

**TOWNSHIP OF EDGEWATER PARK
400 DELANCO ROAD
EDGEWATER PARK, NJ 08010**

Request for Qualifications / Proposals for Professional Services

PROFESSIONAL SERVICES FOR YEAR 2018

This is a combined Requirement to Qualify (RFQ) and Request for Proposal (RFP) form. This form will be used by the Edgewater Park Township Committee as a basis for making professional service appointments for year 2018; appointments shall be for a term of one-year or until a successor is appointed.

The Township of Edgewater Park is seeking qualified proposals for professional services for the following positions: Township Attorney, Township Special Counsel/Bond Attorney, Township Labor Counsel, Township Affordable Housing Attorney, Township Planning Consultant (Affordable Housing), Township Financial Consultant, Planning Board Attorney, Planning Board Planner, Municipal Public Defender, Municipal Prosecutor, Township Engineer, Township Special Engineer, Township Site Remediation Professional, Township Risk Management Consultant, Planning Board Engineer, Township Auditor, Medical Officer, Conflict Labor Counsel, Special Counsel/Conflict Attorney, Public Defender and Conflict Public Defender, and Municipal Court Judge. Where to obtain minimum qualifications and proposal forms, submission deadline and form of submission are indicated below.

Where to obtain RFQ/RFP: Requests for these forms should be made in person to the Municipal Clerk, Colleen Treusch, 400 Delanco Road, Edgewater Park, NJ, 08010, email: ctreusch@edgewaterpark-nj.com, on the web at www.edgewaterpark-nj.com or fax request to 609-877-2308. Please no phone requests. This form will be used by the Edgewater Park Township Committee as a basis for making professional service appointments.

Submission Deadline: November 30th, 2017

Submission Location: Township of Edgewater Park, Municipal Clerk, 400 Delanco Road, Edgewater Park, NJ 08010

Form of Submission: All submissions shall be in sealed envelope with "Submission of Qualifications / Proposal for [Name of Position]" marked on the outside. One original hard signed unbound copy and six bound copies of all documents to be submitted. IN ADDITION to the Original hard copy, an electronic copy in Adobe Acrobat (PDF) format shall be submitted on a CD at the same time.

Return in sealed envelope to: Colleen Treusch, Municipal Clerk, Township of Edgewater Park, 400 Delanco Road, Edgewater Park, NJ, 08010, NO LATER THAN November 30th, 2017, at 12:00PM (Noon).

THIS PROPOSAL IS BEING SOLICITED THROUGH A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A.19:44A-20.5 et seq.

REQUESTS FOR QUALIFICATIONS / PROPOSALS
TOWNSHIP OF EDGEWATER PARK

MUNICIPAL COURT JUDGE:

Purpose & Scope:

The following general requirements must be met in order for any firm to be considered to provide professional or other services, exempt from public bidding pursuant to N.J.S.A. 40A:11-5, and covered by N.J.S.A. 19:44A-20.5 *et seq.*, with the Township. The process is designed to find qualified service providers in an open and fair manner in order to have the most qualified service provider for the Township. The scope of this policy covers any persons or firms interested in providing professional or other exempt services, as defined in the New Jersey Local Public Contracts Law and specifically N.J.S.A. 40A:11-2 and 5, to the Township of Edgewater Park.

General Requirements:

1. The Request for Qualifications (“RFQ”) shall be used to determine what companies, firms, or individuals offer the municipality the best opportunity to secure the highest quality professional or other exempt services.
2. The Request for Proposals (“RFP”) shall be used to determine whether the costs or fees proposed to provide the services are fair and reasonable, both in terms of the Township’s budgetary interests, the general market rates for the services, and the level of experience, breadth of services, reputation, and expertise of the candidate.
3. Knowledge of the Township of Edgewater Park, its physical layout and Township Committee form of government.
4. Availability (proximity) to accommodate any required meetings of the agency, and availability (proximity) to handle emergencies.
5. The Township reserves the right to conduct an interview or interviews with the prospective professional to discuss the scope of the project, as outlined in their proposal.
6. Advertising of the RFQ/RFP, at a minimum, includes posting on the Township website and Township official bulletin board, and filed with the Municipal Clerk at least ten (10) days prior to the submission deadline.
7. The RFQ shall list the minimum requirements of the service being sought. Where the Request for Qualifications lists separate experience requirements for firms and for individuals appointed, candidates in solo practice shall meet the experience requirements for a firm.
8. Candidates shall include with the submission a copy of their Business Registration in accordance with N.J.S.A. 40A:11-23.2 (P.L. 2004, c.57), and an Affirmative Action Statement in accordance N.J.S.A. 10:5-3 *1 et seq.* and N.J.A.C. 17:27 *et seq.*
9. Acceptance of a contract will be by Resolution acted on by the Township Committee or the Planning Board at a Township Meeting for contracts with a value of over \$17,500.
10. All RFQ’s/RFP’s will be delivered by mail, fax, e-mail, or can be obtained at the Municipal Building or web-site to applicants by the Township Clerk and returned to the Clerk in sealed envelopes.
11. Form of Submission: All submissions shall be in sealed envelope with “Submission of Qualifications / Proposal for [Name of Position]” marked on the outside. One original hard signed unbound copy and five bound copies of all documents to be submitted. IN ADDITION to the Original hard copy, an electronic copy in Adobe Acrobat (PDF) format shall be submitted on a CD at the same time.

Requirements to Qualify / Proposal

The requirements listed below are the minimum levels expected from the professional indicated.

MUNICIPAL COURT JUDGE:

The Municipal Court Judge shall be a resident of the State of New Jersey and an attorney-at-law admitted to practice in this State for at least five-years, and shall personally have at least five (5) year experience representing municipalities in all aspects of municipal law including but not limited to general municipal government law, New Jersey Code of Criminal Justice and Motor Vehicle Laws. The Municipal Court Judge shall serve for a term of three years from the date of appointment and until a successor is appointed and qualified.

Please explain how you or your firm meets the minimum requirements. (Attach additional sheets, if necessary.)

Completed Form Received by Township on: _____

____ Meets Minimum Qualifications

____ Does Not Meet Minimum Qualifications

PROPOSAL

The signatories by individual, firm, or corporation, hereby proposes to server as Township Attorney based upon the following compensation:

[Please outline your fees proposed, fee schedule (including attendance at regular monthly or special meetings), 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.]

Request for Qualifications / Proposal for Professional or other Exempt Services - Policy Statement

Purpose:

The following procedures are designed to provide for a fair and open process in awarding professional or other services, exempt from public bidding under N.J.S.A. 40A:11-5, based on qualifications, merit and cost effectiveness through a competitive and open process.

Scope:

Any persons or firms interested in providing professional or other services exempt from public bidding to the Township of Edgewater Park as defined in the New Jersey Statutes, N.J.S.A. 40A:11-5.

General Requirements:

1. Once a need is established for exempt services and after a review of the necessary request for qualifications, a Request for Qualifications / Proposals (RFQ/RFP) for the specific service or contract will be prepared and advertised.
2. Advertising of the RFQ/RFP shall, at a minimum, include the Township website and any other sources deemed appropriate by the Township for the specific professional service at least ten (10) days before the submission deadline. It shall also be posted on the official bulletin board, and filed with the Municipal Clerk at least ten (10) days prior to the submission deadline.
3. The advertisement will include a summary of the specific service or activity and who to contact in the Township to receive a copy of the RFQ/RFP requirements to qualify and proposal form.
4. The RFQ/RFP advertisement will, at a minimum, include:
 - A. A description of the professional service needed, including the scope of activities involved.
 - B. Contact information to obtain the RFQ/RFP forms.
 - C. Submission Deadline, including date and time.
 - D. Submission Location shall be to the Office of the Township Clerk.
 - E. Submissions shall be in a sealed envelope;
 - F. One original hard signed unbound copy and five bound copies of all documents to be submitted. IN ADDITION to the Original hard copy, an electronic copy in Adobe Acrobat (PDF) format shall be submitted on a CD at the same time.
5. All parties meeting the minimum requirements of the RFQ/RFP shall have their proposals reviewed by the RFP review committee. The proposal shall include specific information regarding the person proposed for the professional appointment, billing method and rate information, and any other information which the Township may deem relevant and helpful in making its selection and requests in writing.

6. The RFP review committee appointed by the Township Committee shall review all qualifying RFPs giving due regard to the criteria set forth in paragraph nine, below. The review committee shall make a non-binding recommendation to the board or body with appointing authority of the professional to be awarded the contract. Actual contract awards shall be by the governing body or board. The review committee prior to making its recommendation may, in its discretion, elect to interview candidates to better determine their ability to meet the selection criteria and discuss their qualifications and scope of the work to be performed.
7. All submissions shall be kept on file during the term of the contract.
8. All submissions shall be a public record as of the date of advertising.
9. The Township shall award all exempt service contracts or agreements based on qualification, merit, experience, quality of work product, and cost competitiveness. Selection criteria will include:
 - A. Names and titles of the individuals who will perform the service and/or activity.
 - B. A description of the individuals or firms experience with similar services or projects to requested and the breadth of services offered.
 - C. A list of references and record of success.
 - D. A description of the individual or firms ability to provide the service or complete the activity in a timely fashion or as required by the Township.
 - E. A fee schedule for the firm, fee schedule for representative attendance at Township Committee or Planning Board regular and special meetings, including any retainer if applicable.
 - F. All respondents shall comply with Business Registration Act (P.L. 2004,c.57), and proof of their registration with the New Jersey Department of The Treasury, Division of Revenue, shall be submitted.
 - G. All respondents are placed on notice that they are to comply with all requirements of P.L. 1975, c.127 (N.J.S.A.10:5-31 through 10:5-38), and all duly adopted Affirmative Action Regulations (N.J.A.C. 17:27).
 - H. Proof of Malpractice Insurance, Copy of Certificate of Insurance.
 - I. Vendor Information: Addendum to Contract
10. In the event that compliance with part or all of the requirements of the RFQ/RFP is impracticable or undesirable with regards to a particular contract, the Township Committee may waive part or all of the requirements as to all candidates by a majority vote of the full Township Committee. The waiver shall set forth specifically the reasons for such waiver.
11. All awards or waivers will be by resolution acted on by the Township Committee at a public session of the governing body convened in accordance with the Open Public Meetings Act.
12. All awards are subject to availability of funds.

13. This policy will include, but not be limited to, all of the listed requirements. The Township reserves the right to amend or revise its review standards. In the event of such revision or review, all candidates shall be given not less than ten (10) days notice of the additional or revised standard(s) and an additional ten (10) days to demonstrate their compliance with the additional or revised standard.
14. This policy will include, but is not limited to, the following professional appointments provided that the anticipated annual contract value is greater than Seventeen Thousand Five Hundred Dollars (\$17,500.00):

- Township Attorney
- Township Special Counsel/Bond Attorney
- Township Labor Counsel
- Township Affordable Housing Attorney
- Township Planning Consultant (Affordable Housing)
- Township Financial Consultant
- Township Engineer
- Township Special Engineer
- Township Site Remediation Professional
- Township Auditor
- Township Risk Management Consultant
- Planning Board Attorney
- Planning Board Engineer
- Planning Board Planner
- Township Prosecutor
- Township Public Defender
- Medical Services
- Conflict Labor Counsel
- Special Counsel/Conflict Attorney
- Conflict Public Defender
- Municipal Court Judge
- Cleaning Services

Township of Edgewater Park

**Vendor Information
Addendum to Contract**

The following information shall be included and made part of the contractual agreement.

A. _____
NAME **PHONE NUMBER**

ADDRESS **Fax Number**

- 1. TAX ID NO.: _____
- 2. SS NO.: _____
- 3. ARE YOU A STATE CONTRACT VENDOR: _____
- 4. IF YES, STATE CONTRACT NO.: _____
- 5. ARE YOU INCORPORATED: _____

- B. A copy of your Certificate of Insurance.
- C. A copy of your New Jersey Business Registration Certificate
- D. The maximum compensation to be paid hereunder shall not exceed the total of the appropriation for these services as set forth by adopted budget, ordinances or other appropriations or funding adopting or approved by Township Committee without further written authorization by the Township Committee for the professional/contractor to continue to perform duties which will incur billings in excess of such sum.
- E. This Contract is subject to the provisions of the "Local Public Contracts Law", "Related Procurement Laws", and "Truth in Contracting", P.L. 1999,c.440, and the Contractor/Services Provider agrees to abide by such terms and provisions.
- F. Mandatory Equal Employment Opportunity Language (EXHIBIT A)
- G. Mandatory Americans with Disability Act, Equal Opportunity for Individuals with Disabilities (EXHIBIT B)
- H. AFFIRMATIVE ACTION COMPLIANCE NOTICE (EXHIBIT C)
- I. Election Law Enforcement Commission (EXHIBIT D)

Witness

Contractor/ Professional Service Provider

Date

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 take affirmative action to ensure that such applicants are recruited and employed, 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 action 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, 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 contracting officer advising the labor union or workers' representative of the contractor's commitments under this act 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 employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable 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.

In conforming with the applicable 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 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

The contractor and its subcontractors shall furnish such reports or other documents to the Div. of Contract Compliance & EEO 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 Div. of Contract Compliance & EEO for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

Print Name of Company/Firm

Print Name

Date

Signature

LOCAL PUBLIC CONTRACTS LAW
EXHIBIT B
AMERICANS WITH DISABILITIES ACT OF 1990
Equal Opportunity for Individuals with Disability

The contractor and the Township of Edgewater Park, (hereafter "owner") do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") (*42 U.S.C. 5121 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 shall 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 shall defend the owner in any action or administrative proceeding commenced pursuant to this Act. The contractor shall 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 shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs 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, the contractor agrees to abide by any decision of the owner which is rendered pursuant to said 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 contractor shall satisfy and discharge the same at its own expense.

The owner shall, 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 or any of its agents, servants, and employees, the *owner shall* expeditiously forward or have forwarded to the contractor every demand, complaint, notice, summons, pleading, or other process received by the owner or its representatives.

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 obligation to comply with the Act and to defend, indemnify, protect, and save harmless the owner pursuant to this paragraph.

It is further agreed and 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 shall in no way limit the contractor's obligations assumed in this Agreement, nor shall 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 the Agreement or otherwise at law.

Print Name of Company/Firm

Print Name

Date

Signature

AFFIRMATIVE ACTION COMPLIANCE NOTICE
N.J.S.A. 10:5-31 and N.J.A.C. 17:27
EXHIBIT C

GOODS AND SERVICES CONTRACTS
(INCLUDING PROFESSIONAL SERVICES)

This form is a summary of the successful bidder's requirement to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et seq.

The successful bidder shall submit to the public agency, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

- (a) A photocopy of a valid letter that the contractor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);
OR
- (b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-4;
OR
- (c) A photocopy of an Employee Information Report (Form AA302) provided by the Division and distributed to the public agency to be completed by the contractor in accordance with N.J.A.C. 17:27-4.

The successful vendor may obtain the Affirmative Action Employee Information Report (AA302) from the contracting unit during normal business hours.

The successful vendor(s) must submit the copies of the AA302 Report to the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (Division). The Public Agency copy is submitted to the public agency, and the vendor copy is retained by the vendor.

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. 17:27.1 et seq. and agrees to furnish the required forms of evidence.

The undersigned vendor further understands that his/her bid shall 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. 17:27-1 et seq.

COMPANY: _____ SIGNATURE: _____

PRINT NAME: _____ TITLE: _____

DATE: _____

EXHIBIT D
Election Law Enforcement Commission

Pay-To Play: The Election Law Enforcement Commission (ELEC) has adopted its proposed regulations (published in the April 16, 2007 edition of the N.J. Register). The regulations require vendors to submit their annual report covering contracts and contributions for the prior calendar year by March 30th of each 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

COMPANY: _____ SIGNATURE: _____

PRINT NAME: _____ TITLE: _____

DATE: _____