

**TOWNSHIP OF PENNSAUKEN
REQUEST FOR PROPOSALS
PROFESSIONAL SERVICES**

All appointments to provide professional services shall be in the name of an individual authorized or licensed to practice said profession or service. The name of a company or firm may follow the name of the individual.

Submissions

Applicant shall provide *two complete proposal packages*. Each submission to be considered shall comply with the criteria set forth herein:

1. Should the applicant be a professional requiring licensure in the State of New Jersey, said applicant shall be licensed for a period of not less than ten years. A copy of the license shall be included with your proposal.
2. The applicant must submit a current "Certificate of Good Standing" or other similar document evidencing that the professional's license is not presently suspended or revoked.

3. The applicant shall submit a resume', which shall set forth information, including, but not limited to, the following (as applicable to an individual professional and business entity):

- a. Full name of applicant and business address,
 - b. A listing of all post high school education of the applicant,
 - c. Dates of licensure in the State of New Jersey and any other state,
 - d. A listing of any professional affiliations or memberships in any professional, societies or organizations, with an indication as to any offices held therein,
 - e. The number of licensed professionals employed by/affiliated with the business entity which employs the applicant,
 - f. A listing of all special accreditations held by the individual licensed professional or business entity which employs the applicant,
 - g. A listing of all previous public entities served by the business entity and licensed professional indicating the dates, services, and position held.
4. The applicant shall provide a fee schedule including hourly rates. Proposals with rates higher than \$200.00 per hour *may not* be considered. All other rates or fees requested to be considered in this contract shall be submitted with the proposal. The Township shall be under no obligation to provide rent, equipment, utilities, telephone, stationery, supplies, clerical staff nor other items generally assumed to be included in the overhead costs of a law office. The Township shall not reimburse tolls and mileage charges, and these reimbursements shall be included in the proposed hourly rates.
5. The applicant MUST label the exterior of the package with "RFP
And the professional service you are seeking"
6. If the applicants will be using a representative or designee those individuals should be named in the proposal.

Ownership Disclosure

If bidder is a corporation or partnership, there must accompany its bid, 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 any class, or of all individual partners in the partnership who own a ten (10%) percent or greater interest therein. If one or more stockholders or partnership, the stockholders holding ten (10%)

percent or more of that corporation's stock, or the individual partner owning ten (10%) percent, or greater interest in that partnership, must be set forth as aforesaid.

Term of Contract

The term of this contract shall be one year from the date of appointment or until a successor is appointed. Continuation of the terms of this contract beyond the fiscal year is contingent upon availability of funds in the following year's budget. This contract is being issued pursuant to a fair and open process in accordance with N.J.S.A 19:44A-20.5 et seq.

Form of Contract

A **SAMPLE** form of contract has been provided for your review. Any applicant taking exception to this form of contract must submit said exceptions with their proposal. The Township may or may not agree to such exceptions as may be in the best interest of the Township.

The successful applicant shall be required to execute and return to the Township an executed contract and all required evidence and documents required by this RFP within twenty-one (21) days of receipt of the contract provided by the Township. The Professional shall be determined to be in default for failure to provide the required signed contract, evidence and documents in the time frame specified and the contract may be awarded to another professional. When mutually agreed upon, this limit may be extended.

Contract Required Documentation:

- Rate schedule in accordance with proposal and award;
- Proof of insurance and a hold harmless agreement as per instructions;
- Proof that you are authorized or licensed to practice the particular profession to which you were appointed; and Current Certificate of Good Standing when applicable;
- **ONE** of the following three documents prior to execution of your contract:
 1. **Letter of Federal Affirmative Action Plan Approval**
 2. **Certificate of Employee Information Report**
 3. **Employee Information Report Form AA302**

Insurance

Applicable insurance certificates must be furnished by the successful professional naming the Township as an additional insured and/or certificate holder, prior to commencement of work.

P.L. 1975 c.127 (N.J.A.C.17:27)

Mandatory Affirmative Action Language

During the performance of this contract, the contractor agrees to comply with all the requirements of N.J.S.A. 10:5-31 et seq and N.J.A.C. 17:27 in accordance with attached Exhibit A.

Each contractor shall submit to the Township after notification of award but prior to execution of contract, one of the following documents:

1. A photocopy of a valid letter that the contractor is operating under a Federally approved or sanctioned affirmative action program; or
2. A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-4.3; or
3. A photocopy of an Employee Report (Form AA302) completed by the contractor in accordance with N.J.A.C. 17:27-4.3 (goods service professional contracts)

New Jersey Business Registration Requirements

In accordance with P.L. 2004 c.57, bidder should provide with their proposal a Business Registration Certificate issued by the State of New Jersey. A Business Registration Certificate must be provided prior to award.

N.J.S.A. 52:32-44 imposes the following requirements on contractors and all subcontractors that knowingly provide goods or perform services for a contractor fulfilling this contract:

1. The contractor shall provide written notice to its subcontractors and suppliers to submit proof of business registration to the contractor;
2. Prior to receipt of final payment from a contracting agency, a contractor must submit to the contracting agency an accurate list of all subcontractors and suppliers or attest that none was used; and
3. During the term of this contract, the contractor and its affiliates shall collect and remit, and shall notify all subcontractors and their affiliates that they must collect and remit, to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act, (N.J.S.A 54:32B-1 et seq.) on all sales of tangible personal property delivered into this State.

A contractor, subcontractor or supplier who fails to provide proof of business registration or provides false business registration information shall be liable for a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration not properly provided or maintained under a contract with a contracting agency pursuant to N.J.S.A 54:49-4.1. Information on the law and its requirements are available by calling 609-292-9292.

Proposal Evaluation

Proposals will be evaluated by the Township based upon the following criteria;

- Experience and Reputation in the field.
- Education and/or special accreditations in the field.
- Availability of sufficient personnel and other resources to provide the service.
- Compensation proposal
- Other factors which may be in the best interest of the Township.

Disclosure of Contributions

Starting in January 2007, all 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 from public entities in a calendar year. 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.

STATEMENT OF OWNERSHIP
(OWNERSHIP DISCLOSURE CERTIFICATION)

N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

**This Statement Shall Be Included with
All Bid and Proposal Submissions**

Name of Business: _____

Address of Business: _____

Name of person completing this form: _____

N.J.S.A. 52:25-24.2:

"No corporation, partnership, or limited liability company shall be awarded any contract nor shall any agreement be entered into for the performance of any work or the furnishing of any materials or supplies, unless prior to the receipt of the bid or proposal, or accompanying the bid or proposal of said corporation, said partnership, or said limited liability company there is submitted a statement setting forth the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be.

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

To comply with this section, a bidder with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 percent or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest."

The Attorney General has advised that the provisions of N.J.S.A. 52:25-24.2, which refer to corporations and partnerships apply to limited partnerships, limited liability partnerships, and Subchapter S corporations.

This Ownership Disclosure Certification form shall be completed, signed and notarized.

Failure of the bidder/proposer to submit the required information is cause for automatic rejection of the bid or proposal

Part I

Check the box that represents the type of business organization:

- Sole Proprietorship (skip Parts II and III, sign and notarize at the end)
- Non-Profit Corporation (skip Parts II and III, sign and notarize at the end)
- Partnership Limited Partnership Limited Liability Partnership
- Limited Liability Company
- For-profit Corporation (including Subchapters C and S or Professional Corporation)
- Other (be specific): _____

Part II

- I certify that the list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be.

OR

- I certify that no one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or that no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be.

Sign and notarize the form below, and, if necessary, complete the list below. (Please attach additional sheets if more space is needed):

Name: _____

Address: _____

Part III - Any Direct or Indirect Parent Entity Which is Publicly Traded:

“To comply with this section, a bidder with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 percent or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest.”

Pages attached with name and address of each publicly traded entity as well as the name and address of each person that holds a 10 percent or greater beneficial interest.

OR

Submit here the links to the Websites (URLs) containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent.

AND

Submit here the relevant page numbers of the filings containing the information on each person holding a 10 percent or greater beneficial interest.

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

(Affiant)

(Notary Public)

My Commission expires:

(Print name of affiant and title if applicable)

(Corporate Seal if a Corporation)

**HOLD HARMLESS CLAUSE
TOWNSHIP OF PENNSAUKEN**

_____ (*Vendor's Company Name*) will protect, indemnify, and hold harmless the Township of Pennsauken from and against any and all losses, claims, penalties, damages, settlements, cost, charges, professional fees, or other expenses or liabilities arising out of or resulting from the performance of the work or the completed operations, including any such claims for damage, loss, or expenses resulting in bodily injury, sickness, disease, or death, or to injury to or destruction of the tangible property, including the loss of the use resulting therefrom, and which is caused in whole or in part by any negligent or willful act or omission by _____
_____. (*Vendor's Company Name*)

Signature

Title

Date

Form of Contract
(Title of Profession)

This Agreement entered into this ____ day of _____ 20__, by and between the Township of Pennsauken (hereinafter referred to as the "Township") and **(Name of Professional)** (hereinafter referred to as "Professional Designee") of the firm *(Enter name of firm)*.

WITNESSETH:

Whereas, the **Township** is in need of an _____ and is authorized pursuant to NJSA 40A:11-5 to enter into said contract without formal bidding, and

Whereas the attorney above named is an attorney licensed to practice law in the State of New Jersey and who maintains an office located at *(full address of professionals office)*

_____, and

Whereas, this contract has been advertised and awarded pursuant to a fair and open process in accordance with N.J.S.A 19:44A-20.4 et seq.

Now, therefore, in consideration of the mutual promises, conditions and obligations contained herein as follows:

1. The term of this agreement is for one year from the date of appointing resolution or until a successor is appointed.
2. The **Professional** representative or designee agrees to serve as **Professional position** for the Township of Pennsauken for the term of this agreement.

3. The decision of the **Professional** appointment shall be the final decision on behalf of the **Township**.
4. The Township agrees to pay the **Professional** for services rendered one hundred twenty-five dollars (\$125.00) per hour.
5. During the performance of this contract, the **Professional** agrees to comply with all the requirements of N.J.S.A. 10:5-31 et seq and N.J.A.C. 17:27 in accordance with attached Exhibit A.
6. **Professional designee** agrees to maintain professional liability insurance in the amount of \$1,000,000 and name the Township additionally insured and/or certificate holder. Professional shall also maintain general liability and workers compensation insurance. Proof of coverage shall be attached to this agreement.
7. The **Professional designee** agrees to defend, indemnify and save harmless the Township of Pennsauken, its officers, agents and servants and each and every one of them against and from all suits and cost of every name and description, and from all damages to which said Township of Pennsauken or any of its officers, agents or servants may be put by reason of injury to the person or property of others resulting from carelessness in the performance of said work, or through the negligence of the Contractor, or through any improper or defective machinery, implements or appliances used by said Contractor in the aforesaid work or through any act or omission on the part of said Contractor, his agent or agents. This provision applies regardless of whether insurance coverage is provided.
8. It is hereby agreed that **(Name of Attorney)**, representative or designee will not undertake the performance and/or provide services which exceed designated purchase orders for those services without the express written authorization of the Township.
9. This Contract is governed by the laws of the State of New Jersey.
10. During the term of this contract the professional agrees to comply with Chapter 52, Article VI of the Code of the Township of Pennsauken entitled "Political Contributions by Professional Business Entities; Transfer of Contributions".

Dated: _____

TOWNSHIP OF PENNSAUKEN

Pennsauken Township Mayor

ATTEST:

Pamela Scott-Forman, RMC
Municipal Clerk
(Seal)

BY:

(Name of Professional)

ATTEST:

(Type or Print Name)

(REVISED 4/10)

EXHIBIT A

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

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

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

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

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

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

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

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2.

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

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

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

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

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

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

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

EXHIBIT D: DISCLOSURE OF INVESTMENT ACTIVITIES IRAN

Proposer: _____

Pursuant to Public Law 2012, c 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that the person or entity, or one of the person or entity’s parents, subsidiaries, or affiliates, in not identified on a list created and maintained by the New Jersey Department of the Treasury as a person or entity engaging in investment activities in Iran. If the Director finds a person or entity to be in violation of 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 submit a proposal:

is not providing goods or services of \$20,000.00 or more in 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 \$20,000.00 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 Pennsauken under penalty of perjury. Failure to provide such will result in the proposal being rendered as non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.

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

You must provide a detailed, accurate and precise description of the activities of the proposer, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlines above by completing the boxes below.

Name: _____	Relationship to Proposer: _____
Description of Activities: _____	

Duration of Engagement: _____	Contact Phone No.: _____

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 Pennsauken 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 State to notify the State 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 Pennsauken and that the Township at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name: _____ Signature: _____

Title: _____ Date: _____