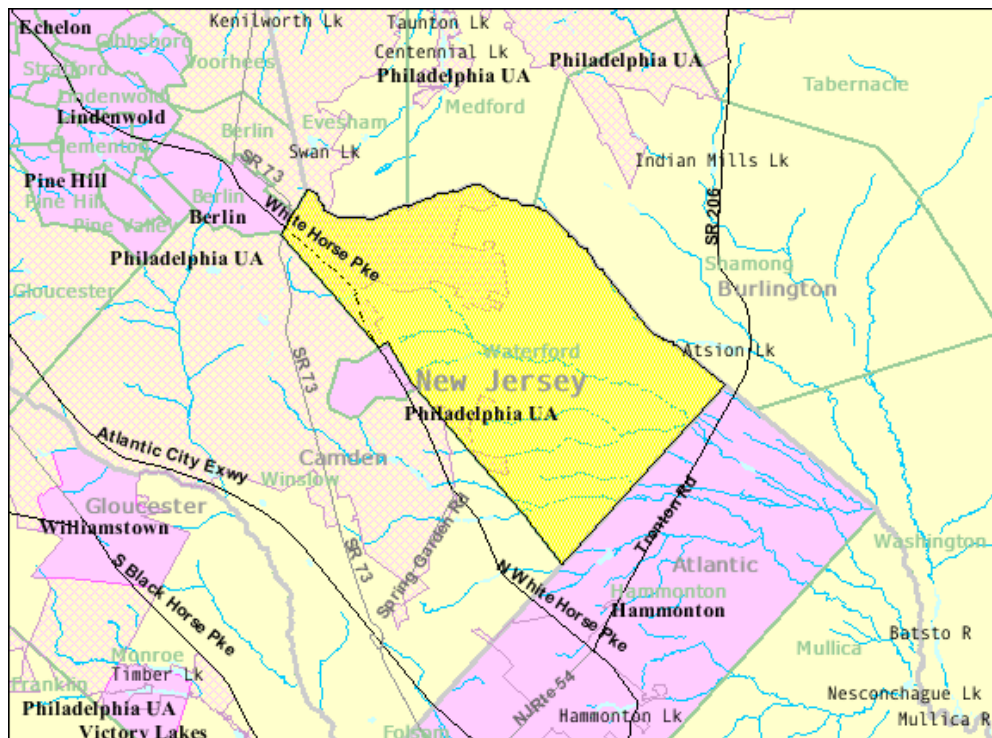


**REQUEST FOR PROPOSAL/QUALIFICATIONS  
FOR  
MUNICIPAL PROFESSIONALS**

**Issued by the  
Township of Waterford**



**Date Issued:  
November 2<sup>nd</sup>, 2018**

**Responses Due by:  
December 14<sup>th</sup>, 2018**

**NOTICE**  
**TOWNSHIP OF WATERFORD**  
**COUNTY OF CAMDEN**  
**REQUEST FOR PROPOSALS (RFP) AND QUALIFICATIONS**  
**FOR YEAR 2019 MUNICIPAL PROFESSIONALS**

PLEASE TAKE NOTICE that sealed proposals for the Year 2019 Municipal Professionals will be received and publicly opened by the Township of Waterford in the County of Camden on Friday, December 14, 2018 at 10:00a.m. in the Conference Area of the Clerk's Main Office of the Municipal Building, 2131 Auburn Avenue, Atco, NJ 08004.

Copies of the RFP will be available online at [www.waterfordtwp.org](http://www.waterfordtwp.org) and at the Township Clerk's Office in the Township of Waterford Municipal Building, 2131 Auburn Avenue, Atco New Jersey, 08004.

One (1) original and one (1) complete copy of each proposal must be received no later than Friday, December 14, 2018 at 10:00a.m. and must be submitted in a sealed envelope marked RFP 2019 Township Professional with the "name of the position" on the outside of the envelope and addressed to: Township Clerk, Waterford Township, 2131 Auburn Avenue, Atco, New Jersey 08004.

All contracts will be awarded through a fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq. and in accordance with P.L. 1975, c. 127 (Affirmative Action Law), P.L. 2004, c.57 (Business Registration Act) and Ordinance 2017-4 of the Township of Waterford entitled "Public Contracting (Pay-to-Play) Reform". If awarded a contract all companies/firms 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.

Dawn M. Liedtka, RMC  
Township Clerk  
Waterford Township

**REQUEST FOR PROPOSAL & QUALIFICATIONS (RFP)  
FOR  
MUNICIPAL PROFESSIONALS**

**I. PURPOSE AND INTENT**

- 1) Through this Request for Proposal & Qualifications (RFP), the Waterford Township (hereinafter the “Township”) seeks to engage professional vendors for the 2019 Township year commencing January 1, 2019 or upon appointment, whichever is later. This contract will be awarded through a fair and open process pursuant to NJSA 19:44A-20.4 et seq.

**II. PROPOSAL SUBMISSION**

- 1) An original, clearly marked as the “ORIGINAL” and one (1) full, complete and exact copy of each proposal shall be submitted in sealed envelopes and must be marked with the “NAME OF POSITION” and addressed to:

Township Clerk  
Waterford Township  
2131 Auburn Avenue  
Atco, New Jersey 08004

- 2) **The proposal must be received no later than December 14<sup>th</sup>, 2018 at 10:00 a.m.**
- 3) Proposals will be publicly opened on December 14<sup>th</sup>, 2018 at 10:00 a.m. in the Conference Area of the Clerk’s Main Office Room of the Municipal Building, 2131 Auburn Avenue, Atco, NJ 08004.

**Faxed or e-mailed proposals will NOT be accepted.**

- 4) **Any inquiry concerning this RFP should be directed in writing to:**

Dawn M. Liedtka, RMC  
Waterford Township Clerk  
2131 Auburn Avenue  
Atco, NJ 08004

- 5) All documents/information submitted in response to this solicitation shall be available to the general public as required by the New Jersey Open Public Records Act N.J.S.A. 47:1A-1 et seq. The Township will not be responsible for any costs associated with the oral or written and/or presentation of the proposals. The Township reserves the right to reject any and all proposals, with or without cause, and waive any irregularities or informalities in the proposals. The Township further reserves the right to make such investigations as it deems necessary as to the qualifications of any and all vendors submitting proposals. In the event that all proposals are rejected, the Township reserves the right to re-solicit proposals.

### III. GENERAL INFORMATION ON WATERFORD TOWNSHIP

- 1) Waterford Township operates under the Township Form of Government pursuant to NJSA 40A:63-1. The Township is approximately 36 square miles; has a population of 11,000; and an annual operating budget of approximately \$10 million dollars. The Township Committee generally meets the second and fourth Wednesday of each month as well as special meetings on an as-needed basis.
- 2) All the following are contained within the Township's 36 square miles:
  - a) Pinelands Protection Areas
  - b) Suburban Communities
  - c) Large areas of Woodlands
  - d) Rural Residential Development
  - e) Lake/Dam/Beach
  - f) Large areas of wetlands
  - g) Parks and Recreation Areas

### IV. MINIMUM QUALIFICATIONS

- 1) Minimum Qualifications differ for each professional specialty, please see **Exhibit D** for specifics. However, all applicants need to provide the following items contained in Section V.

### V. SUBMISSIONS

- 1) In addition to demonstrating an ability to meet all minimum qualifications in **Exhibit D**, the firm must also include and address the following:
  - a) **Contact Information:** Provide the name and address of the firm; the name, telephone number, fax number, and e-mail address of the individual responsible for the preparation of the proposal.
  - b) **A Fee Proposal** for the 2018 Township year. A proposal showing minimum and maximum ranges is not acceptable.
  - c) **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 number of years with the vendor.
  - d) **A description of the vendor's experience** in performing services of the type described in this RFP. Specifically identify client size and specific examples of work within the scope of services required under this RFP in similarly-sized municipalities. It is imperative to show experience in similarly-sized towns.

- e) **The location of the office**, if other than the vendor's main office, at which the vendor proposes to perform services required under this RFP. Describe your presence in New Jersey and any familiarity your firm has with the Camden County area.
- f) **Five (5) references** for which similar services have been provided for. Experience with similarly sized municipalities is a plus. Provide the contact names, titles and phone numbers.
- g) If the vendor or any principal therein has been subject to any **professional disciplinary action** over the last three (3) years, the bidder must provide a description of the litigation and/or disciplinary action.
- h) 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 Township.
- i) The applicant shall submit a "Certificate of Good Standing" or other similar document evidencing that the professional's license is not presently suspended or revoked.
- j) The applicant shall submit a resume, which shall set forth information including, but not limited to, the following (as applicable to an individual professional and business entity):
  - 1. Full name of applicant and business address,
  - 2. A listing of all post high school education of the applicant,
  - 3. Dates of licensure in the State of New Jersey and any other state,
  - 4. A listing of any professional affiliations or memberships in any professional, societies or organizations, with an indication as to any offices held therein,
  - 5. The number of licensed professionals employed by/affiliated with the business entity which employs the applicant,
  - 6. A listing of all special accreditations held by the individual licensed professional or business entity which employs the applicant,
  - 7. A listing of all previous public entities served by the business entity and licensed professional indicating the dates, services, and position held.
- k) **Waterford Township Pay to Play Requirements** – Entities submitting a proposal are required to comply with Ordinance 2017-4 of the Township of Waterford entitled "Public Contracting (Pay-to-Play) Reform", attached hereto as **Exhibit B** and made a part hereof.
- l) **Ownership Disclosure** – If bidder is a corporation or partnership, there must accompany its bid, a statement setting forth the names and addresses of all stockholders in the corporation or partnership who own ten (10%) percent, or more of its stock, of any class, or of all individual partners in the partnership who own a ten (10%) percent or greater interest therein. If one or more stockholders or partnership, the stockholders holding ten (10%) percent or more of that corporation's stock, or the individual partner owning ten (10%) percent, or greater interest in that partnership, must be set forth as aforesaid, attached hereto as **Exhibit C** and made a part hereof.

m) Insurance – Applicable Insurance Certificates must be furnished by the successful professional naming the township as an additional insured and/or certificate holder, prior to commencement of work. Insurance shall include general liability, workers compensation and professional liability with minimum professional liability coverage in the amount of one million dollars per occurrence.

P.L. 1975 c. 127 (N.J.A.C. 17:27)

n) **Mandatory Affirmative Action Language** – During the performance of this contract, the contractor agrees to comply with all the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 in accordance with the attached **Exhibit A**.

Each contractor shall submit to the Township after notification of award but prior to execution of contract, one of the following documents:

1. A photocopy of a valid letter that the contractor is operating under a federally approved or sanctioned affirmative action program; or
2. A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-4.3; or
3. A photocopy of an Employee Report (Form AA302) completed by the contractor in accordance with N.J.A.C. 17:27-4.3 (goods service professional contracts).

o) **New Jersey Business Registration Requirements** – In accordance with P.L. 2004 c.57 bidder should provide with their proposal a Business Registration Certificate issued by the State of New Jersey. A Business Registration Certificate must be provided prior to award.

N.J.S.A. 52:32-44 imposes the following requirements on contractors and all subcontractors that knowingly provide goods or perform services for a contractor fulfilling this contract:

1. The contractor shall provide written notice to its subcontractors and suppliers to submit proof of business registration to the contractor;
2. Prior to receipt of final payment from a contracting agency, a contractor must submit to the contracting agency an accurate list of all subcontractors and suppliers or attest that none was used; and
3. During the term of this contract, the contractor and its affiliates shall collect and remit, and shall notify all subcontractors and their affiliates that they must collect and remit, to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act, (N.J.S.A. 54:32B-1 et seq.) on all sales of tangible personal property delivered into this State.

A contractor, subcontractor or supplier who fails to provide proof of business registration or provides false business registration information shall be liable for a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration not properly provided or maintained under a contract with a contracting agency pursuant to N.J.S.A. 54:49-4.1. Information on the law and its requirements are available by calling 609-292-9292.

p) **Disclosure of Contributions** – Starting in January 2007, all business entities are advised of their responsibility to file an annual disclosure statement of political

contributions with the New Jersey Election Law Enforcement Commission (ELEC) pursuant to N.J.S.A. 19:44A-20.27 if they receive contracts in excess of \$50,000 from public entities in a calendar year. Business entities are responsible for determining 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).

## **VI. INTERVIEW**

- 1) The Township Committee (or if designated the Township Administrator) reserves the right to interview any or all of the applicants submitting a proposal.
- 2) Although interviews may take place, the proposal should be comprehensive and complete on its face. The Township reserves the right to request clarifying information subsequent to submission of the proposal.

## **VII. SELECTION PROCESS**

- 1) All proposals will be reviewed by the Township Committee to determine responsiveness. Non-responsive proposals will be rejected without evaluation. For vendors that satisfy Part IV - "Minimum Requirements" and Part V - "Mandatory Contents of Proposal", the Township will evaluate proposals based on the following evaluation criteria, separate or combined in some manner, and not necessarily listed in order of significance:
  - a) The vendor's general approach to providing the services required under this RFP.
  - b) The vendor's documented experience in successfully completing contracts of a similar size and scope to the engagement addressed by this RFP.
  - c) The qualifications and experience of the vendor's management, supervisory or other key personnel assigned to the engagement, with emphasis on documented experience in successfully completing work on contracts of similar size and scope to the services required by this RFP.
  - d) The overall ability of the vendor to mobilize, undertake and successfully complete the scope of work in a timely fashion. This criterion will include, but not be limited to, the following factors: the number and qualifications of management, supervisory and other staff proposed by the vendor to perform the services required by this RFP; the availability and commitment to the engagement of the vendor's management, supervisory and other staff proposed.
  - e) Costs and fee schedules.

## **VIII. SELECTION AND CONTRACT**

- 1) **The Township will select the vendor deemed most advantageous to the Township, price and other factors considered.** The selected professional shall be required to execute a contract approved by the Township which will by reference include this RFP and any clarifications or addenda thereto and the selected professional's proposal.

# *Exhibit A*

## **AFFIRMATIVE ACTION**

**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 ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, 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 equal employment opportunity 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 will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter 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 meet targeted county employment goals established in accordance with 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, and labor unions, that it does not discriminate on the basis of age, race, 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 targeted 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, race, 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 (electronically provided by the Division and distributed to the public agency through the Division's website at [www.state.nj.us/treasury/contract\\_compliance](http://www.state.nj.us/treasury/contract_compliance))

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance 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 Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

PRODUCT OR SERVICE: \_\_\_\_\_

PRINTED NAME OF AUTHORIZED REPRESENTATIVE: \_\_\_\_\_

SIGNATURE OF AUTHORIZED REPRESENTATIVE: \_\_\_\_\_

TITLE OF AUTHORIZED REPRESENTATIVE: \_\_\_\_\_

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

THE FOREGOING MANDATORY AFFIRMATIVE ACTION LANGUAGE "EXHIBIT A" HAS BEEN REVIEWED AND ACKNOWLEDGED BY THE AUTHORITY OF THE ABOVE SIGNATURE AND IS ATTACHED AND INCORPORATED HEREIN BY REFERENCE IN THE CONTRACT.

## *Exhibit B*

### **Public Contracting (“Pay-to-Play”) Reform Adopted 2/8/2017 as Ordinance No. 2017-4**

#### Prohibition on Awarding Public Contracts to Certain Contributors

- A. Any other provision of Law to the contrary notwithstanding, Waterford Township or any of its purchasing agents or agencies or those of its independent authorities, the Planning Board and Zoning Board, as the case may be, shall not enter into an agreement or otherwise contract to procure professional, banking, insurance coverage services or any other consulting services, including those awarded pursuant to a “fair and open” process, from any professional business entity, if that entity has solicited or made any contribution of money, or pledge of a contribution, including in-kind contributions, to any Waterford Township municipal candidate or holder of the public office having ultimate responsibility for the award of the contract, or campaign committee supporting each candidate or officeholder, or to any Waterford Township political party committee or (PAC) that regularly engages in, or whose primary purpose is the support of municipal elections and/or municipal parties in excess of the thresholds specified in subparagraph (d) within one calendar year immediately preceding the date of the contract or agreement.
- B. No professional business entity which enters into negotiations for, or agrees to, any contract or agreement with the municipality or any department or agency thereof or of its independent authorities for the rendering of professional, banking or insurance coverage services or any other consulting services, including those awarded pursuant to a “fair and open” process, shall solicit or make any contribution of money, or pledge of a contribution, including in-kind contributions, to any Waterford Township municipal candidate or holder of the public office having ultimate responsibility for the award of the contract, or campaign committee supporting such candidate or officeholder, or to any Waterford Township political party committee, or PAC that regularly engages in, or whose primary purpose is the support of municipal elections and/or municipal parties between the time of first communications between that business entity and Waterford Township regarding a specific professional services agreement and the termination of negotiations or the completion of the contract or agreement, whichever is later.
- C. For the purposes of this Article, a “professional business entity” seeking a public contract means an individual, including the individual’s spouse, if any, and any child living at home; person; firm; corporation; professional corporation; partnership; organization; or association. The definition of a business entity includes all principals who own ten (10%) percent or more of the equity of in the corporation or business trust, partners, and officers in the aggregate employed by the entity as well as any subsidiaries directly controlled by the business entity.

D. Any “professional business entity” under this section may annually contribute a maximum of \$2,600 each for any purpose to any candidate for Mayor or Township Committee, or \$7,200 to a Waterford Township political party committee or PAC without violating subsection (a) of this section.

E. For purposes of this section, the office that is considered to have ultimate responsibility for the award of the contract shall be:

1. The Waterford Township Committee and the Mayor of Waterford Township, if the contract requires approval or appropriation from the Committee.
2. The Mayor of Waterford Township, if the contract requires approval of the Mayor, or if a public officer who is responsible for the award of a contract is appointed by the Mayor.
3. The Waterford Township Land Use Planning Board.

**The undersigned attests under penalty of perjury that they have not made a contribution in violation of Ordinance #2017-4 of the Township of Waterford.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name & Title

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

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

# Exhibit C

## **STOCKHOLDER/OWNERSHIP DISCLOSURE CERTIFICATION**

(THE STATEMENT OF CORPORATE OWNERSHIP APPLIES TO ALL TYPES OF CORPORATIONS SUCH AS LIMITED PARTNERSHIPS, LIMITED LIABILITY CORPORATIONS, LIMITED LIABILITY PARTNERSHIPS AND SUB CHAPTER S CORPORATIONS)

1. THIS IS TO CERTIFY THAT THE BIDDER IN QUESTION IS A CORPORATION, PARTNERSHIP, OR JOINT VENTURE
2. IF THE ANSWER TO #1 ABOVE WAS THAT THE BIDDING ENTITY IS A CORPORATION, ALL INDIVIDUALS OR ENTITIES HOLDING AT LEAST 10% OWNERSHIP INTEREST OR MORE IN SAID CORPORATION, WHETHER BY THE ISSUANCE OF STOCK OR OTHERWISE, ARE THE FOLLOWING:

<u>NAME</u>	<u>ADDRESS</u>	<u>% OF OWNERSHIP</u>
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3. IF THE ANSWER TO #1 ABOVE WAS THAT THE BIDDING ENTITY IS A PARTNERSHIP GIVE THE NAMES, ADDRESSES AND PERCENTAGES OF INTEREST OF THOSE BEING 10% OR MORE IN SAID PARTNERSHIP

<u>NAME</u>	<u>ADDRESS</u>	<u>% OF OWNERSHIP</u>
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4. IF THE ANSWER TO #1 ABOVE WAS THAT THE BIDDING ENTITY IS A JOINT VENTURE, GIVE THE NAMES, ADDRESSES AND PERCENTAGES OF INTEREST OF THOSE BEING 10% OR MORE EQUITABLE OR LEGAL INTEREST IN SAID JOINT VENTURE.

<u>NAME</u>	<u>ADDRESS</u>	<u>% OF OWNERSHIP</u>
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5. I HOLD THE FOLLOWING OFFICE OR INTERESTS IN THE BIDDING ENTITY AND AM AN INDIVIDUAL HAVING MORE THAN 10% BENEFICIAL OR LEGAL INTEREST IN THE BIDDING ENTITY.

6. I MAKE THIS CERTIFICATION INDIVIDUALLY AND ON BEHALF OF SAID ENTITY WITH FULL KNOWLEDGE THAT THE TOWNSHIP WILL RELY ON THIS CERTIFICATION IN AWARDING ANY BIDS AND THAT ANY MISREPRESENTATION HEREIN SHALL SUBJECT THE ENTITY AND MYSELF TO ALL PENALTIES PROVIDED UNDER CHAPTER 33 OF THE PUBLIC LAWS OF 1977.

DATE: \_\_\_\_\_, 20\_\_\_\_

SIGNED: \_\_\_\_\_

Name & Title:

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

ATTEST: \_\_\_\_\_  
Notary Public

# *Exhibit D*

## **Request for Proposal & Qualifications for Municipal Professionals Waterford Township Minimum Requirements**

Applicant vendors **must** establish that they meet the following minimum qualifications:

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### **AUDITOR:**

- 1) Multi-disciplined firm experienced in municipal auditing procedures, bond law, appearing before the Local Finance Board, arbitrage, municipal budgeting and purchasing. The applicant must meet and possess all certifications necessary to practice as a Municipal Auditor in the State of New Jersey. Additionally, as a minimum, the firm shall have 15 years of experience as a Township Auditor for municipalities in the State of New Jersey with similarly sized budgets. The applicant must demonstrate a high degree of knowledge of the following:
  - a) The finance and operation of local government in New Jersey
  - b) Department of Community Affairs Local Finance Bulletins and their plethora of rules and regulations for municipal finance administration
  - c) New Jersey State financial statutes, including but not limited to:
    - i) NJSA 40A:11 (Local Public Contracts Law)
    - ii) NJSA 40A:4 (Local Budget Law)
    - iii) NJSA 40A:2 (Local Bond Law)
    - iv) NJSA 40A:9-22.1 (Government Ethics Law)
  - d) All other financial matters pertaining to Townships, including budgets, assessments, monitoring reports, investments, audit controls, year-end accounting, Annual Financial Statements, budget preparation, annual audit, supplemental debt statements, etc. and a high degree of knowledge and familiarity with municipal trust funds, developer escrow accounts, utility budgets and dedications by rider. The applicant must also meet all certifications necessary to practice in the State of New Jersey.
- 2) Auditor shall complete the Annual Financial Statement by January 30<sup>th</sup> or face a \$100 per day deduction of the annual contract amount.

## **TOWNSHIP ATTORNEY:**

- 1) Multi-disciplined firm with significant experience in representing NJ Public Entities in the capacity as a municipal attorney as well as litigation experience in Municipal, State and/or Federal Court, administrative forums and/or arbitration municipal law, municipal litigation and tort claim laws, COAH law and familiarity with Titles 40 & 40A of N.J.S.A. The applicant shall have 15 years of experience as a municipal Township Attorney for a municipality in the State of New Jersey, 5 years of which should be in a similarly-sized municipality.
- 2) Provide a description of attorney's education, experience, qualifications, number of years with current firm and a descriptive narrative of their experience with projects similar to those required herein;
- 3) The applicant also must demonstrate a high degree of knowledge, experience and ability with the following:
  - a) The operation of local governmental units in New Jersey
  - b) Acquisition of real-estate (Open Space)
  - c) Assisting with acquiring and administering grants
  - d) Administering Council on Affordable Housing (COAH) programs.
  - e) Experience working in a town located in the Pinelands and interacting with the Pinelands Commission
  - f) Municipal Land Use Law
  - g) Extensive knowledge of Local Public Contracts Law
  - h) Selling of Township real estate and/or property
  - i) Experience working in a municipality that is self-insured via a Joint Insurance Fund
  - j) Putting together Employment Practices Liability (EPL) policies to protect the Township
  - k) Experience in a Township Form of government is a plus
  - l) Knowledgeable in Election Law, "Pay to Play" Laws and Government Ethics Laws
  - m) Experience with Open Public Records Act
- 4) 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) Include a list of any other professional qualifications, experience and/or credentials you feel are relevant to this RFP/Q.

## **TOWNSHIP PLANNING BOARD ATTORNEY:**

1). Multi-disciplined firm with one or more licensed professionals on staff whose major focus and work has been and remains providing professional services to and advising public entities. The firm shall have at least ten (10) years of experience in representing public entities. The firm shall designate one professional within the firm, who will be assigned to represent the interest of the Township Planning/Zoning Board. This individual shall have been admitted and/or licensed in his/her profession and be in in good standing. The firm and individuals assigned to work with the Township Planning/Zoning Board shall be well versed in Pineland's Commission, Redevelopment Projects and any/all other aspects of the Township Planning Board and Zoning Board's operations.

2). Proposing firms shall provide evidence that all minimum qualifications are met.

3). The response to this Request for Proposal (RFP) shall also discuss and provide the following:

- Names and roles of the individuals who will perform the task and a description of their experience with projects similar to the matter being advertised
- References and record of success
- Description of ability to provide the services in a timely fashion (including staffing, familiarity and location of key staff)
- Cost details, including the hourly rates of each of the individuals who will perform services
- Resumes for the professional to be assigned to work on Township Planning/Zoning Board matters shall be identified
- A list delineating the number and types of public clients served shall also be presented.
- Names of references from at least three (3) public sector employers shall be provided for this individual
- A narrative statement of the professionals understanding the Township Planning/Zoning Boards needs and goals

## **TOWNSHIP ENGINEER -or- PLANNING BOARD ENGINEER:**

- 1) All applicable licenses to perform general engineering in New Jersey. Applicant must have at least 15 years of experience as municipal engineer in a similarly-sized municipality. Firm must be multi-disciplined with expertise in road construction, construction management, dams with engineers who hold licenses in these areas, MLUL experience, planners & landscape engineers on staff, experience in environmental assessments (wetlands, archaeological, endangered species, hydrologic studies), GIS, materials testing, surveying, traffic studies, drainage, and extensive knowledge of the Pinelands Commission's rules and regulations.
- 2) The applicant must demonstrate the ability to:
  - a) Prepare, or cause to be prepared, plans, designs and specifications for Public Works projects and improvement
  - b) Provide and maintain surveys, maps, plans, specifications and control records with respect to Public Works projects in the Township
  - c) Provide technical and engineering advice and assistance to the Township Committee and Township Administrator
  - d) Ability to update the Tax Map as per the Tax Assessor's needs
  - e) Attend all Committee meetings as requested by the Township Administrator
  - f) Administer and oversee road opening permits on behalf of the Manager
  - g) Prepare, review and approve construction plans and specifications for all capital improvement projects as directed by the Township Administrator
  - h) Successful record of applying for and receiving road improvement grants
  - i) Ability to respond to resident concerns when an engineering project impacts their property
  - j) Experience in engineering inspections of both residential developments and large commercial/industrial projects (over 20,000 sq. ft.)
  - k) Experience administering performance bond and maintenance bonds on behalf of the Township
  - l) Must demonstrate experience with engineering design, inspection and contract administration of annual municipal road projects totaling more than \$1 million
  - m) Documented experience with design, inspection and contract administration of large and small recreation projects



## **ENGINEERS MAXIMUM ALLOWABLE RATE SCHEDULE**

Principal Engineer/Planner	\$115.00
Principal Surveyor	\$115.00
Project Administrator	\$110.00
Department Head – Engineering	\$110.00
Senior Project Engineer	\$95.00
Project Engineer	\$75.00
Department Head – Surveying	\$110.00
Senior Project Surveyor	\$85.00
Project Surveyor	\$75.00
Department Head - Environmental	\$110.00
Senior Project Environmental Engineer	\$95.00
Project Environmental Engineer	\$75.00
Department Head - Planning	\$110.00
Senior Project Planner	\$75.00
Project Planner	\$65.00
Senior Project Environmental Specialist	\$95.00
Project Environmental Scientist	\$75.00
Department Head – GIS	\$110.00
Senior GIS Specialist	\$90.00
GIS Specialist	\$75.00
Associate Project Manager	\$60.00
Senior Technician	\$50.00
Technician	\$40.00
Survey Crew ( 3 person)	\$135.00
Survey Crew (2 person)	\$120.00
Senior Inspector	\$65.00
Inspector	\$55.00
Project Clerk	\$40.00
Planning Board Engineer – Meeting Attendance for Administrative Purposes Only – No Applicant Applications	\$100.00/mtg

# Form of Contract

## Engineer

This Agreement entered into this \_\_\_\_ day of \_\_\_\_\_ 20\_\_, by and between the Township of Waterford (hereinafter referred to as the “Township”) and (*insert Engineer’s name*) \_\_\_\_\_ (hereinafter referred to as “Engineer”) of the firm (*insert firm name*)\_\_\_\_\_.

### WITNESSETH:

Whereas, the **Township** is in need of an Engineer to serve as *Planning Board / Township Engineer* and is authorized pursuant to N.J.S.A 40A:11-5 to contract for a *Planning Board / Township Engineer* to serve in such capacity without formal bidding.

Whereas the Engineer above named is an Engineer licensed in the State of New Jersey and who maintains an office located at (*insert address of engineer’s office*)

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Whereas, this contract has been advertised and awarded pursuant to a fair and open process in accordance with N.J.S.A 19:44A-20.4 et seq.

Now, therefore, in consideration of the mutual promises, conditions and obligations herein as follows:

1. The term of this agreement is for one year from the date of appointing resolution or until a successor is appointed
2. The **Engineer**, representative or designee agrees to serve as *Planning Board / Township Engineer* for the Township of Waterford for the term of this agreement.
3. The Engineer agrees to render such services when directed by the Governing Body, including but not limited to:
  - (a) Perform administrative and professional engineering work in the investigation, design, construction and maintenance of public work projects as authorized by the Township Governing Body.
  - (b) Supervise or perform such survey of either a topographical, property line or construction nature as may be required by the Township.
  - (c) Prepare such plans, sketches, and blueprints as may be required by the Township.
  - (d) Prepare specifications in a form as required for public bidding and in such detail as is required to describe the work to be performed by the contractor. Assist the Township in receiving, analyzing and tabulation of bids received and recommendation of award. Compile contracts, bonds and signatures for approval by the Township. Provide construction management functions when authorized by the Township. Review project progress and make recommendations for payments and change orders.

- (e) The *Planning Board / Township* Engineer will be responsible for reporting to the Mayor and Township Committee and he will keep them informed with regard to the status of all pending or proposed projects. The Engineer will coordinate with other departments, offices, bureaus, boards or agencies of the Township regarding compliance with Township ordinances and procedures.
  - (f) As part of the duties the Township Engineer attend one (1) monthly Business Meeting of the Township, and special meetings of the Township when required as a non-billable event.
  - (g) As part of their duties as the Planning Board Engineer, the Planning Board Engineer will be required to attend meetings of the Planning Board. Meetings in which the Planning Board Engineer is in attendance for Administrative purposes only, may be billed at \$100.00 per meeting and should not be billed directly to the applicant. Only meetings in which the Planning Board Engineer is required to discuss or provide services on behalf of an applicant are billable to the applicant.
  - (h) Engineer may provide inspection services for developer's projects as to conformance with the approved plan when required.
  - (i) Maintain all drawings, papers, documents, memoranda, reports and other materials (the Records) relating to the duties of the *Planning Board / Township* Engineer. Upon termination of the services set forth herein the Engineer when requested shall surrender all the Records to the Township.
  - (j) Such other duties necessary to fulfill said position and authorized by the Township
4. The Township agrees to pay the Engineer for their services said sums as provided on the attached rate schedule, said amounts shall not exceed \$115.00 per hour for any individual title named. The Township shall be under no obligation to provide rent, equipment, utilities, telephone, stationary supplies, clerical staff nor other items generally assumed to be included in the overhead costs of an engineering office. The Township shall not compensate the Engineer for mileage to or from meetings or for attendance at Monthly Township Business Meetings.
  5. When it is possible to define precisely the scope of the project and the engineering services to be performed, a lump sum fee based on estimated services required and factors considered relevant by the parties may be determined and agreed upon for total compensation. Payments in such cases will be made based upon the percentage of work completed.
  6. A combination of hourly rates and lump sum may be utilized in compensation of the Engineer.
  7. During the performance of this contract, the Engineer agrees to comply with all the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 in accordance with attached Exhibit A.
  8. Engineer agrees to maintain professional liability insurance in the amount of \$1,000,000 and name the Township additionally insured and/or certificate holder. Professional shall also maintain general liability and workers compensation insurance. Proof of coverage shall be attached to this agreement.
  9. The Engineer agrees to defend, indemnify and save harmless the Township of Waterford, its officers, agents and servants and each and every one of them against and from all suits



## **RISK MANAGEMENT CONSULTANT (RMC):**

- 1) Firm or agent specializing in public sector Joint Insurance Funds and who has at least five (5) years of experience representing municipalities as an RMC. Experience in municipalities of a similar scope and size is preferred.
- 2) The applicant also must demonstrate a high degree of knowledge, experience and ability with the following:
  - a) Loss Control
  - b) Risk Management
  - c) Claims Review
  - d) Attendance at JIF Meetings
  - e) Safety Programs
  - f) Identifying insurable exposures
  - g) Certificates of Insurance
  - h) Claims processing and assistance
- 3) Applicant shall submit quarterly bill/reports to the Township Administrator delineating duties performed, projects worked on and any other efforts on behalf of Waterford Township.
- 4) Applicant must list any other public sector JIF clients they are currently representing as RMC.
- 5) Provide an annual cost proposal in a flat dollar amount (not percentage) to perform all of the duties of Risk Management Consultant for 2017. The 2017 annual Township assessment is estimated at \$510,000.

## **BOND COUNSEL:**

- 1) Law firm experienced in municipal bonding, pooled financing procedures, bond law, and arbitrage. The applicant must meet and possess all certifications necessary to practice as a bond counsel in the State of New Jersey. Additionally, as a minimum, the applicant shall have seven (7) years of experience as a bond counsel for municipalities in the State of New Jersey with similarly-sized bonds. The applicant must demonstrate a high degree of knowledge and experience with municipal bonds of at least five million dollars (\$5,000,000.00), pooled financing with an improvement authority, refinancing of existing

bonds and helping the town to structure its debt service so as to minimize impact to the taxpayers. The applicant needs to have experience appearing before the Local Finance Board.

- 2) The applicant must also meet all certifications necessary to practice in the State of New Jersey.

## **PROSECUTOR:**

### **PURPOSE OF REQUEST:**

The Township of Waterford desires to appoint a Chief Prosecutor who will be the chief legal representative of the State of New Jersey and the Township of Waterford in the prosecution of cases before the Municipal Court of the Township of Waterford.

### **PERIOD OF APPOINTMENT:**

One (1) year.

### **SCOPE OF SERVICES:**

Any persons or firms interested in providing professional services to the Township of Waterford ("Township") as defined in the New Jersey Statutes, N.J.S.A. 40A:11-2(6).

1. Appointment of Municipal Prosecutor. The Municipal Prosecutor shall be appointed by the Township Committee by a majority vote of a quorum of its members and shall serve for a term of one (1) year from the 1<sup>st</sup> day of January until December 31, 2017 of his appointment and until his successor has been appointed and qualified. The Prosecutor shall be an attorney-at-law of New Jersey. The Municipal Prosecutor shall be appointed in a manner consistent with the Local Public Contracts Law and shall execute a written contract with the Township and the Municipal Prosecutor shall receive such compensation as shall be agreed upon by the Township Committee with the General Salary Ordinance.

2. **Duties.** The Municipal Prosecutor shall:

The Municipal Prosecutor shall prosecute the criminal, disorderly person's offenses, motor vehicle offenses and any other matters in which the Municipal Court of the Township of Waterford has jurisdiction pursuant to law and rule of the Supreme Court. The Prosecutor shall receive such compensation for services as shall be fixed by the General Salary Ordinance.

### **APPLICANT'S/PROPOSER'S RESPONSIBILITY IN RESPONDING TO TOWNSHIP'S REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES:**

1. Must be licensed to practice law in the State of New Jersey and eligible to appear before all state and federal courts and administration offices of the State of New Jersey for a period of not less than five (5) years preceding appointment.

2. Must have experience as a municipal prosecutor in the municipal courts of the State of New Jersey for five (5) years.

## **PUBLIC DEFENDER:**

### **PURPOSE OF REQUEST:**

The Township of Waterford desires to appoint an attorney at law who will be the principal Public Defender for those who qualify for Public Defender services in the experience in the defense of matters in the municipal courts of the State of New Jersey. Any experience or knowledge of matters that directly affect the Township of Waterford or its Municipal Court should be addressed.

### **PERIOD OF APPOINTMENT:**

One (1) year.

### **SCOPE OF SERVICES:**

Any persons or firms interested in providing professional services to the Township of Waterford ("Township") as defined in the New Jersey Statutes, N.J.S.A. 40A:11-2(6).

1. **Appointment of Public Defender.** The Municipal Public Defender shall be appointed by the Township Committee by a majority vote of a quorum of its members and shall serve for a term of one (1) year from the 1<sup>st</sup> day of January until December 31, 2017 of his appointment and until his successor has been appointed and qualified. The Public Defender shall be an attorney-at-law of New Jersey. The Municipal Public Defender shall be appointed in a manner consistent with the Local Public Contracts Law and shall execute a written contract with the Township and the Public Defender shall receive such compensation as shall be agreed upon by the Township Committee with the General Salary Ordinance.

2. **Duties.** The Municipal Public Defender shall:

The Public Defender shall defend assigned persons on the criminal, disorderly person's offenses, motor vehicle offenses and any other matters in which the Municipal Court of the Township of Waterford has jurisdiction pursuant to law and rule of the Supreme Court. The Public Defendant shall receive such compensation for services as shall be fixed by the General Salary Ordinance.

## **ALTERNATE PUBLIC DEFENDER:**

### **PURPOSE OF REQUEST:**

The Township of Waterford desires to appoint an attorney at law who will be the Alternate Public Defender, in the absence or due to conflict of the Principal Public Defender, for those who qualify for Public Defender services in the experience in the defense of matters in the municipal courts of the State of New Jersey. Any experience or knowledge of matters that directly affect the Township of Waterford or its Municipal Court should be addressed.

### **PERIOD OF APPOINTMENT:**

One (1) year.

### **SCOPE OF SERVICES:**

Any persons or firms interested in providing professional services to the Township of Waterford ("Township") as defined in the New Jersey Statutes, N.J.S.A. 40A:11-2(6).

1. **Appointment of Alternate Public Defender.** The Municipal Alternate Public Defender shall be appointed by the Township Committee by a majority vote of a quorum of its members and shall serve for a term of one (1) year from the 1<sup>st</sup> day of January until December 31, 2017 of his appointment and until his successor has been appointed and qualified. The Alternate Public Defender shall be an attorney-at-law of New Jersey. The Municipal Alternate Public Defender shall be appointed in a manner consistent with the Local Public Contracts Law and shall execute a written contract with the Township and the Alternate Public Defender shall receive such compensation as shall be agreed upon by the Township Committee with the General Salary Ordinance.

2. **Duties.** The Alternate Public Defender shall defend assigned persons on the criminal, disorderly person's offenses, motor vehicle offenses and any other matters in which the Municipal Court of the Township of Waterford has jurisdiction pursuant to law and rule of the Supreme Court, when the Principal Public Defender is absent or has a conflict of interest. The Alternate Public Defendant shall receive such compensation for services as shall be fixed by the General Salary Ordinance.

### **APPLICANT'S/PROPOSER'S RESPONSIBILITY IN RESPONDING TO TOWNSHIP'S REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES:**

1. Must be licensed to practice law in the State of New Jersey and eligible to appear before all state and federal courts and administration offices of the State of New Jersey for a period of not less than five (5) years preceding appointment.

2. Must have experience as a municipal Public Defender in the municipal courts of the State of New Jersey for five (5) years.



