

## CITY OF BURLINGTON



### Notice of Request for Proposals and Qualifications for Professional Service Contracts

Please take notice that the Governing Body of the City of Burlington, the City of Burlington Land Use Board and the City of Burlington Historic Preservation Commission are Requesting Proposals and Qualifications for Professional Services as listed below for the term of January 1, 2019 through December 31, 2019. Accepting RFP/RFQ's for the following:

#### GOVERNING BODY

##### ATTORNEYS

1. Municipal Solicitor
2. Bond Counsel
3. Redevelopment Counsel
4. Tax Foreclosure & Bankruptcy Counsel
5. Workers' Compensation Special Counsel

##### *Pool of Attorneys for Special Projects:*

6. Special Counsel for Self-Insured Tort & Civil Rights Litigation
7. Alcoholic Beverage Control Counsel
8. Tax Appeals Counsel
9. COAH/Fair Share Housing Counsel
10. Labor Counsel
11. Alternate Redevelopment Counsel
12. Other Special Projects Counsel

##### ENGINEERS

13. Municipal Engineer
14. Water Utility Engineer
15. Sewer Utility Engineer

##### *Pool of Engineers for Special Projects:*

16. Construction Inspection Engineer
17. Other Special Projects Engineer

##### OTHER

18. Risk Management Consultant
19. Municipal Auditor
20. Third Party Claims Administrator
21. Financial Consultant

**LAND USE BOARD**

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- 22. Land Use Board Solicitor
- 23. Land Use Board Engineer
- 24. Land Use Board Planner

*Pool for Special Projects:*

- 25. Conflict Land Use Board Solicitor
- 26. Conflict Land Use Board Engineer
- 27. Conflict Land Use Board Planner
- 28. Land Use Board Traffic Consultant

**HISTORIC PRESERVATION COMMISSION**

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- 29. Historic Preservation Commission Professional Consultant

Descriptive Requests for Proposals and Qualifications for all of the above Professional Services setting forth the scope of services sought and any proposal requirements may be obtained from the City of Burlington website [www.burlingtonnj.us](http://www.burlingtonnj.us) or by contacting Cindy Crivaro, Municipal Clerk, located at 525 High Street, Burlington, NJ 08016. Any questions should be directed to David H. Ballard, Administrator at (609) 386-0200 ext.133.

Proposals will be evaluated in the manner and on the basis of most advantageous, price and other factors considered, in accordance with criteria set forth in the Request for Proposals.

Proposals for each of the above Professional Services sought are to be submitted separately. **All proposals are to be submitted in sealed envelopes specifying the Professional Services for which the proposal is to be submitted by 10:00 AM on Wednesday, November 28, 2018** to: Cindy Crivaro, Municipal Clerk, City of Burlington, 525 High Street, Burlington, New Jersey 08016.

All proposals will be unsealed and opened on Wednesday, November 28, 2018, at 10:00 AM in the City of Burlington Council Chambers located at 525 High Street, Burlington, NJ which opening shall be opened to the public.

All RFP/RFQ's are being solicited through a fair and open process in accordance with N.J.S.A. 19:44A:20.5 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.

## GENERAL INFORMATION

1. The City of Burlington reserves the right to revise any part of the RFP/RFQ by issuing an addendum to the RFP/RFQ.
2. Issuance of this RFP/RFQ in no way constitutes a commitment by City of Burlington to award a contract. City of Burlington reserves the right to accept or reject, in whole or part, all qualifications statements submitted and/or cancel this announcement if it is determined to be in the City of Burlington's best interest.
3. City of Burlington is not liable for any costs incurred by prospective proposer/respondents prior to issuance of or entering into a contract. Costs associated with developing the qualifications statement, preparing for oral presentations, and any other expenses incurred by the proposer/respondent in responding to this RFP/RFQ are entirely the responsibility of the proposer/respondent, and shall not be reimbursed in any manner by City of Burlington.
4. City of Burlington shall not be liable for any errors in qualifications statements. City of Burlington reserves the right to make corrections or amendments to the RFP/RFQ due to errors identified in qualifications statements by City of Burlington or the proposer/respondent. City of Burlington at its option, has the right to request clarification or additional information from the proposer/respondents; if requested, such information shall be provided within fourteen (14) days of request.
5. City of Burlington reserves the right to enter into a Contract without further discussion of the qualifications statement submitted based on the initial offer received. City of Burlington reserves the right to contract for all or a partial list of services offered in the qualifications statement. The RFP/RFQ and qualifications statement of the selected proposer/respondent shall become part of any contract initiated by City of Burlington.
6. The selected proposer/respondent shall be expected to enter into a contract. In no event shall a proposer/respondent submit its own standard contract terms and conditions as a response to this RFP/RFQ. If the selected proposer/respondent fails to sign all contract documents within ten (10) calendar days of delivery, City of Burlington may elect to cancel the award and award the contract to the another proposer/respondent.
7. Pay to Play: The proposer/respondent is advised of the 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 proposer/respondent receives contracts in excess of \$50,000 from public entities in a calendar year. It is the proposer/respondent'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](http://www.elec.state.nj.us).

**I. PROPOSAL CONTENTS**

Proposals should include the following minimum information:

1. Existing positions or contracts with the municipality.
2. The proposed supervisory and proposed personnel intended to be used to provide the services required by the scope of work and general manner in which personnel will be used to address the Scope of Work.
3. The experience and qualifications of the firm and/or key personnel in each of the areas specified in the scope of work. This should include experience in representing municipalities or similar agencies in such areas as well as general experience in serving in positions similar to the one being sought.
4. Experience with and knowledge and familiarity of the Municipality and the subject matters of the Scope of Work as they relate to the Municipality.
5. Resources available the firm/candidates and ability to perform the scope of work in a timely, efficient and professional manner without the need to outsource.
6. Availability to accommodate required meetings.
7. Other factors shown to be beneficial to the municipality.
8. Compensation Proposal. As it is difficult to estimate the total number of hours that will be required to perform the scope of work and in order for fair comparison, candidates are to provide the following information concerning compensation and cost:
  - a. The hourly rate or flat rate to be charged with respect to each area of service within the Scope of Work. If a different rate or fee will be charged dependent upon level of experience or standing, such as partner, associate, etc., such should be specified. The flat rate to be charged should be broken down with respect to each area of service within the Scope of Work.
  - b. In the event the rates and fees will vary over the course of the anticipated contract, the proposed rates/fees should be reflected as applicable to each relevant time period.
  - c. The items of costs to be charged such as telephone, copy, facsimile, postage and delivery charges together with the manner and/or rates to be charged.
9. Copy of New Jersey Business Registration Certificate. All firms (and their subcontractors) competing for Municipal contracts must provide a copy of their Business Registration Certificate at the time the proposal is submitted.
10. Completed Bid Proposal Form (page 8)
11. Completed Affirmative Action Compliance Notice (page 23)
12. Acknowledged Appendix "A" Americans with Disabilities Act Form (page 24)
13. Completed Disclosure of Activities in Iran Form (page 25)
14. Completed Statement of Ownership Disclosure (page 26-27)
15. Completed New Jersey Debarred List Affidavit (page 28)
16. Completed Non-Collusion Affidavit (page 29)
17. Acknowledgement of Receipt of Addenda Form (page 30)
18. Submit: eleven (11) complete copies of each for Land Use Board Solicitor/Attorney, Land Use Board Engineer and Land Use Planner; ten (10) complete copies for Historic Preservation Commission Professional Consultant; (2) complete copies for all others.

## **II. INSURANCE**

Prior to the commencement of a contract, the successful proposer/respondent will be required to furnish a copy of their professional liability insurance certificate evidencing valid insurance coverage. Insurance coverage should be in place at the start of the contract term and must be maintained continuously for the duration of the contract. Any lapses in insurance coverage must be reported to the City immediately. The successful proposer/respondent shall procure insurance coverage against claims that may arise from, or in connection with the performance of the work hereunder by the successful proposer/respondent, his agents, representatives, employees or sub-contractors. The successful proposer/respondent shall keep all the required insurance in force continuously pursuant to their responsibility described in the contract, including any and all extensions. The successful proposer/respondent shall pay all costs, premiums, and charges earned and payable under the required insurance. For the purpose of this exhibit: the term "successful proposer/respondent" shall also include their respective agents, representatives, employees or sub-contractors; and the term "City of Burlington" (or "City") shall include their respective officers, agents, officials, employees, volunteers, boards and commissions.

## **III. AFFIRMATIVE ACTION**

All contracts issued by a Public Agency must contain the mandatory affirmative action language set forth in N.J.A.C. 17:27 et seq. For all goods, general services and professional services vendors, Public Agency contracts must include the affirmative action language of Exhibit A which is included with this RFP/RFQ.

P.L. 1975, C. 127 (N.J.A.C. 17:27) Mandatory Affirmative Action Language for Procurement, Professional and 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, sex, 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, sex, affectional or sexual orientation. 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, sex, affectional or sexual orientation.

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 the regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to attempt in good faith to employ minority and female workers consistent with the applicable county employment goals prescribed by N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time or in accordance with a binding determination of the applicable county employment goals determined by the Affirmative Action Office pursuant to N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time. The contractor or subcontractor agrees to inform in writing appropriate recruitment agencies in the area, including 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, sex, affectional or sexual orientation, 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.

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, sex, affectional or sexual orientation, and conform with the applicable employment goals, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor and its subcontractors shall furnish such reports or other documents to the Affirmative Action Office 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 Affirmative Action Office for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code (NJAC 17:27).

The contractor has attached a copy of their current "Certificate of Employee Information Report" to this Agreement; or contractor agrees to complete the Affirmative Action Employee Information Report, form AA-302 and forward same to the Affirmative Action Office within thirty (30) days of the date of this Agreement.

**IV. EVALUATION CRITERIA for RFP/RFQ's**

1. Use of personnel and approach to scope of work.
2. Experience, qualifications and reputation in relation to areas within the Scope of Work.
3. Experience with and knowledge and familiarity of the Municipality and the subject matters of the Scope of Work as they relate to the Municipality.
4. Resources available within the firm and their ability to perform the scope of work in a timely, efficient and professional manner without the need to outsource.
5. Availability to accommodate required meetings.
6. Other factors shown by the candidates to be beneficial to the Municipality or which the Municipality determines to be relevant.
7. Overall advantages of the candidates considering all factors as a whole.
8. Compensation Proposal.

**BID PROPOSAL FORM**

\_\_\_\_\_  
(Contract Title and Bid Number, if applicable)

\_\_\_\_\_  
(Description of goods/services being bid)

The undersigned proposes to furnish and deliver the above goods/services pursuant to the RFP/RFQ specification and made part hereof.

\_\_\_\_\_  
Amount in words

\$ \_\_\_\_\_  
Amount in numbers

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Federal I.D. # or Social Security #

\_\_\_\_\_  
Address

\_\_\_\_\_  
Signature of Authorized Agent

\_\_\_\_\_  
Type or Print Name

Title: \_\_\_\_\_

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Date

\_\_\_\_\_  
Fax Number

\_\_\_\_\_  
E-mail address



## GOVERNING BODY

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### ATTORNEYS

#### **1. Municipal Solicitor (2 copies)**

REVIEW AND AWARD Proposals will be evaluated by the Mayor of the City Burlington in accordance with the criteria set forth in this Request for Proposals and Qualifications. Award will be based upon selection, appointment and recommendation of and by the Mayor with the advice and consent of the Common Council of the City of Burlington to be provided by resolution of the Common Council adopted at a public meeting of the Common Council.

SCOPE OF WORK The successful candidates will be expected to provide legal services in the following areas in an efficient, timely and professional manner with minimal to no outsourcing:

- a) General Solicitor Services to include, but not necessarily limited to attendance at weekly meetings of the Common Council; preparation of resolutions and ordinances; providing legal advice to Common Council, the Mayor, Administration and various departments of the City of Burlington; the negotiation, review and drafting of contracts and addressing the day to day legal issues confronting the municipality. Such services shall further include:
  - i. Handling all matters relating to real estate and UDAG transaction engaged in by the municipality;
  - ii. Representing the municipality in bankruptcy matters with relation to creditors of the municipality; and
  - iii. Providing legal services to the municipality in relation to matters relating to condemnation, eminent domain, COAH compliance and code enforcement.
- a) Legal Services in relation to local redevelopment inclusive of, but not limited to legal services in relation to the designation and establishment of areas in need of redevelopment; approval of redevelopment plans; negotiation and drafting of redevelopment agreements, pilot programs and other related agreements and documents; pursuit of eminent domain.
- b) Litigation inclusive of representing the municipality in all matters of litigation as assigned by the municipality and with the exception of workers compensation, general litigation encompassed within the municipalities self-insurance fund such as personal injury and litigation and Alcoholic Beverage Control matters
- c) Labor and Employment inclusive of, but not limited to, providing the municipality with legal advice and representation in all matters of public employment including contract negotiations; civil service matters and proceedings; union grievances and arbitrations; policies and procedure establishment, review and compliance; employment litigation and employee disciplinary proceedings.

**1. Bond Counsel (2 copies)**

REVIEW AND AWARD Proposals will be evaluated by the Mayor of the City Burlington in accordance with the criteria set forth in this Request for Proposals and Qualifications. Award will be based upon selection, appointment and recommendation of and by the Mayor with the advice and consent of the Common Council of the City of Burlington to be provided by resolution of the Common Council adopted at a public meeting of the Common Council.

SCOPE OF WORK The Attorney should be an Attorney in good standing of the bar of the State of New Jersey with a minimum of ten (10) years' experience, concentrating in the area of public finance and listed in the "The Bond Buyer's Municipal Market Place" book also known as the "Red Book" as a member concentrating in Public Finance as a Bond Counsel. The Attorney should have knowledge of municipal finance law and be competent and skilled in the preparation of ordinance, resolutions and legal opinions as they relate to municipal financing. The Attorney should be able to provide advice, legal assistance, and approving legal opinions acceptable to the market in connection with the sale of public securities. The City reserves the right to retain Bond Counsel on an as-needed basis.

**2. Redevelopment Counsel (2 copies)**

REVIEW AND AWARD Proposals will be evaluated by the Mayor of the City Burlington in accordance with the criteria set forth in this Request for Proposals and Qualifications. Award will be based upon selection, appointment and recommendation of and by the Mayor with the advice and consent of the Common Council of the City of Burlington to be provided by resolution of the Common Council adopted at a public meeting of the Common Council.

SCOPE OF WORK Legal Services in relation to local redevelopment inclusive of, but not limited to legal services in relation to the designation and establishment of areas in need of redevelopment; approval of redevelopment plans; negotiation and drafting of redevelopment agreements, pilot programs and other related agreements and documents; pursuit of eminent domain.

**3. Special Self-Insurance Tort & Civil Litigation Counsel (2 copies)**

REVIEW AND AWARD Proposals will be evaluated by the Mayor of the City Burlington in accordance with the criteria set forth in this Request for Proposals and Qualifications. Award will be based upon selection, appointment and recommendation of and by the Mayor with the advice and consent of the Common Council of the City of Burlington to be provided by resolution of the Common Council adopted at a public meeting of the Common Council.

SCOPE OF WORK The successful candidates shall be a licensed attorney in the State of New Jersey or law firm and will expected to provide legal services in the following areas in an efficient, timely and professional manner:

Provide legal advice and services as Self-Insured Special Counsel to the City of Burlington which will include, but not necessarily be limited to, providing advice as to potential claims against the municipality and handling litigations against the municipality and/or its agents falling within the category and

municipalities self-insurance provisions such as personal injury claims, negligence and property damage claims and other tort actions as assigned to it by the municipality. The Self-Insured Special Counsel shall also be required to review and monitor all tort claims notices received by the municipality, provide advice in relation to same and, were requested, assist in the investigation of such claims.

#### **4. Tax Foreclosure & Bankruptcy Counsel (2 copies)**

REVIEW AND AWARD Proposals will be evaluated by the Mayor of the City Burlington in accordance with the criteria set forth in this Request for Proposals and Qualifications. Award will be based upon selection, appointment and recommendation of and by the Mayor with the advice and consent of the Common Council of the City of Burlington to be provided by resolution of the Common Council adopted at a public meeting of the Common Council.

##### SCOPE OF WORK

Handle all of the city's Legal Services for In-Rem Tax Foreclosures and represent the City as creditors in all Bankruptcy Court Proceedings, upon direction of the Solicitor/Director of Law.

#### **5. Workers' Compensation Special Counsel (2 copies)**

REVIEW AND AWARD Proposals will be evaluated by the Mayor of the City Burlington in accordance with the criteria set forth in this Request for Proposals and Qualifications. Award will be based upon selection, appointment and recommendation of and by the Mayor with the advice and consent of the Common Council of the City of Burlington to be provided by resolution of the Common Council adopted at a public meeting of the Common Council.

##### SCOPE OF WORK

Represent the City in all Workers' Compensation Claims, including handling of all Court appearances, claim reviews and providing updates to the City's Third Party Administrator.

#### **6. Prosecutor (2 copies)**

*(Shared Court w/ Burlington Township; contract amount per Court Appearance)*

- a) Prosecution of all crimes and offenses cognizable before the Municipal Court of the City including but not limited to violations of Title 39, 23, 2A, 2C and ordinances of the City of Burlington.
- b) Meetings with local law enforcement officers of City of Burlington to advise them of procedures and practices to bring about the proper enforcement of the laws operative within the City of Burlington
- c) Ability to advise Mayor and City Council on procedures and practices designated to bring about proper enforcement of the laws within the City of Burlington
- d) Knowledge and understanding of laws and ordinances and case law interpreting same as set forth above
- e) Experience in Municipal Court litigation including trials/motions, appeals, including knowledge

- and understanding of Court Rules and other related procedural matters in the prosecution of cases
- f) Ability to perform such other duties as state statute, city ordinances, or administrative rules and regulations may provide
  - g) The City of Burlington has a Shared Municipal Court with the Township of Burlington. As such, the Prosecutor shall be required to handle both City and Township caseloads as the Shared Court Schedule dictates.

**1. Alternate Public Defender (2 copies)**

*(Shared Court w/ Burlington Township; contract amount per Court Appearance)*

- a) The defense of crimes and offenses cognizable before the Municipal Court of the City including, but not limited to, violations of Title 39, 23, 2A, 2C, and ordinances of the City of Burlington.
- b) Knowledge and understanding of laws and ordinances and case law interpreting same as set forth above.
- c) Experience in Municipal Court defense including trials/motions, appeals, including knowledge and understanding of Court Rules and other related procedural matters in the prosecution of cases.
- d) Ability to perform such other duties as State statute, township ordinances or administrative rules and regulations may provide.
- e) The City of Burlington has a Shared Municipal Court with the Township of Burlington. As such, Alternate Public Defender shall be required to handle both City and Township caseloads as the Shared Court Schedule dictates.

*Pool of Attorneys for Special Projects:*

*The City of Burlington is requesting RFP/RFQ statements for legal services for the purpose of establishing a "pool" of qualified attorneys capable of handling special projects on an as-needed basis, or in the case of any conflict that may arise requiring such services.*

**1. Alcoholic Beverage Control Counsel (2 copies)**

REVIEW AND AWARD Proposals will be evaluated by the Mayor of the City Burlington in accordance with the criteria set forth in this Request for Proposals and Qualifications. Award will be based upon selection, appointment and recommendation of and by the Mayor with the advice and consent of the Common Council of the City of Burlington to be provided by resolution of the Common Council adopted at a public meeting of the Common Council.

SCOPE OF WORK The successful candidates will be expected to provide legal services in the subject area in an efficient, timely and professional manner with no outsourcing. The applicant must be licensed to practice law in the State of New Jersey and be a member of the Bar in good standing.

**2. Tax Appeals Counsel (2 copies)**

REVIEW AND AWARD Proposals will be evaluated by the Mayor of the City Burlington in accordance with the criteria set forth in this Request for Proposals and Qualifications. Award will be based upon

selection, appointment and recommendation of and by the Mayor with the advice and consent of the Common Council of the City of Burlington to be provided by resolution of the Common Council adopted at a public meeting of the Common Council.

SCOPE OF WORK The successful candidates will be expected to provide legal services in the subject area in an efficient, timely and professional manner with no outsourcing. The applicant must be licensed to practice law in the State of New Jersey and be a member of the Bar in good standing.

### **3. COAH / Fair Share Housing Counsel (2 copies)**

REVIEW AND AWARD Proposals will be evaluated by the Mayor of the City Burlington in accordance with the criteria set forth in this Request for Proposals and Qualifications. Award will be based upon selection, appointment and recommendation of and by the Mayor with the advice and consent of the Common Council of the City of Burlington to be provided by resolution of the Common Council adopted at a public meeting of the Common Council.

SCOPE OF WORK The successful candidates will be expected to provide legal services in the subject area in an efficient, timely and professional manner with no outsourcing. The applicant must be licensed to practice law in the State of New Jersey and be a member of the Bar in good standing.

### **4. Labor Counsel (2 copies)**

REVIEW AND AWARD Proposals will be evaluated by the Mayor of the City Burlington in accordance with the criteria set forth in this Request for Proposals and Qualifications. Award will be based upon selection, appointment and recommendation of and by the Mayor with the advice and consent of the Common Council of the City of Burlington to be provided by resolution of the Common Council adopted at a public meeting of the Common Council.

SCOPE OF WORK The successful candidates will be expected to provide legal services in the subject area in an efficient, timely and professional manner with no outsourcing. The applicant must be licensed to practice law in the State of New Jersey and be a member of the Bar in good standing.

### **5. Conflict Redevelopment Counsel (2 copies)**

REVIEW AND AWARD Proposals will be evaluated by the Mayor of the City Burlington in accordance with the criteria set forth in this Request for Proposals and Qualifications. Award will be based upon selection, appointment and recommendation of and by the Mayor with the advice and consent of the Common Council of the City of Burlington to be provided by resolution of the Common Council adopted at a public meeting of the Common Council.

SCOPE OF WORK The successful candidates will be expected to provide legal services in the subject area in an efficient, timely and professional manner with no outsourcing. The applicant must be licensed to practice law in the State of New Jersey and be a member of the Bar in good standing.



**6. Other Special Projects Counsel (2 copies)**

REVIEW AND AWARD Proposals will be evaluated by the Mayor of the City Burlington in accordance with the criteria set forth in this Request for Proposals and Qualifications. Award will be based upon selection, appointment and recommendation of and by the Mayor with the advice and consent of the Common Council of the City of Burlington to be provided by resolution of the Common Council adopted at a public meeting of the Common Council.

SCOPE OF WORK The successful candidates will be expected to provide legal services in the subject area in an efficient, timely and professional manner with no outsourcing. The applicant must be licensed to practice law in the State of New Jersey and be a member of the Bar in good standing.

**ENGINEERS**

**7. Municipal Engineer (2 copies)**

REVIEW AND AWARD Proposals to act as the City Engineer and Special Project Engineers will be evaluated by the Mayor of the City Burlington in accordance with the criteria set forth in this Request for Proposals and Qualifications. Award will be based upon selection, appointment and recommendation of and by the Mayor with the advice and consent of the Common Council of the City of Burlington to be provided by resolution of the Common Council adopted at a public meeting of the Common Council.

SCOPE OF WORK These services shall be under the supervision of a professional engineer, licensed in the State of New Jersey. Although not mandatory, it is preferable that the engineer possess a Municipal Engineer's Certificate. The general duties include the following: Perform administrative and professional engineering work in the investigation, design, construction and maintenance of water, sewer and other projects, (hereafter referred to as Engineer) as authorized. Supervise or perform such surveys of either a topographical, property line or construction nature as may be required. Prepare such plans, sketches, and blueprints as may be required. Maintain water, sewer, tax and other maps. In performing the duties, the Engineer will be responsible for reporting to the Mayor and Common Council and will keep the Mayor and Common Council informed with regard to the status of pending or proposed projects. The Engineer will also coordinate with other departments, offices, bureaus, boards or agencies of the City.

**8. Water Utility Engineer (2 copies)**

REVIEW AND AWARD Proposals to act as the Water Utility Engineer and Special Project Engineers will be evaluated by the Mayor of the City Burlington in accordance with the criteria set forth in this Request for Proposals and Qualifications. Award will be based upon selection, appointment and recommendation of and by the Mayor with the advice and consent of the Common Council of the City of Burlington to be provided by resolution of the Common Council adopted at a public meeting of the Common Council.

SCOPE OF WORK These services shall be under the supervision of a professional engineer, licensed in the State of New Jersey. Although not mandatory, it is preferable that the engineer possess a Municipal

Engineer's Certificate. The general duties include the following: Perform administrative and professional engineering work in the investigation, design, construction and maintenance of water, sewer and other projects, (hereafter referred to as Engineer) as authorized. Supervise or perform such surveys of either a topographical, property line or construction nature as may be required. Prepare such plans, sketches, and blueprints as may be required. Maintain water, sewer, tax and other maps. In performing the duties, the Engineer will be responsible for reporting to the Mayor and Common Council and will keep the Mayor and Common Council informed with regard to the status of pending or proposed projects. The Engineer will also coordinate with other departments, offices, bureaus, boards or agencies of the City.

**9. Sewer Utility Engineer (2 copies)**

REVIEW AND AWARD Proposals to act as the Sewer Utility Engineer and Special Project Engineers will be evaluated by the Mayor of the City Burlington in accordance with the criteria set forth in this Request for Proposals and Qualifications. Award will be based upon selection, appointment and recommendation of and by the Mayor with the advice and consent of the Common Council of the City of Burlington to be provided by resolution of the Common Council adopted at a public meeting of the Common Council.

SCOPE OF WORK These services shall be under the supervision of a professional engineer, licensed in the State of New Jersey. Although not mandatory, it is preferable that the engineer possess a Municipal Engineer's Certificate. The general duties include the following: Perform administrative and professional engineering work in the investigation, design, construction and maintenance of water, sewer and other projects, (hereafter referred to as Engineer) as authorized. Supervise or perform such surveys of either a topographical, property line or construction nature as may be required. Prepare such plans, sketches, and blueprints as may be required. Maintain water, sewer, tax and other maps. In performing the duties, the Engineer will be responsible for reporting to the Mayor and Common Council and will keep the Mayor and Common Council informed with regard to the status of pending or proposed projects. The Engineer will also coordinate with other departments, offices, bureaus, boards or agencies of the City.

*Pool of Engineers for Special Projects:*

*The City of Burlington is requesting RFP/RFQ statements for professional services for the purpose of establishing a "pool" of qualified engineers capable of handling special projects on an as-needed basis, or in the case of any conflict that may arise requiring such services.*

**10. Construction Inspection Engineer (2 copies)**

REVIEW AND AWARD Proposals to act as the City Construction Inspection Engineer will be evaluated by the Mayor of the City Burlington in accordance with the criteria set forth in this Request for Proposals and Qualifications. Although not mandatory, it is preferable that the engineer possess a Municipal Engineer's Certificate. Award will be based upon selection, appointment and recommendation of and by the Mayor with the advice and consent of the Common Council of the City of Burlington to be provided by resolution of the Common Council adopted at a public meeting of the Common Council.

SCOPE OF WORK These services shall be under the supervision of a professional engineer, licensed in the State of New Jersey. The general duties include the following: all tasks necessary for successful



completion of assigned project(s), including but not limited to checking the work of contractors against the plans and specifications, including earthwork, drainage, paving, bridge and work zone traffic control, keeping of daily field diaries, measuring the work completed for progress payments, processing of contractor payment request and change orders, coordination of testing of project materials when required, certifications of material quality, other documentation to show observance with other Federal, State, and Local requirements in the contract. The Construction Inspection Engineer will also coordinate with other departments, offices, bureaus, boards or agencies of the City.

**11. Other Special Projects Engineer (2 copies)**

REVIEW AND AWARD Proposals to act as the City Engineer and Special Project Engineers will be evaluated by the Mayor of the City Burlington in accordance with the criteria set forth in this Request for Proposals and Qualifications. Award will be based upon selection, appointment and recommendation of and by the Mayor with the advice and consent of the Common Council of the City of Burlington to be provided by resolution of the Common Council adopted at a public meeting of the Common Council.

SCOPE OF WORK These services shall be under the supervision of a professional engineer, licensed in the State of New Jersey. Although not mandatory, it is preferable that the engineer possess a Municipal Engineer's Certificate. The general duties include the following: Perform administrative and professional engineering work in the investigation, design, construction and maintenance of water, sewer and other projects, (hereafter referred to as Engineer) as authorized. Supervise or perform such surveys of either a topographical, property line or construction nature as may be required. Prepare such plans, sketches, and blueprints as may be required. Maintain water, sewer, tax and other maps. In performing the duties, the Engineer will be responsible for reporting to the Mayor and Common Council and will keep the Mayor and Common Council informed with regard to the status of pending or proposed projects. The Engineer will also coordinate with other departments, offices, bureaus, boards or agencies of the City.

**OTHER**

**12. Risk Management Consultant (2 copies)**

REVIEW AND AWARD Proposals will be evaluated by the Mayor of the City Burlington in accordance with the criteria set forth in this Request for Proposals and Qualifications. Award will be based upon selection, appointment and recommendation of and by the Mayor with the advice and consent of the Common Council of the City of Burlington to be provided by resolution of the Common Council adopted at a public meeting of the Common Council.

SCOPE OF WORK The successful candidates will be expected to provide services in the following areas in an efficient, timely and professional manner: Assist municipality in identifying its insurable exposures and to recommend professional methods to reduce, assume or transfer the risk or loss; assist the municipality in understanding and selecting the various coverages available from the New Jersey Municipal Self Insurers Joint Insurance Fund; review with the municipality any additional coverages that are available from the fund; assist municipality in the preparation of the application statements of values and similar documents requested by the Fund; review the loss and engineering reports and assist the

Safety Committee in its loss containment objectives, assist where needed in the settlement of the claims; other services as required by the funds bylaws.

**13. Municipal Auditor (2 copies)**

REVIEW AND AWARD Proposals will be evaluated by the Mayor of the City Burlington in accordance with the criteria set forth in this Request for Proposals and Qualifications. Award will be based upon selection, appointment and recommendation of and by the Mayor with the advice and consent of the Common Council of the City of Burlington to be provided by resolution of the Common Council adopted at a public meeting of the Common Council.

SCOPE OF WORK The successful candidates must be a registered municipal accountant authorized to perform the required services by applicable law and will be expected to provide services in the following areas in an efficient, timely and professional manner: Perform the annual audit of the municipality's books, accounts and financial transactions in accordance with state law together with such other audit related services relating thereto.

**14. Third Party Claims Administrator (2 copies)**

REVIEW AND AWARD Proposals will be evaluated by the Mayor of the City Burlington in accordance with the criteria set forth in this Request for Proposals and Qualifications. Award will be based upon selection, appointment and recommendation of and by the Mayor with the advice and consent of the Common Council of the City of Burlington to be provided by resolution of the Common Council adopted at a public meeting of the Common Council.

SCOPE OF WORK The successful candidates will be expected to provide services in the following areas in an efficient, timely and professional manner: Provide advice and services, and serve as the claims administrator in relation to such areas as Workers' Compensation, Property Liability, General Liability and Auto Liability insurance issues and claims filed against the municipality and/or its agents. The Third Party Claims Administrator will be expected to perform its services in accordance with the requirements of any regulatory authority having jurisdiction as well as any applicable State, Federal or Local law.

**15. Financial Consultant (2 copies)**

REVIEW AND AWARD Proposals will be evaluated by the Mayor of the City Burlington in accordance with the criteria set forth in this Request for Proposals and Qualifications. Award will be based upon selection, appointment and recommendation of and by the Mayor with the advice and consent of the Common Council of the City of Burlington to be provided by resolution of the Common Council adopted at a public meeting of the Common Council.

SCOPE OF WORK The successful candidate shall advise and assist the City of Burlington with regard to financial consulting, including but not limited to: 1) meeting with Common Council as Redevelopment Authority as appropriate to provide advice, guidance, and understanding of various redevelopment proposals and issues related thereto; 2) consulting and reviewing with the City CFO, Director of Law, Redevelopment Attorney, any/all City Engineers, and City Redevelopment Consultant on a variety of issues related to any proposals, pro formas, timing issues, studies and financial information, estimates, development studies and proposals, projected impact on City revenue; 3) review of redevelopment bonds,

general obligation bonds, revenues related directly to the same and dedicated thereto; other obligations and bonds, short and long term revenue projections for matters related to the City's redevelopment areas.

## **LAND USE BOARD (LUB)**

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### **16. Land Use Board Solicitor (11 copies)**

**REVIEW AND AWARD** Proposals will be evaluated by the Land Use Board in accordance with the criteria set forth in this request for proposals and qualifications. Award will be based upon selection, recommendation, and appointment of and by the Land Use Board.

**SCOPE OF WORK** The successful candidates will be expected to provide legal services in the following areas in an efficient, timely and professional manner with minimal to no outsourcing. The Solicitor will provide general legal services and act as the legal advisor to the Board. In furtherance of these powers and without limitation thereto, the Solicitor shall: Act as the Solicitor and employ such personnel as they deem necessary to carry out the duties of the Board Solicitor; advise the Board as to the form and sufficiency of Board resolutions and other Board actions prior to their occurrence; review and approve contracts, plans, deeds, documents and other instruments prior to the execution thereof by or on behalf of the Board; conduct such appeals, litigation or administrative proceeding judgments effecting any interest of the board; subject to the approval of the Board, have the power to enter into any agreement, compromise or settlement of any litigation in which the Board is involved; render opinions orally or in writing upon any question of law submitted to him by the Board with respect to their official powers and duties; maintain a record all actions, suits, proceedings and matter which relate to the Board's interest and report thereon from time to time to the Board as they may require; and have such other and different functions, powers and duties as may be provided by Resolution, State statutes or administrative regulations.

### **17. Land Use Board Engineer/Planner (11 copies)**

**REVIEW AND AWARD** Proposals will be evaluated by the Land Use Board in accordance with the criteria set forth in this request for proposals and qualifications. Award will be based upon selection, recommendation, and appointment of and by the Land Use Board.

**SCOPE OF WORK** These services shall include engineering review services and such additional supplemental services as may be required by the Board. The Engineer shall be a professional engineer, licensed in the State of New Jersey, and, although not mandatory, it is preferable that the Engineer possess a Municipal Engineer's Certificate. The Engineer shall be the engineering advisor to the Land Use Board of the City of Burlington. The Engineer shall, in execution of the duties, perform all engineering services required on behalf of the Board. In furtherance of these powers and without limitation thereon they shall: Review all plans and documents received by the Board for their action and make specific recommendations concerning said matters; they shall advise the Board as to the form and sufficiency of all plans, plats, and details submitted to the Board for their review and approval prior to their approval; recommend to the Board practices, procedures, rules and regulations which the Board Engineer deems advisable to enact to insure that proper engineering standards are followed in all matters to which the Board is asked to give its approval. Study, recommend and devise plans and materials which

the Board desires to further aid the Board in making specific recommendations to the Mayor and Council for changes in ordinances in existence within the City. Make recommendations and suggestions with regard to engineering matters relating to the Master Plan, Zoning Ordinance, Site Plan Review Ordinance, and any other ordinance within the Board's jurisdiction which the Engineer, pursuant to a request, deems advisable. Perform such other duties as the Board shall by motion or Resolution require, including matters requiring the services of a Certified Landscape Architect and Professional Planner including the following:

- a) Serve as technical planning advisor to the Land Use Board, conducting such studies as requested.
- b) Review and receipt of all land use development plans within the City. The planner shall check such plans for conformity to sound planning/zoning principals, recommend redesign of proposed development plans as may be appropriate and conduct such studies in order to integrate the proposed development with the overall plans of the City.
- c) Receipt of plans of proposed development within the township and come along with appropriate Land Use Board Engineer, review site plans for site design and coordination of surrounding properties and other development applications and make appropriate recommendations for changes or redesign of development plans.
- d) Study and analyze matters such as but not limited to transportation, land use, natural and human resources, housing and capital improvements and prepare and submit findings and recommendations to the Land Use Board as may be directed.
- e) Recommend and assist in the writing of amendments to Zoning Ordinances, subdivision Ordinances township master plan and other development, conservation, and planning regulations and Ordinances.
- f) Establish and maintenance of records, files, maps and charts.
- g) The performance of such other duties as may be required by state statute, City Ordinances, or administrative rules and regulations.

*Pool for Special Projects:*

*The City of Burlington LUB is requesting RFP/RFQ statements for professional services for the purpose of establishing a "pool" of qualified engineers capable of handling special projects on an as-needed basis, or in the case of any conflict that may arise requiring such services.*

**1. Conflict Land Use Board Solicitor (11 copies)**

**REVIEW AND AWARD** Proposals will be evaluated by the Land Use Board in accordance with the criteria set forth in this request for proposals and qualifications. Award will be based upon selection, recommendation, and appointment of and by the Land Use Board.

**SCOPE OF WORK** The City of Burlington LUB is requesting RFP/RFQ statements for legal services for the purpose of establishing a "pool" of qualified attorneys capable of handling LUB special projects on an as-needed basis or in the case of any conflict that may arise requiring such services. The as-needed conflict LUB legal services would be as described within this announcement, See #24 *Land Use Board Solicitor* above. Multiple consultant(s) may be selected for the City of Burlington LUB legal services pool. At their discretion, firms may submit additional information as part of the qualifications submittal.

**2. Conflict Land Use Board Engineer/Planner (11 copies)**

REVIEW AND AWARD Proposals will be evaluated by the Land Use Board in accordance with the criteria set forth in this request for proposals and qualifications. Award will be based upon selection, recommendation, and appointment of and by the Land Use Board.

SCOPE OF WORK The City of Burlington LUB is requesting RFP/RFQ statements for engineer/planning services for the purpose of establishing a "pool" of qualified professionals capable of handling LUB special projects on an as-needed basis or in the case of any conflict that may arise requiring such services. The as-needed conflict LUB engineer/planning services would be as described within this announcement, See #25 *Land Use Board Engineer/Planner* above. Multiple consultant(s) may be selected for the City of Burlington LUB engineer/planning services pool. At their discretion, firms may submit additional information as part of the qualifications submittal.

**3. Land Use Board Traffic Consultant (11 copies)**

REVIEW AND AWARD Proposals will be evaluated by the Land Use Board in accordance with the criteria set forth in this request for proposals and qualifications. Award will be based upon selection, recommendation, and appointment of and by the Land Use Board.

SCOPE OF WORK Successful consultant must have all applicable licenses to perform traffic engineering in NJ. Firm must have at least five (5) years' experience working with Planning and/or Zoning Boards. Experience in a similarly sized municipality is a plus. Must have experience doing plan review and making recommendations on a myriad of issues, including but not limited to: - Reviewing the impact of the applicant's project on area traffic - Traffic calming devices - Bike trails/routes - Providing recommendations on failing intersections - Providing recommendations to relieve traffic congestion. Must be familiar with Burlington County, Rt. 130 area and its unique traffic patterns and problems.

**HISTORIC PRESERVATION COMMISSION**

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**4. Historic Preservation Commission Professional Consultant (10 copies)**

REVIEW AND AWARD Proposals will be evaluated by the Historic Commission of the City Burlington in accordance with the criteria set forth in this Request for Proposals and Qualifications. Award will be based upon selection, recommendation, and appointment of and by the Historic Preservation Commission.

SCOPE OF WORK The Historic Commission Professional Consultant shall provide services to the Historic Commission, including: The review of plans and documents received by the Commission; advise the Commission as to the form and sufficiency of such plans and documents; and make specific recommendations concerning said matters.

**EXHIBIT A****MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE****N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)****N.J.A.C. 17:27****GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS**

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

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

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

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

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

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 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.**

**AFFIRMATIVE ACTION COMPLIANCE NOTICE**  
**N.J.S.A. 10:5-31 and N.J.A.C. 17:27**

**GOODS AND SERVICES CONTRACTS**  
**(INCLUDING PROFESSIONAL SERVICES)**

This form is a summary of the successful bidder's requirement to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et seq.

The successful bidder shall submit to the public agency, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

(a) A photocopy of a valid letter that the contractor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);

OR

(b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-4;

OR

(c) A photocopy of an Employee Information Report (Form AA302) provided by the Division and distributed to the public agency to be completed by the contractor in accordance with N.J.A.C. 17:27-4.

The successful vendor may obtain the Affirmative Action Employee Information Report (AA302) from the contracting unit during normal business hours.

The successful vendor(s) must submit the copies of the AA302 Report to the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (Division). The Public Agency copy is submitted to the public agency, and the vendor copy is retained by the vendor.

The undersigned vendor certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27.1 et seq. and agrees to furnish the required forms of evidence.

The undersigned vendor further understands that his/her bid shall be rejected as non-responsive if said contractor fails to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et seq.

COMPANY: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_



## APPENDIX A

**AMERICANS WITH DISABILITIES ACT OF 1990**  
**Equal Opportunity for Individuals with Disability**

The contractor and the City of Burlington, NJ, (hereafter "owner") 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 owner 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 owner in any action or administrative proceeding commenced pursuant to this Act. The contractor shall indemnify, protect, and save harmless the owner, 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 owner which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the owner, or if the owner 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 owner 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 owner or any of its agents, servants, and employees, the *owner shall* expeditiously forward or have forwarded to the contractor every demand, complaint, notice, summons, pleading, or other process received by the owner or its representatives.

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

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

Name of Proposer: \_\_\_\_\_

Date: \_\_\_\_\_

(Person, Firm, or Corporation)

Signature and Title: \_\_\_\_\_

DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

RFP Title: \_\_\_\_\_ Proposer: \_\_\_\_\_

PART 1: CERTIFICATION

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that the person or entity, or one of the person or entity's parents, subsidiaries, or affiliates, is not identified on a list created and maintained by the New Jersey Department of the Treasury as a person or entity engaging in investment activities in Iran. If the Department of Treasury finds person or entity to be in violation of the principles which are the subject of this law, action shall be taken as may be appropriate and 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 person or entity. Failure to complete the certification will rendered a respondent's proposal as non-responsive.

I certify, pursuant to Public Law 2012, c. 25, that the person or entity listed above, for which I am authorized to submit a proposal, nor any of the proposer's parents, subsidiaries, or affiliates (check each box if appropriate):

\_\_\_\_\_ is not providing goods or services of \$20,000,000 or more in the energy sector of Iran, including a person or entities that provides oil or liquefied natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas, for the energy sector of Iran, AND

\_\_\_\_\_ is not a financial institution that extends \$20,000,000 or more in credit to another person or entity, for 45 days or more, if that person or entity will use the credit to provide goods or services in the energy sector in Iran.

In the event that a person or entity is unable to make the above certification because it or one of its parents, subsidiaries, or affiliates has engaged in the above-referenced activities, a detailed, accurate and precise description of the activities must be provided in Part 2 below to the City of Burlington under penalty of perjury. Failure to provide such will result in the proposal being rendered as non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.

PART 2: PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN

Where appropriate, provide a detailed, accurate and precise description of the activities of the proposer, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below. Please provide thorough answers to each question. Provide an attachment if you need to make additional entries.

Name: \_\_\_\_\_ Relationship to Proposer: \_\_\_\_\_

Description of Activities: \_\_\_\_\_ Durat

ion of Engagement: \_\_\_\_\_ Anticipated Cessation Date: \_\_\_\_\_

Proposer Contact Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_

PART 3: CERTIFICATION

I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto 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 City of Burlington 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 Borough to notify the Borough 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 City of Burlington and that the Borough at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): \_\_\_\_\_ Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

**STATEMENT OF OWNERSHIP DISCLOSURE**

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

**This statement shall be completed, certified to, and included with all bid and proposal submissions. Failure to submit the required information is cause for automatic rejection of the bid or proposal.**

**Name of Organization:** \_\_\_\_\_

**Organization Address:** \_\_\_\_\_

**Part I Check the box that represents the type of business organization:**

- Sole Proprietorship (skip Parts II and III, execute certification in Part IV)
- Non-Profit Corporation (skip Parts II and III, execute certification in Part IV)
- For-Profit Corporation (any type)       Limited Liability Company (LLC)
- Partnership                       Limited Partnership                       Limited Liability Partnership (LLP)
- Other (be specific): \_\_\_\_\_

**Part II**

The list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. **(COMPLETE THE LIST BELOW IN THIS SECTION)**

**OR**

No one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. **(SKIP TO PART IV)**

(Please attach additional sheets if more space is needed):

Name of Individual or Business Entity	Home Address (for Individuals) or Business Address

**Part III DISCLOSURE OF 10% OR GREATER OWNERSHIP IN THE STOCKHOLDERS, PARTNERS OR LLC MEMBERS LISTED IN PART II**

**If a bidder has a direct or indirect parent entity which is publicly traded, and any person holds a 10 percent or greater beneficial interest in the publicly traded parent entity as of the last annual federal Security and Exchange Commission (SEC) or foreign equivalent filing, ownership disclosure can be met by providing links to the website(s) containing the last annual filing(s) with the federal Securities and Exchange Commission (or foreign equivalent) that contain the name and address of each person holding a 10% or greater beneficial interest in the publicly traded parent entity, along with the relevant page numbers of the filing(s) that contain the information on each such person. Attach additional sheets if more space is needed.**

Website (URL) containing the last annual SEC (or foreign equivalent) filing	Page #’s

**Please list the names and addresses of each stockholder, partner or member owning a 10 percent or greater interest in any corresponding corporation, partnership and/or limited liability company (LLC) listed in Part II other than for any publicly traded parent entities referenced above. The disclosure shall be continued until names and addresses of every noncorporate stockholder, and individual partner, and member exceeding the 10 percent ownership criteria established pursuant to N.J.S.A. 52:25-24.2 has been listed. Attach additional sheets if more space is needed.**

Stockholder/Partner/Member and Corresponding Entity Listed in Part II	Home Address (for Individuals) or Business Address

**Part IV Certification**

I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the bidder/proposer; that the <name of contracting unit> is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with <type of contracting unit> to notify the <type of contracting unit> in writing of any changes to the information contained herein; 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 am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the, permitting the <type of contracting unit> to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print):		Title:	
Signature:		Date:	

**STATE OF NEW JERSEY DEBARRED LIST AFFIDAVIT**

I, \_\_\_\_\_ of the \_\_\_\_\_ (city) in the County of \_\_\_\_\_ and the State of \_\_\_\_\_ being of full age and fully sworn according to law on my oath depose and say that:

I am \_\_\_\_\_ an officer of the firm of \_\_\_\_\_ the bidder making the Proposal for the above named work, and that I executed the said Proposal with full authority to do so; that said bidder at the time of making this bid is not included on the State of New Jersey, Treasurer’s List of Debarred, Suspended and Disqualified Bidders; and that all statements contained in said Proposal and in this affidavit are true and correct, and made with the full knowledge that the City of Burlington, as the Owner, relies upon the truth of the statements contained in said Proposal and in the statements contained in the affidavit in awarding the contract for said work.

The undersigned further warrants that should the name making this bid appear on the State Treasurer’s List of Debarred, Suspended and Disqualified Bidders at any time prior to, and during the life of this Contract including the Guarantee Period, that the Local Governing Unit shall be immediately so notified by the signatory of the Eligibility Affidavit.

The undersigned understands that the firm making the bid Contractor is subject to disbarment, suspension and/or disqualification in contracting with the State of New Jersey, if the Contractor pursuant to NJAC 7:1-5.2, commits any of the acts listed therein, and as determined according to applicable law and regulation.

\_\_\_\_\_ Contractor

\_\_\_\_\_ Name and Title of Affiant

Subscribed and sworn before me this \_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_ (Notary Signature)

Notary Public of \_\_\_\_\_

My Commission Expires \_\_\_\_\_.

**NON-COLLUSION AFFIDAVIT**

State of New Jersey  
County of \_\_\_\_\_

ss:

\_\_\_\_\_  
(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

\_\_\_\_\_, 2 \_\_\_\_\_

\_\_\_\_\_  
(Type or print name of affiant under signature)

\_\_\_\_\_  
Notary public of

My Commission expires \_\_\_\_\_

(Seal)

City of Burlington

**ACKNOWLEDGMENT OF RECEIPT OF ADDENDA**

The undersigned Bidder hereby acknowledges receipt of the following Addenda:

<u>Addendum Number</u>	<u>Dated</u>	<u>Acknowledge Receipt (initial)</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**No addenda were received:**

Acknowledged for: \_\_\_\_\_  
(Name of Bidder)

By: \_\_\_\_\_  
(Signature of Authorized Representative)

Name: \_\_\_\_\_  
(Print or Type)

Title: \_\_\_\_\_

Date: \_\_\_\_\_