REQUEST FOR PROPOSAL
FOR PROFESSIONAL SERVICES
2023

SUBMISSION DEADLINE: November 16, 2022

ADDRESS ALL QUALIFIED STATEMENTS TO:

Jenna Jankowski, CMR
Deputy Municipal Clerk
Borough Hall
1701 N. Ocean Avenue
Seaside Park, NJ 08752

BOROUGH OF SEASIDE PARK

REQUEST FOR PROPOSAL
FOR PROFESSIONAL SERVICES
2023

CONTRACT NO. **2023-04**
CONTRACT NAME: **BOROUGH BOND COUNSEL**

THE HONORABLE John A. Peterson Jr., Mayor

SEASIDE PARK BOROUGH COUNCIL

Matthew DeMichele, President

Ray Amabile

Dr. Frank (Fritz) McHugh

Faith Liguori

Karen Kroon

Martin Wilk, Jr.

GENERAL INFORMATION & SUMMARY

ORGANIZATION REQUESTING PROPOSALS

Borough of Seaside Park
1701 N. Ocean Avenue
Seaside Park, NJ 08752

CONTACT PERSON

Jenna Jankowski
Deputy Municipal Clerk

PURPOSE OF REQUEST

The Borough of Seaside Park is soliciting proposals from interested persons and/or firms for the provision of professional services for the calendar year 2023, as more particularly described herein. Proposals are being solicited through a Fair and Open Process in accordance with N.J.S.A 19:44A-20. l et.seq. The Borough of Seaside Park will review proposals only from those persons and/or firms that submit a proposal which includes all the information required to be included as described herein, as determined in the sole and absolute discretion of the Borough of Seaside Park. The Borough of Seaside Park intends to qualify persons and/or firms that (a) possess the professional, financial and administrative capabilities to provide the proposed services, and (b) will agree to work under the compensation terms and conditions determined by the Borough of Seaside Park to provide the greatest benefit to the taxpayers of the Borough of Seaside Park. The services of successful respondents may be procured as soon as January 1, 2023.

CONTRACT FORM

If selected, a respondent shall be required to submit a formal contract to the Borough of Seaside Park for execution and will include, among other things, indemnification, insurance, termination, and licensing provisions.

REQUIREMENTS
FOR ALL PROFESSIONAL SERVICES

1. Proposals will be accepted for the specific professional services set forth in the Public Notice.

2. All proposals shall be submitted to Jenna Jankowski, CMR, 1701 N. Ocean Avenue, Seaside Park, New Jersey 08752 no later than November 16, 2022, at 10:00 am. **A total of FOUR (4) proposals -3 Hard Copies and 1 on digital media of each proposal must be submitted**.

3. All proposals shall include, at a minimum: the name, address, email address, telephone number, and all the contact information of the person or firm making the proposal; a current resume or curriculum vitae: a statement of qualifications, including all applicable professional licenses held and current professional affiliations; 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 of Seaside Park Mayor & Council, except for proposals for professional services to be rendered to the Seaside Park Planning Board. Such proposals will be forwarded to the body for evaluation and determination.

5. Proposals will be evaluated by the Borough of Seaside Park Mayor & Council and its agencies on the basis of the proposals deemed to be most advantageous, price and other factors considered. The evaluation will consider:

a. Experience and reputation in the field;
b. Knowledge of municipal government;
c. Availability to accommodate any required meetings;
d. Support staff availability, where applicable; and
e. Compensation proposal;
f. Other factors, is determined to be in the best interest of the Borough of Seaside Park.

6. <u>GENERAL TERMS AND CONDITIONS</u>

a. The Borough of Seaside Park reserves the right to reject any Proposal in whole or in part or to waive any informality, unless otherwise specified by the respondent, to accept any item, items or services in the proposals should it be deemed in the best interest of the Borough of Seaside Park to do so.

b. The respondent shall maintain sufficient insurance to protect against All claims under Workmen's Compensation, General, Professional, and Automobile Liability.

c. Each Proposal must be signed by the person authorized to do so.

d. The checklist, affidavits, notices and the like presented at the end of this RFP are a part of this RFP and shall be completed and submitted as a part of the Proposal.

APPOINTMENT OF BOND COUNSEL

Appointed by the Mayor with the advice and consent of Council to serve as the official Bond Counsel for the Borough of Seaside Park. Other attorneys or law firms may be appointed by the Mayor with the advice and consent of Council, for a term of one (1) year, to perform legal services for the Borough of Seaside Park including but not limited to those services as described in this document.

PERIOD OF CONTRACT

It is anticipated this contract may commence on or around January 1, 2023 and conclude on December 31, 2023.

PAYMENT

The Borough shall not make any payments in advance for the services required by the RFP.

INSURANCE/BACKGROUND CHECKS

The Consultant is responsible to conduct adequate background checks on all employees and/or sub Contractors working at Borough facilities. Consultants and/or subcontractors must be bonded, show proof of insurance coverage naming the Borough as an additional insured, and workers' compensation insurance.

INSURANCE

The Consultant shall maintain during the life of the contract, insurance policies of the type and with the minimum limits indicated below and in a form satisfactory to the municipality. The Consultant shall provide a certified copy of the policies and/or certificates of insurance satisfactory to the municipality prior to the commencement of work. The consultant must maintain Workers' Compensation insurance in accordance with the laws of the State of New Jersey. The Consultant shall also have and maintain Employers Liability Insurance. Commercial General Liability insurance coverage, written on an occurrence basis must not be altered by any endorsements limiting coverage. Limits of liability shall not be less than $1,000,000. Municipality must be named as an additional insured.

DESCRIPTION OF REQUIRED SERVICES

The Borough Bond Counsel shall perform the following minimum duties, as well as those prescribed by applicable law, subject to the review and approval of the Mayor and Council. Responsibilities shall include analyze all municipal short and long-term indebtedness, determine the most advantageous time to convert short-term into indebtedness, prepare ordinances; notices; and all other documentation necessary for incurring new debt, prepare reports and provide advice and counsel to the Mayor and Council regarding bonding that includes but are not limited to: litigation, regulations, legislation, and ordinances, attend meetings as requested by the Mayor and Council.

In order to have a proposal considered by the Mayor and Council, an interested party must provide evidence that he/she satisfies the minimum requirements for this position, as set forth in this document and that he/she otherwise complies with the proposal requirements set forth.

MINIMUM QUALIFICATIONS AND RESPONSE REQUIREMENTS

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

1. The individual has served in the role of Municipal Bond Counsel for a municipal entity or Government entity in the State of New Jersey for a period of at least seven (7) years prior to the submission of this proposal;

2. That the attorney has at least seven (7) years experience in the litigation of municipal matters;

3. That the attorney or law firm submitting this proposal has not represented within the past three years and does not represent any adverse parties and claims whether administrative, civil, criminal or otherwise, against the Borough of Seaside Park.

4. Must have sufficient support staff to provide all services requested by the Borough including, but not limited to, preparation of all legal documents necessary and incidental thereto.

5. Must list past and present public entities represented as Municipal Bond Counsel and any related Issues.

6. Must provide a detailed description of the company's qualifications and experience, including resumes of personnel who will be assigned to provide services to Seaside Park.

7. A statement that applicant complies with the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1, et. seq., and the Affirmative Action Law of the State of New Jersey, P.L. 1975 C. 127; N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 and of P.L. 1963, c. 150 (Prevailing Wage) and Americans with Disabilities Act of 1990 (42 U.S.C. 12101, et seq.); and N.J.S.A. 19:44A-20.4 et. seq. of the New Jersey Local Unit Pay to Play Law.

EXPERIENCE SHEET

The Consultant is required to submit below detailed evidence that he/she is a competent organization which has constructed work similar in amount, value, cost character and proportions, and the necessary financial resources to perform the work in a satisfactory manner. Specifically, identify client size and specific examples of similarities with the scope of services required under the technical specification.

Year	Type of Work	Contract Amount	Name & Address of Borough (other organization)

CONSULTANT

_____

TITLE

_____

CONSULTANTS RESPONSE SECTION

In its proposal, the vendor must include responses to all of the following:

Failure to submit the following documents is a mandatory cause for the proposal to be rejected.

REQUIRED ITEMS	INITIAL
An executive summary of not more than two pages identifying and substantiating why the vendor is best qualified to provide the requested services.	
A staffing plan listing those persons who will be assigned to the engagement if the vendor is selected, including the designation of the person who would be the vendor's officer responsible for all services required under the engagement. This portion of the proposal should include the relevant resume information for the individuals who will be assigned. This information should include, at a minimum, a description of the person's relevant professional experience, years and type of experience, and a number of years with the vendor.	
A description of the vendor's experience in performing services of the type described in the technical specification. Specifically, identify client size and specific examples of similarities with the scope of services required under technical specification.	
The location of the office, if other than the vendor's main office, at which the vendor proposes to perform the services required under technical specification. Describe your presence in New Jersey.	
Provide references including contact names, titles, addresses, and phone numbers.	
In its proposal, the vendor must identify any existing or potential conflicts of interest, and disclose any representation of parties or other relationships that might be considered a conflict of interest with regard to this engagement, or the BOROUGH.	
Documentation that the vendor meets the minimum qualifications for the position as outlined.	

PROPOSAL DOCUMENT SUBMISSION CHECKLIST

Failure to submit the following documents may be a cause for the proposal to be rejected.
(N.J.S.A. 40A:11-23.1b.)

REQUIRED WITH THE SUBMISSION OF PROPOSAL	**INITIAL**
Non-Collusion Affidavit (properly notarized)	
Disclosure of Ownership	
Disclosure Statement	
Affirmative Action Statement	
Business Registration Certificate (N.J.S.A. 52:32- 44/P.L. 2009 c.315)	
Debarred, Suspended & Disqualification	
Fee Proposal	

****

The following items, shall be required after award of the contract:
Certification of Insurance
Signed Contracts

SIGNATURE: The undersigned hereby acknowledges and has submitted the above-listed requirements.

Name of CONSULTANT:_____**Signature:** _____

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY)
)ss:
COUNTY OF_____)

I of the in the County of

_____ and the State of_____of full age, being duly sworn according to the law on my oath depose and say that:

I am_____of the firm of_____, the Respondent submitting the Qualification Statement, and that I executed the said Qualification Statement with full authority so to do; and that said respondent 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 Qualification Statement; and that all statements contained in said Qualification Statement and in this Affidavit are true and correct, and made with full knowledge that the State of New Jersey relies upon the truth of the statements contained in said Qualification Statement and in the statements contained in this Affidavit in awarding any contract for the named services.

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

_ _ _ _ _ _ _ _ _ _ _ _ _ _ _ (N.J.S.A. 52:34-15)

_____
(Also type or print name of Affiant under signature)

Subscribed and sworn to before me this
day of_____

_____
A Notary Public of_____

My Commission Expires:_____

OWNER DISCLOSURE INFORMATION

Set forth below are the names and addresses of all owners of 10% or more of the proposing business entity.

Name: _____ Name: _____

Address: _____ Address: _____

_____ _____

Name: _____ Name: _____

Address: _____ Address: _____

_____ _____

Name: _____ Name: _____

Address:. _____ Address: _____

_____ _____

Name: _____ Name: _____

Address: _____ Address:. _____

_____ _____

_____
NAME OF BUSINESS ENTITY

_____
SIGNATURE TITLE

_____
Notary Public of

My Commission Expires: , 20_.

DISCLOSURE STATEMENT

(To be submitted with Qualification Statement)

(a) Is or was anyone in your firm or company a member of Seaside Park governing body within the last calendar year or a member of his/her immediate family? If yes, then provide the name of the individual below and his/her relationship.

Yes___ **No___**

Name	Position	Relationship

(b) Has any principal/partner of your firm been convicted of an indictable offense? If yes, then please Provide further explanation and copies of any relative documents.

Yes___ **No___**

Name	Position	Relationship

(c) Has any individual who would provide service under this contract ever been sanctioned by the appropriate licensing board?

Yes___ **No___**

Name	Position	Term

(d) Has the firm been found liable for professional malpractice in the last 5 years?

Yes___ **No___**

Reason for Action:

(e) Has any member of your firm ever been barred from doing business with any state, Seaside Park or municipal government? If yes, then please provide further written explanation including date and copies of relevant documentation.

Yes___ **No____**

Name	State, County or Municipality	Date

(f) Has your firm sued Seaside Park in the past five (5) years? If yes, then please identify the matter/case and provide further written explanation including date and copies of relevant documents.

Yes **No**

Name **Date**

By **Title**

(REVISED 9105)

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
N.J.S.A.10:5-31 et seq. N.J.A.C.17:27

GOODS, PROFESSIONAL SERVICES 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 or sex. Except with respect to affectional or sexual orientation, 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 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 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 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 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
Approved 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 and EEO as may be requested by the Division 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.**

_____

Signature Title

_____

Company Name

DEBARRED, SUSPENDED AND DISQUALIFIED CONSULTANT AFFIDAVIT

STATE OF NEW JERSEY)
)
COUNTY OF)

I,_____of the BOROUGH of_____, in the County of_____ and the State of being of full age, being duly sworn according to law on my oath depose and say:
I am , an officer of the firm(s) of_____, the Consultant making the proposal for the above-named work; I executed the said proposal with full authority to do so; said Consultant at the time of making this proposal {as applicable, insert "is" or "is not"} included on the State of New Jersey, State Treasurer's List of Debarred, Suspended and Disqualified Consultants; and all statements contained in said proposal and in this affidavit are true and correct and made with the full knowledge that the Borough of Seaside Park as the Local Unit relies upon the truth of the statements contained in said proposal and in the statements contained in this affidavit in awarding the contract for said work:

I. Has not been suspended, debarred, voluntarily excluded or determined ineligible by any Federal, state or local government agency within the past 3 years;
II. Does not have a proposed debarment pending; and
III. Has not been indicted, convicted, or had a civil judgment rendered against (it) by a court of Competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

The undersigned further warrants that should the name of the firm making this proposal appear on the State Treasurer's List of Debarred, Suspended and Disqualified Consultants at any time prior to, and during the life of the contract, including the Guaranteed Period, that the Local Unit shall be immediately so notified by the signatory of this Eligibility Affidavit.

The undersigned understands that the firm making the proposal as a Consultant is subject to debarment, suspension and/or disqualification in contracting with the State of New Jersey and the Department of Environmental Protection if the Consultant, pursuant to N.J.A.C. 7:1-5.2, commits any of the acts listed therein, and as determined according to applicable law and regulation.

(Insert Exceptions - For any exception noted, indicate to whom it applies, initiating agency, and dates of action. Providing false information may result in criminal prosecution or administrative sanctions. If no exceptions, insert "None".)

Subscribed and Sworn
Before me this_____day
Of_____, 20_____.

_____

_____

_____
Name and address of Consultant

_____
Name and Title of Affiant

Signed:_____
By:_____
(Signature of Officer or Individual)

If Consultant is:

An Individual

By _____ (SEAL)

(Individual's Name)

Doing business as _____

Business Address: _____

Phone Number: _____

A Partnership

By _____ (SEAL)

(Firm Name)

_____

(General Partner)

Business Address: _____

Phone Number: _____

A Corporation

By _____ (SEAL)

(Corporation Name)

_____

(State of Incorporation)

By _____

(Name of Person Authorized to Sign)

_____

(Title)

(Corporate Seal)

Attest _____

(Secretary)

Business Address: _____

Phone Number: _____

A Joint Venture

By _____

(Name)

_____

(Address)

By _____

(Name)

_____

(Address)

(Each joint venture must sign. The manner of signing for each individual, partnership, and corporation that is party to the joint venture should be in the manner indicated above)