BOROUGH OF ROSELLE

REQUEST FOR QUALIFICATIONS FOR

INSURANCE CONSULTANT/BROKER SERVICES

<u>SUBMISSION DEADLINE</u>
DECEMBER 16, 2011
10:00 AM – THE BAKER ROOM

ADDRESS ALL QUALIFICATIONS TO:

ATTN: ANN MARIE WHELAN, PURCHASING AGENT
PURCHASING DEPARTMENT
2ND FLOOR
ROSELLE BOROUGH HALL
210 CHESTNUT STREET
ROSELLE, NEW JERSEY 07203

<u>GENERAL INFORMATION & SUMMARY</u>

ORGANIZATION REQUESTING QUALIFICATION

BOROUGH OF ROSELLE
210 CHESTNUT STREET
ROSELLE, NJ 07203

CONTACT

ANN MARIE WHELAN,
PURCHASING AGENT

PURCHASING DEPARTMENT
BOROUGH OF ROSELLE
210 CHESTNUT STREET
ROSELLE, NEW JERSEY 07203–
2ND FLOOR (908) 474-8444

PURPOSE OF REQUEST

The Borough of Roselle is requesting qualifications from qualified individuals and firms (hereinafter also referred to as the "contractor(s)", "consultant(s)" or "proposer(s)") to provide Insurance Consultant/Broker Services to the Borough. Qualifications will be evaluated in accordance with the criteria set forth in the RFQ. One or more individuals/firms may be selected to provide services.

PERIOD OF CONTRACT

January 1, 2012 through December 31, 2012.

CONTRACT FORM

The successful proposer shall be required to execute the Borough's form contract, which shall include indemnification, insurance, termination and licensing provisions.

It is also agreed and understood that 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.

DETAILED REQUIREMENTS OF THE
REQUEST FOR QUALIFICATIONS FOR
INSURANCE CONSULTANT/BROKER SERVICE

1. 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 16 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.

2. NATURE/ SCOPE OF SERVICES – The Borough of Roselle is requesting qualifications for Insurance Consultant/Broker Services.

The insurance consultant/broker will be required to perform, but not limited to, the following services.

- Assistance with the development of long-range insurance strategies;
- Management of the Borough of Roselle insurance program as assigned;
- Review of both insurance policies and contracts to ensure adequate coverage;
- Recommendations and assistance in the procurement of all insurance coverage, including preparation of any required RFQ's;
- Analysis of proposals in connection with insurance procurement, including, but not limited to, establishing selection criteria, recommending marketplaces, evaluation of proposals and involvement in the selection process;
- Identification and analysis of risks arising out of current and future operations;
- Preparation of specifications for quotations every three (3) years or sooner, as required by the Borough of Roselle;
- Loss Control and Safety Review Services;
- Coordination of appraisals of physical assets to determine proper insurable values, limits required and special terms required by the Borough;
- Continuous review and analysis of loss information from current and prior insurance companies and presentation of findings to the Borough;
- Review of contracts for insurance compliance;
- Acting as liaison between the Borough and all insurance carriers, brokers, providers, or claimants;
- Monitoring, review and presentation of data to help manage claims on all current and future policies;
- Review and analysis of rating classifications on various insurance contracts to determine the most beneficial ones to utilize;
- Continuous review and analysis of insurance coverage and policies to keep up with industry changes, continuing operations and growth;
- Research and analysis of alternatives to current risk funding mechanisms to meet the

changing needs of the Borough;

- Preparation of all certificates of insurance, automobile identification cards and other required documents within 24 hours of the Borough's request;
- Notification of Borough staff as to local, state and federal regulations and recommendations for compliance as required;
- Participation in on-going meetings with Borough staff to review losses, safety recommendations, government regulations, insurance requirements, etc;
- Review of audits of current and previous policies for accuracy and potential premium savings;
- Performance of self-insurance feasibility studies where applicable and recommendations to Borough staff;
- Identification of areas of risk and the associated strengths and weaknesses of the Borough to manage those risks;
- Assistance in the development of alternative strategies to reduce risk to assets and resources; - Consultation as to the probable impact of strategies elected by the Borough;
- Provision of monitoring feedback via loss runs and associated analysis to verify the adequacy of the controls selected as well as checks for negative trends which may require corrective action;

3. <u>STANDARD REQUIREMENTS OF TECHNICAL QUALIFICATION</u> - Proposers should submit a technical qualification 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 eight (8) years of experience providing criminal Prosecutorial legal services and a minimum of five (5) years experience providing such services to the Borough of Roselle or other New Jersey governmental entities.

C. The name, licenses held, education, qualifications, experience, and training of all persons who would be assigned to provide services along with their names and titles;

D. A listing of all other engagements where services of the types being proposed were provided in the past. This should include other Borough governments and 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. A description of all other areas of redevelopment work of the proposer, with emphasis on a description of those services of interest to a municipal government client;

F. Please provide a description of any particular area(s) of expertise you or your firm may possess that have not been included in the response provided above;

G. A 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;

H. A statement that the Respondent is in compliance with all applicable affirmative action (or similar) requirements with respect to its business activities, together with evidence of such compliance. Exhibit A contains mandatory Affirmative Action Language which shall be attached to any contract with the Borough by reference. The page titled "MANDATORY EQUAL EMPLOYMENT OPPORTUNITY NOTICE" lists the acceptable documents that may be submitted to evidence compliance e.g. a photocopy of a Certificate of Employee Information Report;

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

J. A completed Owner Disclosure Statement (copy of form attached);

K. A statement that the proposer will comply with the General Terms and Conditions required by the Borough and enter into the Borough's standard Professional Services Contract;

L. A copy of the proposer's Business Registration Certificate.

M. A completed Disclosure of Ownership Form.

4. SPECIALIZED REQUIREMENTS OF TECHNICAL QUALIFICATION

Proposer must demonstrate experience at the trial and appellate level in Federal and State Courts and administrative agencies.

5. COST QUALIFICATION – Proposers should submit a cost proposal which would include any proposed retainer, the services to be provided for the retainer, if services will be provided data flat rate, if all or any services will be billed through hourly rates and what are the established rate(s).

6. 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.

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

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

9. GENERAL TERMS AND CONDITIONS –

A. The Borough reserves the right to reject any or all qualifications, if necessary, or to waive any informalities in the qualifications, and, unless otherwise specified by the proposer, to accept any item, items or services in the qualifications should it be deemed in the best interest of the Borough to do so.

B. In case of failure by the successful proposer, the Borough of Roselle may procure the articles or services from other sources, deduct the cost of the replacement from money due to the proposer under the contract and hold the proposer responsible for any excess cost occasioned thereby.

C. The proposer shall maintain sufficient insurance to protect against all claims under Workmen's Compensation, General, Professional and Automobile Liability.

D. Each qualification must be signed by the person authorized to do so.

E. The contract shall be in effect through December 31, 2012 unless otherwise stated.

F. Qualifications may be hand delivered or mailed consistent with the provisions of the legal notice to proposers. In the case of mailed qualifications, the Borough assumes no responsibility for qualifications received after the designated date and time and will return late qualifications unopened. Qualifications will not be accepted by facsimile or e-mail.

G. By submission of the qualification, the proposer certifies that the service to be furnished will not infringe upon any valid patent, trademark or copyright and the successful proposer shall, at its expense, defend any and all actions or suits charging such infringement, and will save the Borough harmless in any case of any such infringement.

H. No proposer shall influence, or attempt to influence, or cause to be influenced, any Borough officer or employee to use his/her official capacity in any manner which might tend to impair the objectivity or independence of judgment of said officer or employee.

I. No proposer shall cause or influence, or attempt to cause or influence, any Borough officer or employee to use his/her official capacity to secure unwarranted privileges or advantages for the proposer or any other person.

J. Should any difference arise between the contracting parties as to the meaning or intent of these instructions or specifications, the Borough Counsel's decision shall be final and conclusive.

K. The Borough of Roselle shall not be responsible for any expenditure of monies or other expenses incurred by the proposer in making its qualification.

L. The checklist, affidavits, notices and the like presented at the end of this Request for Qualifications are a part of this Request for Qualifications and shall be completed and submitted as part of this qualification.

END OF GENERAL INSTRUCTIONS

BASIS OF AWARD

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**

REQUEST FOR QUALIFICATION CHECKLIST

THIS CHECKLIST MUST BE COMPLETED AND SUBMITTED WITH YOUR QUALIFICATION:

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

INITIAL BELOW

A. An original and eight (8) signed copies of your complete qualification. _____

B. Non-Collusion Affidavit properly notarized _____

C. Owners Disclosure Statement, properly notarized, listing the names of all persons owning ten (10) percent or more of the proposing entity. _____

D. Insurance Requirement Acknowledgement Form _____

E. Mandatory Equal Employment Opportunity Notice Acknowledgement And Certificate of Employee Information Report _____

F Copy of your *Business Registration Certificate* as issued by the State of New Jersey, Department of Treasury, Division of Revenue _____

G. Professional Service Entity Information Form _____

H. Qualifications Submission _____

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 qualification. 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 please submit all yellow pages with your RFQ**

BOROUGH OF ROSELLE

NON-COLLUSION AFFIDAVIT

State of New Jersey
County of _____ ss:

I, _____ of the _____of _____
(Name of affiant) (Name of Municipality)

In the County of _____and the State of New Jersey, of full age, being duly Sworn according to law on my oath depose and say that:

I am _____

Of the firm of _____

The professional service Entity making the submission for the above name Service, and that I executed the said submission with full authority to do so; that said Professional Service Entity has not, directly or indirectly, entered into any agreements participated in any collusion, or otherwise taken any action in restraint of fair and open competition in connection with the above name Service; and that all statements contained in said submission 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 submission and in the statements contained in this affidavit in awarding the contract for said Service.

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 Professional Entity)

Subscribed and sworn to
Before me

This_____day of_____, 20 _____

Notary Public, State of _____ _____
(Signature of Professional)

My Commission Expires_____ _____
(Type or Print name of affiant and Title, under signature)

BOROUGH OF ROSELLE

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: _____

BOROUGH OF ROSELLE

INSURANCE REQUIREMENTS AND ACKNOWLEDGEMENT FORM

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

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

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.

Acknowledgement of Insurance Requirement:

_____
(Signature)

_____
(Date)

_____
(Printed Name and Title)

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 take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

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

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

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

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. l7:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

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

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the applicable employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without

regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

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

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302

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

BOROUGH OF ROSELLE

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 Borough of Roselle, 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 Borough of Roselle 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 Borough of Roselle 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 Borough of Roselle, 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: _____

COPY OF CERTIFICATE OF EMPLOYEE INFORMATION REPORT

*PLEASE PROVIDE A COPY OF YOUR CERTIFICATE EMPLOYEE INFORMATION REPORT

BOROUGH OF ROSELLE

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

The CONTRACTOR and the BOROUGH OF ROSELLE (herein referred to as the Borough) 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 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 thereunto, 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 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 this Agreement or otherwise at law.

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. Borough of Roselle) 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.

The law provides that: A copy of the Business Registration Certificate issued by the NJ Department of Treasury, Division of Revenue, shall be provided at the time any submission is received; *failure to do so is a fatal defect that cannot be cured*. This law covers construction as well as non-construction submissions.

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.

COPY OF BUSINESS REGISTRATION CERTIFICATE

BOROUGH OF ROSELLE

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 No.:_____
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-M:_____
Name of agent in charge of said office upon whom notice may be legally served:

Telephone No.: _____Name of Corporation: _____

Signature: _____ By: _____

BOROUGH OF ROSELLE

SUBMISSION FORM

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, including the hourly rates of each of the individuals who will perform services, and all expenses**:**

Note: Attach additional sheets as necessary.

Firm _____ Date: _____

Authorized Representative (Print): _____

Signature: _____ Title: _____

Telephone #: _____ Fax #: _____

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: PURCHASING DEPARTMENT
BOROUGH OF ROSELLE
210 CHESTNUT ST
ROSELLE, NJ 07203