BOROUGH OF ROSELLE

REQUEST FOR QUALIFICATIONS FOR

PLANNER SERVICES-ZONING BOARD OF ADJUSTMENTS

Borough of Roselle

Contract Term

January 1, 2017 through December 31, 2017

<u>SUBMISSION DEADLINE</u>

10:00 am
DECEMBER 8, 2016
BAKER CONFERENCE ROOM

ADDRESS ALL PROPOSALS TO:

DEPARTMENT OF ADMINISTRATION
PURCHASING DIVISION
BOROUGH HALL, 210 CHESTNUT ST
ROSELLE, NEW JERSEY 07203

ATTN: BRYAN A. RUSSELL, PURCHASING AGENT

PROFESSIONAL SERVICES INSTRUCTIONS TO PROPOSERS

1. The Borough of Roselle reserves the right to reject any and all proposals and to waive any informality in the proposals.

2. If there is a default by the professional, the Borough of Roselle may procure the services from another firm and hold the proposer responsible for any excess cost.

3. The Consultant will indemnify and hold the Borough of Roselle harmless from any and all loss, damages, suits, penalties, costs, liabilities and expenses, including, but not limited to, reasonable investigation and legal expenses arising out of, or under this Agreement. This indemnification includes, but is not limited to, responsibility covering liability for: 1) personal injury or property damage, 2) environmental liability, 3) damage for payment for the use of any patented or copy written material, process, article or device that may enter into the manufacture or construction or form a part of the work covered by this Agreement, 4) for any statutory or administrative penalty for which the Borough may be held liable on account of the fault or default of the Consultant, and 5) any and all damage or injury sustained on account of the default of the Consultant and costs and expenses in connection with remedying, repairing or completing the Consultant's work.

4. It is to be understood by the professional that its proposal is submitted on the basis of specifications prepared by the Borough of Roselle. Lack of familiarity with the specifications or any conditions will not be accepted as an excuse for non-performance.

5. By submitting a proposal, the professional represents to the Borough of Roselle that it is knowledgeable and experienced in the type of work to be performed. The professional understands that the Borough is relying on its expertise.

6. Each proposal must be signed in ink or ballpoint pen by a duly authorized person.

7. The proposal shall be submitted following the guidelines within the specifications. In the case when the “Federal Review” method of evaluation will be utilized, the proposer must submit the technical proposal and the cost proposal in sealed envelope. The proposer must outline its pricing as described in the proposal by the Borough of Roselle. A proposer is encouraged to supplement its submission with a comprehensive narrative setting forth in the background, training and experience of the firm, and an outline of how the firm intends to accomplish the stated objectives of the Borough.

8. A non-collusion affidavit must be completed and submitted with the proposal package.

9. If the proposer is a corporation, it must include the name and address of each stockholder in the corporation and/or the name of any partnership, which owns ten percent or more of the stock of the corporation. If the proposer is a partnership, the name and address of each individual partner in the partnership who owns a ten percent or greater interest must be included.

10. Payments will only be made after the work is completed and found to be satisfactory for its intended use. Payment will be made upon approval of vouchers submitted by the successful proposer in accordance with the requirements of the Borough of Roselle Council and subject to the Council’s customary procedures.

11. An award will be made after receipt of the proposal by the Borough of Roselle Zoning Board when services are needed.

12. The contract will be awarded to the proposer who has demonstrated an ability to perform the work, has set forth a proposal which satisfies the Borough that the proposer understands the stated objectives, has a work plan for accomplishing the objectives which meets the Borough's needs, has demonstrated experience in the particular type of work to be performed, and has quoted a reasonable price. The Borough will award the contract to the proposer with the lowest price if all other circumstances are equal.

13. The Borough of Roselle is exempt from any State sales tax or Federal excise tax.

14. Proposals must be delivered before the date and time listed on the Proposal Package to the Purchasing Division 210 Chestnut Street, Second Floor, Roselle, New Jersey. Proposals will be received by mail, but the Borough of Roselle will not be responsible for proposal packages, which do not arrive before the time designated. Proposal packages, which are delivered after the time designated will be returned, unopened.

15. The contract will be in effect for one (1) year. Under New Jersey law, the contract cannot extend beyond one (1) calendar year, its continuation is subject to council approval and the current availability and annual appropriation of sufficient funds as may be required to meet the obligation. Therefore, the contract may be canceled at any time if sufficient funds are not appropriated or available for the year. **Period of contract runs January 1, 2017 to December 31, 2017**

16. The proposer understands that the contract will be awarded pursuant to the Professional Services Exemption to the Local Public Contracts Law, N.J.S.A. 40A:11-5; et seq. In order to qualify for the award, the proposer must have and retain a professional on staff who is licensed in the State of New Jersey to perform the types of work called for.

17. The proposer must supply with its proposal a copy of its business registration certificate in accordance N.J.S.A. 52:32-44 as amended. Failure to provide the certificate with the proposal shall be deemed a fatal defect and the proposal will be rejected without further review.

18. **BOROUGH OF ROSELLE FACTS AND FIGURES –** The Borough of Roselle is a municipal governmental entity. The Borough was incorporated in 1894. The Borough is governed by the Borough Council which is made up of six members, and the Mayor. The mayor and council representative-at-large are elected by the entire borough. The remaining five council members are elected from five wards, one from each ward in which the member resides. The Borough's population is approximately 21,415 and it consists of approximately 2.2 square miles of area. The Borough employs approximately 230 people in about 12 departments and agencies. It owns various buildings, and parks and recreation facilities throughout the Borough. The Borough government provides significant and diverse services to its residents and community members and neighbors

INVITATION TO SUBMIT PROPOSAL

PLANER SERVICES-ZONING BOARD

The Borough of Roselle Zoning Board is requesting proposals from qualified individuals and firms to provide Planner services for the Zoning Board of Adjustment of a specialized nature to the Borough. Proposals will be evaluated in accordance with the criteria set forth in this RFQ. One or more individuals/firms may be selected to provide.

A listing detailing the scope of services and the levels expected are included within this package. Please be advised that the levels of service may be subject to change at any time.

SCOPE OF SERVICES

The Borough of Roselle Zoning Board is requesting proposals for Planner Services for the Borough Zoning Board of Adjustment the Planner will have a close working relationship with the Planning Board, Zoning Board of Adjustment, Department of Engineering and Department of Construction.

The Planner must demonstrate the ability to:

A. Perform professional planning and technical administrative consulting services for the Borough of Roselle Zoning Board of Adjustment, upon authorization, including preparation of Master Plan and Land Use Ordinance Amendments; attendance at Zoning meetings, or other special meetings as needed; preparation of special planning reports; assistance to staff personnel on administrative and technical matters, as required; and professional planning advisory services, as requested.

B. Attend regular, special and emergency meetings of the Borough of Roselle, if required.

C. Interact with applicable Borough personnel and other governmental agencies, as required.

PROPOSAL SUBMISSION

Proposers should submit a technical proposal which contains the following:

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

B Proposer must have a minimum of ten (10) years of experience in planning services and a minimum of five (5) years servicing the Borough of Roselle or other governmental entities.

C The education, qualifications, experience, and training of all persons who would be assigned to provide services along with their names and titles. The proposer MUST possess a valid Professional Planners License in the State of New Jersey.

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

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

. **Please provide an original and twelve copies of the proposal.**

Borough of Roselle
General Requirements

1. INSURANCE REQUIREMENTS

The vendor will carry, at its sole cost and expense, the following insurance coverage's:

1.1 Commercial general liability insurance the minimum limit of liability shall be $1,000,000 per occurrence as a combined single limit for bodily injury and property damage.

1.2 Commercial automobile liability insurance the policy shall cover any auto with minimum limits of liability in the amount of $1,000,000 per occurrence as combined single limit for bodily injury and property damage.

1.3 Worker's compensation insurance in the statutory requirements.

1.4 All policies shall be written on an occurrence basis. No "claims made" policy shall be permitted.

1.5 Prior to the contract award, the vendor shall provide the Borough with a certificate of insurance evidencing proof of the insurance coverage's set forth above. During the term of the contract, it shall be the responsibility of the contractor to provide the Borough with additional certificates of insurance evidencing policy renewals in the coverage's set forth above when any insurance policy expires. All certificates of insurance shall contain a 30-day notice of cancellation.

1.6 The Borough of Roselle shall be named as additional insured with respect to planner services.

1.7 The vendor shall, on behalf of itself and its insurance carriers, waive any and all rights of subrogation against the Borough of Roselle.

2. INDEMNIFICATION

2.1 The vendor will indemnify and hold the Borough of Roselle harmless from any and all loss, damages, suits, penalties, cost, liabilities and expenses, including, but not limited to, reasonable investigation and legal expenses arising out of, or under this agreement. This indemnification includes, but is not limited to, responsibility covering liability for: 1) personal injury or property damage, including damage to any items moved, 2) environmental liability, 3) damage for payment for the use of any patented or copy written materials, process, article or device that may enter into the manufacture or construction or form a part of the work covered by this agreement, 4) for any statutory or administrative penalty for which the Borough may be held liable on account of the fault or default of the contractor, and 5) any and all damage or injury sustained on account of the default of the contractor and costs and expenses in connection with remedying, repairing or completing the contractor's work.

3. FORM OF CONTRACT

3.1 The successful proposer shall be required to execute the Borough's form of contract, which shall include indemnification of insurance, termination and licensing approval. It is also agreed and understood the acceptance of the final payment by contractor shall be considered a release in full of all claims against the Borough arising out of, or by reason of, the work performed and materials furnished under this Contract.

3A. COST QUALIFICATION

The Proposer should submit a cost proposal which would include any proposed retainer, the services to be provided for the retainer, if services will be provided at a flat rate, if all or any services will be billed through hourly rates and what are the established rates.

1. No payment will be mad unless duly authorized by the Borough's authorized representative and accompanied by proper documentation.

2. Payment will be made in accordance with the Borough's policy and procedures.

3. When a contract includes hourly rates, first the quotation and then the invoice must be itemized indicating hours worked.

4. When a contract includes parts/materials to be paid by the Borough, the quotation and then the invoice must be itemized indicating the list of parts/materials used. For parts/materials used, copies showing proof of materials purchased by contractor (contractor's invoice) along with their purchase order must be provided.

5. When a contract includes percentages off catalogs or manufacturer list prices, the quotation must indicate the catalog or mfg price, the percentage off (according to the contract) and our net price as well as the actual manufacturer list price sheets.

4. REFERENCES

4.1 The Borough reserves the right to require the proposer to provide with its bid package, a current list of companies utilizing the product bid. The list must include company name, address, and contact person and telephone number.

5. MANDATORY AFFIRMATIVE ACTION LANGUAGE

EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)
N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

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

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression,

disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will 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. l7:27-5.2.

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**.

6. **Americans with Disabilities Act of 1990, Equal opportunity for individuals with disability**

The contractor and the Borough of Roselle, (hereafter "Borough") do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") *(42 U.S.C. S121 01* et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant there unto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the Borough pursuant to this contract, the contractor agrees that the performance shall be in strict compliance with the Act. In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the Borough in any action or administrative proceeding commenced pursuant to this Act. The contractor shall indemnify, protect, and save harmless the Borough, 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 Borough's grievance procedure, the contractor agrees to abide by any decision of the Borough which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the Borough, or if the Borough 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 Borough 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 Borough or any of its agents, servants, and employees, the *Borough shall* expeditiously forward or have forwarded to the contractor every demand, complaint, notice, summons, pleading, or other process received by the Borough or its representatives.

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

It is further agreed and understood that the Borough 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 Borough from taking any other actions available to it under any other provisions of the Agreement or otherwise at law.

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: _____

7. <u>"New Jersey Business Registration Requirements"</u>

All bidders shall comply with P.L. 2009, C315 in accordance with N.J.S.A. 52:32-44 as amended on January 18, 2010. The bidder will be required to be registered as defined in the law at the time of contract. The Borough of Roselle encourages the bidder to submit the proof with it's bid.

In response to a request for bids or a request for proposals for goods and services, a bidder shall include proof of its own business registration and proofs of business registration of those subcontractors required to be listed in the contractor's submission (i.e., "named subcontractors.") The proof of business registration shall be provided at the time the bid or proposal is officially received and opened by the contracting agency.

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 to submit proof of business registration to the contractor; 2) prior to receipt of final payment from a contracting agency, the contractor must submit to the contracting agency an accurate list of all subcontractors or attest that none was 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. Information on the law and its requirements is available by calling (609) 292-9292.

Registering a business with the New Jersey Department of the Treasury

Business organizations or individuals doing business in New Jersey are required to register with the department of the treasury, division of revenue. Registration is free and is a one-time action – there are no fees to register. However, you should update your contact and tax eligibility information as needed. Registration is required to conduct most business with any state, County, municipal, local board of education, charter school, County college, authority, or state college or university. The contracting agency may be required to have a copy of the "proof of registration certificate" submitted as part of a public bid or prior to issuing a purchase order.

To register: businesses must complete **form NJ-REG** and submit it to the division of revenue. The form can be filed form online or by mailing a paper form to the division. Online filing is strongly encouraged.

- Register online at http://www.state.nj.us/treasury/revenue/busregcert.shtml. Click the "online" link and then select "register for tax and employer purposes."

- Download the paper form and instructions at www.state.nj.us/treasury/revenue/revprnt.shtml.

- Call the division at 609-292-1730 to have a form mailed to you.

Write to the division at: Client Registration Bureau, Po Box 252, Trenton, NJ 08646-0252

8. Pay to Play Requirements

This agreement is governed by the laws of the state of New Jersey involving political contributions and, in particular, what is commonly known as the New Jersey "Pay to Play" Law, N.J.S.A. 19:44a-20.3, et seq. Compliance with this statute is a material term of the agreement.

The vendor further understands that if the value of the agreement is in excess of $50,000, the consultant is required to complete and file with the election law enforcement commission, an annual report on a form to be designated by the commission, pursuant to N.J.S.A. 19:44a-20.27. The consultant agrees to a file a copy of the report simultaneously with the Borough of Roselle Council and the Borough of Roselle Purchasing Agent.

The vendor agrees that the agreement is voidable if it has not complied with all campaign contributions laws and if any of the representations it has made are untrue.
If you have any questions please contact ELEC at: 1-888-313-ELEC (toll free in NJ) or 609-292-8700

An analyst from ELEC's Special Programs Section will assist you.

9. **QUALIFICATION EVALUATION** –The Borough will select the most advantageous qualifications based on all of the evaluation factors set forth at the end of this RFQ. The Borough will make the award(s) that is in the best interest of the Borough. Each qualification must satisfy the objectives and requirements detailed in this RFQ. The successful proposer shall be determined by an evaluation of the total content of the qualification submitted. The Borough reserves the right to:

a. Not select any of the qualifications;

b. Select only portions of a particular proposer's qualification for further consideration;

c. Award a contract for the requested services at any time within the calendar year after review of the Qualifications and approval of same by the Borough Council; every qualification should be valid through this time period.

The Borough shall not be obligated to explain the results of the evaluation process to any proposer.

CERTIFICATION PAGE

THIS CHECKLIST MUST BE COMPLETED AND SUBMITTED WITH YOUR PROPOSAL:

Please initial below, indicating that your proposal includes the itemized document.
A PROPOSAL SUBMITTED WITHOUT THE FOLLOWING DOCUMENTS IS CAUSE FOR REFUSAL.

INITIAL BELOW

A. An original and twelve (12) signed copies of your complete proposal. _____

B. Non-Collusion Affidavit properly notarized. _____

C. Authorized signatures on all forms. _____

D. Business Registration Certificate(s). _____

E. Affirmative Action Statement. _____

Note: N.J.S.A 52:32-44 provides that the Borough 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 PROPOSER:

Person, Firm or Corporation

BY: (NAME) (TITLE)

NOTE: If Contractor is a CORPORATION, this Proposal must be executed by its president or vice-president, attested to by its secretary or assistant secretary, with the corporate seal affixed thereto. This proposal may be executed and attested to by other than the aforesaid corporate officers if they have been duly authorized to so act in behalf of the Contractor, pursuant to a resolution of the Corporate Board of Directors, or others authorization equivalent thereto. In that event, a certified copy of said Resolution or authorization shall be attached to this Proposal. If proposer is a PARTNERSHIP, then this proposal must be individually signed by at least one partner.

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY
COUNTY OF UNION ss:

I AM

OF THE FIRM OF
UPON MY OATH, I DEPOSE AND SAY:

1. THAT I EXECUTED THE SAID PROPOSAL WITH FULL AUTHORITY SO TO DO;

2. THAT THIS PROPOSER HAS NOT, DIRECTLY OR INDIRECTLY ENTERED INTO ANY AGREEMENT, PARTICIPATED IN ANY COLLUSION, OR OTHERWISE TAKEN ANY ACTION IN RESTRAINT OF FAIR AND OPEN COMPETITION IN CONNECTION WITH THIS ENGAGEMENT;

3. THAT ALL STATEMENTS CONTAINED IN SAID PROPOSAL AND IN THIS AFFIDAVIT ARE TRUE AND CORRECT, AND MADE WITH FULL KNOWLEDGE THAT THE BOROUGH OF ROSELLE 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 ENGAGEMENT; AND

4. THAT NO PERSON OR SELLING AGENCY HAS BEEN EMPLOYED TO SOLICIT OR SECURE THIS ENGAGEMENT AGREEMENT OR UNDERSTANDING FOR A COMMISSION, PERCENTAGE, BROKERAGE OR CONTINGENT FEE, EXCEPT BONA FIDE EMPLOYEES OR BONA FIDE ESTABLISHED COMMERCIAL SELLING AGENCIES OF THE PROPOSER. (N.J.S.A.52: 34-25)

SUBSCRIBED AND SWORN TO

BEFORE ME THIS DAY

OF_____ 20_____.

(TYPE OR PRINT NAME OF
AFFIANT UNDER SIGNATURE)

NOTARY PUBLIC OF

MY COMMISSION EXPIRES: _____, 20_____.

NOTICE

No corporation or partnership shall be awarded any contract for the performance of any work or the furnishing of any materials or supplies, unless, prior to the receipt of the proposal or accompanying the proposal of said corporation or partnership, there is submitted a statement setting forth the names and addresses of all stockholders in the corporation or partnership who own ten (10) percent or more of its stock of any class, or of all individual partners in the partnership who own a ten (10) percent or greater interest therein. Form of Statement shall be completed and attached to the proposal.

The Attorney General has concluded that the provisions of N.J.S.A. 52:25-24.2, in referring to corporations and partnerships, are intended to apply to all forms of corporations and partnerships, including, but not limited to, limited partnerships, limited liability corporations, limited liability partnerships, and Subchapter S corporations.

Requires bidders to disclose whether they are a partnership, corporation or sole proprietorship. Form shall be completed, signed and notarized. Failure of the proposer to submit the required information is cause for automatic rejection of the proposal.

STATEMENT OF OWNERSHIP
(OWNERSHIP DISCLOSURE CERTIFICATION)
N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

This Statement Shall Be Included with
All Bid and Proposal Submissions

Name of Business:_____

Address of Business:_____

Name of person completing this form:_____

N.J.S.A. 52:25-24.2:

"No corporation, partnership, or limited liability company shall be awarded any contract nor shall any agreement be entered into for the performance of any work or the furnishing of any materials or supplies, unless prior to the receipt of the bid or proposal, or accompanying the bid or proposal of said corporation, said partnership, or said limited liability company there is submitted a statement setting forth the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be.

If one or more such stockholder or partner or member is itself a corporation or partnership or limited liability company, the stockholders holding 10 percent or more of that corporation's stock, or the individual partners owning 10 percent or greater interest in that partnership, or the members owning 10 percent or greater interest in that limited liability company, as the case may be, shall also be listed. The disclosure shall be continued until names and addresses of every noncorporate stockholder, and individual partner, and member, exceeding the 10 percent ownership criteria established in this act, has been listed.

To comply with this section, a bidder with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 percent or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest."

The Attorney General has advised that the provisions of N.J.S.A. 52:25-24.2, which refer to corporations and partnerships apply to limited partnerships, limited liability partnerships, and Subchapter S corporations.

This Ownership Disclosure Certification form shall be completed, signed and notarized.

Failure of the bidder/proposer to submit the required information is cause for automatic rejection of the bid or proposal

Part I

Check the box that represents the type of business organization:

☐ Sole Proprietorship (skip Parts II and III, sign and notarize at the end)

☐ Non-Profit Corporation (skip Parts II and III, sign and notarize at the end)

☐ Partnership ☐ Limited Partnership ☐ Limited Liability Partnership

☐ Limited Liability Company

☐ For-profit Corporation (including Subchapters C and S or Professional Corporation)

☐ Other (be specific): _____

Part II

☐ I certify that the list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be.

OR

☐ I certify that no one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or that no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be.

Sign and notarize the form below, and, if necessary, complete the list below. (Please attach additional sheets if more space is needed):

Name: _____

Address: _____

_____

Name: _____

Address: _____

_____

Name: _____

Address: _____

_____

Name: _____

Address: _____

_____

Name: _____

Address: _____

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Name: _____

Address: _____

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Name: _____

Address: _____

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Name: _____

Address: _____

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<u>Part III -</u> **Any Direct or Indirect Parent Entity Which is Publicly Traded**:

"To comply with this section, a bidder with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 percent or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest."

☐ Pages attached with name and address of each publicly traded entity as well as the name and address of each person that holds a 10 percent or greater beneficial interest.

OR

☐ Submit here the links to the Websites (URLs) containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent.

_____

_____

AND

☐ Submit here the relevant page numbers of the filings containing the information on each person holding a 10 percent or greater beneficial interest.

_____

_____

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

(Notary Public)

My Commission expires:

_____
(Affiant)

_____
(Print name of affiant and title if applicable)

(Corporate Seal if a Corporation)

EVALUATION FACTORS

A. **Relevance and Extent of Qualifications, Experience, Reputation and Training of Personnel to be assigned**

B. **Knowledge of the Borough of Roselle and the subject matter to be addressed under this engagement**

C. **Relevance and Extent of Similar Engagements performed**

D. **Technical Qualification contains all required information**

E. **The cost of providing services. It should be noted that cost of services is important to the governing body of the Borough of Roselle, but it is not necessarily the most critical factor in evaluating the individual or firm's suitability to provide consultant services for the Borough of Roselle**