

TOWNSHIP OF MOUNT HOLLY



2018
REQUEST FOR PROPOSAL FOR
INTERSECTION OF HIGH STREET & WASHINGTON STREET RECONSTRUCTION
ENGINEERING AND/OR ARCHITECTURAL SERVICES
FOR THE TOWNSHIP OF MOUNT HOLLY

ISSUE DATE: July 18, 2018

SUBMISSION DEADLINE: August 15, 2018

ADDRESS ALL REQUESTS FOR PROPOSALS TO:

Nikima S. Muller, Township Clerk/Purchasing Agent

Municipal Building
23 Washington Street
Mount Holly, NJ 08060

TOWNSHIP OF MOUNT HOLLY

BURLINGTON COUNTY, NEW JERSEY

ENGINEERING AND ARCHITECTURAL SERVICES

NOTICE TO BIDDERS

NOTICE is hereby given that sealed PROPOSALS will be received by the Township of Mount Holly in the Council Chambers of Township Municipal Building located at 23 Washington Street, Mount Holly, NJ on **Wednesday, August 15, 2018 at 10:00 AM prevailing time for the RECONSTRUCTION OF THE INTERSECTION OF HIGH STREET AND WASHINGTON STREET ENGINEERING AND/OR ARCHITECTURAL SERVICE** in the TOWNSHIP OF MOUNT HOLLY, BURLINGTON COUNTY, NEW JERSEY. Proposal prices shall remain firm for sixty (60) days. Bids shall be addressed to the Township Clerk/Purchasing Agent, Township of Mount Holly, 23 Washington Street, Mount Holly, NJ 08060.

The TOWNSHIP OF MOUNT HOLLY (“the TOWNSHIP”) is soliciting from respondents that have the expertise and knowledge to provide engineering and/or architectural services required to reconstruct the intersection of High Street and Washington Street including installing ADA-compliant infrastructure and replacing sidewalks and curbing. Respondents must demonstrate that they satisfy all requirements and will have the continuing capabilities to perform this service. The services may be initiated as soon as August 16, 2018. *This project is partially funded by the New Jersey Department of Community Affairs Small Cities Community Development Block Grant Program. Payment of prevailing wages is required during construction and the project must be completed by December 31, 2019.*

Proposals shall be submitted on the forms provided, in the manner designated therein and required by the Specifications. They must be enclosed in sealed envelopes, bearing the name and address of the bidder and the name of the project on the outside, addressed to the Township Clerk, TOWNSHIP OF MOUNT HOLLY, BURLINGTON COUNTY, NEW JERSEY, and must be accompanied by A Non-Collusion Affidavit; Proof of Insurance, List of all Sub-contractors; and a Record of Recent Contract Awards must also accompany the proposal on the forms provided.

Bidders must have at the time of bid, a Business Registration Certificate issued by the New Jersey Department of Treasury.

Bidders are required to comply with the requirements of P.L. 1975 Chapter 127 for an affirmative action program for equal employment opportunity. If awarded a contract, your company/firm will be required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and P.L. 1975 C. 127 (NJAC 17:27-1, et seq.).

Bidders must also comply with the requirements of P.L. 1977, Chapter 33 amending the Local Public Contracts Law. Bidders must submit a statement setting forth the names and addresses of all the

stockholders in the corporation or members of the partnership who own ten percent (10%) or more of its stock, or have a ten percent (10%) or greater interest in the case of partnership.

No bid may be withdrawn for sixty (60) days after the opening of bids.

The Township of Mount Holly reserves the right to delete sections of work from the contract after the award of the bid has been made due to funding or other reasons. The prices bid for various items of work shall not be adjusted due to the deletion of any work and due to the variation of any quantity for the various items scheduled in the Proposal.

Proposals for this contract will be accepted only from bidders who have been properly qualified in accordance with the requirements of the Specifications.

The Township Council of the TOWNSHIP OF MOUNT HOLLY reserve the right to reject any or all bids, to reject unbalanced bids, to waive any informality therein in any bid, and to accept any bid that will be in the best interest of the Township of Mount Holly according to N.J.S.A. 40A:11-1.

Nikima S. Muller, RMC/MMC
Township Clerk/Purchasing Agent

GENERAL INFORMATION & SUMMARY

REQUEST FOR PROPOSALS

Township of Mount Holly
23 Washington Street
Mount Holly, NJ 08060

CONTACT PERSON

Nikima S. Muller, Township Clerk/Purchasing Agent
nmuller@twp.mountholly.nj.us

PURPOSE OF REQUEST

The TOWNSHIP OF MOUNT HOLLY (“the TOWNSHIP”) is soliciting from respondents that have the expertise and knowledge to provide engineering and/or architectural services required to reconstruct the intersection of High Street and Washington Street including installing ADA-compliant infrastructure and replacing sidewalks and curbing. Respondents must demonstrate that they satisfy all requirements and will have the continuing capabilities to perform this service. Services needed from the engineer – preparing final plans and bid docs (including required Labor Standards documents and prevailing wage rate decisions), coordinating bid process, advertising and awarding bids with assistance from the Township, attending required pre-construction meeting, obtaining required permits with chosen contractor and overseeing construction phase with contractor. The services may be initiated as soon as August 15, 2018.

DEFINED TERMS

The following definitions shall apply to and are used in this Request for PROPOSALS:

“TOWNSHIP”- refers to the TOWNSHIP OF MOUNT HOLLY.

“Request for Proposal” – refers to the complete responses to this RFP submitted by the Respondents.

“Qualified Respondent”- refers to a Respondent who (in the sole and absolute discretion of the TOWNSHIP) has satisfied the qualification criteria set forth in this RFP.

“RFP” – refers to this Request for PROPOSALS, including any amendments thereof or supplements thereto.

“Respondent” or “Respondents”-refers to the interested persons and/or firm(s) that submit a Qualification Statement.

CONTRACT FORM

If selected, a respondent shall be required to execute the TOWNSHIP's form contract, which includes, among other things, indemnification, insurance, termination and licensing provisions. A complete copy of a draft TOWNSHIP form contract is available upon request. The terms of the contract are not subject to negotiation or modification.

It is also agreed and understood that the acceptance of the payment by a vendor invoice shall be considered a release in full of all claims against the TOWNSHIP arising out of, or by reason of, the work done and materials furnished pursuant of their invoice.

REQUIREMENTS OF THE REQUEST FOR PROPOSALS FOR ALL PROSPECTIVE VENDORS

General Information

1. **NATURE/SCOPE OF SERVICES** – The TOWNSHIP hereby solicits Proposals from respondents that have the expertise and knowledge to provide engineering and/or architectural services required to upgrade deficient infrastructure within a one block portion of the municipally-owned section of High Street. The reconstruction of the roadways, installing ADA-compliant infrastructure, and replacing sidewalks, curbing and pedestrian lighting are the primary activities of the proposed project.
2. **SUBMISSION REQUIREMENTS** – Respondents must have a minimum of ten (10) years of experience in engineering and/or architectural services with public entities. Respondents should submit 1 (one) original and (one) copy of the Request for Proposal that contains the following:
 - A. The name of the respondent, the principal place of business and, if different, the place where the services will be provided.
 - B. A description of respondent's overall experience in providing the type of Services sought in the RFP. At a minimum, the following information on past experience should be included as appropriate to the RFP: (i) description and scope of work by respondent; (ii) explanation of perceived relevance of the experience to (iii) the education, qualifications, experience, and training of all persons who would be assigned to provide services along with their names and titles;
 - C. A narrative statement of the respondent's understanding of the TOWNSHIP's needs and goals;
 - D. A listing of all other engagements where services of the types being proposed were provided in the past seven (7) years. This should include other municipal

governments and other levels of government. Contact information for the recipients of the similar services must be provided. The TOWNSHIP may obtain references from any of the parties listed.

- E. A listing of all immediate relatives of the principal(s) of respondent who are TOWNSHIP employees or elected officials of the TOWNSHIP. For purposes of the above, “immediate relative” means a spouse, parent, stepparent, brother, sister, child, stepchild, direct-line aunt or uncle, grandparent, grandchild, and in-laws;

A statement that neither the firm nor any individuals assigned to this engagement are suspended, or otherwise prohibited from professional practice by any federal, state or local agency;

An Affirmative Action Statement (sample language attached);

A completed Non-Collusion Affidavit (copy of form attached);

A completed Owner Disclosure Information form (copy of form attached);

A statement that the respondent will comply with the general terms and conditions required by the TOWNSHIP and enter into the TOWNSHIP’s standard professional services contract;

A copy of the respondent’s Business Registration Certification; and

A completed Disclosure Statement (copy of form attached).

- 3. **COST PROPOSAL** - Respondents should submit 1 (one) original and 1 (one) copy of a cost proposal that will be based on individual items or services and an additional proposal for the entirety of the engagement. The TOWNSHIP does not provide payment *for reimbursement for travel expenses. All work will be allocated on an as needed basis with no guarantee as to amount.*

- 4. **EVALUATION** – The TOWNSHIP has structured a procurement process that seeks to obtain the desired results described herein, while establishing a competitive process to assure that each person and/or firm is provided an equal opportunity to submit a Request for Proposal in response to the RFP. The TOWNSHIP will select the most advantageous proposal(s), if any and as determined in its sole and absolute discretion, based on all of the evaluation factors set forth at the end of this RFP. The TOWNSHIP will make the award(s), if any, that is in the best interest of the TOWNSHIP.

Request for Proposal will be reviewed and evaluated by an Evaluation Committee appointed by the Township Council. The Request for Proposal will be reviewed to determine if the Respondent has met the minimum professional, administrative and financial areas and other requirements described in this RFP. Each respondent must satisfy the objectives and requirements detailed in this RFP. The successful respondent shall be

determined by an evaluation of the total content of the Request for Proposal submitted. Under no circumstances will a member of the Evaluation Committee review responses to an RFP for an appointment that he/she or his/her firm submitted a response. Based upon the totality of the information contained in the Request for Proposal, including information about the reputation and experience of each respondent, the TOWNSHIP will (in its sole and absolute discretion) determine which respondents are qualified from a professional, administrative and financial perspective. Each respondent that meets the requirements of the RFP (determined in the sole and absolute discretion of the TOWNSHIP) will be designated as a qualified respondent and may then be given an opportunity to provide services to the TOWNSHIP.

The RFP process commences with the issuance of this RFP. Responses to the RFP shall be submitted to the Township of Mount Holly, Office of the Township Clerk by **August 15, 2018 at 10:00 a.m.** It is anticipated that certain qualified respondents will be selected to begin providing services to the TOWNSHIP as soon as **August 16, 2018.** There can be no assurance, however, that any qualified respondent will be selected.

All communications concerning this RFP or the RFP process shall be directed, in writing, to the TOWNSHIP's designated contact person:

Nikima S. Muller, Township Clerk/Purchasing Agent
TOWNSHIP OF MOUNT HOLLY
23 Washington Street
Mount Holly, NJ 08060
nmuller@twp.mountholly.nj.us

5. **RESERVATION OF RIGHTS** – The TOWNSHIP reserves the right to:
- a. Not select any of the proposals;
 - b. Select only portions of a particular respondent’s proposal for further consideration (however, respondents may specify portions of a proposal that they consider “bundled”);
 - c. To supplement, amend or otherwise modify the RFP through issuance of addenda to all prospective respondents who have received a copy of this RFP;
 - d. To change or alter the schedule for any events called for in this RFP upon the issuance of notice to all prospective respondents who have received a copy of this RFP;
 - e. To conduct investigations of any or all of the respondents, as the TOWNSHIP deems necessary or convenient, to clarify the information provided as part of the Request for Proposal and to request additional information to support the information included in any Request for Proposal; and
 - f. To suspend or terminate the procurement process described in this RFP at any time (in its sole and absolute discretion). If terminated, the TOWNSHIP may determine to commence a new procurement process or exercise any other rights provided under applicable law without any obligation to the Respondents.

The TOWNSHIP shall be under no obligation to complete all or any portion of the procurement process described in this RFP.

The TOWNSHIP shall not be obligated to explain the results of the evaluation process to any person or entity, including, without limitation, any respondent.

The TOWNSHIP may require respondents to demonstrate any services described in their proposal prior to award.

6. **LIMITATIONS** – This RFP is not an offer, order or contract and should not be regarded as such, nor shall any obligation or liability be imposed on the TOWNSHIP by issuance of this RFP. The TOWNSHIP reserves the right at the TOWNSHIP’s sole discretion to refuse any submission. This RFP does not constitute a contract and does not commit the TOWNSHIP to issue a contract.
7. **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 TOWNSHIP to the respondent in connection with this RFP shall remain the property of the TOWNSHIP. When in tangible form, all copies of such Information shall be returned to the TOWNSHIP upon request. Unless such Information was previously known to the respondent, free of any obligation to keep it confidential, or has been or is subsequently made public by the TOWNSHIP or a third party, it shall be held in confidence by the respondent, shall be used only for the purposes

of this RFP, and may not be used for other purposes except upon such terms and conditions as may be mutually agreed upon in writing.

8. GENERAL TERMS AND CONDITIONS –

- A. The TOWNSHIP reserves the right to reject any Request for Proposals in whole or in part or to waive any informalities in a Request for Proposals, and, unless otherwise specified by the respondent, to accept any item, items or services in the proposals should it be deemed in the best interest of the TOWNSHIP to do so.
- B. In case of the failure by a successful respondent to perform, the TOWNSHIP may procure the articles or services from other sources, deduct the cost of the replacement from money due to the respondent under the contract and hold the respondent responsible for any excess cost occasioned thereby.
- C. The respondent shall secure and maintain such insurance from an insurance company authorized, licensed, and admitted to write casualty insurance in the State as will protect himself, his subcontractors, and the Township, and their officers and employees from claims for bodily injury, death or property damage which may arise from operations under this Contract. The respondent shall not commence work under the Contract until he has obtained all insurance with the Owner. Each insurance policy shall contain a clause providing that it shall not be canceled by the insurance company without ten (10) days written notice to the Township of intention to cancel. An endorsement showing the TOWNSHIP OF MOUNT HOLLY to be additionally insured shall be included in all policies as follows: “The TOWNSHIP OF MOUNT HOLLY, its officers, agents, servants, and employees as their interest may appear are covered by this policy”. The amounts of such insurance shall be less than the following:

Workers Compensation and Employer’s Liability Insurance shall be secured and maintained as required by the State.

Public Liability, Bodily and Property Damage:

1. Injury or death of one person	\$3,000,000
2. Injury to more than one person in a single accident	\$3,000,000
3. Property Damage	\$ 250,000
4. Fire and Extended Coverage	Equal to bid price

Automobile and Truck Public Liability

Bodily Injury and Property Damage:

1. Injury or death of one person	\$3,000,000
2. Injury to more than one person in a single accident	\$3,000,000
3. Property Damage	\$ 250,000

Contractor’s general liability included completed operations \$3,000,000

Approval of the insurance by the Owner shall not relieve or decrease the liability of the Contractor.

- D. Each must Request for Proposals be signed by the person authorized to do so.
- E. Request for Proposals shall be submitted in one (1) original and two (2) copies and may be hand delivered or mailed consistent with the provisions of the legal notice to respondents. In the case of mailed proposals, the TOWNSHIP assumes no responsibility for Request for Proposals received after the designated date and time and will return late Request for Proposals unopened. Proposals will not be accepted by facsimile or e-mail. Proposals shall be in a sealed envelope, marked **“REQUEST FOR PORPOSAL OF HIGH STREET RECONSTRUCTION ENGINEERING AND/OR ARCHITECTURAL SERVICES FOR THE TOWNSHIP OF MOUNT HOLLY”**. To be considered, proposals shall be delivered to or received by the Township Clerk no later than **10:00 a.m. on August 15, 2018**.
- F. Upon submission of proposals, an Evaluation Committee appointed by the Mount Holly Township Council will review and evaluate each proposal on the basis of the Competitive Contract Evaluation Criteria as set forth infra. Qualified Proposers may, at the sole discretion of the Evaluation Committee, be required to make a presentation to the Evaluation Committee. Such presentations will include a summary of the services proposed, any aspects of the Proposal that are of particular importance, or which make Respondent’s Proposal particularly compelling, and responses to any questions the Evaluation Committee may have. The Evaluation Committee will steer the presentation, not the Proposer.

Following the review process, the Evaluation Committee will forward its recommendation, completed Proposer Evaluations and Evaluation Report to the Mount Holly Township Council for approval of the Contract.
- G. The Township Council within sixty (60) days of the receipt of the recommendation by the Evaluation Committee shall either award the Contract or reject all proposals. At the sole discretion of the Township Council, the sixty day deadline for Proposals may be extended. Upon the award of the Contract the Propose shall tender full payment, to be held in escrow until the Closing Date as provided elsewhere herein, of the purchase price provided in the Proposal and incorporated within the Contract documents by Resolution of the Township Council.
- H. Respondents are required to comply with the requirements of N.J.S.A. 10:5-31 et seq. See attached Exhibit A.
- I. By submission of a Request for Proposals, the respondent certifies that the service to be furnished will not infringe upon any valid patent trademark or copyright and a successful respondent shall, at its expense, defend any and all

actions or suits charging such infringement, and will save the TOWNSHIP harmless in any case of any such infringement.

- H. Any Proposer who wishes to challenge a specification shall file such challenge in writing with the Mount Holly Township Clerk, no less than three (3) business days prior to the Proposal Due Date.

Challenges filed after that time shall be considered void and having no impact on the TOWNSHIP or the award of the contract.

- I. No respondent shall influence, or attempt to influence, or cause to be influenced, any TOWNSHIP officer or employee to use his/her official capacity in any manner which might tend to impair the objectivity or independence of judgment of said officer or employee.
- J. No respondent shall cause or influence, or attempt to cause or influence, any TOWNSHIP officer or employee to use his/her official capacity to secure unwarranted privileges or advantages for the respondent or any other person.
- K. Should any difference arise between the contracting parties as to the meaning or intent of these instructions or specifications, the Township Counsel's decision shall be final and conclusive.
- L. All costs incurred by the respondent in connection with responding to this RFP shall be borne solely by the respondent. The TOWNSHIP OF MOUNT HOLLY shall not be responsible for any expenditure of monies or other expenses incurred by the respondent.
- M. The checklist, affidavits, notices and the like presented at the end of this RFP are a part of this RFP and shall be completed and submitted as part of a Request for Proposal
- N. All Request for Proposals shall become the property of the TOWNSHIP and will not be returned.
- O. All requests for information or clarifications must be submitted in writing to the Mount Holly Township Office of the Township Clerk via email nmuller@twp.mountholly.nj.us by **August 8, 2018**. Oral explanations in regard to the meaning of these specifications will not be made, nor will oral instructions be given before the award of the contract. No employee of the Township of Mount Holly is authorized to give interpretations of any portions of the RFP or to provide information as to the requirements of the RFP. Any subsequent clarification or explanation by the Township will be issued pursuant to a written addendum.
- P. All Request for Proposals will be made available to the public at the appropriate time, as determined by the TOWNSHIP (in the exercise of its sole and absolute discretion) and in accordance with law.

- Q.** The TOWNSHIP may request respondents to send representatives to the TOWNSHIP for interviews with less than 24 hours advance notice.
- R.** Neither the TOWNSHIP, nor its respective staffs, consultants or advisors (including, but not limited to, the review team) shall be liable for any claims or damages resulting from the solicitation or preparation of the Request for Proposals, nor will there be any reimbursement to respondents for the cost of preparing and submitting a Request for Proposals or for participating in this procurement process.
- S.** The responded shall provide a reference list of past contracts which shall include the location, contact person, as well as a contact telephone number and email.
- T.** The Township is not responsible for lost, misdirected proposals, or proposals that do not arrive on time.

END OF GENERAL INSTRUCTIONS

OPERATIONAL INSTRUCTIONS

The proposed contract is for engineering and/or architectural services required to upgrade deficient infrastructure within a one block portion of the municipally-owned section of High Street. The reconstruction of the roadways, installing ADA-compliant infrastructure, and replacing sidewalks, curbing and pedestrian lighting are the primary activities of the proposed project. Respondents must demonstrate that they satisfy all requirements and will have the continuing capabilities to perform this service. The contractor agrees to fully indemnify the TOWNSHIP for any liability relating to the engineering of the property(ies).

- A. The project will include construction of the above located at High Street, between the roads of (Rancocas and Washington Street) and (Garden and Mill). The project shall include reconstruction of the roadways, installing ADA-compliant infrastructure, and replacing sidewalks, curbing and pedestrian lighting are the primary activities of the proposed project. The selected firm will provide the following:
- B. Design Development Phase. The Engineer shall provide the design, drawings, specifications, bid ready documents, contract forms and estimated project budget summary. The documents will also consist of drawings, plans, elevations, construction details and layout of various pieces of redesign.
- C. Governmental requirements/permitting. Any and all requirements of local, county, state and federal governments, including addressing any required permitting;
- D. Bidding. Prepare and advertise the Notice to bidders, prepare a sufficient number of the bidding documents available to prospective bidders, maintain a distribution and retrieval log and the deposit amounts, organize and conduct a pre-bid conference for bidders, prepare responses to questions from prospective bidders and prepare clarifications, prepare any requests for substitutions, and distribute addenda prior to the bid opening date.

END OF OPERATIONAL INSTRUCTIONS

BASIS OF AWARD

A contract, if any, shall be awarded based upon the following factors:

EVALUATION FACTORS

- A. Relevance and Extent of Qualifications, Experience, Reputation And Training of Personnel to be assigned**
- B. Relevance and Extent of Similar projects performed by the respondent**
- C. Whether the proposal of the respondent contains all required information**
- D. Whether the respondent has the necessary equipment/vehicles and personnel to perform the project.**
- E. Whether the respondent has required operational licenses/certifications to perform the project.**
- F. Whether the proposal is responsive and demonstrates a clear understanding of the project.**
- G. Whether past performance of the respondent's methodology has been documented.**
- H. Whether the respondent submitted a project management plan.**
- I. The quality and nature of the respondent's history and experience as a contractor.**
- J. The respondent's record of on-time and on-budget contract performance.**
- K. The respondent's record of moral integrity.**
- L. The qualifications of the respondent's in-house personnel or outside contractors.**
- M. Reasonableness of Cost Proposal compared to similar proposals.**
- N. Whether the respondent has provided a complete explanation of all cost factors.**

O. Whether the respondent has demonstrated suitable financial resources to perform the contract work.

**REQUEST FOR PROPOSAL FOR
HIGH STREET RECONSTRUCTION ENGINEERING AND/OR ARCHITECTURAL
SERVICES FOR THE TOWNSHIP OF MOUNT HOLLY**

PROPOSAL

TOWNSHIP OF MOUNT HOLLY

The undersigned declares that he has carefully examined the Instructions to Bidders, General Conditions, General Requirements, Specifications, entitled and has fully investigated to his satisfaction the site of the work and that he will provide all the necessary materials, labor, tools and equipment and all else necessary therefore and incidental thereto, complete in place for the prices hereinafter quoted.

It is understood that the quantities stated in this BID PROPOSAL FORM for the various items are estimates only and may be increased or decreased to any amount, unless otherwise provided for in the Specification.

The undersigned acknowledges receipt of the following Addendums:

ADDENDUM NUMBER

DATE

Request for Proposals **CHECKLIST**

THIS CHECKLIST MUST BE COMPLETED, INITIALED, SIGNED AND SUBMITTED WITH YOUR PROPOSAL. A PROPOSAL SUBMITTED WITHOUT THE FOLLOWING DOCUMENTS IS CAUSE FOR REFUSAL.

INITIAL BELOW

- A. One original and two (2) signed copies of your complete proposal _____
- B. Non-Collusion Affidavit properly notarized _____
- C. Owners Disclosure Statement, properly notarized, listing the names of all persons owning ten (10%) percent or more of the proposing entity _____
- D. Authorized signatures on all forms _____
- E. Business Registration Certificate(s) _____
- F. Disclosure Statement _____
- G. Affirmative Action Statement _____
- H. Addendum Notice _____
- I. Vehicle and Equipment List _____
- J. Statement of Bidders Responsibility _____
- K. Record of Recent Contract Awards _____
- L. List of References from prior contracts _____

Note: N.J.S.A. 52:32-44 provides that the TOWNSHIP shall not enter into a contract for goods or services unless the other party to the contract provides a copy of its Business Registration Certificate and the Business Registration Certificate of any subcontractors at the time that it submits its proposal. The contracting party must also collect the state use tax where applicable.

THE UNDERSIGNED HEREBY ACKNOWLEDGES
THE ABOVE LISTED REQUIREMENTS

NAME OF RESPONDENT:

Person, Firm or Corporation

BY: (NAME)

(TITLE)

EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
N.J.S.A. 10:5-31 et seq. N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICES 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 or sex. Except with respect to affectional or sexual orientation, 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 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 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 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 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
Approved 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 and EEO as may be requested by the Division 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**.

NEW JERSEY BUSINESS REGISTRATION REQUIREMENTS

The contractor shall 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 shall submit an accurate list and the proof of business registration of each subcontractor or supplier used in the fulfillment of the contract, or shall 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)] shall collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act on all sales of 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, shall 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.

Name of Firm or Individual _____ Title _____

Signature _____ Date _____

Subscribed and sworn to before me this

_____ day of _____, 20____

Notary **Public** of _____

My Commission expires _____, 20____.

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY)
)ss:
COUNTY OF _____)

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

I am _____ of the firm of _____, the Respondent submitting the Qualification Statement, and that I executed the said Qualification Statement with full authority so to do; and that said respondent 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 Qualification Statement; and that all statements contained in said Qualification Statement and in this Affidavit are true and correct, and made with full knowledge that the State of New Jersey relies upon the truth of the statements contained in said Qualification Statement and in the statements contained in this Affidavit in awarding any contract for the named services.

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

_____(N.J.S.A. 52:34-15)

(Also type or print name of Affiant under signature)

Subscribed and sworn to before me this _____ day of _____, 201_.

A Notary Public of _____

My Commission Expires: _____

BUSINESS ENTITY DISCLOSURE CERTIFICATION

Required Pursuant To N.J.S.A. 19:44A-20.8

TOWNSHIP OF MOUNT HOLLY

Part I – Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that the _____ has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding (*date of award scheduled for approval of the contract by the governing body*) to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the *Governing Body* as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

Part II – Ownership Disclosure Certification

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

Check the box that represents the type of business entity:

- Partnership
 Corporation
 Sole Proprietorship
 Subchapter S Corporation
 Limited Partnership
 Limited Liability Corporation
 Limited Liability Partnership

Name of Stock or Shareholder	Home Address

Part 3 – Signature and Attestation:

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: _____

Signature of Affiant: _____ Title: _____

Printed Name of Affiant : _____ Date: _____

Subscribed and sworn before me this ___ day of _____, 2____.	_____
My Commission expires:	(Witnessed or attested by)

	(Seal)

BUSINESS ENTITY DISCLOSURE CERTIFICATION

Required Pursuant To N.J.S.A. 19:44A-20.8

TOWNSHIP OF MOUNT HOLLY

The following is statutory text related to the terms and citations used in the Business Entity Disclosure Certification form.

“Local Unit Pay-To-Play Law” (P.L. 2004, c.19, as amended by P.L. 2005, c.51)

19:44A-20.6 Certain contributions deemed as contributions by business entity.

5. When a business entity is a natural person, a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity.

19:44A-20.7 Definitions relative to certain campaign contributions.

6. As used in sections 2 through 12 of this act:

“business entity” means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other state or foreign jurisdiction;

“interest” means the 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, as appropriate;

Temporary and Executing

12. Nothing contained in this act shall be construed as affecting the eligibility of any business entity to perform a public contract because that entity made a contribution to any committee during the one-year period immediately preceding the effective date of this act.

~~~~~  
**The New Jersey Campaign Contributions and Expenditures Reporting Act (N.J.S.A. 19:44A-1 et seq.)**

**19:44A-3 Definitions.** In pertinent part...

p. The term "political party committee" means the State committee of a political party, as organized pursuant to R.S.19:5-4, any county committee of a political party, as organized pursuant to R.S.19:5-3, or any municipal committee of a political party, as organized pursuant to R.S.19:5-2.

q. The term "candidate committee" means a committee established pursuant to subsection a. of section 9 of P.L.1973, c.83 (C.19:44A-9) for the purpose of receiving contributions and making expenditures.

r. the term "joint candidates committee" means a committee established pursuant to subsection a. of section 9 of P.L.1973, c.83 (C.19:44A-9) by at least two candidates for the same elective public offices in the same election in a legislative district, county, municipality or school district, but not more candidates than the total number of the same elective public offices to be filled in that election, for the purpose of receiving contributions and making expenditures. For the purpose of this subsection: ...; the offices of member of the board of chosen freeholders and county executive shall be deemed to be the same elective public offices in a county; and the offices of mayor and member of the municipal governing body shall be deemed to be the same elective public offices in a municipality.

**19:44A-8 and 16 Contributions, expenditures, reports, requirements.**

*While the provisions of this section are too extensive to reprint here, the following is deemed to be the pertinent part affecting amounts of contributions:*

“The \$300 limit established in this subsection shall remain as stated in this subsection without further adjustment by the commission in the manner prescribed by section 22 of P.L.1993, c.65 (C.19:44A-7.2)

STATEMENT OF BIDDER'S RESPONSIBILITY  
(This Statement must accompany the Bid)

1. Name under which Bidder conducts business:

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2. Business address:

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3. Form of Bidder's business:

- Individual
- Corporation
- Partnership

If Bidder is a joint venture, all questions must be answered by each venturer,

If a corporation, state

Date of incorporation \_\_\_\_\_

State of incorporation \_\_\_\_\_

Address of principal office in New Jersey \_\_\_\_\_

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If a partnership, state

Date of organization \_\_\_\_\_

Is partnership general or limited? \_\_\_\_\_

Names and addresses of general partners:

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4. State the number of years during which the Bidder has engaged in business under the name set forth above:

\_\_\_\_\_

5. If within the last five (5) years the Bidder conducted business under another name, or if the Bidder was the successor to another business within the last five (5) years, state the former name and address and the period during which such business was operated:

Prior name: \_\_\_\_\_

Prior address: \_\_\_\_\_

\_\_\_\_\_

Period of operation: \_\_\_\_\_

6. Has the Bidder or any officer, director or partner thereof been adjudicated bankrupt in the past ten (10) years? \_\_\_\_\_

If so, give full details, including the name and address of such person and present Position with the Bidder:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. List each piece of equipment which is available to the Bidder and intended to be used by the Bidder in the performance of the Contract. State whether the equipment is owned by the Bidder or will be leased, and if to be leased, the name of the lessor.





9. Has the Bidder or any predecessor thereof ever failed to execute a contract awarded To the Bidder or any predecessor?

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Date: \_\_\_\_\_

\_\_\_\_\_ (Name of Bidder)

By: \_\_\_\_\_

\_\_\_\_\_  
(Printed name and title of person signing above)

RECORD OF RECENT CONTRACT AWARDS

Give full information about all of your contracts; whether private or government contracts; whether prime or sub-contracts; whether in progress or awarded but not yet begun; or where you are low Bidder pending formal award of contract.

OWNER      LOCATION      DESCRIPTION      ADJUSTED CONTRACT      DATE OF

AMOUNT COMPLETION

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LIST OF SUB-CONTRACTORS FOR THIS PROJECT

| NAME  | FUNCTION | ADDRESS |
|-------|----------|---------|
| <hr/> | <hr/>    | <hr/>   |
| <hr/> | <hr/>    | <hr/>   |
| <hr/> | <hr/>    | <hr/>   |
| <hr/> | <hr/>    | <hr/>   |
| <hr/> | <hr/>    | <hr/>   |

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

**CONSTRUCTION CONTRACTORS**

All Construction Contractors shall complete and submit an Initial Project Workforce Report Form AA-201 upon notification of award. Proper completion and submission of this report shall

constitute evidence of the contractor's compliance with the regulation. The Contractor also agrees to submit a copy of the Monthly Project Workforce Report Form AA-202 once a month thereafter for the duration of the contract to the NJ Division of Purchase & Property Contract Compliance Audit Unit EEO Monitoring Program, and to the Township of Mount Holly.

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: \_\_\_\_\_

**OWNER DISCLOSURE INFORMATION**

Set forth below are the names and addresses of all owners of 10% or more of the proposing business entity.

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
NAME OF BUSINESS ENTITY

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
Notary Public of

My Commission Expires: \_\_\_\_\_, 20\_\_.

OWNERSHIP STATEMENT

If the undersigned Bidder is a corporation or a partnership, set forth the names and addresses of all stockholders in the corporation who own ten (10%) percent or more of its stock of any class, or the names and addresses of all individual partners of the partnership who own a (10%) percent or greater interest therein. If any stockholder or partner is itself a corporation or partnership, the stockholders holding ten (10%) percent or more of the corporation's stock, or the individual partners owning a ten (10%) percent or greater interest in that partnership, as the case may be, shall also be listed. The disclosure shall be continued until the names and addresses of every non-corporate stockholder and individual partner exceeding the ten (10%) percent ownership criteria has been listed. This information is required to be furnished by the provisions of Chapter 33 of the New Jersey Public Laws of 1977. Attach additional sheets if necessary.

NAME

ADDRESS

|       |       |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

DATED: \_\_\_\_\_

\_\_\_\_\_  
(Bidder's Firm Name)

\_\_\_\_\_ (Seal)  
(Authorized Signature)

\_\_\_\_\_  
(Name and Title)

**DISCLOSURE STATEMENT**

(To be submitted with Qualification Statement)

- (a) Is or was anyone in your firm or company a member of the TOWNSHIP governing body within the last calendar year or a member of his/her immediate family? If yes, then provide the name of the individual below and his/her relationship.

Yes\_\_\_

No\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Position

\_\_\_\_\_  
Relationship

- (b) Has any principal/partner of your firm been convicted of an indictable offense? If yes, then please Provide further explanation and copies of any relative documents.

Yes\_\_\_

No\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Position

\_\_\_\_\_  
Relationship

- (c) Has any individual who would provide service under this contract ever been sanctioned by the appropriate licensing board?

Yes\_\_\_

No\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Position

\_\_\_\_\_  
Term

- (d) Has the firm been found liable for professional malpractice in the last 5 years?

Yes\_\_\_

No\_\_\_

Reason for Action:

- (e) Has any member of your firm ever been barred from doing business with any state, TOWNSHIP or municipal government? If yes, then please provide further written explanation including date and copies of relevant documentation.

Yes\_\_\_

No\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
State, County or  
Municipality

\_\_\_\_\_  
Date

(f) Has your firm sued the TOWNSHIP OF MOUNT HOLLY in the past five (5) years? If yes, then please identify the matter/case and provide further written explanation including date and copies of relevant documents.

Yes\_\_\_

No\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

By\_\_\_\_\_

Title\_\_\_\_\_

#326043



It is understood that a certain amount of money will be available for the work proposed and that the actual work to be performed and may be increased or decreased to bring the cost of work within the amount available.

It is further understood that the prices herein bid, and the lump sum stated above are to remain firm for a period of sixty (60) days from the date of the bid opening in accordance with the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-24 until awarded.

The undersigned bidder acknowledges the presence of a bid guarantee, consent of surety, power of attorney, statement of ownership/stockholder disclosure, subcontractor listing, and copies of valid business registrations for prime and subcontractors.

Accompanying this Proposal is a Cashiers Check, Certified Check or Bid Bond payable to the Township of Mount Holly, New Jersey in the sum of \$ 500.00 \_\_\_\_\_ which the undersigned agrees to be forfeited as liquidated damages, and not as a penalty, if the Contract is awarded to the undersigned and the undersigned shall fail to execute the Contract for the project. Otherwise, the check or bid bond will be returned to the undersigned.

Has the undersigned bidder, or has any person, firm, corporation or partnership having an interest in the undersigned bidder, ever been listed or barred from the performance of public work by any department or agency, of the State of New Jersey by reason of the violation of any law, rule or regulation of the State?

No \_\_\_\_\_ Yes \_\_\_\_\_

If yes, state full details including the dates of all occurrences

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The undersigned bidder is [ ] an Individual; [ ] any form of Corporation; [ ] any Partnership (check one) in the State of \_\_\_\_\_. If a Corporation or Partnership, give exact name of firm, as well as the full name of the Officer or Partner authorized to sign for it. Bidder's address, telephone number, and facsimile number shall be provided for purposes of receiving telephone and/or facsimile communications in connection with the performance of the Contract and NJSA 40A:11-23.

\_\_\_\_\_  
Bidder's Name

\_\_\_\_\_  
Authorized Signature and Title

\_\_\_\_\_  
Bidder's Business Address

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Facsimile Number

\_\_\_\_\_  
Date