

**PUBLIC NOTICE
BOROUGH OF SOUTH PLAINFIELD
MIDDLESEX COUNTY, NEW JERSEY**

**REQUEST FOR PROPOSAL & QUALIFICATIONS
FOR 2025 MUNICIPAL PROFESSIONAL SERVICES**

(Applicants **must** establish that they meet the following minimum qualifications)

NOTICE IS HEREBY GIVEN that pursuant to a fair and open process in accordance with N.J.S.A. 40A:11-5, N.J.S.A. 19:44A-20.5 and N.J.A.C. 17:27-1.1 et seq, proposals and qualifications are being solicited by the Borough of South Plainfield (hereinafter the “Borough”) for the following professional services for the 2025 calendar year, as follows:

1. Municipal Appraisal Services
2. Municipal Auditor
3. Municipal Engineering Services for the Borough
4. Municipal Engineering Services for the Planning Board
5. Municipal Engineering Services for the Zoning Board of Adjustment
6. Municipal Environmental Engineering Services
7. Insurance Brokerage/Consulting Services/Risk Manager
8. Legal Counsel – Municipal Attorney
9. Legal Counsel – Bond Counsel
10. Legal Counsel – Zoning Board of Adjustment
11. Legal Counsel – Planning Board
12. Legal Counsel – Redevelopment
13. Legal Counsel – Condemnation
14. Legal Counsel - Labor
15. Legal Counsel – Tax Appeal Attorney
16. Municipal Prosecutor
17. Public Defender
18. Professional Planner - Borough
19. Professional Planner – Zoning Board of Adjustment
20. Professional Planner – Planning Board
21. “Conflict” Engineering Services for the Planning Board (*as-needed basis only*)
22. “Conflict” Engineering Services for the Zoning Board of Adjustment (*as-needed basis only*)
23. “Conflict” Engineering Services for Professional Planner (*as-needed basis only*)
24. “Conflict” Legal Counsel for the Zoning Board of Adjustment (*as-needed basis only*)
25. “Conflict” Legal Counsel for the Planning Board (*as-needed basis only*)
26. “Conflict” Legal Counsel for Tax Appeals (*as-needed basis only*)
27. “Conflict” Legal Counsel for Municipal Attorney (*as-needed basis only*)
28. “Conflict” Legal Counsel for Labor Counsel (*as-needed basis only*)
29. “Conflict” Legal Counsel for Bond Counsel (*as-needed basis only*)
30. “Conflict” Legal Counsel for Redevelopment (*as-needed basis only*)
31. “Conflict” Legal Counsel for Condemnation (*as-needed basis only*)

If awarded a contract, your company/firm shall be required to comply with the requirements of N.J.S.A. 52:32-44, N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27. The Borough of South Plainfield is an EEO/AA employer.

Term: January 1, 2025 to December 31, 2025.

**The proposal must be received on or before 9 a.m. on
Thursday, December 5, 2024.**

I. PURPOSE AND INTENT

The purpose of this Request for Qualifications is to solicit interest from qualified firms and/or individual to provide professional services for the Borough of South Plainfield. A qualified firm and/or individual will be selected through a competitive, quality-based, fair and open process at the sole discretion of the Borough. If awarded a contract, your company/firm shall be required to comply with the requirements of NJ.S.A. 52:32-44, N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27.

II. PROPOSAL

***Note: From time to time an addendum to the Professional Services packet can be initiated. Any addendums will be posted on the municipal website and noted accordingly. It is the applicant's responsibility to follow-up on any addendums.**

Interested respondents shall submit a proposed "contract" for services along with one (1) original and one (1) copy of their proposal, of which one must be unbound for further copying (if necessary) to:

**Amy Antonides, Borough Clerk
Borough of South Plainfield
2480 Plainfield Avenue
South Plainfield, NJ 07080**

**The proposal must be received on or before 9 a.m. on Thursday, December 5, 2024.
This is a STRICT deadline.
Proposals received after 9 a.m. on December 5, 2024 will be rejected.**

III. GENERAL INFORMATION ON THE BOROUGH of SOUTH PLAINFIELD

The Borough of South Plainfield operates under a Mayor & Council Form of Government. The Borough is approximately 9 square miles, has a population of approx. 24,000+, and an annual operating budget of approx.: \$32+ million. The Borough Council typically meets the first and third Monday of each month at 7:00 p.m. as well as special meetings on a as needed basis.

The Borough of South Plainfield is an EEO/AA employer.

IV. MANDATORY CONTENTS OF PROPOSAL

In addition to demonstrating an ability to meet all minimum qualifications stated herein, the firm ***MUST*** also include and address the following or risk being rejected for consideration:

- 1) Completed Proposal Form (provided below). Each proposal shall be submitted in a sealed envelope with the outside clearly marked “*Professional Service Contract*”. It is the applicant’s responsibility to submit their proposal on or before the deadline. Proposals received after the deadline will be rejected.
- 2) A fee proposal for the 2025 municipal year.
- 3) Five references, including three current clients for whom services have been provided for at least three years and two former clients for whom services have been provided within the past seven years. Provide the contact names, titles and phone numbers.
- 4) New Jersey State Business Registration Certificate
- 5) Mandatory Affirmative Action Document – “For Goods and Professional Services”
- 6) Mandatory Affirmative Action EVIDENCE - “Valid” Certificate of Employee Information Report that covers full calendar year of service. Each applicant shall submit to the public agency one of the following three forms of evidence:
 - a) A “Valid” Certificate of Employee Information Report issued in accordance with N.J.A.C. 17:27-4; or
 - b) Employee Information Report (Form AA302) to be completed by the contractor in accordance with N.J.A.C. 17:27-4
 - c) A valid letter that certifies that the contractor is operating under an existing Federally approved or sanctioned affirmative action program valid for one year from the date of the letter
- 7) **Include two copies of your proposed “CONTRACT” for Professional Services.**
- 8) Insurance certificates shall be filed with the Borough Clerk’s Office upon award of contract by the Borough Council.

CRITERIA FOR EVALUATION OF PROPOSALS:

The Governing Body of the Borough of South Plainfield shall review and evaluate each submission and selection will be made upon the following criteria:

1. Experience and reputation in the field;
2. Knowledge of the subject matter of the services to be provided to the Borough;
3. Knowledge of the Borough; its affairs and operations;
4. Availability to accommodate any required meetings of the Borough;
5. Compensation proposal;
6. Compliance with the minimum qualifications established by the Borough;
7. Other factors determined to be in the best interest of the Borough.

PERIOD OF CONTRACT:

All appointments are for a one-year term from January 1, 2025 through December 31, 2025.

DISCLAIMER

“The contents and information provided in this Request for Proposals (RFP) is meant to provide general information to interested parties. The successful Proposers shall be required to execute an Agreement with the Borough that will govern the rights, duties and obligations between the Borough and the successful Proposer. Accordingly, the terms set forth within this request for proposals shall not constitute any Contract between the Borough and the successful proposer. Moreover, the Borough accepts no responsibility for any omissions or deletions relating to this request for proposals. However, the successful proposal will become part of the Agreement.” 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 Borough will not be responsible for any costs associated with the oral or written and/or presentation of the proposals. The Borough reserves the right to reject any and all proposals, with or without cause, and waive any irregularities or informalities in the proposals. The Borough 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 Borough reserves the right to re-solicit proposals.

BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY

**PROFESSIONAL SERVICE CONTRACT
PROPOSAL / QUALIFICATION AND COSTS SUBMISSION FORM**

Please provide the name, address, phone number and email of Submitting Firm, Individual or Entity:

Please indicate the Professional Service/ Title for which you are Submitting:

Note: In responding to these questions you may attach additional sheets as necessary. Please be sure to CLEARLY reference all additional sheets or relevant attachments under the appropriate question or area. Material not clearly referenced will not be considered.

1. Is your firm willing and able to perform the scope of services set forth in the Notice of Solicitation for Professional Services and the Solicitation Package for the above Professional Service / Title?

2. If the answer to question 1 is “No”, then please explain any exceptions, clarifications or limitations to the scope of services that your firm is willing and able to provide?

CHECKLIST

The following **MANDATORY** items, as indicated below, shall be provided with the receipt of sealed submissions:

1. Contact Information for contract award _____
2. Professional Service Proposal, Qualifications and Costs Submission Form (This form) **must be signed and dated. Please be sure to CLEARLY reference all additional sheets and attachments** _____
2. **Two copies of your proposed CONTRACT** _____
3. Non-Collusion Affidavit - **must be signed and Notarized**..... _____
4. Disclosure of Ownership Form - **must be signed** _____
5. Professional Service Entity Information Form _____
6. Copy of your *Business Registration Certificate* as issued by the State of New Jersey Department of Treasury, Division of Revenue _____
7. Affirmative Action "For Goods and Professional Services" _____
8. Affirmative Action EVIDENCE - Valid Certificate of Employee Information Report valid for the **2025 YEAR** _____
9. ELEC Disclosure of Contributions Acknowledgement of Awareness _____
10. Vendor Document Retention Acknowledgement _____
11. Disclosure of Investment Activities in Iran _____

I certify that I am an authorized representative of the firm or business named below and offer on behalf of the firm to provide the professional services set forth herein in accordance with this submission form and the terms of the solicitation and submission materials noted above. I further certify that the information contained in and attached to this submission is true to the best of my knowledge and belief, with the understanding that it will be relied upon as such by the public entity to which it is being submitted.

Firm: _____ Date: _____
Firm Name (Print or Type):

BY: _____
Authorized Representative _____
Signature

Authorized Representative _____
Print Name Print Title

Telephone #: _____ Fax #: _____

Mandatory Email: _____

****ITEMS 1 THROUGH 11 ABOVE - IF MISSING MAY SUBJECT YOUR PROPOSAL TO REJECTION***

CONTACT INFORMATION

**WHO SHALL THE BOROUGH CONTACT REGARDING AWARD OF CONTRACT
OR QUESTIONS PERTAINING TO YOUR PROPOSAL:**

FIRM NAME: _____

CONTACT PERSON NAME: _____

CONTACT PERSON TITLE: _____

CONTACT PERSON PHONE NUMBER: _____

**CONTACT PERSON EMAIL
(MANDATORY):** _____

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 this Proposal for the bid
entitled _____, and that I executed the said proposal with
(title of bid proposal)

full authority to do so that said bidder has not, directly or indirectly entered into any agreement,
participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in
connection with the above named project; and that all statements contained in said proposal and in
this affidavit are true and correct, and made with full knowledge that the _____
relies upon the truth of the statements contained in said Proposal (name of contracting unit)
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 _____.

Subscribed and sworn to
before me this ____ day _____

Signature

of _____, 20__ _____
(print name of affiant under signature)

Notary public of New Jersey
My Commission expires: _____
(Seal)

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: _____

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-Mail: _____

Signature: By: _____ Title: _____

Address: _____

SAMPLE BUSINESS REGISTRATION CERTIFICATE

****YOUR OWN NJ BUSINESS REGISTRATION CERTIFICATE
MUST BE INCLUDED WITH YOUR PROPOSAL***



Information on the law and its requirements are available by calling the state at (609) 292-9292 or by visiting the official website of the State of New Jersey at <https://www.nj.gov/treasury/revenue/busregcert.shtml>

It is your responsibility to comply with all provisions of N.J.S.A. 52:32-44 that pertain to New Jersey Business Registration Certificates.

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. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, 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.**

Name of Firm, Individual or Entity

Address of firm: _____

Date Attest: _____

MANDATORY AFFIRMATIVE ACTION EVIDENCE

Mandatory Affirmative Action EVIDENCE - “Valid” Certificate of Employee Information Report that covers full calendar year of service. Each applicant shall submit to the public agency one of the following three forms of evidence:

1. A “Valid” Certificate of Employee Information Report issued in accordance with N.J.A.C. 17:27-4; or (*SAMPLE PROVIDED ON NEXT PAGE*)
2. Employee Information Report (Form AA302) to be completed by the contractor in accordance with N.J.A.C. 17:27-4
3. A valid letter that certifies that the contractor is operating under an existing Federally approved or sanctioned affirmative action program valid for one year from the date of the letter

The following questions must be answered by all professionals service applicants:

1. Do you have a federally-approved or sanctioned Affirmative Action Program? If yes – submit a copy of such approval.

Yes or NO

2. Do you have a State Certificate of Employee Information Report that is valid for the current calendar year? If yes – submit a copy of such certificate

Yes or NO

The undersigned Professional applicant certifies that they are aware of the commitment to comply with the requirements of P.L. 1975,c.127 and agrees to furnish the required documentation pursuant to law.

COMPANY: _____

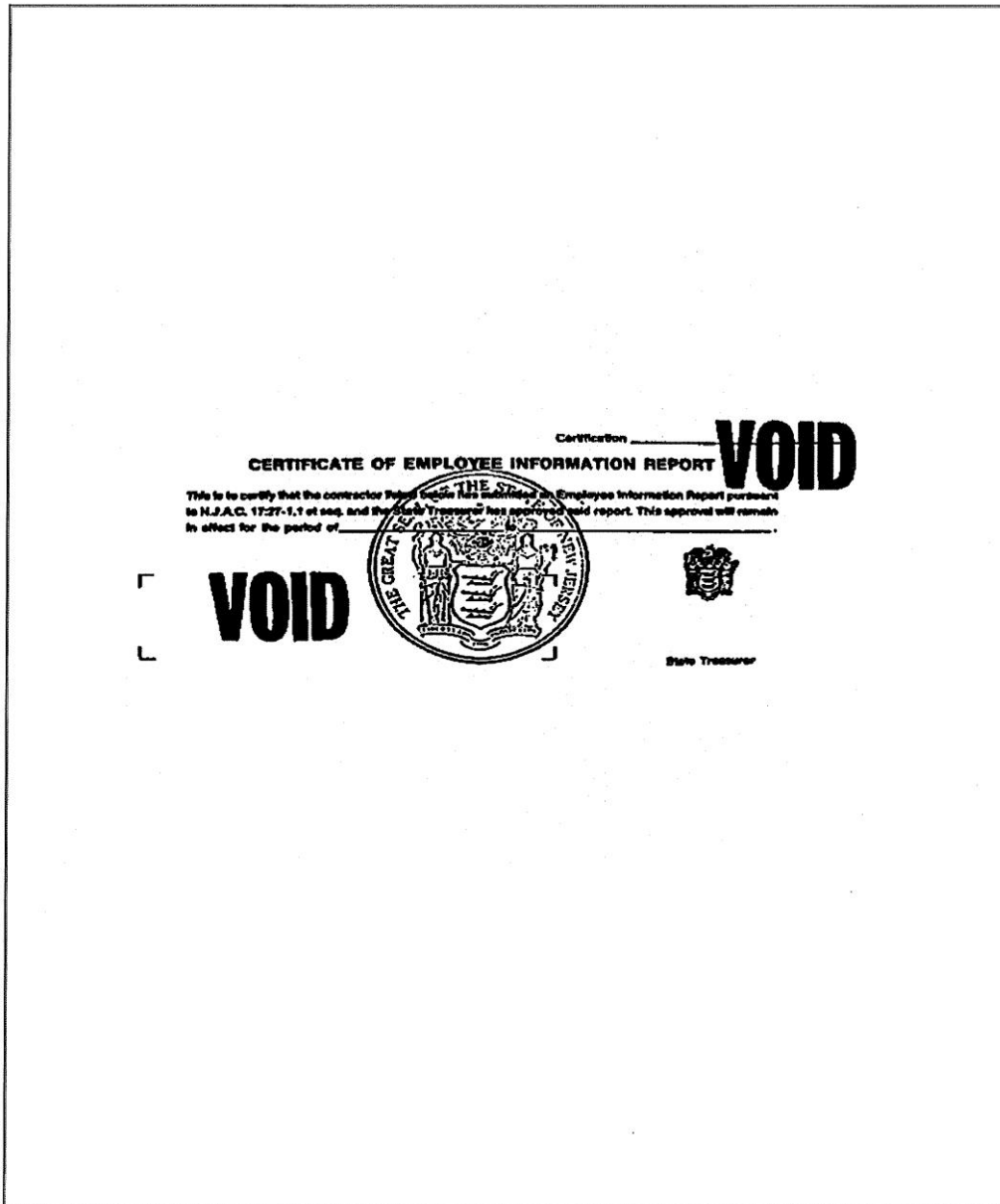
SIGNATURE: _____

TITLE: _____

INSERT A COPY OF YOUR CERTIFICATE OF EMPLOYEE INFORMATION REPORT HERE. SAMPLE OF WHAT IT IS SHOWN BELOW:
MAKE SURE YOUR CERTIFICATE COVERS THE ENTIRE 2025 CALENDAR YEAR!

Attachment # 6

SAMPLE CERTIFICATE OF EMPLOYEE INFORMATION REPORT



**DISCLOSURE OF CONTRIBUTIONS TO NEW JERSEY
ELECTION LAW ENFORCEMENT COMMISSION (ELEC)**

N.J.S.A. 19:44A-20.27 establishes a disclosure requirement for business entities. It requires that, when a business entity has received in any calendar year \$50,000 or more in public contracts with public entities, it must file an annual report with the Election Law Enforcement Commission (ELEC). The report shall disclose any contribution of money or any other thing of value, including an in-kind contribution, or pledge to make a contribution of any kind.

The report will include all reportable contributions made by the business entity during the 12 months prior to the reporting deadline. ELEC can impose fines for failure to comply with this requirement.

Professional Service Contractors are hereby advised of their responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-20.13 (P.L. 2005, c.271,s.3) if the contractor receives contracts in excess of \$50,000 from public entities in a calendar year. It is the contractor's responsibility to determine if filing is necessary. Additional information on this requirement is available from ELEC at 888-313-3532, or at www.elec.state.nj.us

**ACKNOWLEDGEMENT OF AWARENESS OF THE AFOREMENTIONED
REQUIREMENT:**

Please submit a copy of your ELEC report if you received \$50,000 or more in public contracts as described above.

If you have not received more than \$50,000 or more in public contracts please indicate here: _____ i/we/the firm has not received more than \$50,000 in public contracts as described above.

VENDOR DOCUMENTATION RETENTION
N.J.A.C. 17:44-2.2

The vendor/appointed professional/or firm shall maintain all documentation related to products, transactions or services under the awarded contract for a period of FIVE (5) YEARS from the date of final payment. Such records shall be made available to the New Jersey Office of the State Comptroller upon request.

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

Signature: _____

Print Name: _____

Title: _____

Date: _____

Disclosure of Investment Activities in Iran

Person or Entity

Part 1: Certification

COMPLETE PART 1 BY CHECKING **EITHER BOX.**

Pursuant to Public Law 2012, c. 25, any person or entity that is a successful bidder or proposer, 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 parent entity, subsidiary, or affiliate is identified on the State Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran. The list is found on Treasury's website at www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf.

The Chapter 25 list must be reviewed prior to completing the below certification. If a vendor or contractor is found to be in violation of law, action may be taken as appropriate and as may 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.

I certify, pursuant to Public Law 2012, c. 25, that neither the person or entity listed above, nor any parent entity, subsidiary, or affiliate thereof is listed on the N.J. 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 person or entity and/or a parent entity, subsidiary, or affiliate thereof is listed on the N.J. Department of the Treasury's Chapter 25 list. I will provide a detailed, accurate and precise description of the activities in Part 2 below sign and complete the Certification below.

Part 2: Additional Information

PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN.

You must provide a detailed, accurate and precise description of the activities of the person or entity, or a parent entity, subsidiary, or affiliate thereof engaging in investment activities in Iran below and, if more space is needed, on additional sheets provided by you.

Part 3: Certification of True and Complete Information

I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments there 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 **Name of Contracting Unit** 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 **Reference to Contracting Unit** to notify the **Reference to Contracting Unit** 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 **Name of Contracting Unit** and that the **Reference to Contracting Unit** at its option may declare any contract(s) resulting from this certification void and unenforceable.*

Full Name (Print)		Title	
Signature		Date	

NEW JERSEY ANTI-DISCRIMINATION PROVISIONS
N.J.S.A. 10:2-1 ET. SEQ.

10:2-1 Antidiscrimination provisions.

10:2-1. Antidiscrimination provisions. Every contract for or on behalf of the State or any county or municipality or other political subdivision of the State, or any agency of or authority created by any of the foregoing, for the construction, alteration or repair of any public building or public work or for the acquisition of materials, equipment, supplies or services shall contain provisions by which the contractor agrees that:

- a. In the hiring of persons for the performance of work under this contract or any subcontract hereunder, or for the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under this contract, no contractor, nor any person acting on behalf of such contractor or subcontractor, shall, by reason of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex, discriminate against any person who is qualified and available to perform the work to which the employment relates;
- b. No contractor, subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee engaged in the performance of work under this contract or any subcontract hereunder, or engaged in the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under such contract, on account of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex;
- c. There may be deducted from the amount payable to the contractor by the contracting public agency, under this contract, a penalty of \$50.00 for each person for each calendar day during which such person is discriminated against or intimidated in violation of the provisions of the contract; and
- d. This contract may be canceled or terminated by the contracting public agency, and all money due or to become due hereunder may be forfeited, for any violation of this section of the contract occurring after notice to the contractor from the contracting public agency of any prior violation of this section of the contract.

AMERICANS WITH DISABILITIES ACT OF 1990

Equal Opportunity for Individuals with Disability

The contractor and the BOROUGH of SOUTH PLAINFIELD, (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 owner'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.

INSERT PROPOSED CONTRACT HERE

Note: A certificate of insurance shall be filed with the Borough Clerk's Office upon award of contract by the Borough Council. All certificates of insurance shall state that the Borough of South Plainfield be carried as additional insured for purposes of the contract.

PROFESSIONAL SERVICE POSITIONS – BRIEF DESCRIPTIONS

Proposals and Qualifications will be accepted for the following positions:

APPRAISAL SERVICES for tax appeals, open space acquisitions and property acquisitions for road widening and public works projects. The minimum threshold criteria that will be utilized for the evaluation of the responses shall be as follows:

- a) Certified by the State of New Jersey as an appraiser (MAI designation);
- b) Provide evidence of professional liability insurance;
- c) Experience in preparing appraisal reports for a minimum of five (5) years;
- d) Experience in valuation of properties for condemnation purposes;
- e) Experience in valuation of properties for tax appeals;
- f) Experience in valuation of properties for open space acquisitions; and
- g) Knowledge of the Borough and its operations.

INSURANCE BROKERAGE/CONSULTING SERVICES/RISK MANAGER

For the general operations of the Borough. The minimum threshold criteria that will be utilized for the evaluation of the responses shall be as follows:

**Questions for this position should be directed to the Borough Administrator,
Glenn Cullen; 908-226-7602**

- a) Licensed as an insurance provider by the Department of Banking and Insurance of the State of New Jersey for a minimum of five (5) years;
- b) Experience with governmental entities and insurance requirements relating to such entities for a minimum of five (5) years;
- c) Experience with health insurance, prescription insurance, dental insurance and vision insurance, workers compensation and self-insurance funds; and
- d) Knowledge of the Borough and its operations.

MUNICIPAL AUDITORS

Multi-disciplined firm experienced in municipal auditing procedures including the preparation of the annual audit and annual financial statements of the Borough, bond law, appearing before the Local Finance Board, arbitrage, municipal budgeting and purchasing. The minimum threshold criteria that will be utilized for the evaluation of the responses shall be as follows:

- a) The applicant must meet and possess all certifications necessary to practice as a Municipal Auditor in the State of New Jersey;
- b) Applicant shall have ten (10) years' experience as a Municipal Auditor for municipalities in the State of New Jersey with similarly sized budgets;
- c) Provide evidence of professional liability insurance;
- d) Experience in providing advice and recommendations in the review of capital project requests and timing and issuing of debt instruments by public bodies;
- e) Experience in the budgeting process and preparation of audits and annual financial statements for public entities for a minimum of five (5) years; and
- f) Knowledge of the Borough and its operations.
- g) The applicant must demonstrate a high degree of knowledge of (1) the finance and operation of local government in New Jersey, (2) Department of Community Affairs' Local Finance Bulletins and their plethora of rules and regulations for municipal finance administration, (3) New Jersey State financial statutes including but not limited to:
 - NJSA 40A:11 (Local Public Contracts Law)
 - NJSA 40A:4 (Local Budget Law)
 - NJSA 40A:2 (Local Bond Law)
 - NJSA 40A:9-22.1 (Government Ethics Law)
- (4) all other financial matters pertaining to Boroughs, 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.
- (5) Questions for this position should be directed to the Chief Financial Officer, Glenn Cullen

MUNICIPAL ENGINEERING SERVICES – General

The minimum threshold criteria that will be utilized for the evaluation of the responses shall be as follows:

All applicable licenses to perform general engineering in NJ. Applicant must have at least ten (10) 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, GIS, materials testing, surveying, traffic studies, and drainage. 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 borough.
- c. Provide technical and engineering advice and assistance to the Borough Council and BA.
- d. Ability to update the Tax Map as per the Tax Assessor's needs.
- e. Attend all Council meetings as requested by the Borough Administrator (BA).
- 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 BA.
- 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 borough.
- 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.

ENGINEERING SERVICES - ZONING BOARD OF ADJUSTMENT

The minimum threshold criteria that will be utilized for the evaluation of responses shall be as follows:

- a) Licensed to provide engineering services in the State of New Jersey for a minimum of five (5) years;
- b) Evidence of professional liability insurance;
- c) Representation of government entities for a minimum of five (5) years;
- d) Experience in review of zoning and land use applications and all related reviews for a minimum of five (5) years;
- e) Experience and knowledge of the laws and regulations controlling zoning, development and land use;
- f) Experience and knowledge of DEP laws and regulations; and
- g) Knowledge of the Borough Board of Adjustment and its applications;

ENGINEERING SERVICES – PLANNING BOARD

The minimum threshold criteria that will be utilized for the evaluation of responses shall be as follows:

- a) Licensed to provide engineering services in the State of New Jersey for a minimum of five (5) years;
- b) Evidence of professional liability insurance;
- c) Representation of government entities for a minimum of five (5) years;
- d) Experience in review of land use and site plan applications and all related reviews for a minimum of five (5) years;
- e) Experience and knowledge of the laws and regulations controlling zoning, development and land use;
- f) Experience and knowledge of DEP laws and regulations; and.
- f) Knowledge of the Borough Planning Board and its applications;

ENVIRONMENTAL ENGINEERING SERVICES

Applicants should demonstrate knowledge and experience with respect to all aspects of environmental engineering services required by a municipal entity. In the past the Borough has consulted with a specialized environmental engineer with regard to environmentally compromised lands and environmental surveys. Any experience or knowledge of matters of this character or other matters that directly affect the Borough of South Plainfield should be addressed. The applicant must demonstrate the following:

- a) Licensed to provide environmental engineering services in the State of New Jersey for a minimum of five (5) years;
- b) Evidence of professional liability insurance;
- c) Experience with environmental site assessment regulations of the New Jersey Department of Environmental Protection and the United States Environmental Protection Agency including site remediation;
- d) Experience with remediation procedures dealing with underground storage tanks and surrounding facilities;
- e) Experience with all phases of landfill monitoring, including preparation and submission of all documents as required by the New Jersey Department of Environmental Protection;
- f) Representation of government entities for a minimum of five (5) years; and
- g) Knowledge of the Borough and its operations.

LEGAL COUNSEL – BOND COUNSEL

The Borough requires legal services for the representation of the Borough in issuing bonds and financings. The minimum threshold criteria that will be utilized for the evaluation of the responses shall be as follows:

- a) Licensed to practice law in the State of New Jersey for a minimum of five years;
- b) Evidence of professional liability insurance;
- c) Representation of governmental entities in the field of public finance for a minimum of five (5) years;
- d) Knowledge and experience with municipal bonds of at least five million dollars;
- e) refinancing of existing bonds and helping the town to structure its debt service so as to minimize impact to the taxpayers.
- f) Experience appearing before the Local Finance Board.
- g) Knowledge of the Borough and its operations.

LEGAL COUNSEL – MUNICIPAL ATTORNEY

The Borough requires general legal counsel. The minimum threshold criteria that will be utilized for the evaluation of the responses shall be as follows:

A. Multi-disciplined firm with experience in municipal law, municipal litigation and tort claim laws, COAH law, NJ employment and personnel issues, and familiarity with titles 40 & 40A of N.J.S.A. The applicant shall have ten (10) years' experience as a municipal Township Attorney for a municipality in the State of New Jersey, three years of which should be in a municipality with a budget in excess of \$25 million and /or over 100 employees.

B. The applicant also must demonstrate a high degree of knowledge, experience and ability with the following:

- (1) The operation of local governmental units in New Jersey.
- (2) Acquisition of real-estate (Open Space).
- (3) Assisting with acquiring and administering grants.
- (4) Municipal Land Use Law
- (5) Extensive knowledge of Local Public Contracts Law.
- (6) Selling of township real estate and/or property.
- (7) Experience working in a municipality that is self-insured via a Joint Insurance Fund.
- (8) Experience in a Mayor-Council Form of government is a plus.
- (9) Knowledgeable in election-law, "pay to play" laws and government ethics laws.

The applicant must be licensed to practice law in the State of New Jersey and be a member of the Bar in good standing.

LEGAL COUNSEL – TAX APPEALS

The Borough requires general legal counsel for all matters pertaining to tax appeals.

- a) Licensed to practice law in the State of New Jersey for a minimum of five (5) years;
- b) Evidence of professional liability insurance;
- c) Experience in the field of municipal tax law representing governmental entities for a minimum of five (5) years; and
- d) Knowledge of the Borough Tax Office and Tax Assessors Office as well as County and State tax appeal operations.

LEGAL COUNSEL – BOARD OF ADJUSTMENT

The Board of Adjustment requires legal counsel. The minimum threshold criteria that will be utilized for the evaluation of the responses shall be as follows:

- a) Licensed to practice law in the State of New Jersey for a minimum of five (5) years;
- b) Evidence of professional liability insurance;
- c) Experience in the field of municipal law representing governmental entities including land use and zoning matters for a minimum of five (5) years; and
- d) Knowledge of the Borough Board of Adjustment and its operations.

LEGAL COUNSEL – PLANNING BOARD

The Planning Board requires legal counsel. The minimum threshold criteria that will be utilized for the evaluation of the responses shall be as follows:

- a) Licensed to practice law in the State of New Jersey for a minimum of five (5) years;
- b) Evidence of professional liability insurance;
- c) Demonstrate a high degree of knowledge, experience and ability with the following:
 - (1) The operation of local governmental units in New Jersey.
 - (2) Master Plan Updates.
 - (3) Drafting or amending land use ordinances for PB consideration.
 - (4) Familiar with Council on Affordable Housing (COAH) programs and Regional Contribution Agreements.
 - (5) Municipal Land Use Law
 - (6) Knowledge of Local Public Contracts Law.
- d) Knowledge of the Borough Planning Board and its operations.

LEGAL COUNSEL - REDEVELOPMENT COUNSEL

The Borough is seeking legal services for the redevelopment activities of the Borough. The minimum threshold criteria that will be utilized for the evaluation of the responses shall be as follows:

- a) Licensed to practice law in the State of New Jersey for a minimum of five (5) years;
- b) Evidence of professional liability insurance;
- c) Representation of governmental entities in the field of redevelopment, with particular emphasis on municipal improvement authorities, for a minimum of five (5) years; and
- d) Knowledge of the Borough and its operations.

LEGAL COUNSEL – MUNICIPAL PROSECUTOR

The Borough requires legal services for the position of prosecutor of the South Plainfield Municipal Court. The minimum threshold criteria that will be utilized for the evaluation of the responses shall be as follows:

- a) Licensed to practice law in the State of New Jersey for a minimum of five (5) years;
- b) Evidence of professional liability insurance;
- c) Experience as a municipal prosecutor for a municipality for a minimum of five (5) years; and
- d) Knowledge of the Borough Municipal Court and its operations.

LEGAL COUNSEL –PUBLIC DEFENDER

The Borough requires legal services for the position of Public Defender of the South Plainfield Municipal Court. The minimum threshold criteria that will be utilized for the evaluation of the responses shall be as follows:

Applicants should demonstrate knowledge and experience with respect to all aspects of Municipal Court proceedings in order to represent indigent defendants in proceedings over which the South Plainfield Municipal Court has jurisdiction.

Duties shall include

- a. The representation of any defendant charged with an offense in Municipal Court who is indigent as determined by the judge.
- b. To handle all phases of the assigned defense, including discovery, pre-trial and post-trial motions and proceedings; and such other duties as imposed by statute, rule, regulation, ordinance, the rules of professional conduct, court orders or directives and the like.

PROFESSIONAL PLANNER – BOROUGH

The Borough requires planning services for the representation of the Borough. The minimum threshold criteria that will be utilized for the evaluation of the responses shall be as follows:

A. Planning firm with at least five (5) years' experience in Municipal Land Use, with at least three of those years being from a similarly sized municipality. Experience must include attending and participating at Planning and/or Zoning Board meetings to advise the Boards on conformance with all applicable regulations.

B. The applicant also must demonstrate a high degree of knowledge, experience and ability with the following:

- a. NJ MLUL
- b. Master Plan Updates.
- c. Drafting or amending land use ordinances for PB consideration
- d. Familiar with Council on Affordable Housing (COAH) programs and Regional Contribution Agreements
- e. Plan Review
- f. Zoning conformance, positive and negative criteria for a variance and calculation of appropriate development fees.

C. Licensed as a professional planner by the State of New Jersey for a minimum of five (5) years;

D) Experience in preparation of planning of municipal master plan and enacting ordinances;

E) Experience in representing municipalities before the Council on Affordable Housing and preparing housing element and fair share plan;

F) Representation of governmental entities in the field of planning for a minimum of five (5) years; and

G) Knowledge of the Borough and its operations.

PROFESSIONAL PLANNER – BOARD OF ADJUSTMENT

The Borough requires planning services for the representation of the Borough. The minimum threshold criteria that will be utilized for the evaluation of the responses shall be as follows:

a) Licensed as a professional planner by the State of New Jersey for a minimum of five (5) years;

b) Experience with state criteria for granting of variances and zoning requirements;

c) Familiar with development and site plan reviews;

d) Representation of governmental entities in the field of planning for a minimum of five (5) years; and

e) Knowledge of the Borough and its operations.

PROFESSIONAL PLANNER-PLANNING BOARD

The Borough requires planning services for the representation of the Borough. The minimum threshold criteria that will be utilized for the evaluation of the responses shall be as follows:

- a) Licensed as a professional planner by the State of New Jersey for a minimum of five (5) years;
- b) Experience in preparation of planning of municipal master plan and enacting ordinances;
- c) Representation of governmental entities in the field of planning for a minimum of five (5) years; and
- d) Knowledge of the Borough and its operations.

MUNICIPAL COURT JUDGE and/or CONFLICT JUDGE – when applicable

Pursuant to State, County and local laws of New Jersey for such position. Serves a 3-year term.

ALL “CONFLICT” PROFESSIONAL SERVICE POSITIONS :

These positions are on an *as-needed basis only*. From time to time the Borough may require a special conflict professional to step in and perform professional service duties as indicated in the aforementioned titles and descriptions when a conflict arises for the existing professional holding that title. To reiterate, this conflict professional will be called upon on an as-needed and/or case by case basis.