

PUBLIC NOTICE

**TO PROVIDE PROFESSIONAL SERVICES
TO THE TOWNSHIP OF GALLOWAY**

Notice is hereby given pursuant to the provisions of N.J.S.A. 19:44A-20.5 (New Jersey Pay to Play Law) the Township of Galloway, County of Atlantic and State of New Jersey is seeking proposals under a “FAIR and OPEN” process for the following Professional Services for the period of January 1, 2016 through December 31, 2016:

Township Solicitor	Zoning Board Engineer
Conflict Solicitor	Alternate Zoning Board Engineer
Township Engineer	Planning Board Solicitor
Alternate Township Engineer	Alternate Planning Board Solicitor
Township Prosecutor	Zoning Board Solicitor
Alternate Township Prosecutor	Alternate Zoning Board Solicitor
Public Defender	Township Auditor
Labor Counsel	Tax Appeal Attorney
Bond Counsel	Risk Management Consultant
Planning Board Engineer	Township Architect
Alternate Planning Board Engineer	Redevelopment Attorney

A detailed “Request for Proposals” (RFP) packet is on file and available in the Office of the Municipal Clerk, 300 E. Jimmie Leeds Road, Galloway, NJ 08205 and on the Township’s website, www.gtnj.org. Sealed proposals must be received by the Municipal Clerk’s Office no later than 11:00 AM on **Wednesday, December 16, 2015**. All questions must be addressed to Kelli Danieli, Acting Municipal Clerk of the Township of Galloway.

Kelli Danieli
Galloway Township Acting Municipal Clerk
November 18, 2015

**REQUEST FOR PROPOSAL/QUALIFICATIONS
FOR
MUNICIPAL PROFESSIONALS**

**Issued by the
The Township of Galloway**



Advertised in The Press of Atlantic City on November 18, 2015

**Responses Due by:
December 16, 2015
11:00 AM**

**REQUEST FOR PROPOSAL & QUALIFICATIONS (RFP)
FOR
MUNICIPAL PROFESSIONALS**

I. PURPOSE AND INTENT

Through this Request for Proposal & Qualifications (RFP), the Township of Galloway (hereinafter the "Township") seeks to engage a vendor as (position) for the 2016 Township year commencing January 1, 2016 or upon appointment, whichever is later. This contract will be awarded through a fair and open process pursuant to NJSA 19:44A-20.4 et seq.

II. PROPOSAL SUBMISSION

- 1) **One (1) hard copy AND a CD** shall be submitted in a sealed envelope and must be marked with the "NAME OF POSITION" and addressed to:

Kelli Danieli, Acting Township Clerk
Township of Galloway
300 E. Jimmie Leeds Road
Galloway, New Jersey 08205

- 2) **The proposal must be received no later than Wednesday, December 16, 2015 at 11:00 AM prevailing time.**

Faxed proposals will NOT be accepted.

- 3) **Any inquiry concerning this RFP should be directed in writing via e-mail to:**

Kelli Danieli
Acting Township Clerk
Township of Galloway
300 E. Jimmie Leeds Road
Galloway, NJ 08205
Kdanieli@gtnj.org

- 4) All documents/information submitted in response to this solicitation shall be available to the general public as required by the New Jersey Open Public Records Act N.J.S.A. 47:1A-1 et seq. The Township will not be responsible for any costs associated with the oral or written and/or presentation of the proposals. The Township reserves the right to reject any and all proposals, with or without cause, and waive any irregularities or informalities in the proposals. The Township further reserves the right to make such investigations as it deems necessary as to the qualifications of any and all vendors submitting proposals. In the event that all proposals are rejected, the Township reserves the right to re-solicit proposals.

III. GENERAL INFORMATION ON THE TOWNSHIP OF GALLOWAY

- 1) The Township of Galloway operates under the Faulkner Act (Council –Manager) of Government pursuant to NJSA 40A:69A-1 et. seq. The Township is approximately 111 square miles; has a population of 39,000; an annual operating budget of approximately \$24 million; and approximately 180 employees. The Township Council generally meets the second and fourth Tuesdays of each month as well as special meetings on an as-needed basis.
- 2) All the following are contained within the Township’s 111 square miles:
 - a) Pinelands Regional Growth Area (RGA)
 - b) Pinelands Protection Areas
 - c) CAFRA (Coastal Area Facility Review Act)
 - d) Great Egg Harbor National Wild & Scenic River Area
 - e) Industrial Park
 - f) Dense Residential Development
 - g) Suburban Communities
 - h) Large areas of Woodlands
 - i) Rural Residential Development
 - j) Lake/Dam/Beach
 - k) Large areas of wetlands
 - l) Historic District
 - m) Parks and Recreation Areas

IV. MINIMUM QUALIFICATIONS

Minimum qualifications differ for each professional specialty; please see Exhibit A for specifics. All applicants, however, need to provide all items contained in Section V.

V. MANDATORY CONTENTS OF PROPOSAL

Definitions

While an applicant does not have to match each item exactly, the following is what is generally meant when used in this RFP.

- **Scope:** Magnitude of the project, and value of the contract
- **Size:** When used in this context refers to such things as: budget, miles of roads, number of employees, acres of recreation areas, size of municipal bonds, population, number of homes.
- **Similar:** Refers to such things as towns that are partially or wholly in the Pinelands, have areas of dense suburban development, have areas of non-dense woodlands, have large recreation complexes, contain streams and lakes, contain federally regulated wetlands and have large commercial areas.

- 1) In addition to demonstrating an ability to meet all minimum qualifications in Exhibit A, the firm must also include and address the following:
 - a) **Contact Information:** Provide the name and address of the firm; the name, telephone number, fax number, and e-mail address of the individual responsible for the preparation of the proposal.
 - b) **Proposed cost of the service(s)** or activities, including the hourly rate of individuals who will perform the services or activities. The proposed cost should include:
 - Meetings.
 - Site visits and expenses.
 - Administrative work & secretarial services.
 - Expenses for travel, postage, emails and telephone excluded from the hourly rate.
 - Additional services defined beyond the scope of regular services.
 - c) **A Fee Schedule** for the 2016 year should be included. A proposal showing minimum and maximum ranges is not acceptable.
 - d) **Billing:** The successful applicant shall provide billing on a monthly basis and a redacted bill at no additional charge.
 - e) **An Executive Summary** of not more than two (2) pages, identifying and substantiating why the vendor is qualified to provide the requested services.
 - f) **A Staffing Plan** listing those persons who will be assigned to the engagement if the vendor is selected, including the designation of the person who would be the vendor's officer responsible for all services required under the engagement. This portion of the proposal should include the relevant resume information for the individuals who will be assigned. This information should include, at a minimum, a description of the person's relevant professional experience; years and type of experience; and number of years with the vendor. **NOTE:** The Township will not pay for "in house" conferences or multiple levels of reviews.
 - g) **A description of the vendor's experience** in performing services of the type described in this RFP. Specifically identify client size and specific examples of work within the scope of services required under this RFP in similarly-sized municipalities. It is imperative to show experience in similarly-sized towns.
 - h) **The location of the office,** if other than the vendor's main office, at which the vendor proposes to perform services required under this RFP. Describe your presence in New Jersey and any familiarity your firm has with the Atlantic County area.
 - i) **Five (5) references** for which similar services have been provided for. Experience with similarly sized municipalities is a plus. Provide the contact names, titles and phone numbers.
 - j) If the vendor or any principal therein has been subject to any **professional disciplinary action** over the last three (3) years, the bidder must provide a description of the litigation and/or disciplinary action.
 - k) In its proposal, the vendor must identify any existing or potential **conflicts of interest,** and disclose any representation of parties or other relationships that might be considered a conflict of interest with regard to this engagement, or the Township.
 - l) Individuals/Firms appointed to provide a Professional Service will be required to supply, at the time of contract execution, the following:

- a) A Certificate of Insurance issued by an insurance carrier authorized to do business in the State of New Jersey reflecting the amount of professional liability insurance in effect during the contract period and naming the Township as an additional insured.
- b) Copy of your Affirmative Action Certificate.
- c) A copy of your New Jersey Business Registration Certification
- d) “Pay to Play” – Notice of Disclosure Requirement – P.L. 2005, Chapter 271, Section 3 Reporting (N.J.S.A. 19:44A – 20.27)
 - (1) Any business entity that has received \$50,000 or more in contracts from government entities in a calendar year is required to file an annual disclosure report with ELEC. The instructions and form are available on the ELEC website.
 - (2) Annual Disclosures require submission by March 30th of each year covering contracts and contributions for the prior calendar year.
 - (3) At a minimum, a list of all business entities that file an annual disclosure report will be listed on ELEC’s website at www.elec.state.nj.us.
 - (4) If you have any questions please contact ELEC at: 1-888-313-ELEC (3532) (toll free in NJ) or 609-292-8700
- e) The Vendor must submit a completed “**Contractor Certification and Disclosure of Political Contributions**” form with its proposal. Failure to submit this completed form will cause the Vendor’s proposal to be disqualified without evaluation. **See Exhibit “B”**

VI. INTERVIEW

- 1) The Township Council (or if designated the Township Manager) reserves the right to interview any or all of the applicants submitting a proposal. Although interviews may take place, the proposal should be comprehensive and complete on its face. The Township reserves the right to request clarifying information subsequent to submission of the proposal.

VII. EVALUATION CRITERIA for RFP/RFQ’s

1. Use of personnel and approach to scope of work
2. Experience, qualifications and reputation in relation to areas within the Scope of Work
3. Experience with and knowledge and familiarity of the Municipality and the subject matters of the Scope of Work as they relate to the Municipality
4. Resources available within the firm and their ability to perform the scope of work in a timely, efficient and professional manner without the need to outsource.
5. Availability to accommodate required meetings.
6. Other factors shown by the candidate to be beneficial to the Municipality or which the Municipality determines to be relevant.
7. Overall advantages of the candidate considering all factors as a whole.
8. Compensation Proposal.

VIII. SELECTION AND CONTRACT

- 1) **The Township will select the vendor deemed most advantageous to the Township, price and other factors considered.** The resulting contract will include this RFP, any clarifications or addenda thereto, the selected vendor’s proposal, and any changes negotiated by the parties. The successfully vendor in each category will sign a contract issued by Galloway Township.

Exhibit A

Township of Galloway

Request for Proposal & Qualifications for Municipal Professionals

Minimum Qualifications

Applicant vendors **must** establish that they meet the following minimum qualifications:

Township of Galloway Minimum Requirements

Auditor:

Multi-disciplined firm experienced SEC and reporting obligations in municipal auditing procedures, bond law, appearing before the Local Finance Board, arbitrage, municipal budgeting and purchasing. The applicant must meet and possess all certifications necessary to practice as a Municipal Auditor in the State of New Jersey including but not limited to RMA certification. Additionally, as a minimum, the firm shall have five (5) years experience as a Township Auditor for municipalities in the State of New Jersey with similarly sized budgets. The applicant must demonstrate a high degree of knowledge of the following:

- a) The finance and operation of local government in New Jersey; and
- b) Department of Community Affairs' Local Finance Notices and their rules and regulations for municipal finance administration; and
- c) New Jersey State financial statutes, including but not limited to:
 - i) NJSA 40A:11 Local Public Contracts Law
 - ii) NJSA 40A:4 Local Budget Law
 - iii) NJSA 40A:2 Local Bond Law
 - iv) NJSA 40A:9-22.1 Government Ethics Law
 - v) NJSA 47:1A Open Public Records Law
 - vi) NJSA 40A:5 Local Fiscal Affairs Law
- d) All other financial matters pertaining to Townships, including budgets, assessments, monitoring reports, investments, audit controls, year-end accounting, Annual Financial Statements, budget preparation, annual audit, supplemental debt statements, etc. and a high degree of knowledge and familiarity with municipal trust funds, developer escrow accounts, utility budgets and dedications by rider. The applicant must also meet all certifications necessary to practice as the State of New Jersey.

Township Attorney and/or Conflict Attorney:

- 1) Multi-disciplined firm with experience in municipal law, municipal litigation and tort claim laws, COAH law and familiarity with Titles 40 & 40A of N.J.S.A. The applicant shall have five (5) years' experience as a municipal Township Attorney for a municipality in the State of New Jersey, three (3) years of which should be in a similarly-sized municipality.
- 2) The applicant also must demonstrate a high degree of knowledge, experience and ability with the following:
 - a) The operation of local governmental units in New Jersey
 - b) Acquisition and/or divesting of real estate, including but not limited to Open Space, easements, vacating roads, Green Acres and Pinelands
 - c) Assisting with acquiring and administering grants
 - d) Administering Council on Affordable Housing (COAH) programs and Regional Contribution Agreements
 - e) Experience working in a town located in the Pinelands and interacting with the Pinelands Commission
 - f) Municipal Land Use Law
 - g) Extensive knowledge of Local Public Contracts Law
 - h) Experience working in a municipality that is self-insured via a Joint Insurance Fund
 - i) Knowledge of Employment Practices Liability (EPL) policies
 - j) Knowledgeable in Election Law, "Pay to Play" Laws and Government Ethics Laws
- 3) The applicant must be licensed to practice law in the State of New Jersey and be a member of the New Jersey Bar in good standing.
- 4) Include a list of any other professional qualifications, experience and/or credentials you feel are relevant, including any person/professional in your firm who is expected to work on this contract.

Township Engineer and/or Alternate:

- 1) All applicable licenses to perform general engineering in New Jersey. Applicant must have at least five (5) years experience as municipal engineer in a similarly-sized municipality. Firm must be multi-disciplined with expertise in road construction, construction management, dams with engineers who hold licenses in these areas, MLUL experience, planners & landscape engineers on staff, experience in environmental assessments (wetlands, archaeological, endangered species, hydrologic studies), GIS, materials testing, surveying, traffic studies, drainage, and extensive knowledge of the Pinelands Commission's rules and regulations.
- 2) The applicant must demonstrate the ability to:
 - a) Prepare, or cause to be prepared, plans, designs and specifications for Public Works projects and improvement
 - b) Provide and maintain surveys, maps, plans, specifications and control records with respect to Public Works projects in the Township, including GIS considerations
 - c) Provide technical and engineering advice and assistance to the Township Committee and Township Manager
 - d) Ability to update the Tax Map as per the Tax Assessor's needs
 - e) Attend all Committee meetings as requested by the Township Manager
 - f) Administer and oversee road opening permits on behalf of the Manager
 - g) Prepare, review and approve construction plans and specifications for all capital improvement projects as directed by the Township Manager
 - h) Successful record of applying for and receiving road improvement grants
 - i) Ability to respond to resident concerns when an engineering project impacts their property
 - j) Experience in engineering inspections of both residential developments and large commercial/industrial projects (over 20,000 sq/ft)
 - k) Experience administering performance bond and maintenance bonds on behalf of the Township
 - l) Must demonstrate experience with engineering design, inspection and contract administration of annual municipal road projects totaling more than \$1 million
 - m) Documented experience with design, inspection and contract administration of large and small recreation projects

Township Labor Counsel:

- 1) Firm or attorney specializing in public sector labor relations and whose practice is primarily or solely comprised of representing public sector management. The applicant shall have five (5) years experience as a municipal labor attorney for a municipality in the State of New Jersey, five (5) years of which should be in a municipality with at least three (3) CBAs, at least one of which should be a police or fire union.
- 2) The applicant also must demonstrate a high degree of knowledge, experience and ability with the following:
 - a) Collective Bargaining with major public sector unions (ex: FOP, PBA, AFSCME, CWA, Teamsters, GWU) representing management
 - b) Interest arbitration with Public Employees Relations Commission (PERC)
 - c) Grievance arbitration with PERC
 - d) PERC directed mediation and/or fact finding
 - e) Formulating management proposals
 - f) Employer-Employee Relations Act, ADA, FMLA, NJ FMLA
- 3) Applicant must list any public sector labor union clients, they are currently representing.
- 4) The applicant must be licensed to practice law in the State of New Jersey and be a member of the Bar in good standing. Include a list of any other professional qualifications; experience and/or credentials you feel are relevant to this RFP/Q.

Risk Management Consultant (RMC):

- 1) Firm or agent specializing in public sector Joint Insurance Funds and who has at least five (5) years' experience as an insurance risk consultant and with Municipal Joint Insurance Fund that represents municipalities as an RMC. Experience in municipalities of a similar scope and size is preferred.
- 2) The applicant also must demonstrate a high degree of knowledge, experience and ability with the following:
 - a) Loss Control
 - b) Risk Management
 - c) Claims Review
 - d) Attendance at JIF Meetings
 - e) Safety Programs
 - f) Identifying insurable exposures
 - g) Certificates of Insurance
 - h) Claims processing and assistance
- 3) Applicant shall submit quarterly bill/reports to the Township Manager delineating duties performed, projects worked on and any other efforts on behalf of Galloway Township.
- 4) Applicant must list any other public sector JIF clients they are currently representing as RMC.
- 5) The Municipality authorizes the Fund to pay its Consultant as compensation for services rendered an amount percentage (___ %) of the Municipality's annual assessment as promulgated by the Fund or flat fee. Said fee shall be paid within 30 days of payment of the member's assessment.

Bond Counsel:

- 1) Law firm experienced in municipal bonding, pooled financing procedures, bond law, SEC regulations and reporting and arbitrage. The applicant must meet and possess all certifications necessary to practice as a bond counsel in the State of New Jersey. Additionally, as a minimum, the applicant shall have seven (7) years' experience as a bond counsel for municipalities in the State of New Jersey with similarly-sized bonds. The applicant must demonstrate a high degree of knowledge and experience with municipal bonds of at least five million dollars (\$5,000,000.00), refinancing of existing bonds and helping the town to structure its debt service so as to minimize impact to the taxpayers. The applicant needs to have experience appearing before the Local Finance Board.
- 2) The applicant must also meet all certifications necessary to practice in the State of New Jersey.

Planning Board and Zoning Board Engineer and/or Alternates:

Licensed in the State of New Jersey, must have experience in Municipal Land Use pertaining to Major and Minor Site Plan applications and Major and Minor Subdivision applications. Familiar with New Jersey Pinelands and CAFRA Regulations. Must have at least 5 years experience in representing Land Use Boards in the State of New Jersey.

Planning Board and Zoning Board Solicitors and/or Alternates:

Licensed Attorney in the State of New Jersey. Planning and Zoning Board Solicitor must have at least 5 years experience in representing Land Use Boards (i.e. Planning and/or Zoning). Must have experience in preparing Decisions and Resolutions of Approval or Denial. Familiar with New Jersey Pinelands and CAFRA Regulations.

Municipal Prosecutor and/or Alternate Township Prosecutor:

Licensed Attorney in the State of New Jersey. Must have at least 3 years experience representing a municipal agency. Ability to present matters in Municipal Court. Familiar with motor vehicle and criminal statutes. Must be available as scheduled by the Municipal Court.

Public Defender:

Licensed Attorney in the State of New Jersey. Must have experience representing/defending members of the public in Municipal Court. Familiar with motor vehicle and criminal statutes. Must be available as scheduled by the Municipal Court.

Tax Appeal Attorney:

Licensed Attorney in the State of New Jersey. Must have at least 5 years experience in tax appeals (residential and commercial) at both the County Board of Taxation and the New Jersey Tax Court.

Township Architect:

The Township of Galloway may from time to time appoint an architect to provide general services relative to architect projects as determined by the Township municipalities of New Jersey. Any experience or knowledge of matters directly affecting architectural work in the Township of Galloway should be addressed.

1. Must have minimum of five (5) years experience in architect work in the State of New Jersey.
2. Must have prior experience providing architect work in New Jersey municipalities.
3. Must maintain a bona fide principal office in the state of New Jersey.

Redevelopment Counsel:

Licensed Attorney in the State of New Jersey. Must provide legal services in relation to local redevelopment inclusive of, but not limited to legal services in relations to the designation and establishment of areas in need of redevelopment; approval of redevelopment plans; negotiation and drafting of redevelopment agreements, pilot programs and other related agreements and documents; pursuit of eminent domain.

EXHIBIT B - BUSINESS ENTITY DISCLOSURE CERTIFICATION

FOR ALTERNATIVE AND OPEN CONTRACTS

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

TOWNSHIP OF GALLOWAY

Part I – Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that _____ 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 January 1, 2016 to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the Township of Galloway as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

Rich Clute	Donald Purdy
Anthony Coppola	
Tony DiPietro	
Frank Gargione	
Robert Maldonado	
Timothy Meadows	

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: _____

Signed: _____ Title: _____

Print Name: _____ Date: _____

Subscribed and sworn before me this ____ day of _____, 2__.

_____ (Affiant)

My Commission expires:

_____ (Print name & title of affiant) (Corporate Seal)

BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS
Required Pursuant To N.J.S.A. 19:44A-20.8
TOWNSHIP OF GALLOWAY

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.

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.

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

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.

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

**19:44A-3 Definitions.**

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.

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.

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)

VENDOR CHECK LIST

ITEM

EXECUTED AND ENCLOSED

- 1. AFFIRMATIVE ACTION COMPLIANCE NOTICE \_\_\_\_\_
- 2. DISCLOSURE OF OWNERSHIP FORM \_\_\_\_\_
- 3. NON-COLLUSION AFFIDAVIT \_\_\_\_\_
- 4. INSURANCE CERTIFICATE \_\_\_\_\_
- 5. HOLD HARMLESS AGREEMENT \_\_\_\_\_
- 6. BUSINESS REGISTRATION CERTIFICATE \_\_\_\_\_
- 7. DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN \_\_\_\_\_
- 9. PAY-TO-PLAY COMPLIANCE FORM (EXHIBIT B) \_\_\_\_\_

NAME OF PERSON PREPARING PROPOSAL \_\_\_\_\_

SIGNATURE \_\_\_\_\_

FAX# \_\_\_\_\_

TELEPHONE# \_\_\_\_\_

**AFFIRMATIVE ACTION COMPLIANCE NOTICE**  
**N.J.S.A. 10:5-36 and N.J.A.C. 17:27**

**GOODS AND SERVICES CONTRACTS**  
**(INCLUDING PROFESSIONAL SERVICES)**

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

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

1. A photocopy of a valid letter that the contractor is operating under an existing Federally approved or sanctioned affirmative action program (good for one (1) year from the date of the letter);

**OR**

2. A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-4;

**OR**

3. A photocopy of an Employee Information Report (AA302) provided by the Division and distributed to the Township of Galloway to be completed by the contractor in accordance with N.J.A.C. 17:27-4.

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

The successful vendor(s) shall complete the employee information report form (AA302) and retain a copy for your file. The vendor should also submit a copy to Galloway Township if this is your first report, and forward one copy with a check in the amount of \$150.00 payable to the Treasurer, State of New Jersey to: New Jersey Department of the Treasury, Division of Purchase & Property, Contract Compliance Audit Unit, EEO Monitoring Program.

The undersigned vendor certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-36 and N.J.A.C. 17:27 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. 10:5-36 and N.J.A.C. 17:27.

Company: \_\_\_\_\_ Title: \_\_\_\_\_

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_

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

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 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 greater interest in the partnership.
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% of 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: \_\_\_\_\_

NON COLLUSION AFFIDAVIT

State of New Jersey  
County of \_\_\_\_\_

ss:

I, \_\_\_\_\_ residing in \_\_\_\_\_  
(name of affiant) (name of municipality)

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 the Proposal for the bid entitled  
\_\_\_\_\_, and that I executed the said proposal with full  
(title of proposal)

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, and made with full knowledge that the Township of Galloway relies upon the truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract for the said project.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, except bona fide employees or bona fide established commercial or selling agencies

maintained by \_\_\_\_\_  
(name of contractor)

Subscribed and sworn to

before me this day

\_\_\_\_\_  
Signature

\_\_\_\_\_, 2 \_\_\_\_\_

\_\_\_\_\_  
(Type or print name of affiant under signature)

\_\_\_\_\_  
Notary public of

My Commission expires \_\_\_\_\_

(Seal)

INSURANCE REQUIREMENTS AND ACKNOWLEDGMENT FORM

Certificate(s) of insurance shall be filed with the Township Clerk's office upon award of contract by the Mayor and Council.

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

- A. Commercial General Liability \$ 500,000
- B. Automobile Liability \$ 500,000
- C. Workers Compensation Statutory
- D. Professional Liability (E & O, Malpractice) \$ 500,000
- E. No "Additional Insured" Requirement
- F. 60 days notice of cancellation

Acknowledgement of Insurance Requirement:

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(SIGNATURE)

---

(DATE)

---

(PRINTED NAME AND TITLE)

HOLD HARMLESS AGREEMENT / INDEMNIFICATION

“To the fullest extent permitted by law, \_\_\_\_\_ agrees to defend, pay on behalf of, indemnify, and hold harmless the Township of Galloway, its elected and appointed officials, its employees, agents, volunteers and others working on behalf of the Township of Galloway against any and all claims, demands, suits, or loss, including all costs connected therewith, and for any damages which may be asserted, claimed or recovered against or from the Township of Galloway, its elected and appointed officials, its employees, agents, volunteers and others working on behalf of the Township of Galloway, by reason of personal injury, including bodily injury or death and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with this contract”.

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

\_\_\_\_\_  
Kelli Danieli, Acting Township Clerk

\_\_\_\_\_  
Notary

\_\_\_\_\_  
Notary

## DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

### PART 1: CERTIFICATION

BIDDERS MUST COMPLETE - PART 1 BY CHECKING EITHER BOX BELOW

FAILURE TO CHECK ONE (1) OF THE BOXES MAY RENDER THE PROPOSAL NON-RESPONSIVE

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran. The Chapter 25 list is found on the Division's website at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Bidders must review this list prior to completing the below certification. Failure to complete the certification will render a bidder's proposal nonresponsive. If the Director finds a person or entity to be in violation of law, that they shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party.

#### PLEASE CHECK THE APPROPRIATE BOX:

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

OR

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

#### PART 2:

#### PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN

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

**PROVIDE INFORMATION RELATIVE TO THE ABOVE QUESTIONS. PLEASE PROVIDE THROUGH ANSWERS TO EACH QUESTION. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, USE ADDITIONAL PAGES.**

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

Relationship to Bidder/Vendor: \_\_\_\_\_

Description of Activities: \_\_\_\_\_

\_\_\_\_\_

Duration of Engagement: \_\_\_\_\_ Anticipation Cessation Date: \_\_\_\_\_

Bidder/Vendor: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Contact Phone # \_\_\_\_\_

**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 is relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the State to notify the State in writing of any changes to the answers of information contained herein. I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with the State of New Jersey and that the State at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): \_\_\_\_\_

Signature: \_\_\_\_\_

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

Bidder/Vendor: \_\_\_\_\_