

BOROUGH OF FLORHAM PARK

Morris County New Jersey

REQUEST FOR QUALIFICATIONS

DATED NOVEMBER 30, 2018

**2019 PROFESSIONAL SERVICES
FOR THE BOROUGH**

Qualification Receipt Date – DECEMBER 14, 2018

Time – 11:00

**PUBLIC NOTICE BOROUGH OF
FLORHAM PARK
NOTICE OF SOLICITATION OF PROPOSALS FOR PROFESSIONAL SERVICES**

PLEASE TAKE NOTICE that the Borough of Florham Park is accepting proposals for the provisions of the following professional services to the Borough of Florham Park during year 2019:

Bond Counsel, Borough Attorney, Borough Auditor, Special Counsel – Wastewater & Water, Special Counsel Sewer Utility, Special Council, Labor Counsel, Planning Board Attorney, Board of Adjustment Attorney, Borough Prosecutor, Borough Public Defender, Borough Planner, Lake Management Consultant, Water and Wastewater Engineering Consultant, Borough Surveyor, General & Traffic Engineering Consultant, Health Benefits Consultant, Risk Management Consultant, Appraisal Services, Historical Architectural Consultant

A copy of the proposal document may be obtained at the office of the Borough Clerk, 111

Ridgedale Avenue, Florham Park NJ 07932 or via the Borough's website at www.fpboro.net

All proposals shall be submitted to Patrice Visco, CFO/ Purchasing Agent, c/o Borough Clerk, 111 Ridgedale Avenue, Florham Park NJ 07932, by December 14, 2018 – 11:00 AM. Proposals are being solicited to a fair and open process in accordance with N.J.S.A. 19:44A-20.4

ET. seq. If awarded a contract, your company/firm shall be required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et. seq.

Please provide email address for any proposal obtained from the Borough website to insure you receive any issued addendums. The Borough is not responsible for any late, lost or misdirected proposals

PROPOSAL (Continued)

2019 PROFESSIONAL SERVICES WITHIN THE BOROUGH

The undersigned declares that he/she has carefully examined and fully understands the Information for Applicants, Specifications and other documents herein referred to and agrees to furnish and deliver all materials and to perform all work in accordance with the contract documents for the 2019 Professional Services within the Borough.

Applicant's Name

Authorized Signature

Print Name

Title

Telephone

Fax

Witness or Attest:

E-Mail Address

Signature

Print Name
(If Corporation, affix Corporate Seal)

GENERAL INFORMATION FOR APPLICANTS

I. SUBMISSION OF QUALIFICATIONS

- A. Borough of Florham Park, Morris County, New Jersey (hereinafter referred to as “OWNER”) invites sealed proposals pursuant to the Notice to Applicants.
- B. Sealed proposals will be received by the designated representative at the time and place stated in the Notice to Applicants, and at such time and place will be publicly opened and read aloud.
- C. The proposal form shall be submitted, in a sealed envelope: (1) addressed to the OWNER, (2) bearing the name and address of the applicant written on the face of the envelope, and (3) clearly marked “PROPOSAL” with the contract title and/or proposal # being proposal.
- D. It is the applicant’s responsibility to see that proposals are presented to the OWNER on the hour and at the place designated. Proposals may be hand delivered or mailed; however, the OWNER disclaims any responsibility for proposals forwarded by regular or overnight mail. If the proposal is sent by overnight mail, the designation in section C, above, must also appear on the outside of the delivery company envelope. Proposals received after the designated time and date will be returned unopened.
- E. Sealed proposals forwarded to the OWNER before the time of Receipt of proposals may be withdrawn upon written application of the applicant who shall be required to produce evidence showing that the individual is or represents the principal or principals involved in the proposal. Once proposals have been opened, they must remain firm for a period of sixty (60) calendar days.
- F. All prices and amounts must be written in ink or preferably typewritten. Proposals containing any conditions, omissions, unexplained erasures or alterations, items not called for in the proposal form, attachment of additive information not required by the specifications, or the OWNER may reject irregularities of any kind. Any changes, whiteouts, strikeouts, etc. on the proposal page must be initialed in ink by the person responsible for signing the proposal.
- G. Each proposal form must give the full business address of the applicant and be signed by an authorized representative. Proposals by partnerships must furnish the full name of all partners and must be signed in the partnership name by one of the members of the partnership or by an authorized representative, followed by the signature and designation of the person signing. Proposals by corporations must be signed in the legal name of the corporation, followed by the name of the State in which incorporated and must contain the signature and designation of the president, secretary or other person authorized to bind the corporation in the matter. When requested, satisfactory evidence of the authority of the officer signing shall be furnished.

II. INTERPRETATION AND ADDENDA

- A. The applicant understands and agrees that its proposal is submitted on the basis of the requirements prepared by the OWNER. The applicant accepts the obligation to become familiar with these requirements.
- B. Applicants are expected to examine the requirements with care and observe all their requirements. Ambiguities, errors or omissions noted by applicants should be promptly reported in writing to the appropriate official. In the event the applicant fails to notify the OWNER of such ambiguities, errors or omissions, the applicant shall be bound by the proposal.

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- C. No oral interpretation of the meaning of the specifications will be made to any applicant. Every request for an interpretation shall be in writing, addressed to the OWNER'S representative stipulated in the proposal. In order to be given consideration, written requests for interpretation must be received at least five (5) days prior to the date fixed for the Receipt of the proposals. Any and all such interpretations and any supplemental instructions will be in the form of written addenda to the specifications, and will be distributed to all prospective applicants, in accordance with N.J.S.A. 40A:11-23. All addenda so issued shall become part of the contract documents, and shall be acknowledged by the applicant in the proposal. The OWNER'S interpretations or corrections thereof shall be final.

III. PREPARATION OF PROPOSALS

- A. The OWNER is exempt from any local, state or federal sales, use or excise tax.

- A. Stockholder Disclosure

Chapter 33 of the Public Laws of 1977 provides that 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 percent or more of its stock of any class, or of all individual partners in the partnership who own a ten percent or greater interest therein. Form of Statement shall be completed and attached to the proposal.

- B. Non-Collusion Affidavit

The Non-Collusion Affidavit, which is part of these specifications, shall be properly executed and submitted with the proposal.

- C. New Jersey Business Registration Requirements

For the term of the contract, the contractor and each of its affiliates and a subcontractor and each of its affiliates (N.J.S.A. 52:32-44 (g) (3) shall collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and use Tax Act on all sales of tangible personal property delivered into this State, regardless of whether the tangible property is intended for a contract with a contracting agency.

IV. METHODS OF AWARD

- A. All contracts shall be for 12 consecutive months.
- B. The OWNER may award the work based on the terms stated in Exhibit A.
- C. The successful applicant will not assign any interest in this contract and shall not transfer any interest in the same without the prior written consent of the OWNER.
- D. This contract will be awarded pursuant to a fair and open process as prescribed in NJSA 19:44A-20.4 (P.L. 2005, c. 51).

V. TERMINATION OF CONTRACT

- A. If, through any cause, the successful applicant shall fail to fulfill in a timely and proper manner obligations under this contract or if the contractor shall violate any of the requirements of this contract, the OWNER shall thereupon have the right to terminate this contract by giving written notice to the contractor of such termination and specifying the effective date of termination. Such termination shall relieve the OWNER of any obligation for balances to the contractor of any sum or sums set forth in the contract.
- B. Notwithstanding the above, the contractor shall not be relieved of liability to the OWNER for damages sustained by the OWNER by virtue of any breach of the contract by the contractor and the OWNER may withhold any payments to the contractor for the purpose of compensation until such time as the exact amount of the damage due the OWNER from the contractor is determined.
- C. The contractor agrees to indemnify and hold the OWNER harmless from any liability to subcontractors/suppliers concerning payment for work performed or goods supplied arising out of the lawful termination of the contract by the OWNER under this provision.
- D. In case of default by the successful applicant, the OWNER may procure the articles or services from other sources and hold the successful applicant responsible for any excess cost occasioned thereby.

EXHIBIT A

REQUEST FOR PROPOSAL FOR PROFESSIONAL SERVICES - 2019

1. The Borough of Florham Park is soliciting proposals for the provision of professional services to the Borough for the calendar year 2019. Proposals will be accepted for the specific professional services set forth in the Public Notice, a copy of which is attached hereto.
2. All sealed proposals shall be submitted to Patrice Visco CFO/Purchasing Agent c/o Borough Clerk, 111 Ridgedale Avenue, Florham Park NJ 07932, by December 14, 2018 – 11:00 AM. **Two (2) hard copies of the proposal shall be submitted, one being an original along with an entire proposal on either CD or thumb drive.**
3. All proposals shall include, at a minimum: the name, address and all contact information of the person or firm making the proposal; a statement of qualifications, including all applicable professional licenses held; a statement of experience in rendering such professional services to public entities; and a proposal for compensation or a schedule of fees to be charged for such professional services.
4. All proposals will be evaluated by the Borough Administrator and the Purchasing Agent of the Borough of Florham Park with their recommendations being made to the governing body.
5. Proposals will be approved by the Borough of Florham Park Council on the basis of the proposals deemed to be most advantageous, price and other factors considered. The evaluations and approval will consider:
 - a. Experience and reputation in the field;
 - b. Knowledge and experience with Mayor / Council form of Government;
 - c. Knowledge of the Borough of Florham Park and the subject matter to be addressed under the contract;
 - d. Availability to accommodate any required meetings of the agency;
 - e. Support staff availability;
 - f. Compensation proposal;
 - g. Other factors, if determined to be in the best interest of the Borough of Florham Park and its agencies

6. A description of the professional services required by the Borough of Florham Park and Its agencies as follows:

Borough Surveyor - Maintains existing digital Borough Tax Maps and provides updates on a quarterly basis from County recorded deeds. Provides professional surveying services for the Borough, including Borough properties, roadways and other capital improvement projects when requested by the Borough Engineer. Solves boundary disputes between the Borough and adjacent properties. Reviews proposed Subdivision Plans for compliance with current mapping and survey standards.

Borough Attorney - The Borough Attorney shall be a licensed attorney at law of New Jersey. As set forth in the Code of the Borough of Florham Park will provide legal counsel to the Mayor & Borough Council, Borough Administrator and Borough Clerk and other officials on a wide variety of issues that are typical of a local government agency.

Borough Auditor - The Borough Auditor shall make the annual audit of the Borough financial records, including current and water and sewer utilities and capital accounts for the year ending December 31, 2018 and serve as Borough Auditor for the calendar year 2019 and perform the duties prescribed by law accordance with generally accepted auditing standards and the laws and regulations of the State of New Jersey regarding same. The Borough Auditor shall perform such duties and render such services as may from time to time be requested by the Borough Administrator and Governing Body, the Chief Financial Officer and/or the Borough Clerk

General & Traffic Engineering - The General & Traffic Engineering Firm shall have New Jersey licensed Professional Engineers on staff whose expertise are in the fields of civil and traffic engineering. When directed by the Borough Engineer, he/she shall provide design and/or construction inspection assistance for public works projects such as road reconstruction, paving & milling, drainage installation, minor and major construction, storm sewer issues and the like, in addition to services necessary to design, observe, and assess conformity to plans and specifications with regard to statutory or other ordinance requirements. In addition, upon request of the Borough Engineer, the General & Traffic Engineering Firm will review Municipal Board site plan and subdivision applications, including drainage design, traffic and parking analysis reports in connection with any proposed Borough or private site developments. When requested, the General & Traffic Engineering Firm shall provide technical advice to Board members, officials and agents concerning their review of such documents. RFQ should include all services, as well as hourly rate for any additional services.

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Borough Planner - The Borough's Consulting Planner will provide such services as required by the Borough of Florham Park Council or Municipal Boards with respect to Master Plan, Housing Plan, Zoning issues and similar land use matters.

Bond Counsel - The Borough Bond Counsel shall be a licensed attorney at law of New Jersey. Borough Bond Counsel performs and provides legal advice with regard to the following activities: the preparation of Borough Bond Ordinances and the review of the adoption proceedings; the preparation and review of public finance resolutions, the preparation and issuance of Borough Bond Anticipation, Special Emergency, and Tax Anticipation Notes; and the preparation and issuance of General Obligation Bonds. In addition, Borough Bond Counsel is responsible for the preparation and/or review of any Preliminary Official Statement and Official Statement of the Borough. Borough Bond Counsel is also responsible for the preparation and/or review of any application to the Local Finance Board, and attendance at any related meetings of the Board.

Water and Wastewater Consulting Engineer – The Borough Water and Wastewater Consultant shall have New Jersey licensed Professional Engineers on staff. When directed, the Consultant shall provide services necessary to review and make recommendations concerning the condition, engineering and integrity of water or wastewater facilities. When necessary the Consultant will make design recommendations and be involved in long term planning and maintenance issues regarding such projects. The Consultant may also be required to prepare and submit any and all reporting requirements to the New Jersey Department of Environmental Protection (NJDEP). The Consultant will provide technical advice to the Borough Engineer, Sewer Utility Plant Manager and Water Superintendent as well as any authorized Borough employee as needed.

Health Benefits Consultant - a licensed professional who can advise the Borough Administrator on matters related to employee health benefit programs and cost analysis.

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Historical Architectural Consultant - provides specialized expertise, advice and recommendations for Borough historical preservation projects. Professional qualifications must include: historical architecture with a graduate degree in architecture or architectural preservation, American architectural history, preservation planning, or closely related field and be a State licenses to practice architecture in New Jersey. As well as one year full-time professional service experience on historical preservation projects which will have included detailed investigation of historical structures, preparation of historic structures, research reports and preparation of plans and specifications for preservation projects.

Lake Management Consultant - an individual or firm with experience in the management of fresh water lakes to effectively manage nuisance aquatic vegetation and certain water quality conditions in one lake. It will be the responsibility of the vendor to formulate and carry out a program which will result in acceptable recreational and aesthetic conditions in the Borough owned lake. A Water Quality Management Program (WQMP) is also part of this scope of work for the months of June, July & August.

Risk Manager Consultant – a licensed professional individual or firm that has significant experience in the management of liability, workers compensation and casualty insurance as it relates to governmental units with emphasis on Joint Insurance Funds.

Borough Prosecutor - The Borough Prosecutor shall be a licensed attorney at law of New Jersey. The Borough Prosecutor participates in and prosecutes all cases in Municipal Court including all criminal and quasi-criminal matters and all complaints by Borough officials, inspectors and directors.

Public Defender - The Public Defender shall be a licensed attorney at law of New Jersey. The Public Defender serves as the defense attorney for any and all indigent defendants charged with a violation of any law, ordinance or regulation of a penal nature which could result in incarceration or substantial fine.

Special Counsel - shall be a licensed attorney at law of New Jersey. Will provide legal counsel to the Mayor & Borough Council, Borough Administrator, Borough Clerk and other officials on a wide variety of single special issues that are typical of a local government agency which may include various labor issues.

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Special Environmental Counsel – Water and Wastewater - shall be a licensed attorney at law of New Jersey. Will provide legal counsel to the Borough Governing body, Borough Administrator, Borough Engineer, FPSU Plant Manager and Water Superintendent as related to environmental issues that are typical in the operation and permitting of water and wastewater facilities at all governmental levels

Special Counsel – Water and Wastewater - shall be a licensed attorney at law of New Jersey. Will provide legal counsel to the Mayor & Borough Council, Borough Administrator, Borough Engineer, FPSU Plant Manager and Water Superintendent as related to issues that are typical in the operation and permitting of water and wastewater facilities that are non-environmental.

Planning Board Attorney - shall be a licensed attorney at law of New Jersey having a minimum of 5 years' experience and knowledge of the Municipal Land Use Law (MLUL) and the Borough of Florham Park land use ordinances, regulations and procedures. Will provide legal counsel to the Planning Board as well as the Mayor & Borough Council, Borough Administrator, and Borough Planner.

Board of Adjustment Attorney - shall be a licensed attorney at law of New Jersey having a minimum of 5 years' experience and knowledge of the Municipal Land Use Law (MLUL) and the Borough of Florham Park land use ordinances, regulations and procedures. Will provide legal counsel to the Board of Adjustment as well as the Mayor & Borough Council, Borough Administrator, Borough Planner, and Zoning Official.

Appraisal Services – shall be MAI and SRA qualified having a minimum of 5 years' experience appraising real property within Morris County. Must be experienced in the representation of municipalities in matters before the County Board of Taxation and demonstrated experience as an appraiser establishing values for the purpose of tax negotiations, sales negotiations, and property acquisitions.

Actuary Services- shall be a licensed actuary with knowledge of postemployment benefits valuation under GASB No 43 &45. Will provide the CFO and outside auditors with a valuation report.

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FORMS REQUIRING SIGNATURES

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DISCLOSURE OF OWNERSHIP
 N.J.S.A. 52:25-24.0 (P.L. 1977 c 33)

Check One

I certify that the list below contains the names and addresses of all stockholders holding 10% or more of the issues and outstanding stock of the undersigned.

I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned

LEGAL NAME OF APPLICANT: _____

- Limited Partnership Subchapter S Corporation Limited Liability Company
- Partnership Corporation (Profit or Non-Profit) Sole Proprietorship
- Limited Liability Partnership Other _____

Complete if the applicant/respondent is one of the three (3) types or corporations;

Date Incorporated: _____ Where Incorporated: _____

Business Address:

Street Address	City	State	Zip
Telephone Number	Fax Number		

Listed below are the names and addresses of all stockholders, partners or individuals who own ten (10) percent or more of its stock of any classes, or who own ten (10) percent or greater interest therein.

(To be completed by for profit only)

<u>Full Name of Individual</u>	<u>Address of Individual</u>	<u>Share (%) Owned</u>
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____

Notes:

1. *Attach additional sheets in this format, if necessary.*
2. *If an organization is shown as a greater than 10% owner, attach a similar breakdown of their/ its individual owners.*

AFFIDAVIT OF NON-COLLUSION

The undersigned, being duly sworn according to law, deposes and says:

1. I reside at _____

2. The name of the within applicant is _____

3. I executed the said proposal on behalf of the applicant with full authority to do so.
4. The applicant has not directly or indirectly entered into any agreement, participated in any collusion or otherwise taken any action in restraint of free competitive proposal in connection with the contract.
5. All statements contained in the Qualification Statement and Proposal and in this Affidavit are true and correct and were made with the full knowledge that the Borough of Florham Park, County of Morris, its officers and employees, relies upon the truth of the statements therein made in awarding the above-named contract.
6. I further warrant that no person or selling agency has been employed or retained to solicit or service such contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, except bonafide employees of or bonafide established commercial selling agencies maintained by the applicant.

Sworn and subscribed to
before me on this day of

_____, 2018

Signature of Applicant

Print Name

Signature of Notary

Print Name

APPENDIX A

LETTER OF QUALIFICATION

(Note: To be typed on Respondent's Letterhead. No modifications may be made to this letter)

Patrice Visco
CFO/Purchasing Agent
Borough of Florham Park
111 Ridgedale Avenue
Florham Park NJ 07932

Dear Ms. Visco:

The undersigned has/have reviewed the Qualification Statement submitted in response to the Request for Qualification (RFQ) issued by the Borough of Florham Park ("Borough"), dated (month, date, year) in connection with the Borough's need to appoint, various professional services consultants.

I/We affirm that the contents of the Qualification Statement (which Qualification Statement is incorporated herein by reference) are accurate, factual and complete to the best of my/our knowledge and belief and that the Qualification Statement is submitted in good faith upon express understanding that any false statement may result in the disqualification of (Name of Respondent).

(Respondent shall sign and complete the spaces provided below. If a joint venture, appropriate officers of each company shall sign.)

(Signature-Chief
Executive Officer)_____

(Signature-Chief
Financial Officer)_____

Typed Name and Title

Typed Name and Title

Typed Name of Firm*

Typed Name of Firm*

Dated:_____

Dated:_____

Each member of a joint venture, partnership or other formal organization shall execute this Letter of Qualification or the joint venture, partnership or other formal organization must provide documentation that the person signing has the authority to execute this Letter of Qualification on its behalf.

APPENDIX B
LETTER OF INTENT

(Note: To be typed on Respondent's Letterhead. No modifications may be made to this letter)

Patrice Visco
CFO / Purchasing Agent
Borough of Florham Park
111 Ridgedale Avenue
Florham Park, NJ 07932

Dear Ms. Visco:

The undersigned, as Respondent, has (have) submitted the attached Qualification Statement in response to a Request for Qualifications (RFQ), issued by the Borough of Florham Park ("Borough"), dated (**month date, year**), in connection with the Borough's need for Professional Consulting Services for the year 2019.

(Name of Respondent) HEREBY STATES:

1. The Qualification Statement contains accurate, factual and complete information.
2. (Name of Respondent) agrees (agree) to participate in good faith in the procurement process as described in the RFQ.
3. (Name of Respondent) acknowledges (acknowledge) that all costs incurred by it (them) in connection with the preparation and submission of the Qualification Statement and any proposal prepared and submitted in response to the RFQ, or any negotiation which results therefrom, shall be borne exclusively by the Respondent.
4. (Name of Respondent) hereby declares (declare) that the only persons participating in this Qualification Statement as Principals are named herein and that no person other than those herein mentioned has any participation in this Qualification Statement or in any contract to be entered into with respect thereto. Additional persons may subsequently be included as participating Principals, but only if acceptable to the Borough. (Name of Respondent) declares that this Qualification Statement is made without connection with any other person, firm or parties who has submitted a Qualification Statement, except as expressly set forth below and that it has been prepared and has been submitted in good faith and without collusion or fraud.

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5. (Name of Respondent) acknowledges and agrees that the Borough may modify, amend, suspend and/or terminate the procurement process (in its sole judgment). In any case, the Borough shall not have any liability to the Respondent for any costs incurred by the Respondent with respect to the procurement activities described in this RFQ.

6. (Name of Respondent) acknowledges that any contract executed with respect to the provision of all positions included in this RFQ must comply with all applicable affirmative action and similar laws. Respondent hereby agrees to take such actions as are required in order to comply with such applicable laws. Respondent, if awarded a contract, will submit evidence of appropriate affirmative action compliance by providing either a 1) Letter of Federal Approval, or a 2) Certificate of Employee Information Report, or a 3) copy of a completed Initial Employee Report, Form AA-302.

(Respondent shall sign and complete the space provided below. If a joint venture, appropriate officers of each company shall sign.)

Signature of Chief Executive Officer)

(Typed Name and Title)

(Typed Name of Firm)*

Dated: _____

Each Member of a joint venture, partnership or other formal organization shall execute this Letter of Intent or the joint venture, partnership or other formal organization must provide documentation that the person signing has the authority to execute this Letter of Intent on its behalf.