TOWNSHIP OF HOWELL
COUNTY OF MONMOUTH
STATE OF NEW JERSEY

PROFESSIONAL SERVICES SOLICITATION

FAIR & OPEN PUBLIC SOLICITATION PROCESS
PURSUANT TO N.J.S.A. 19:44A-20.5 et seq. & TOWNSHIP ORDINANCE NUMBERS 0-05-20 & 0-05-27

PROFESSIONAL SERVICE: 2015 – CONFLICT PUBLIC DEFENDER

PUBLIC OPENING OF SUBMISSIONS: DECEMBER 24, 2014 – WEDNESDAY - 11:00 AM

TOWNSHIP COUNCIL
MAYOR WILLIAM J. GOTTO
DEPUTY MAYOR ROBERT NICA Castro
COUNCILMAN EDWARD GUZ
COUNCILWOMAN PAULINE SMITH
COUNCILMAN ROBERT F. WALSH

JEFFREY FILIATREAUlT – TOWNSHIP MANAGER/CFO
PENNY A. WOLLMAN – TOWNSHIP CLERK
MCKENNA TORCIVIA, ESQ. – TOWNSHIP ATTORNEY
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PUBLIC NOTICE
FOR THE SOLICITATION OF PROFESSIONAL SERVICE CONTRACTS FOR THE YEAR 2015

NOTICE IS HEREBY GIVEN that sealed submissions will be received by the Township Manager, or designated representative, for the Township of Howell, County of Monmouth, State of New Jersey on Wednesday, December 24, 2014, 11:00 A.M. prevailing time, in the Finance/Purchasing Conference Room, Township of Howell Municipal Building, 4567 Route 9 North, 2nd Floor, Howell, NJ 07731 then publicly opened and read aloud for the following:

Conflict Public Defender
Conflict Municipal Prosecutor

Standardized submission requirements and selection criteria are on file and available in the Purchasing Office (732) 938-4500 extensions 2130 during regular business hours, 8:30 AM to 4:30 PM, Monday through Friday, excluding holidays and is also available on our website: www.twp.howell.nj.us. Addenda will be posted on the Township website.

All professional service contractors are required to comply with the requirements of N.J.S.A. 52:32-44 (Business Registration of Public Contractors), N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. (Contract Compliance and Equal Employment Opportunities in Public Contracts). Submissions by Corporations and Partnerships shall include a completed Disclosure of Ownership form (N.J.S.A. 52:25-24.2) and shall include a completed Non-Collusion Affidavit.

The Township Council reserves the right to reject any or all submissions due to any defects or waive informalities and accept any submissions that in their judgment will be in the best interest of the Township. The Township Council shall award the contract or reject all submissions no later than 60 days from receipt of same.

By authorization of the Township Manager, of the Township of Howell, Monmouth County, New Jersey.

Jeffrey Filiatreault – Township Manager/CFO

Dated: December 12, 2014
TOWNSHIP OF HOWELL

PUBLIC NOTICE FOR THE SOLICITATION OF A PROFESSIONAL SERVICE CONTRACT

SCOPE OF WORK

The following is a description of the professional services needed, including, where appropriate, a description of tasks involved:

**Conflict Municipal Prosecutor**

The Municipal Prosecutor shall be an attorney at law of New Jersey and shall provide all necessary and desirable legal counsel and advice requested for the prosecution of cases before the Municipal Court of the Township, and shall conduct the prosecution if and when the designated Municipal Prosecutor has a conflict of interest rendering him or her unable to prosecute the case, of such cases except such crimes and offenses as it may be the duty of the county or state officer to prosecute.
1B.1 RECEIPT AND OPENING OF SUBMISSIONS

1B.1.1 OWNER AND PROJECT

The Township of Howell, Monmouth County, New Jersey (hereinafter called the "OWNER") invites submissions for the service(s) mentioned in the Public Notice for Solicitation.

1B.1.2 TIME AND PLACE OF SUBMISSION OPENINGS

Township Manager and/or his designated representative will receive submissions at the time and place mentioned in the Public Notice for Solicitation, and at such time and place will be publicly opened and read aloud.

1B.1.3 SUBMISSIONS NOT IN COMPLIANCE

The OWNER may waive any informality or reject any and/or all submissions, in accordance with the *Fair and Open Public Solicitation Process for Professional Service(s)* pursuant to Township of Howell Ordinance Numbers 0-05-20 and 0-05-27.

1B.1.4 WITHDRAWING SUBMISSIONS

Submissions forwarded to the Township Manager and/or his designated representative before the time of opening of submissions may be withdrawn upon written application of the professional services entity who shall be required to produce evidence showing that they are or they represents the principal or principals involved in the submission. Submissions may not be withdrawn within twenty-four (24) hours of the stipulated time of opening of submissions (Saturday, Sunday and Holidays excluded). Once submissions have been opened, they must remain firm for a period of sixty (60) days.

1B.2 QUALIFICATIONS OF PROFESSIONAL SERVICES ENTITIES

1B.2.1 INDIVIDUALS PERFORMING TASKS

Name and roles of the individuals who will perform the tasks and descriptions of their education and experience similar to the services contained herein.

1B.2.2 PAST PERFORMANCE

Documented past performance of same and/or similar service.

1B.2.3 REFERENCES

References and record of success of same or similar service.

1B.2.4 DESCRIPTION OF ABILITIES

Description of ability to provide the services in a timely fashion (including staffing, familiarity and location of key staff).
1B.2.5 COST DETAILS

If applicable, cost details including the hourly rates of each of the individuals who will be performing services, and all expenses.

1B.2.6 TECHNICAL PROCESS AND EQUIPMENT

Description of technical process and equipment used in performing the task(s).

1B.3 PREPARATION OF SUBMISSIONS

1B.3.1 COMPLETION OF SUBMISSIONS

Each submission must be provided on a Standardized Submission Form as supplied in the submission package and signed by the professional services entity or principal thereof and shall contain the name, address, and telephone number of the professional services entity. All prices and amounts must be written in ink or preferably typewritten. Each signatory to the submission must initial all erasures or corrections. Each submission, including all copies and CD (if requested), shall be contained in a sealed envelope using the label supplied with this submission package. If using a courier or mail service, the submission is to be clearly marked “Sealed Submission Enclosed” and must be delivered at the place and time required or mailed so as to be received prior to the opening time set in the advertisement. Submissions received after the hour herein named, or in unsealed envelopes, shall not be considered. A label has been provided for your use at the end of this document.

The Owner will not be responsible for submissions forwarded through the U.S. Mail or any delivery service if lost in transit at any time before submission opening, or if hand-delivered to incorrect location.

The submission shall be accompanied by all forms listed in the Checklist and be completed in their entirety.

1B.3.2 ERRORS IN SUBMISSIONS

If applicable, in the event there is a discrepancy between the unit prices and the extended totals, the unit prices shall govern or if between the correct sums of the extended totals and the total submission submitted, the correct sum shall govern. Amounts written in words shall govern over the amounts written in numerals.

1B.4 TIME FOR AWARD OF CONTRACT

The contracting unit shall award the contract or reject all submissions within such time as may be specified in the invitation for submission, but in no case more than 60 days, except that the submissions of any professional services entities who consent thereto may, at the request of the contracting unit, be held for consideration for such longer period as may be agreed.

The award of the Contract for this service will not be made unless the Township's Chief Financial Officer has certified the necessary funds in a lawful manner.

1B.5 MODIFICATIONS OF SUBMISSIONS

Any professional services entity may modify his submission by mail, courier or hand delivery at any time prior to the scheduled closing time for receipt of submissions. The OWNER, prior to the closing time, must receive such communication. The communication should not reveal the submission price but should provide the addition to or subtraction from or other modification so that the OWNER will not know the final price(s) or term(s) until the sealed submission is opened.
1B.6 REJECTION OF SUBMISSIONS

1B.6.1 MULTIPLE SUBMISSIONS NOT ALLOWED

More than one submission from an individual, a firm or partnership, a corporation or association of principals under the same or different names shall not be considered.

1B.6.2 UNBALANCED SUBMISSIONS

Submissions, which are obviously unbalanced, may be rejected at the option of the Township of Howell.

1B.6.3 RIGHT TO REJECT SUBMISSIONS

The right is reserved to reject any or all submissions in whole or in part if not in compliance with the standardized submission requirements.

1B.6.4 METHOD OF AWARD OF SUBMISSIONS

The right is reserved by the Township of Howell to award submissions on a “service by service” basis, “per project” basis, in part or in whole as determined by the Township of Howell.

1B.6.5 RIGHT TO WAIVE INFORMALITIES RESERVED

The owner expressly reserves the right to waive any informality in any submission, and to accept the submission, which in the Township of Howell’s judgment serves its best interests.

1B.7 PROFESSIONAL SERVICES ENTITY REFERRED TO LAWS

The attention of the professional services entity is especially directed to the provisions of Federal, State, County and Local Government statutes and regulations that may apply to the work.

1B.8 PAYMENT

Checks are processed by the Township of Howell’s Finance Department approximately on the 15th and 30th day of each month. It is necessary that the approved signed vouchers be accompanied by an invoice and be submitted in advance of these dates.

NO MINIMUM PAYMENT IS IMPLIED OR GUARANTEED.

1B.9 TRANSITIONAL PERIOD

In the event that a new contract has not been awarded prior to the contract expiration date, it shall be incumbent upon the professional services entity to continue the contract under the same terms and conditions until a new contract(s) can be completely operational. At no time shall this transition period extend more than ninety (90) days beyond the expiration date of the contract.

1B.10 FACSIMILE DOCUMENTS PROVIDED IN A SUBMISSION

Under no circumstances, on submission documents requiring authorized signatures, will the Township of Howell accept documents provided through facsimile machines.
1B.11 CONTRACT COMPLIANCE AND EQUAL EMPLOYMENT OPPORTUNITY IN PUBLIC CONTRACTS

Professional services entities are required to comply with the requirements of **N.J.S.A. 10:5-31 et seq.** and **N.J.A.C. 17:27 et seq.**

1B.12 GENERAL REQUIREMENTS/INFORMATION

The professional services entity shall guarantee any or all material and services supplied under these specifications. Defective or inferior items shall be replaced at the expense of the professional services entity.

It is understood by the professional services entity that this submission is provided on the basis of standardized submission requirements prepared by Township of Howell and the fact that any professional services entity is not familiar with these standardized submission requirements or conditions will not be accepted as an excuse.

1B.13 PROFESSIONAL DISCLOSURE

The professional services entity shall disclose any ownership in any firm for a product or service that they are recommending.

1B.14 CANCELLATION OF CONTRACT/AGREEMENT

Township of Howell reserves the right to cancel any contract entered into upon thirty (30) days advance written notice.

1B.15 CONTRACT TERM

Pursuant to **N.J.S.A. 40A:11-3(b)**, "contracts for professional services pursuant to subparagraph (i) of paragraph (a) subsection (1) of section 5 of P.L. 1971, c.198 (N.J.S.A. 40A:11-5) may be awarded for a period not exceeding twelve (12) consecutive months".

1B.16 ADMINISTRATION OF PUBLIC RECORDS

Records received, retained, retrieved, or transmitted under the terms of this contract may constitute public records of the Townships of Howell as defined by **N.J.S.A. 47.3-16**, and are legal property of the Townships of Howell. The vendor(s) named in this contract must agree to administer and dispose of such records in compliance with the State's public records laws and associated administrative rules.

The Secretary of State and the Commissioner of Community Affairs recognize that earlier privatization contracts may need to be revisited for consistency with these guidelines. Those contracts shall be reviewed by the originating local governmental unit and DARM to determine if a public records provision should be incorporated and/or modified. Where appropriate, the local governmental units shall attempt to negotiate with the vendor a revision to the contract to ensure proper and uninterrupted maintenance of crucial public records.

For assistance with interpreting and applying the State's laws, standards, rules and regulations for public records administration, contract vendors of privatized services are referred to the Division of Archives and Records Management, Department of State, which offers guidance with records and information.
management, systems life cycle analysis and program development, imaging, storage, and archival services. Contact:

Director
Division of Archives and Records Management
2300 Stuyvesant Avenue
CN 307
Trenton, New Jersey 08625-0307
609-530-3200

1B.17 DISCLOSURE OF CONTRIBUTIONS TO NJ ELECTION LAW ENFORCEMENT COMMISSION (ELEC)

Starting in January 2007, all business entities are advised of their responsibility to file an annual disclosure statement of political contributions with the New Jersey Election Law Enforcement Commission (ELEC) pursuant to N.J.S.A. 19:44A-20.27 if they receive contracts in excess of $50,000 from public entities in a calendar year. Business entities are responsible for determining if filing is necessary. Additional information on this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us.
EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

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

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

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

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

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

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

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

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.
In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

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

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

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

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

From 12/11 Guidelines for Administering EEO in Public Contracts
TOWNSHIP OF HOWELL

AMERICANS WITH DISABILITIES ACT OF 1990
EQUAL OPPORTUNITY FOR INDIVIDUALS WITH DISABILITY

The CONTRACTOR and the TOWNSHIP OF HOWELL (herein referred to as the Township) do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") (42 U.S.C. S12101 et seg.), 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 thereunto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the TOWNSHIP pursuant to this contract, the CONTRACTOR agrees that the performance shall be in strict compliance with the Act. In the event the CONTRACTOR, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the CONTRACTOR shall defend the TOWNSHIP in any action or administrative proceeding commenced pursuant to this Act. The CONTRACTOR shall indemnify, protect, and save harmless the TOWNSHIP, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The CONTRACTOR shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the TOWNSHIP’S grievance procedure, the CONTRACTOR agrees to abide by any decision of the TOWNSHIP, which is rendered pursuant to, said grievance procedure. If any action or administrative proceeding results in an award of damages against the TOWNSHIP or if the TOWNSHIP incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the CONTRACTOR shall satisfy and discharge the same at its own expense.

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

It is expressly agreed and understood that any approval by the TOWNSHIP 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 TOWNSHIP pursuant to this paragraph.

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

STANDARDIZED SUBMISSION REQUIREMENTS & SELECTION CRITERIA
(FAIR & OPEN PUBLIC SOLICITATION PROCESS FOR PROFESSIONAL SERVICES)

The Township of Howell is seeking sealed submissions in response to a Public Notice for the Solicitation of a Professional Service Contract.

The standardized submission requirements shall include:

1. Names and roles of the individuals who will perform the services/tasks and descriptions of their experience with projects similar to the services contained herein including their education, degrees and certifications.
2. References and record of success of same or similar service.
3. Description of ability to provide the services in a timely fashion (including staffing, familiarity and location of key staff).
4. Cost details; including the hourly rates of each of the individuals who will perform services and time estimates for each individual, all expenses and total cost of "not to exceed" amount.

The selection criteria to be used in awarding contracts shall include:

1. Qualifications of the individuals who will perform the services/tasks and the amounts of their respective participation.
2. Experience and references.
3. Ability to perform the services/tasks in a timely fashion, including staffing and familiarity with the subject matter.
4. Cost consideration - including, but not limited to, historical costs for similar professional services, expertise involved and comparable costs for comparable public entities.

Please Note this Additional Requirement:

Professional services entities shall submit one (1) original (clearly mark the original copy) and one (1) copy of their sealed submission, on the date of the public opening and reading.

Additional requirement:
One CD (PDF format file) of the sealed submission is to be attached to the original sealed submission. Please label the CD with the name of the company submitting the proposal and the position title.
TOWNSHIP OF HOWELL
CHECKLIST

The following items, as indicated below (X), shall be provided with the receipt of sealed submissions:

1. Non-Collusion Affidavit ............................................................................................................. X
2. Disclosure of Ownership Form .................................................................................................. X
3. Insurance Requirement Acknowledgement Form ................................................................. X
5. Copy of your Business Registration Certificate as issued by the State of New Jersey, Department of Treasury, Division of Revenue (Strongly suggested that this be submitted with submission) ......................................................................................................................... X
6. Professional Service Entity Information Form ........................................................................ X
7. Submission Form ..................................................................................................................... X
8. Acknowledgement of Corrections, Additions or Deletions Form ............................................ X
9. Acknowledgement of Receipt of Addenda ............................................................................. X
10. Vendor Documentation Retention ....................................................................................... X
11. Disclosure of Investment Activities in Iran ............................................................................ X

Reminder
Please submit one (1) original, one (1) copy and a labeled (with your name & the title of submission) CD-PDF Format File (attached to the original) of the sealed submission.
TOWNSHIP OF HOWELL  
NON-COLLUSION AFFIDAVIT  

State of New Jersey  
County of _________________ ss:  

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

I am _____________________________________ of the firm of _________________________  
(Title or position)  
(Name of firm)  
_____________________________________, the bidder making this Proposal for the RFP  
entitled __________________________________________________________________________,  

and that I executed the said proposal with full authority to do so that said bidder has not, directly or indirectly  
entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free,  
competitive bidding in connection with the above named project; and that all statements contained in said  
proposal and in this affidavit are true and correct,  

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  
_________________________________________________.  
(Name of Business Entity)  

Subscribed and sworn to  

before me this day  

___________________________  
Signature  

___________________________, 20_________  
(Type or print name under signature)  

Notary public of  

My Commission expires ________________  

(Seal)
TOWNSHIP OF HOWELL

DISCLOSURE OF OWNERSHIP FORM

N.J.S.A. 52:25-24.2 reads in part that “no corporation or partnership shall be awarded any contract by the State, County, Municipality or School District, or any subsidiary or agency thereof, unless prior to the receipt of the submission of the corporation or partnership, there is provided to the public contracting unit a statement setting forth the names and addresses of all individual who own 10% or more of the stock or interest in the corporation or partnership”.

1. If the professional service entity is a partnership, then the statement shall set forth the names and addresses of all partners who own a 10% or greater interest in the partnership.

2. If the professional service entity is a corporation, then the statement shall set forth the names and addresses of all stockholders in the corporation who own 10% or more of its stock of any class.

3. If a corporation owns all or part of the stock of the corporation or partnership providing the submission, then the statement shall include a list of the stockholders who own 10% or more of the stock of any class of that corporation.

4. If the professional service entity is other than a corporation or partnership, the contractor shall indicate the form of corporate ownership as listed below.

COMPLETE ONE OF THE FOLLOWING STATEMENTS:

I. Stockholders or Partners owning 10% or more of the company providing the submission:

NAME: ___________________________ ADDRESS: ___________________________
_____________________________________________________________________________________________
_____________________________________________________________________________________________
_____________________________________________________________________________________________
_____________________________________________________________________________________________
SIGNATURE: ___________________ DATE: _________________________

II. No Stockholder or Partner owns 10% or more of the company providing this submission:

SIGNATURE: ___________________ DATE: _________________________

III. Submission is being provided by an individual who operates as a sole proprietorship:

SIGNATURE: ___________________ DATE: _________________________

IV. Submission is being provided by a corporation or partnership that operates as a (check one of the following):

_____ Limited Partnership       _____ Limited Liability Corporation

_____ Limited Liability Partnership  _____ Subchapter S Corporation

SIGNATURE: ___________________ DATE: _________________________
TOWNSHIP OF HOWELL

INSURANCE REQUIREMENTS AND ACKNOWLEDGEMENT FORM

Certificate(s) of Insurance shall be filed with the Township’s Clerk’s Office upon award of contract by the Township Council.

The minimum amount of insurance to be carried by the Professional Service Entity shall be as follows:

A. **Commercial General Liability (CGL)**
   1. CGL with limits of insurance of not less than $1,000,000 Each Occurrence, $2,000,000 Products - Completed Operations Aggregate, $1,000,000 Personal & Advertising Injury, and $2,000,000 General Annual Aggregate.
   2. CGL coverage shall be written on a current version of ISO Occurrence Commercial General Liability Coverage form CG 00 01 or a form providing equivalent coverage and shall cover liability arising from premises, ongoing operations, independent contractors, products-completed operations, and personal and advertising injury.
   3. The Owner and all other parties required by the Owner, shall be named as additional insureds on the CGL coverage part using Additional Insured - Owners, Lessees or Contractors CG 20 10, Additional Insured - Owners, Lessees or Contractors - Completed Operations CG 20 37, or endorsements providing equivalent coverage to the additional insureds. Coverage for the additional insureds shall be as broad as the coverage provided for the named insured Professional Service Entity. It shall apply as primary and non-contributory insurance before any other insurance or self-insurance, including any deductible, maintained by, or provided to, the additional insured.
   4. The Professional Service Entity shall maintain CGL coverage for itself and all additional insureds for the duration of the contract.

B. **Automobile Liability**
   1. Business Auto Liability with limits of at least $1,000,000 each accident.
   2. Business Auto coverage must include coverage for liability arising out of all owned, leased, hired and non-owned automobiles.

C. **Commercial Umbrella**
   1. Umbrella limits must be at least $1,000,000 and must provide coverage over all underlying policies.
   2. Umbrella coverage must include as additional insureds all entities that are additional insureds on the CGL.

D. **Workers Compensation and Employers Liability**
   1. Coverage A- Statutory
   2. Coverage B - Employers Liability Insurance limits of at least $1,000,000 each accident for bodily injury by accident, $1,000,000 each employee for injury by disease and $1,000,000 for total policy bodily injury by disease.
   3. Where applicable, U.S. Longshore and Harborworkers Compensation Act Endorsement shall be attached to the policy.
   4. Where applicable, the Maritime Coverage Endorsement shall be attached to the policy.
E. **Professional Liability Insurance**
Limits shall be a minimum of $1,000,000.00 for each claim and $1,000,000.00 aggregate each policy period.

F. **Waiver of Subrogation (Waiver of Transfer of Rights of Recovery Against Others to Us)**
Professional Service Entity shall waive all rights against Owner and their agents, officers, directors and employees for recovery of damages to the extent these damages are covered by commercial general liability, commercial umbrella liability, business auto liability or workers compensation and employers liability insurance maintained per requirements stated above and where permitted by law.

G. **Certificates of Insurance**
Professional Service Entity shall provide the Owner, prior to commencement of work, valid Certificates of Insurance, and all applicable additional insured endorsements, verifying that the foregoing insurance requirements have been met.

Professional Service Entity understands the terms of this Insurance Requirements Agreement and acknowledges that it is part of any contract or as a standalone Insurance Requirements Agreement.

*Acknowledgement of Insurance Requirement:*

__________________________________________________  __________________________________
(Signature)  (Date)

____________________________________________________________________________________
(Printed Name and Title)
TOWNSHIP OF HOWELL

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY NOTICE
(N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.)

GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS

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

The successful professional service entity shall submit to the Township of Howell, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

(a) A photocopy of a valid letter that the vendor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);

   OR

(b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-1.1 et seq.;

   OR

(c) A photocopy of an Employee Information Report (Form AA302) provided by the Division of Contract Compliance and distributed to the Township of Howell to be completed by the vendor in accordance with N.J.A.C. 17:27-1.1 et seq.

The successful professional service entity may obtain the Employee Information Report (AA302) from the Township of Howell during normal business hours.

The successful professional service entities must submit the white and canary copies of the AA302 (Employee Information Report) to the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (Division). The pink Public Agency copy is submitted to the Township of Howell, and the gold Vendor copy is retained by the professional service entity.

The undersigned professional service entity certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. and agrees to furnish the required forms of evidence.

The undersigned professional service entity further understands that his/her submission shall be rejected as non-responsive if said professional service entity fails to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.

COMPANY: _________________________________________

SIGNATURE: _____________________________________ PRINT NAME: __________________________________

TITLE: __________________________________________ DATE: ______________________________

Township of Howell - 2015 Professionals
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SAMPLE CERTIFICATE OF EMPLOYEE INFORMATION REPORT

This is to certify that the attached report, Town of Howell, is a true and correct copy of an Employee Information Report prepared in accordance with Title 52:24C of the Code of Township Law. This report will remain in effect for the period of time specified.
BUSINESS REGISTRATION CERTIFICATE
ATTENTION ALL PROFESSIONAL SERVICE ENTITIES

On June 29, 2004, Governor McGreevey signed P.L. 2004, c.57, Business Registration of Contractors with Government Agencies, into law. Effective September 1, 2004, all business organizations that do business with a local contracting agency (i.e. Township of Howell) are required to be registered with the State of New Jersey, Department of Treasury, Division of Revenue, and provide proof of that registration to the contracting agency before the contracting agency may enter into a contract with the business.

A “Business Organization” means an individual, partnership, association, joint stock company, trust, corporation or other legal business entity or successor thereof.

Further information may be obtained by visiting the following web site at the State of New Jersey: www.nj.gov/treasury/revenue/busregcert.htm

Goods & Services Contracts (including purchase orders):  

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

1) The contractor shall provide written notice to its subcontractors and suppliers to submit proof of business registration to the contractor;

2) Prior to receipt of final payment from a contracting agency, a contractor must submit to the contracting agency an accurate list of all subcontractors or attest that none were used;

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

A contractor, subcontractor or supplier who fails to provide proof of business registration or provides false business registration information shall be liable to a penalty of $25 for each day of violation, not to exceed $50,000 for each business registration not properly provided or maintained under a contract with a contracting agency.

The Township of Howell strongly suggests that a copy of the Business Registration Certificate issued by the NJ Department of Treasury, Division of Revenue, be provided at the time submissions are received.
SAMPLE BUSINESS REGISTRATION CERTIFICATE

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE
FOR STATE AGENCY AND CASINO SERVICE CONTRACTORS

TAXPAYER NAME: TAX REG TEST ACCOUNT
TRADE NAME: CLIENT REGISTRATION
TAXPAYER IDENTIFICATION #: 970-097-322-536
ADDRESS: 847 ROEBLING AVE
TRENTON, NJ 08611
ISSUANCE DATE: 07/14/04

Certificate Number: 1093007
Date of Issuance: October 14, 2004

This Certificate is NOT transferable or assignable. It must be conspicuously displayed at above address.

For Office Use Only:
200-1401411283533
TOWNSHIP OF HOWELL

PROFESSIONAL SERVICE ENTITY INFORMATION FORM

If the Professional Service Entity is an **INDIVIDUAL**, sign name and give the following information:

Name:  
Address:  
Telephone No.: ___________________ Social Security No.: ___________________  
Fax No.: ___________________ E-Mail:  

If individual has a **TRADE NAME**, give such trade name:

Trading As: ___________________ Telephone No.: ___________________

If the Professional Service Entity is a **PARTNERSHIP**, give the following information:

Name of Partners:  
Firm Name:  
Address:  
Telephone No.: ___________________ Federal I.D. No.: ___________________  
Fax No.: ___________________ E-Mail:  
Social Security Nos.: ___________________  
Signature of authorized agent: ________________________________________________________________

If the Professional Service Entity is **INCORPORATED**, give the following information:

State under whose laws incorporated: ___________________  
Location of principal office: ___________________  
Telephone No.: ___________________ Federal I.D. No.: ___________________  
Fax No.: ___________________ E-Mail:  
Name of agent in charge of said office upon whom notice may be legally served:  
Telephone No.: ___________________ Name of Corporation: ___________________  
Signature: ___________________ By: ___________________  
Title: ___________________ Address: ___________________
1. Names and roles of the individuals who will perform the services and description of their education and experience with projects similar to the services contained herein including their education, degrees and certifications:

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

2. References and record of success of same or similar service:

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________
3. Description of ability to provide the services in a timely fashion (including staffing, familiarity and location of key staff):


4. Cost details, include the hourly rates (rate schedule) of each of the individuals who will perform services and all expenses for the year 2015:


Firm: _____________________________________________ Date: ________________________________

Authorized Representative (Print): ____________________________________________________________

Signature: ________________________________ Title:______________________________________________

Telephone #: ____________________________ Fax #:: ____________________________________________

Email: ____________________________________________
TOWNSHIP OF HOWELL

ACKNOWLEDGEMENT OF CORRECTIONS, ADDITIONS AND DELETIONS FORM

I, ________________________________________________________________

of the firm _________________________________________________________

hereby acknowledge that any corrections, additions and/or deletions
have been initialed and dated in this Submission Package.

_______________________________________________
(Signature)

_______________________________________________
(Type or Print name of affiant and Title, under signature)

_______________________________________________
(Date)
The undersigned respondent hereby acknowledges that they are aware of the following Addenda which have been posted on the Township of Howell’s website:

Addendum Number: ______________________
Dated: ______________________

Signed: ______________________
Title: ______________________
Printed Name: ______________________
Date: ______________________
Company: ______________________

Signature required ONLY in the case of any addenda actually being issued for this RFP
VENDOR DOCUMENTATION RETENSION
N.J.A.C. 17:44-2.2

THE VENDOR SHALL MAINTAIN ALL DOCUMENTATION RELATED TO PRODUCTS, TRANSACTION OR SERVICES UNDER THIS CONTRACT FOR A PERIOD OF FIVE YEARS FROM THE DATE OF FINAL PAYMENT. SUCH RECORDS SHALL BE MADE AVAILABLE TO THE NEW JERSEY OFFICE OF THE STATE COMPTROLLER UPON REQUEST.

Signature: _____________________________
Print Name: ____________________________
Title: __________________________________
Date: _________________________________
TOWNSHIP OF HOWELL
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

Contract Number: _______________ Bidder/Proposer: ____________________________

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that the person or entity, or one of the person or entity's parents, subsidiaries, or affiliates, is not identified on a list created and maintained by the New Jersey Department of the Treasury as a person or entity engaging in investment activities in Iran. If the Township of Howell finds a person or entity to be in violation of the principles which are the subject of this law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the person or entity.

I certify, pursuant to Public Law 2012, c. 25, that the person or entity listed above for which I am authorized to submit a bid/proposal:

□ is not providing goods or services of $20,000,000 or more in the energy sector of Iran, including a person or entity that provides oil or liquefied natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas, for the energy sector of Iran,

AND

□ is not a financial institution that extends $20,000,000 or more in credit to another person or entity, for 45 days or more, if that person or entity will use the credit to provide goods or services in the energy sector in Iran.

In the event that a person or entity is unable to make the above certification because it or one of its parents, subsidiaries, or affiliates has engaged in the above-referenced activities, a detailed, accurate and precise description of the activities must be provided in part 2 below to the Township of Howell under penalty of perjury. Failure to provide such will result in the bid/proposal being rendered as non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.

PART 2: PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN
You must provide a detailed, accurate and precise description of the activities of the proposer, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below.

Name: __________________________________________ Relationship to Proposer: __________________________

Description of Activities: ____________________________________________________________

Duration of Engagement: __________________ Anticipated Cessation Date: __________________

Proposer Contact Name: __________________________ Contact Phone Number: ____________________

Certification: I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the above-referenced person or entity. I acknowledge that the State of New Jersey and the Township of Howell are relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the State and the Township of Howell to notify the State and the Township of Howell in writing of any changes to the answers to information contained herein. I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my
agreement(s) with the State of New Jersey and the Township of Howell and that the State and the Township of Howell at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print):_________________________________ Signature:______________________________
Title: ___________________________ Date: ________________________________
SEALED SUBMISSION LABEL FOR PROPOSAL

PLEASE CUT OUT THE LABEL BELOW AND TAPE TO FRONT OF SEALED SUBMISSION

**********DO NOT OPEN**********
IMPORTANT-SEALED SUBMISSION ENCLOSED
NAME, COMPANY & ADDRESS:

TO:
TOWNSHIP CLERK
TOWNSHIP OF HOWELL
4567 ROUTE 9 NORTH – 2ND FLOOR
PO BOX 580
HOWELL, NJ 07731

2015 – CONFLICT PUBLIC DEFENDER
RECEIPT OF SEALED RFP – WEDNESDAY DECEMBER 24, 2014 - 11:00 AM
IN THE FINANCE/PURCHASING CONFERENCE ROOM

END