate Value along with providing services on State level tax appeals.

***PROPOSAL***

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve as Township Appraiser based upon the attached compensation schedule.

**ALL proposals must include a "Not to exceed" amount for the 2019 contract year.**

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please where applicable; indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *14 - APPRAISAL AND TITLE WORK*

Applicant must be licensed by the State of New Jersey and demonstrate experience in appraisal of lands for public sale and demonstrate experience in title work for municipalities.

**PROPOSAL**

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm or corporation, hereby proposes to serve as an Appraiser and completion of Title Work based upon the attached compensation schedule.

**ALL proposals must include a "Not to exceed" amount for the 2019 contract year.**

[*Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please, where applicable, indicate hourly rates, monthly or other retainers, per project fee, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *15 - TOWNSHIP PROSECUTOR*

The Township Prosecutor should be a New Jersey licensed attorney and should have familiarity with applicable state motor vehicle and criminal laws, municipal court rules and procedures, and prior experience in prosecuting municipal ordinances and municipal code violations pertaining to zoning, land, or property use regulation, property maintenance, building, or construction. A license to practice law in the Sate of New Jersey and municipal prosecutor experience is required.

**PROPOSAL**

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve as Township Prosecutor based upon the attached compensation schedule.

**ALL proposals must include a "Not to exceed" amount for the 2019 contract year.**

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please where applicable; indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *16 - ALTERNATE TOWNSHIP PROSECUTOR*

The Alternate Township Prosecutor should be a New Jersey licensed attorney and should have familiarity with applicable state motor vehicle and criminal laws, municipal court rules and procedures, and prior experience in prosecuting municipal ordinances and municipal code violations pertaining to zoning, land, or property use regulation, property maintenance, building, or construction. A license to practice law in the Sate of New Jersey and municipal prosecutor experience is required.

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**PROPOSAL**

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve as Alternate Township Prosecutor based upon the attached compensation schedule.

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please where applicable; indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *17 - TOWNSHIP PUBLIC DEFENDER*

The Township Public Defender should be a New Jersey licensed attorney and should have at least five (5) years experience as public defender in Municipal Court or seven (7) years experience in a practice with significant criminal and quasi-criminal defense efforts.

**PROPOSAL**

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve as Township Public Defender based upon the attached compensation schedule.

**ALL proposals must include a "Not to exceed" amount for the 2019 contract year.**

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please where applicable; indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *18 - CONFLICT TOWNSHIP PUBLIC DEFENDER*

The Conflict Township Public Defender should be a New Jersey licensed attorney and should have at least five (5) years experience as public defender in Municipal Court or seven (7) years experience in a practice with significant criminal and quasi-criminal defense efforts.

**PROPOSAL**

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve as Conflict Township Public Defender based upon the attached compensation schedule.

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please where applicable; indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *19 - PLANNING BOARD ATTORNEY*

The Planning Board Attorney should be a New Jersey licensed attorney with at least seven (7) years experience as a joint land use board attorney, planning board attorney, or zoning board attorney, or should have appeared on behalf of applicants before such boards regularly for at least seven (7) years, with experience in all the aspects of planning, zoning, and municipal land use law. Extensive work and knowledge of the Municipal Land Use Law, experience in devising Master Plans, site plan review, variance application review, COAH experience and related issues is required.

**PROPOSAL**

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve as Planning Board Attorney based upon the attached compensation schedule.

**ALL proposals must include a "Not to exceed" amount for the 2019 contract year.**

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please where applicable; indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *20 - CONFLICT PLANNING BOARD ATTORNEY*

The Conflict Planning Board Attorney should be a New Jersey licensed attorney with at least seven (7) years experience as a joint land use board attorney, planning board attorney, or zoning board attorney, or should have appeared on behalf of applicants before such boards regularly for at least seven (7) years, with experience in all the aspects of planning, zoning, and municipal land use law. Extensive work and knowledge of the Municipal Land Use Law, experience in devising Master Plans, site plan review, variance application review, COAH experience and related issues is required.

**PROPOSAL**

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve as Conflict Planning Board Attorney based upon the attached compensation schedule.

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please where applicable; indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *21 - PLANNING BOARD ENGINEER*

The Planning Board Engineering firm should have at least eight (8) years of experience as municipal planning or zoning board engineers in all aspects of municipal land use law, Master Plans, storm and sanitary sewers, site plan review and related issues. The individual(s) assigned should have at least five (5) years experience as an appointed engineer to a planning or zoning board.

**PROPOSAL**

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve as Planning Board Engineer based upon the attached compensation schedule.

**ALL proposals must include a "Not to exceed" amount for the 2019 contract year.**

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please where applicable; indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *22 - CONFLICT PLANNING BOARD ENGINEER*

The Conflict Planning Board Engineering firm should have at least eight (8) years of experience as municipal planning or zoning board engineers in all aspects of municipal land use law, Master Plans, storm and sanitary sewers, site plan review and related issues. The individual(s) assigned should have at least five (5) years experience as an appointed engineer to a planning or zoning board.

**PROPOSAL**

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve as Conflict Planning Board Engineer based upon the attached compensation schedule.

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please where applicable; indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *23 - PLANNING BOARD LANDSCAPE ARCHITECT*

The Planning Board Landscape Architect should have at least eight (8) years experience as a Municipal Landscape Architect and should be knowledgeable in the areas of Parks and Recreation Planning and Design, Development Ordinance preparation, be capable of conducting field inspections when requested at the end of a maintenance bond period and should assist the Municipal Engineer with preparation of Performance Bond Estimates for plantings and decorative site amenities.

***PROPOSAL***

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve as Planning Board Landscape Architect based upon the attached compensation schedule.

**ALL proposals must include a "Not to exceed" amount for the 2019 contract year.**

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please where applicable; indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *24 - ZONING BOARD ATTORNEY*

The Zoning Board Attorney should be a New Jersey licensed attorney with at least seven (7) years experience as a joint land use board attorney, planning board attorney, or zoning board attorney, or should have appeared on behalf of applicants before such boards regularly for at least seven (7) years, with experience in all the aspects of planning, zoning, and municipal land use law. Extensive work and knowledge of the Municipal Land Use Law, experience in devising Master Plans, site plan review, variance application review, COAH experience and related issues is required.

**PROPOSAL**

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve as Zoning Board Attorney based upon the attached compensation schedule.

**ALL proposals must include a "Not to exceed" amount for the 2019 contract year.**

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please where applicable; indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *25 - CONFLICT ZONING BOARD ATTORNEY*

The Conflict Zoning Board Attorney should be a New Jersey licensed attorney with at least seven (7) years experience as a joint land use board attorney, planning board attorney, or zoning board attorney, or should have appeared on behalf of applicants before such boards regularly for at least seven (7) years, with experience in all the aspects of planning, zoning, and municipal land use law. Extensive work and knowledge of the Municipal Land Use Law, experience in devising Master Plans, site plan review, variance application review, COAH experience and related issues is required.

**PROPOSAL**

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve as Conflict Zoning Board Attorney based upon the attached compensation schedule.

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please where applicable; indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *26 - ZONING BOARD ENGINEER*

The Zoning Board Engineering firm should have at least eight (8) years of experience as municipal planning or zoning board engineers in all aspects of municipal land use law, Master Plans, storm and sanitary sewers, site plan review and related issues. The individual(s) assigned should have at least five (5) years experience as an appointed engineer to a planning or zoning board.

**PROPOSAL**

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve as Zoning Board Engineer based upon the attached compensation schedule.

**ALL proposals must include a "Not to exceed" amount for the 2019 contract year.**

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please where applicable; indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *27 - CONFLICT ZONING BOARD ENGINEER*

The Conflict Zoning Board Engineering firm should have at least eight (8) years of experience as municipal planning or zoning board engineers in all aspects of municipal land use law, Master Plans, storm and sanitary sewers, site plan review and related issues. The individual(s) assigned should have at least five (5) years experience as an appointed engineer to a planning or zoning board.

**PROPOSAL**

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve as Conflict Zoning Board Engineer based upon the attached compensation schedule.

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please where applicable; indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *28 - ZONING BOARD LANDSCAPE ARCHITECT*

The Zoning Board Landscape Architect should have at least eight (8) years experience as a Township Landscape Architect and should be knowledgeable in the areas of Parks and Recreation Planning and Design, Development Ordinance preparation, be capable of conducting field inspections when requested at the end of a maintenance bond period and should assist the Municipal Engineer with preparation of Performance Bond Estimates for plantings and decorative site amenities.

***PROPOSAL***

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve as Zoning Board Landscape Architect based upon the attached compensation schedule.

**ALL proposals must include a "Not to exceed" amount for the 2019 contract year.**

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please where applicable; indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *29 - TOWNSHIP PHYSICIAN*

Applicant must be licensed by the State of New Jersey and be able to provide a drug-testing program for the employees of the Township for random, post-accident and reasonable cause during the contract year. Worker's Compensation, CDL exam and mandatory immunizations will also be required of applicant.

**PROPOSAL**

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm or corporation, hereby proposes to serve as a Township Physician based upon the attached compensation schedule.

**ALL proposals must include a Pricing Schedule amount for the 2019 contract year.**

[*Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please, where applicable, indicate hourly rates, monthly or other retainers, per project fee, or such other manner of compensation you deem appropriate to the services to be provided.]*

## *30 – FINANCIAL ADVISOR*

ATTACHMENT A
FINANCIAL ADVISOR – SCOPE OF SERVICES

The services to be provided by the financial advisor shall include, but are not limited to, the following:

1. Participant Assistance
    a. Evaluate possible financing options for the Township, including but not limited to the use of Build America Bonds and 63-20 financing structures
    b. Evaluate potential underwriters for a negotiated sale or define process for competitive sale
    c. Evaluate and assist in securing credit enhancement if necessary
    d. Evaluate trustee proposals

2. Participant Financial Condition Review
    a. Evaluate participant credit quality and financial strength using typical industry standards
    b. Review, evaluate and comment on adequacy of financial forecast studies
    c. Prepare written report to the Township regarding the feasibility of issuing bonds and sufficiency of revenues and funds pledged to support the bonds

3. Bond Document Participation and Review
    a. Attend all organizational, document review, and special meetings related to a bond financing
    b. Evaluate, advise, and consult with the Township and Bond Council regarding financial and non-financial bond covenants of each bond issue
    c. Assist in furnishing materials and data to rating agencies, bond insurers, letter of credit providers
    d. Assist in structuring bond transaction for competitively sold bond issues

4. Official Statement Review and Preparation
    a. Lead team discussions in conjunction with bond counsel on form, content, and sufficiency of information in the official statement
    b. Prepare the official statement in conjunction with bond counsel for competitively sold bond issues

5. Pricing of Bond Issue
   Competitive Sale
    a. Coordination of pre-sale publicity, call for bids, evaluation of bids, recommendations to the Township regarding sufficiency of bids, and awarding of bonds
   Negotiated Sale
        a. Coordinate pricing meetings and offerings of negotiated issued

b. Recommend structure of underwriting teams, i.e., co-managers, selling group, syndicate, etc.
c. Recommend timing of bond pricing
d. Review, monitor and advise the Township regarding proposed negotiated interest rates and spreads

Note: The financial advisor is precluded from participation in the underwriting as a co-manager, syndicated member, selling group member, etc.

6. Recommendations to the Township
    a. Prepare an oral and written recommendation to the Township for each Bond issue regarding financial feasibility, bond covenants, and pricing of bonds

7. Bond Closing
    a. Review closing memorandum with bond counsel to confirm activities at the closing and role of each party
    b. Assist participant in evaluating the investment of bond proceeds for construction fund, debt service fund, escrow, etc.

8. Special Meetings of the Township
    a. Attend all Township meetings and any special meetings with the Township, bond counsel, bond insurers and rating agencies as the Township deems necessary

9. Post Issuance Assistance
    a. Advise participant and the Township on post issuance changes, credit enhancement, management consultants, etc.
    b. Conduct post issuance reviews (e.g., remarketing agent performance) as requested by the Township
    c. Provide a report to the Township on the project and the bond issue sale

10. Program Development
    a. Assist staff by evaluating program proposals or changes in policy

ATTACHMENT B
STATEMENT OF QUALIFICATIONS

1. Firm Information
    a. Describe the experience of your firm in providing public sector financial advisory services. Identify the total number of professionals employed by your firm who serve as financial advisors to public sector entities
    b. Identify the number of public sector entities for which your firm currently is under contract to serve as financial advisor, and provide the number and volume of debt issuance transactions completed pursuant to such contracts during the period 2016-2017. Further identify the number and volume of the following types of transactions completed during this same period: revenue bonds, variable rate demand bonds, auction rate notes, 63-20 bonds, Build America Bonds (BAB's) and payment agreements.
    c. Provide a list of the 10 largest public sector entities (in terms of their outstanding debt) within the State of New Jersey for which your firm currently provides financial advisory services as contemplated in the scope of work
    d. Identify the location of the base office for the individuals who will be assigned to the Township and the total number of professionals in such office who serve as financial advisors to public sector entities.

2. Individual Qualifications
    a. Identify the individual who will initially serve as the primary point of contact with the Township under this contract and the other individuals of the team who are expected to work on Township transactions. Describe the type of work each is expected to perform
    b. Provide brief biographical information for each of these individuals that identifies their educational background, work history, and past responsibilities serving in similar financial advisory roles.
    c. Describe their specific experience in the following specialized areas: revenue bonds, variable rate demand bonds, auction rate notes, 63-20 bonds, Build America Bonds (BAB's) and payment agreements
    d. Provide three (3) references (name, title, employer, address and phone number) for the person who will serve as the primary point of contact

3. Fee Proposal
    a. Please state your fee proposal for the scope of work as financial advisor as described in Attachment A. Please document any key assumptions made in developing the fee proposal and any other contingencies we should be aware of
    b. Is there a separate charge for attendance at Township meetings which are not part of an otherwise specific Township engagement?
    c. Please indicate any fees or hourly rates for special projects.

**ALL proposals must include a "Not to exceed" amount for the 2019 contract year.**

## *31 – ANIMAL CONTROL SERVICES*

Services shall be provided to the Township for the rescue, custody and care of injured, trapped, sick animals, or animals who have bitten a person in accordance with all Federal, State and Local regulations. Services shall be provided during regular business hours, Monday through Friday 9am – 5pm. Weekend, Holiday and night emergency services shall also be provided when necessary, please describe how your firm shall meet the requirements of Municipal Animal Control Servicer.

***PROPOSAL***

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.) The undersigned individual, firm, or corporation, hereby proposes to serve as Animal Control contractor based upon the attached compensation schedule.

**ALL proposals must include a "Not to exceed" amount for the 2019 contract year.**

*[Please outline your fees proposed, fee schedule, or other basis for compensation that you seek. Please where applicable; indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation you deem appropriate to the services to be provided.]*