

**BOROUGH OF PROSPECT PARK
COUNTY OF PASSAIC
STATE OF NEW JERSEY**

REQUEST FOR QUALIFICATIONS

**FOR
ARCHITECTURAL SERVICES**

SEALED PROPOSALS MUST BE RECEIVED AT:

**Borough of Prospect Park
Attention: Intashan Chowdhury, Borough Administrator
106 Brown Avenue
Prospect Park, NJ 07508**

By

May 23, 2022

12:00 P.M.

**BOROUGH OF PROSPECT PARK
RFQ DOCUMENTS
BOROUGH OF PROSPECT PARK ARCHITECTURAL SERVICES**

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ADVERTISEMENT

REQUEST FOR QUALIFICATIONSS FOR ARCHITECTURAL SERVICES FOR THE BOROUGH OF PROSPECT PARK

Notice is hereby given that sealed proposals and qualifications will be received by the Borough of Prospect Park in the County of Passaic, New Jersey for a licensed professional architectural services in the State of New Jersey. Qualification Statements must be received and will be opened by the Borough Administrator, 106 Brown Avenue, Prospect Park, New Jersey, 07508 **on Monday, May 23, 2022 at 12:00 P.M.** prevailing time.

Proposals and qualifications statements shall be delivered by hand or mailed to the Borough Administrator, 106 Brown Avenue, Prospect Park, New Jersey 07508 by 12:00 P.M. prevailing time on **May 23, 2022**. Proposed Vendors are responsible for the timely delivery of their proposal and no proposal shall be accepted after the public call for receiving proposals. Proposals received after the date and time specified herein will be returned unopened to the bidder. The Borough assumes no responsibility for Proposals that are improperly mailed, misdirected or which arrive late.

Request for Proposal Documents (“RFQ Documents”) for the proposed scope of services being sought are available with the Borough Administrator, 106 Brown Avenue, Prospect Park, New Jersey 07508 and may be inspected or received by prospective vendors during regular business hours, 8:00 AM to 4:00 PM. Prospective Architects and/or interested firms will be furnished with a copy of the RFQ Documents upon proper written request or in person request.

Proposals should be submitted on the required forms and must be enclosed in a sealed envelope bearing the name and address of the Proposed Vendor, in a sealed envelope labeled “**Borough of Prospect Park Architectural Services - Request for Qualifications**” and addressed to the Borough Administrator, Intashan Chowdhury, 106 Brown Avenue, Prospect Park, NJ 07508.

Respondents must also include with their Proposal the following documents: Qualifications Statement, Non-Collusion Affidavit, Ownership Disclosure Statement, New Jersey Business Registration Certificate, Mandatory Equal Employment Opportunity Language Form, Americans With Disabilities Act Of 1990 Form, C. 271 Political Disclosure Statement, Disclosure Of Investment Activities In Iran Form, and the RFQ Submission Checklist.

Proposals are being solicited in accordance with the fair and open process pursuant to *N.J.S.A. 19:44A-20.5 et seq.* It is the intention of the Borough to either appoint a Borough Architect or compile a list of qualified list of individuals and/or firms to award a contract to the proposed vendor based upon relative experience, qualifications, and who will provide the highest quality of service at fair and competitive prices in accordance with the selection criteria set forth in the RFQ Documents. The Borough reserves its rights to: (1) reject any or all proposals, (2) to waive any informality and to accept the proposal that, in its judgment, will best serve the interests of the Borough consistent with the criteria set forth in the RFQ Documents, or (3) award any or all contracts to a qualified vendor through a non-fair and open process in accordance with law.

Proposed Respondents are required to comply with the current requirements of *N.J.A.C. 17:27, N.J.A.C. 5:34-1 and N.J.S.A. 34:11-56.25 et. seq.* (P.L. 1963, c. 150, Prevailing Wages)

Intashan Chowdhury, Borough Administrator, 106 Brown Avenue, Prospect Park, New Jersey 07508

SECTION 1

INTENT AND PURPOSE

The Borough of Prospect Park is soliciting qualification statements and proposals utilizing a “fair and open” process in procuring licensed professional architectural services with an individual and/or firm with specialized knowledge and expertise in the area of design and architecture of public buildings and facilities in the State of New Jersey. The award for licensed architectural services shall be based on qualifications, merit and cost effectiveness. The licensed architectural services may include an annual appointment, the oversight of a special Borough Projects and/or approval by the Borough on an individual project-by-project basis to a “Qualified Individual or Firm” as designated by the Mayor and Council of the Borough of Prospect Park. The Borough reserves the right to select and/or appoint one or more individuals/firms as “Qualified” to provide licensed architectural services to the Borough.

SECTION 2

SCOPE OF WORK

The Borough of Prospect Park seeks to receive proposals and qualification statements to perform for the licensed architectural services to the Borough of Prospect Park. The Borough may appoint a Borough Architect to serve for a term not to exceed one (1) year. The Borough Architect and/or any “Qualified Firm” shall be, or designate a duly licensed architect of the State of New Jersey with a special expertise in the design, construction and additions and alterations of municipal buildings and facilities. In lieu of appointing an individual Borough Architect, the Borough may appoint a firm of Architects, all members of which assigned to the Borough shall be licensed to practice planning in New Jersey or compile a List of Qualified Architects to render services to the Borough. The Borough Architect shall not receive a fixed salary but shall be paid as provided for by a contract authorized by the Borough in accordance with the laws governing professional services public contracts and will be on a project by project basis.

When requested by the Borough, the Borough Architect or Qualified Firm shall:

A. Assist, consult and report to the Borough Administrator and Mayor and Council on any and all issues requested related to architectural services, including improvements, renovations, repairs, additions, and proposed construction to the existing municipal building and facilities of the Borough, and any other matters delegated by the Borough Administrator or Mayor and Council.

B. Identify potential county, state and federal funding sources for the improvement, alterations and/or construction of a municipal building or facilities that are responsive to the needs of the Borough.

(1) Assist the Borough in the preparation of all necessary grant applications requested by the Borough; and .

(2) Prepare any and all reports required by the funding agencies for all grants received.

C. Make recommendations to the Borough for necessary capital improvements or repairs to existing Borough Buildings and Facilities.

D. Meet with Borough officials, and employees and others, as requested and approved by the Mayor and Borough Council as often as necessary regarding architectural related matters.

E. Attend the meetings of the Borough Council or Planning/Zoning Board; and render such professional services and opinions as may be required by the Borough.

F. Assist other departments, in the development of specific projects on an “as needed” basis as approved by the Mayor and Council.

G. The Borough Architect or any Qualified Firm or individual shall maintain all papers, documents, memorandum reports, and other materials relating to the Project they are assigned. Upon completion and/or termination of their services, the Borough Architect or an Qualified Firm shall surrender to the Borough all such property.

H. Use of Information - Any specifications, drawings, sketches, models, samples, data, computer programs, documentation, technical or business information and the like (“Information”) furnished or disclosed by the Borough to the proposer in connection with the services to be provided by the Borough shall remain the property of the Borough. When in tangible form, all copies of such information shall be returned to the Borough upon request. Unless such information was previously known to the proposer, free of any obligation to keep it confidential, or has been or is subsequently made public by the Borough or a third party, it shall be held in confidence by the proposer, shall be used only for the purposes of this RFQ, and may not be used for other purposes except upon such terms and conditions as may be mutually agreed upon in writing.

I. All proposed respondents shall familiarize themselves with the Borough of Prospect Park, its municipal buildings and facilities. All proposed Respondents are strongly recommended to conduct a site visit of the Borough of Prospect Park prior to the submission of its proposal.

Term of Contract

It is anticipated that the appointment of Borough Architect of “List of Qualified Architect” will be made for the remainder of 2022, or on a project basis, but in no event for term exceeding one year.

Evaluation and Award

The Borough may appoint one Borough Architect and/or compile a list of “Qualified Architects” to be used based upon the most advantageous proposals on all of the evaluation factors set forth in this RFQ. The Borough may retain architectural service from among those approved. Each proposal submitted must satisfy the objectives and requirements detailed in this RFQ. The successful proposer shall be determined by an evaluation of the total content of the Qualifications Statement and Proposal submitted. The Borough may award a professional service contract(s) or agreement(s) for Professional Architectural Service based on qualification, merit and cost competitiveness and proposals submitted. The selection criteria will include:

1. Relevance and Extent of Qualifications, Experience, Reputation and Training of Personnel to be assigned.
2. Relevance and Extent of Similar Engagements performed.
3. Knowledge of the Borough of Prospect Park and the subject matter to be addressed under this engagement
4. Ability to perform the service or activity in a timely fashion, including staffing and the staff’s familiarity of the service or activity.
5. Reasonableness of the Cost Proposal.

6. The Borough reserves the right to conduct an interview or interviews with the prospective professional(s) to discuss the scope of the professional services as outlined in the applicant's/proposer's proposal.

7. All appointments and awards of contracts will be by formal Resolution acted on by the Council of the Borough of Prospect Park.

8. All awards of contract are subject to availability of funds.

Qualifications, Experience and Ability to Perform Services

Proposers shall submit a Qualifications Statement which contains the following:

1. The name of the proposer, the principal place of business and, if different, the place where the services will be provided.

2. Proposer must have a minimum of ten (10) years of experience in design and architectural services and a minimum of five (5) years servicing governmental entities.

3. The education, qualifications, experience, and training of all persons who would be assigned to provide services along with their names and titles; Proposer **MUST** possess a valid Architectural License in the State of New Jersey.

4. A listing of all other engagements where services of the types being proposed were provided in the past five (5) years. This should include other levels of government. Contact information for the recipients of the similar services must be provided. The Borough may obtain references from any of the parties listed.

5. The Proposer must be experienced in obtaining permits and approvals from various State, County and local regulatory agencies.

6. Statement that neither the firm nor any individuals assigned to this engagement are disbarred, suspended, or otherwise prohibited from professional practice by any federal, state, or local agency.

7. Any other information the Respondent considers relevant to the Borough's evaluation of the criteria set forth in the "Evaluation and Award" section of this RFQ.

Cost Proposal

Proposers must include a schedule of prices with their proposal. Such proposal shall include hourly rates or a flat fee for services or projects to be approved and rendered. If the flat fee option is chosen by the Borough, it is understood that payments by the Borough of Prospect Park will be made on a pro-rated monthly basis for services provided. Hourly price proposals shall indicate the proposer's vendor's minimum billing units (i.e. tenths of an hour, quarters of an hour, etc...). The Borough of Prospect Park reserves the right to consider cost proposals that are, in its sole discretion, the most advantageous. Furthermore, the Borough of Prospect Park reserves the right to enter into negotiations with prospective vendors, as it relates to prices for professional services as permitted by *N.J.S.A. 40A:11-5*. The Borough does not provide payment for or reimbursement for travel expenses, nor will it compensate or reimburse a vendor for routine and reoccurring expenses that relate to doing business with the Borough; including, but not limited to: copying, scanning, and faxing documents, and vehicle mileage for travel to or from meetings.

SECTION 3

GENERAL INFORMATION

Procurement Process and Schedule

Qualifications and Proposals will be reviewed and evaluated by the Borough to determine if the Proposer has met the minimum requirements of professional management, technical, administrative and financial areas described in this RFP. The selection of a qualified vendor is being made pursuant to a “fair and open” process and pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-5, et seq.* The Borough has structured a procurement process that establishes a competitive process to assure that each person and/or firm is provided an equal opportunity to submit a Proposal in response to this RFQ.

All communications concerning this RFQ or the RFQ process shall be directed, in writing, to the Borough Administrator.

Qualification Statements and Proposals must be submitted to, and be received by the Borough, by on the date due. Qualification Statements and Proposals will not be accepted by facsimile transmission or electronic mail.

Proposal Limitations

This RFQ is not intended to be an offer, order or contract and should not be regarded as such, nor shall any obligation or liability be imposed on the Borough by issuance of this RFQ. The Borough reserves the right at the Borough’s sole discretion to refuse any proposal submitted

Conditions Applicable to RFQ

Upon submission of a Proposal in response to this RFQ, the Vendor acknowledges and consents to the following conditions relative to the submission and review and consideration of its Qualification Statement and Proposal:

- All costs incurred by the Vendor in connection with responding to this RFQ shall be borne solely by the Vendor.
- The Borough reserves the right (in its sole judgment) to reject any Vendor that submits incomplete responses to this RFQ, or a Qualifications Statements and/or Proposals that are not responsive to the requirements of this RFQ.
- The Borough reserves the right, without prior notice, to supplement, amend, or otherwise modify this RFQ, or otherwise request additional information. Prospective vendors shall be notified of any modifications made by the Borough of Prospect Park.
- No Qualification Statements and/or Proposals shall be returned.
- All Qualification Statements and/or Proposals will be made available to the public at the appropriate time, as determined by the Borough (in the exercise of its sole discretion) in accordance with law.
- The Borough may request proposed Vendors to send representatives to the Borough for interviews with the appropriate Borough Officials and/or Employees.

- Any and all Proposals not received by the Borough by the date and time due will be rejected and returned.
- Neither the Borough, nor their respective staff, consultants nor advisors shall be liable for any claims or damages resulting from the solicitation or preparation of the Proposal.
- The Borough may waive any technical non-conformance with the terms of this RFQ.
- The Borough may suspend or terminate the procurement process described in this RFQ at any time (in its sole discretion.) If terminated, the Borough may determine to commence a new procurement process or exercise any other rights provided under applicable law without any obligation to the proposed Vendors.

Laws and Regulations.

The successful vendor is required to keep itself informed of and to comply with all applicable Federal, State and Local laws and rules and regulations of all authorities having jurisdiction over the subject matter of the contract. If applicable, the successful respondent shall also be responsible for securing and paying for all permits, governmental fees and licenses necessary for the proper execution and completion of the work required by the Contract.

Post-Award Submittals.

The successful vendor shall provide its Post-Award Submittals, including all Contract Forms, all required insurance, (all of the above dated and fully effective simultaneous with the date of the Agreement); and a list of key personnel, including, business, mobile and emergency telephone and fax information, as and when required by the Borough.

False Material Representation - N.J.S.A 2C:21-34-97(b)

A person commits a crime if the person knowingly makes a material representation that is false in connection with the negotiation, award, or performance of a government contract. If the contract amount is for \$25,000.00 or above, the offender is guilty of a crime of the second degree. If the contract amount exceeds \$2,500.00, but is less than \$25,000.00, the offender is guilty of a crime of the third degree. If the contract amount is for \$2,500.00 or less, the offender is guilty of a crime of the fourth degree.

Interpretations and Addenda

No interpretation of the meaning of the specifications will be made to any vendor orally. Every request for such interpretation should be made in writing to the Borough Administrator and must be received no later than **12:00 p.m. on Monday, May 16, 2022** to be given consideration. Any and all interpretations and any supplemental instructions will be distributed in the form of a written addenda to the specifications. All addenda so issued shall become part of the contract document.

Indemnification

The Successful Vendor agrees to defend, indemnify and hold the Borough harmless for any claims brought against, or damages incurred by the Borough as a result of the Successful Proposer's or its agents', servants', or subcontractor's actions, inactions, negligence, breach of contract, and/or failure to comply with any applicable law, regulation, ordinance, code, rule or policy. The Successful Vendor also agrees to

defend, indemnify and hold the Borough harmless for any claims brought against, or damages incurred by the Borough as a result of the services provided by the Successful Proposer or its employee/s, agent/s, servant/s, or subcontractor/s.

The Successful Vendor agrees to defend, indemnify and hold the Borough harmless in connection with any claims made by any subcontractors or suppliers concerning work performed or goods provided, including, without limitation, claims for unpaid wages and/or benefits, or claims relating to or claims resulting from the Borough's termination of this Agreement.

Insurance Required

Upon the award of a contract, the successful vendor shall furnish a certificate of insurance naming the Borough of Prospect Park as an additional insured for general liability, professional liability, cyber liability and workers compensation. The insurance required shall be maintained in full force and effect until all work to be performed under the terms of the contract is satisfactorily completed and accepted by the Borough. The Contractor shall furnish the Borough with satisfactory proof of carriage of the insurance required by submitting a certificate of insurance naming the Borough of Prospect Park as an additional insured interest. Each insurance policy and endorsement shall contain undertaking by the insurance carrier not to cancel the policy except upon thirty (30) days' notice to the Borough. The policies and endorsements shall be specifically referred to the Borough as an insured party of this contract and shall state that the insurance as provided conforms to the requirements of these contract documents. All insurance required by this contract shall be placed with responsible insurance companies authorized to do business in the State of New Jersey which are satisfactory to the Borough.

Affirmative Action Requirements.

Each Vendor shall submit to the Borough, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

- i. Appropriate evidence that the Respondent is operating under an existing federally approved or sanctioned affirmative action program; or
- ii. A certificate of employee information report approval issued in accordance with N.J.A.C. 17:27 et seq.; or
- iii. 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 et seq.

The successful proposer shall also be required to comply with the Mandatory Equal Employment Opportunity Language for Goods, Professional Services and General Services as set forth in this RFP. This language will be incorporated into and made a part of the contract as an exhibit thereto.

Proposers shall fill out and submit the Affirmative Action Compliance Form with their Proposal (**Proposal Form D**).

Business Registration Certificate (N.J.S.A. 52:32-44)

Pursuant to N.J.S.A. 52:42-44, all Respondents should submit with their proposal package a copy of their "New Jersey Business Registration Certificate" as issued by the Department of Treasury of the State of New Jersey. Such certificate shall have been issued prior to the proposal due date and time. Proposers shall also complete and submit the Proposal Form (**Proposal Form C**) with their Proposal.

Ownership Disclosure Statement

Pursuant to N.J.S.A. 52:25-24.2, the Bidder shall submit with its Bid, or prior to receipt of bids, a statement setting forth the names and addresses of all stockholders in the corporation, partnership or other business entity bidding who own ten percent (10%) or greater interest therein (**Proposal Form B**).

If one or more such stockholder or partner is itself a corporation, partnership or other business entity, the Bidder shall submit further disclosures for such entity pursuant to the law.

Political Contribution Disclosure Statement — Pay to Play.

A business entity as defined by law is advised of its responsibility to file an annual disclosure statement on political contributions with the ELEC pursuant to N.J.S.A. 19:44A-20.13 (P.L. 2005 Chapter 271 Section 3) if the business entity receives contacts in excess of \$50,000 from public entities in a calendar year. It is the business entity's responsibility to determine if filing is necessary. Additional information on this requirement is available from the New Jersey Election Law Enforcement Commission at 1-888-313-3532 or at www.elec.nj.us.

Chapter 271 Political Contribution Disclosure Form All respondents shall submit with their Proposal package a completed and signed Chapter 271 Political Contribution Disclosure Form (**Proposal Form F**).

Disclosure of Investments in Iran Form.

Pursuant to N.J.S.A. 52:32-5, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification enclosed in the bid to attest, under penalty of perjury, that the person or entity, or one of the person or entity, or one of the person or entity's parents, subsidiaries, or affiliates, is not identified on a list created and maintained by the Department of the Treasury as a person or entity engaging in investment activities in Iran. If the Borough finds a person or entity to be in violation of the principles which are the subject of this law, they 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 (**Proposal Form G**).

SECTION 4

SUBMISSION REQUIREMENTS

Proposals shall be submitted in a sealed envelope. One original and three (3) copies of the sealed proposal packages bearing the name and address of proposer with the contract name clearly marked on the outside envelope in the lower left hand corner must be submitted to the Borough **no later than 12:00 P.M. prevailing time on Monday, May 23, 2022** at the address below.

**Intashan Chowdhury, Borough Administrator
Borough of Prospect Park
106 Brown Avenue, Prospect Park, NJ 07508**

Complete Proposal Submittal

Vendors shall fully and accurately complete all Proposal Forms as required, with all attachments. Failure to include any required information may render such response incomplete, non-responsive and subject to rejection depending upon the omission. Any rejection of the specified language and contents of the Proposal Forms will also be sufficient grounds for rejection.

Vendors shall familiarize itself with all forms provided by the Borough that are to be returned. If there are any forms that the Borough is to provide that are either missing or illegible, it is the responsibility of the respondent to contact the Borough Administrator for duplicate copies of the forms. This must be done before the due date and time. The Borough accepts no responsibility for duplicate forms that were not received by the respondent in time for submittal.

The Borough may consider any proposal submission not prepared and submitted in accordance with the provisions hereof and may waive informalities or may for any reason reject any and all informal proposals, all in accordance with applicable law.

All documents returned to the Borough shall be signed with an original signature in ink. Failure to sign and return all required documents with the proposal package may be cause for disqualification and for the proposal to be rejected. The Borough will not accept facsimile or rubber stamp signatures on the Proposal.

Forms

Vendors shall complete and return with its Proposal the following forms:

1. NON-COLLUSION AFFIDAVIT – FORM A
2. OWNERSHIP DISCLOSURE STATEMENT – FORM B
3. NEW JERSEY BUSINESS REGISTRATION CERTIFICATE – FORM C
4. MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE – FORM D
5. AMERICANS WITH DISABILITIES ACT OF 1990 – FORM E
6. C. 271 POLITICAL DISCLOSURE STATEMENT – FORM F
7. DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN – FORM G
8. RFP SUBMISSION CHECKLIST

BOROUGH OF PROSPECT PARK
Request for Qualifications
Borough of Prospect Park for Architectural Services

PROPOSAL FORMS AND DOCUMENTS

Proposal Form - A

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY
COUNTY OF _____

I, _____, of the (City, Town, Borough) of _____, 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
Company/Provider (“Company”) making the Proposal for the project or service set forth herein, and that I executed
the said Proposal with full authority to do so; that said Company 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; that said Company or its employees has not bribed or attempted to bribe or
influence in any way, including the provision of gifts and services, any officer or employee of the Borough in an
attempt to influence the awarding of the subject contract; and that all statements contained in said Proposal and in
this affidavit are true and correct, and made with full knowledge, and the State of New Jersey relies upon the truth of
the statements contained in this affidavit in awarding the contract for the 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 fide
employees or bona fide established commercial or selling agencies maintained by the Company. (N.J.S.A. 52:34-15)

Subscribed and sworn to before me
This _____ day of _____, 2022.

(Seal) Notary Public of New Jersey/
Specify Other State (_____)

My commission expires _____, 20__.

The above information is true and correct
to the best of my knowledge.

Company’s Authorized Representative:

Name: _____
(Printed/Typed)

Title: _____
(Printed/Typed)

Signature: _____

Proposal Form B

OWNERSHIP DISCLOSURE CERTIFICATION STATEMENT

In order to conform to N.J.S.A. 52:25-24.2, all corporations or partnerships must provide the following information:

1. Name of Firm: _____
(Type of Business Organization (check appropriate type))

2. Partnership _____ Corporation _____

Sole Proprietorship _____ Limited Partnership _____

Limited Liability Corporation _____ Limited Liability Partnership _____

Subchapter S Corporation _____

3. Name of State in which Incorporated: _____

The following individuals own ten percent (10%) or more of any class stock in the corporation or are a ten percent (10%) or more Partner in the Firm:

| <u>NAME</u> | <u>ADDRESS</u> | <u>TITLE</u> | <u>PERCENTAGE</u> |
|-------------|----------------|--------------|-------------------|
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

IF ANY OF THE AFOREMENTIONED STOCKHOLDERS ARE A CORPORATION, PARTNERSHIP OR OTHER BUSINESS ENTITY, WHEREBY THEY HOLD 10% (TEN PERCENT) OR MORE OF ANY CLASS STOCK IN BIDDING CORPORATION, PARTNERSHIP OR OTHER BUSINESS ENTITY, THEY MUST ALSO PROVIDE THE INFORMATION REQUESTED ABOVE.

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

The above information is true and correct
to the best of my knowledge.

(Seal) Notary Public of New Jersey/
Specify Other State
My commission Expires _____, 20__.

(Signature)

(Name)

(Address)

(Title)

Proposal Form C

New Jersey Business Registration Requirements (Informational)

New Jersey Business Registration Requirements

The contractor will provide written notice to its subcontractors of the responsibility to submit proof of business registration to the contractor. Before final payment on the contract is made by the contracting agency, the contractor will submit an accurate list and the proof of business registration of each subcontractor or supplier used in the fulfillment of the contract, or will attest that no subcontractors were used.

For the term of the contract, the contractor and each of its affiliates and a subcontractor and each of its affiliates [N.J.S.A.52:32-44 (g)(3)] will collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sale and Use Tax Act on all sales of tangible personal property delivered into this State, regardless of whether the tangible personal property is intended for a contract with a contracting agency. A business organization that fails to provide a copy of a business registration as required pursuant to section 1 of P.L.2001, c.134(C.52:32-44 et al.) or subsection e. or f. of section 92 of P.L.1977, c.110 (C.5:12-92), or that provides false business registration information under the requirements of either of those sections, will be liable for a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration copy not properly provided under a contract with a contracting agency.

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

- Register online at www.nj.gov/treasury/revenue/taxreg.htm. Click the “online” link and then select “Register for Tax and Employer Purposes.”
- Download the paper form and instructions at www.nj.gov/treasury/revenue/revprnt.htm.
- Call the Division at 800-292-1730 to have a form mailed to you or Write to the Division at: Client Registration Bureau, PO Box 252, Trenton, NJ 08646-0252.

Company Name

Date

Signature

Title

Printed Name

Proposal Form D
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.**

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

GOODS AND SERVICES CONTRACTS

This form is a summary of the successful Contractor'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 Contractor 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 copy 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 copy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-4;

OR

(c) A copy 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 proposal 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 Name

Date

Signature

Title

Printed Name

Proposal Form E
AMERICANS WITH DISABILITIES ACT OF 1990

Equal Opportunity for Individuals with Disability

The Contractor and the Borough, (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. *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 will 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 will defend the owner in any action or administrative proceeding commenced pursuant to this Act. The Contractor will 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 will, 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 will satisfy and discharge the same at its own expense.

The owner will, 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 will* 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 will in no way limit the Contractor's obligations assumed in this Agreement, nor will 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.

By signing below the contractor agrees that they will comply with the AMERICANS WITH DISABILITIES ACT OF 1990:

Witness:

Signature

Authorized Signature and Title

Date

Date

Proposal Form F

C. 271 Political Contribution Disclosure Form Contractor Instructions

Business entities (contractors) receiving contracts from a public agency are subject to the provisions of P.L. 2005, c. 271, s.2 (N.J.S.A. 19:44A-20.26). This law provides that 10 days prior to the award of such a contract, the contractor will disclose contributions to:

- any State, county, or municipal committee of a political party
- any legislative leadership committee*
- any continuing political committee (a.k.a., political action committee)
- any candidate committee of a candidate for, or holder of, an elective office:
 - of the public entity awarding the contract
 - of that county in which that public entity is located
 - of another public entity within that county
 - or of a legislative district in which that public entity is located or, when the public entity is a county, of any legislative district which includes all or part of the county.

The disclosure must list reportable contributions to any of the committees that exceed \$300 per election cycle that were made during the 12 months prior to award of the contract. See N.J.S.A. 19:44A-8 and 19:44A-16 for more details on reportable contributions.

N.J.S.A. 52:34-25(b) itemizes the parties from whom contributions must be disclosed when a business entity is not a natural person. This includes the following:

- individuals with an “interest:” ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit
- all principals, partners, officers, or directors of the business entity or their spouses
- any subsidiaries directly or indirectly controlled by the business entity
- IRS Code Section 527 New Jersey based organizations, directly or indirectly controlled by the business entity and filing as continuing political committees, (PACs).

When the business entity is a natural person, “a contribution by that person’s spouse or child, residing therewith, will be deemed to be a contribution by the business entity.” [N.J.S.A. 19:44A-20.26(b)] The contributor must be listed on the disclosure.

Any business entity that fails to comply with the disclosure provisions will be subject to a fine imposed by ELEC in an amount to be determined by the Commission which may be based upon the amount that the business entity failed to report.

The enclosed list of agencies is provided to assist the contractor in identifying those public agencies whose elected official and/or candidate campaign committees are affected by the disclosure requirement. It is the contractor’s responsibility to identify the specific committees to which contributions may have been made and need to be disclosed. The disclosed information may exceed the minimum requirement.

The enclosed form, a content-consistent facsimile may be used as the contractor’s submission and is disc losable to the public under the Open Public Records Act.

N.J.S.A. 19:44A-3(s): “The term “legislative leadership committee” means a committee established, authorized to be established, or designated by the President of the Senate, the Minority Leader of the Senate, the Speaker of the General Assembly or the Minority Leader of the General Assembly pursuant to section 16 of P.L.1993, c.65 (C.19:44A-10.1) for the purpose of receiving contributions and making expenditures.”

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Required Pursuant to N.J.S.A. 19:44A-20.26

This form or its permitted facsimile must be submitted to the local unit no later than 10 days prior to the award of the contract.

Part I – Vendor Information

| | | | |
|--------------|--------|------|--|
| Vendor Name: | | | |
| Address: | | | |
| City: | State: | Zip: | |

The undersigned being authorized to certify, hereby certifies that the submission provided herein represents compliance with the provisions of N.J.S.A. 19:44A-20.26 and as represented by the Instructions accompanying this form.

Signature
Title

Printed Name

J. Part II – Contribution Disclosure

Disclosure requirement: Pursuant to N.J.S.A. 19:44A-20.26 this disclosure must include all reportable political contributions (more than \$300 per election cycle) over the 12 months prior to submission to the committees of the government entities listed on the form provided by the local unit.

Check here if disclosure is provided in electronic form.

| Contributor Name | Recipient Name | Date | Dollar Amount |
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Check here if the information is continued on subsequent page(s)

Proposal Form G

STATE OF NEW JERSEY – DIVISION OF PURCHASE AND PROPERTY DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

BOROUGH OF PROSPECT PARK

PART 1: CERTIFICATION

BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX.

FAILURE TO CHECK ONE OF THE BOXES WILL RENDER THE PROPOSAL NON-RESPONSIVE.

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 neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran. The Chapter 25 list is found on the Division's website at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Bidders **must** review this list prior to completing the below certification. **Failure to complete the certification will render a bidder's proposal non-responsive.** If the Director finds a person or entity to be in violation of 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 party

PLEASE CHECK THE APPROPRIATE BOX:

- I certify, pursuant to Public Law 2012, c. 25, that neither the bidder listed above nor any of the bidder's parents, subsidiaries, or affiliates is listed on the N.J. Department of the Treasury's list of entities determined to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c. 25 ("Chapter 25 List"). I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. **I will skip Part 2 and sign and complete the Certification below.****

OR

- I am unable to certify as above because the bidder and/or one or more of its parents, subsidiaries, or affiliates is listed on the Department's Chapter 25 list. I will provide a detailed, accurate and precise description of the activities in Part 2 below and sign and complete the Certification below. Failure to provide such will result in the proposal being rendered as non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.**

PART 2:

PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN

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

EACH BOX WILL PROMPT YOU TO PROVIDE INFORMATION RELATIVE TO THE ABOVE QUESTIONS. PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, CLICK THE "ADD AN ADDITIONAL ACTIVITIES ENTRY" BUTTON

| |
|---|
| Name: _____ Relationship to Bidder/Offeror: _____ |
| Description of Activities: _____ _____ |
| Duration of Engagement: _____ Anticipated Cessation Date: _____ |
| Bidder/Offeror Contact Name: _____ Contact Phone Number: _____ |

Certification: I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the bidder; that the State of New Jersey is relying on the information contained herein and 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 information contained herein; 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 am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the State, permitting the State to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): _____ Signature: _____
Do Not Enter PIN as a Signature

Title: _____ Date: _____

RFQ SUBMISSION CHECKLIST

- 1. READ AND UNDERSTAND REQUIREMENTS OF RFQ
- 2. SUBMITTED QUALIFICATIONS STATEMENT WHICH MEET THE MINIMUM REQUIREMENTS SET FORTH IN THE RFQ
- 3. NON-COLLUSION AFFIDAVIT – **FORM A**
- 4. OWNERSHIP DISCLOSURE STATEMENT – **FORM B**
- 5. NEW JERSEY BUSINESS REGISTRATION CERTIFICATE – **FORM C**
- 6. MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE – **FORM D**
- 7. AMERICANS WITH DISABILITIES ACT OF 1990 – **FORM E**
- 8. C. 271 POLITICAL DISCLOSURE STATEMENT – **FORM F**
- 9. DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN – **FORM G**

Company Name

Date

Printed Name

Title

Signature