

NOTE: The Borough of Bound Brook will consider proposals only from individual or firms that have demonstrated the capability and willingness to provide high quality services in the manner described in this Request for Proposals.

**REQUEST FOR PROPOSALS FOR THE PROVISION OF THE FOLLOWING
PROFESSIONAL SERVICES FOR CALENDAR YEAR 2023:**

Municipal Attorney
Municipal Auditor
Municipal Bond Counsel
Municipal Financial Advisor
Municipal Engineer
Municipal Planner
Municipal Grant Writer
Municipal Prosecutor
Municipal Assistant Prosecutor
Municipal Public Defender
Municipal Tax Appeal Attorney
Municipal Labor Attorney
Municipal Planning Board Attorney
Municipal Planning Board Engineer
Municipal Planning Board Planner

ISSUE DATE: NOVEMBER 1, 2022

DUE DATE: FRIDAY, DECEMBER 2, 2022

Issued by:

Borough of Bound Brook

**NOTICE OF REQUEST FOR PROPOSALS
FOR THE PROVISION OF 2023 PROFESSIONAL SERVICES**

Notice is hereby given that sealed Proposals will be received by the Borough of Bound Brook (“Borough”), at 230 Hamilton Street, Bound Brook, New Jersey, by or before **Friday, December 2, 2022, at 10 a.m.** prevailing time for the following, collectively identified as Professional Services:

Municipal Attorney
Municipal Auditor
Municipal Bond Counsel
Municipal Financial Advisor
Municipal Engineer
Municipal Planner
Municipal Grant Writer

Municipal Prosecutor
Municipal Assistant Prosecutor
Municipal Public Defender
Municipal Tax Appeal Attorney
Municipal Labor Attorney
Municipal Planning Board Attorney
Municipal Planning Board Engineer
Municipal Planning Board Planner

Sealed proposals shall be opened on, **Friday, December 2, 2022, at 10 a.m.** in Council Chambers located at 230 Hamilton Street, Bound Brook, New Jersey, 08805. Proposals must be submitted by the foregoing date and time on the Proposal Forms furnished in the Request for Proposals (RFP) as follows:

1. One (1) emailed submission to jmccoy@boundbrook-nj.org with the subject “2023 RPF for Professional Services” with the Professional Service for which the Proposal is being submitted: **and**
2. Two (2) sealed envelopes, one (1) original (marked “Original”) and one (1) copy (marked “Copy”) clearly marked “2023 RPF for Professional Services” with the Professional Service for which the Proposal is being submitted

Proposals prepared on forms other than those provided in the RFP may be rejected. Proposals received after the date and time set forth herein, regardless of cause of delay, will not be accepted but will be returned unopened. Faxed proposals will not be accepted.

The RFP, including the Proposal Forms and Scope of Services, may be obtained from the Borough Clerk’s Office at the Borough of Bound Brook at the above address during regular business hours, Monday through Friday, 8:30 a.m. to 4:30 p.m. or downloaded from the Borough’s website at <https://boundbrook-nj.org/rfq-bid-opportunities/>

The Borough has structured this procurement as a fair and open process to assure that all Respondents are provided an opportunity to submit Proposals and be considered for selection based on the evaluation criteria set forth in the RFP.

Respondents are required to comply with the affirmative action and non-discrimination provisions of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27.

The Borough reserves the right to waive any informalities or irregularities in the Proposals received and to reject any and all Proposals, pursuant to applicable law.

Dated: November 1, 2022

Borough of Bound Brook

SECTION 1

INTRODUCTION AND GENERAL INFORMATION

1.1 Introduction and Purpose

The Borough of Bound Brook (“Borough”) has issued this Request for Proposals for the Provision of Professional Services for Calendar Year 2023 (“RFP”) to solicit Proposals for the provision of various professional services that will be required by the Borough. The Borough has structured this procurement as a fair and open process to assure that all Respondents are provided an opportunity to submit Proposals and be considered for selection based on the evaluation criteria set forth in the RFP. The Borough is seeking Proposals from qualified firms. The Successful Respondent must be prepared to provide the professional services commencing on January 1, 2023.

1.2 Definitions

- a. “Borough” means the Borough of Bound Brook, New Jersey
- b. “Contract” means the contract between the Borough and the Successful Respondent for the performance of Professional Services being solicited pursuant to this RFP.
- c. “RFP” refers to this Request for Proposals, including any amendments or supplements thereto, for the Provision of the following Professional Services for Calendar Year 2023:

Municipal Attorney
Municipal Auditor
Municipal Bond Counsel
Municipal Financial Advisor
Municipal Engineer
Municipal Planner
Municipal Grant Writer
Municipal Prosecutor
Municipal Assistant Prosecutor
Municipal Public Defender
Municipal Tax Appeal Attorney
Municipal Labor Attorney
Municipal Planning Board Attorney
Municipal Planning Board Engineer
Municipal Planning Board Planner

- d. “Successful Respondent” means the Respondent selected by the Borough to provide the Professional Services and who will execute the Contract.

1.3 Submission of Proposals, Time and Place

Proposals shall be submitted to the Borough **on or before Friday, December 2, 2022 at 10 a.m.** Proposals shall be enclosed in an opaque, sealed envelope, marked with the name and address of the Respondent, directed to

Borough of Bound Brook
230 Hamilton Street
Bound Brook, New Jersey 08805
Attention: Borough Clerk's Office

Proposals shall be marked on the outside with the Professional Services for which the Proposal is being submitted.

One (1) original (marked "Original") and one (1) copy (marked "Copy") of the Proposal shall be submitted **BY HAND DELIVERY, REGULAR OR OVERNIGHT MAIL** and received by the Borough on or prior to the above-referenced date and time. A full submission (marked "2023 RFP Professional Services" with the Professional Services for which the Proposal is being submitted) shall also be **EMAILED** to jmccoy@boundbrook-nj.org on or prior to the above-referenced date and time.

Respondents shall number each set of documents sequentially (numbers 1-3, with number 1 being the original) on the upper right-hand corner of each cover.

All Proposals submitted will be date and time-recorded by the Borough upon receipt but will remain unopened until the time and date established for the Proposal opening.

The delivery of the Proposal to the Borough by the above date and time is solely and strictly the responsibility of the Respondent. The Borough shall not, under any circumstances, be responsible for the loss of, delay or non-delivery of any Proposal sent, emailed or delivered by mail or otherwise prior to the Proposal opening.

1.4 Questions

All questions concerning this RFP shall be submitted, in writing via regular mail, overnight delivery or email, to the below-named individual **no later than Monday, November 14, 2022 at 4:00 p.m.:**

Jasmine D. McCoy, Borough Clerk
Borough of Bound Brook
230 Hamilton Street
Bound Brook, New Jersey 08805
Email: jmccoy@boundbrook-nj.org

Responses to written questions will be issued to all Respondents of record no later than **Monday, November 21, 2022**. The Borough will not respond to oral questions or provide oral responses.

1.5 RFP Documents

Each Respondent should inspect its copy of this RFP to ensure that a complete set of the documents, including any Appendices, are included. If a Respondent discovers that its copy of the RFP is incomplete, it should immediately contact the Borough Clerk's Office at 732-893-8509. The Borough will make appropriate and reasonable arrangements with the Respondent to provide any missing items. A Respondent must prepare its Proposal using a complete RFP, including any addenda issued by the Borough prior to the date established for submission of all Proposals. Neither the Borough nor its agents or employees shall be responsible for errors, omissions, incomplete submissions, or misinterpretations resulting from a Respondent's use of an incomplete RFP in preparing or submitting its Proposal.

The RFP has been made available only for the purpose of soliciting Proposals related to the provision of the Professional Services as generally described in this RFP. No license or grant is conferred or implied to the Respondent or to any other person for any purpose.

1.6 Procurement Process

The Professional Services being procured are exempt from bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i). The Borough is proceeding with the selection of a Successful Respondent, for each listed professional services, pursuant to the fair and open process established herein.

The Proposals will be evaluated in accordance with Section 5 hereof, which will be applied in the same manner to each Respondent meeting the qualifications herein. Respondents agree to, at all times, abide by all requirements of New Jersey law, as well as all relevant Executive Orders and the New Jersey Election Law Enforcement Commission disclosure requirements.

1.7 Anticipated Procurement Schedule

Issuance of RFP	Tuesday, November 1, 2022
Deadline for Receipt of Written Questions	Monday, November 14, 2022
Response to Written Questions	Monday, November 21, 2022
Receipt of Proposals	Friday, December 2, 2022

The term of the contract(s) to be awarded is one (1) year, commencing on January 1, 2023 and terminating on December 31, 2023.

Subsequent to issuance of this RFP, the Borough may modify, supplement or amend the provisions of this RFP, including the anticipated procurement schedule.

1.8 Conditions

By responding to this RFP, the Respondent acknowledges and consents to the following conditions relative to the submission, review and consideration of its Proposal:

1. The issuance of the RFP is not intended to and shall not be construed to commit the Borough to execute any agreement.

2. The Borough reserves the exclusive rights set forth in Section 1.8 hereof.
3. Neither the Borough, its staff, nor any of its consultants will be liable for any claims or damages resulting from the solicitation or collection of Proposals in response to this RFP, nor will there be any reimbursement to Respondents for the cost of preparing the Proposal or for participating in the RFP process.
4. By submitting a Proposal in response to the RFP, the Respondent accepts and consents to the procurement process selected (and implemented) by the Borough, and the Respondent waives any and all claims to same.
5. All Proposals submitted in response to this RFP will become the property of the Borough and will not be returned.
6. Reasonable efforts will be taken by the Borough to keep information of a confidential or proprietary nature confidential during and after the procurement process, as permitted by law, when such information has been previously and properly identified by the Respondent.
7. Failure of any Respondent to submit a Proposal that completely addresses the requirements of this RFP (including submittal as part of such Proposal of all documents required to be submitted under the terms of this RFP), at the times and in the manner specified in this RFP, may result in the rejection of the Proposal by the Borough.
9. All documentation and information provided by the Borough in connection with this RFP is believed to be accurate and correct; however, the Borough makes no guarantees as to the accuracy of the information provided. Each Respondent is instructed to notify the Borough in accordance with Section 1.4 hereof if it believes that any information provided herein is not accurate and/or correct.

1.9 Rights of the Borough

The Borough reserves, holds, and may exercise, at its sole discretion, the following rights and options with regard to the RFP and the Proposal process, all in accordance with applicable law:

1. To eliminate any Respondent who submits an incomplete or inadequate Proposal or is otherwise not responsive.
2. To reject any or all Proposal(s) or any Proposal(s) deemed to be non-responsive to the RFP.
3. To supplement, amend, or otherwise modify the RFP.
4. To change or alter the schedule for any events called for in the RFP.

5. To conduct investigations of any or all of the Respondents and their Proposals as the Borough deems necessary or convenient, to clarify the information provided as part of the Proposal, including discussions with contact persons of prior clients or regulatory agencies, and to request additional information to support the information included in any Proposal.
6. To decline to select a Successful Respondent or award a contract for any reason.
7. To abandon this procurement process at the Borough's convenience at any time for any reason.
8. To select the Proposal(s) that, in the Borough's sole judgment, best serve the interest of the Borough.
9. To interview any or all Respondents.

1.10 Examination of Documents, Familiarity with the Services Required to be Performed

It is the responsibility of each Respondent, before submitting a Proposal, to (a) examine the RFP thoroughly, and (b) notify the Borough of all conflicts, errors, or discrepancies in the RFP.

Before submitting a Proposal, each Respondent, at its own expense, shall make or request or obtain any additional inspections, examinations, or studies and obtain any additional data and information that the Respondent deems necessary to compile its Proposal. The failure or omission of the Respondent to receive and examine any form, instrument, or document, or to make required inquiries, shall not relieve the Respondent from any obligations and responsibilities relating to the Professional Services.

The submission of a Proposal will constitute a conclusive and binding representation by a Respondent that such Respondent has agreed to, and complied with, every requirement of this RFP, that the procurement process chosen by the Borough has been conducted and implemented in a legally permissible manner and that the Proposal documents are sufficient in scope and detail to indicate and convey the understanding of the parties as to all terms and conditions for performing and furnishing the Professional Services.

SECTION 2

SCOPE OF SERVICES

2.1 General

It is the intent of the Borough to request proposals from Respondents who have expertise in the provision of the Professional Services for the Scope of Services listed below. Firms and/or persons responding to this RFP shall be able to demonstrate that they will have the continuing capabilities to perform the Professional Services.

MUNICIPAL ATTORNEY

1. Minimum of 5 years proven experience and knowledge in the field of municipal law generally, including but not limited organization and responsibilities in the Borough's form of government; laws applicable to municipalities, including Titles 40 and 40A of the New Jersey Statutes; municipal litigation; municipal ordinances.
2. Draft or approve as to form and sufficiency all legal documents, contracts, deeds, ordinances, and resolutions made, executed or adopted by or on behalf of the Borough.
3. With the approval of the Mayor and Council, conduct appeals from orders, decisions or judgments affecting any interest of the Borough as he may in his discretion determine to be necessary or desirable or as directed by the Mayor and Council.
4. Subject to the approval of the Borough Council, have the power to enter into any agreement, compromise, or settlement of any litigation in which the Borough is involved.
5. Render opinions in writing upon any question of law submitted to him by the Mayor and Council with respect to their official powers and duties and perform such duties as may be necessary to provide legal counsel to the Mayor and Council in the administration of municipal affairs.
6. Supervise and direct the work of such additional attorneys and technical and professional assistants as the Council may authorize for special or regular employment in or for the Borough.
7. Availability to accommodate any meetings as required by the Borough of Bound Brook.
8. Resumes of all partners and key employees.
9. Fee Proposal.

MUNICIPAL AUDITOR

1. Statutory Audit- Audit of Current Fund, Trust Fund, Capital Fund, General Fixed Account Assets Account Group and various other offices as prescribed by the Division of Local Government Services including Federal and State programs in accordance with the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards.
2. Assistance with the preparation of the 2023 Annual Financial Statement, 2023 Annual Debt Statement and assistance with the 2023 Annual Municipal Budget including preparation of the budget document and budget amendments, and if required, the attendance at any budget meetings or public hearings.
3. Audit of the financial activities of the Borough's Funds, Capital Funds.
4. Statutory Audit for Sewer Operating and Sewer Capital
5. Assist with preparation of the Utility Annual Financial Statements and Annual Debt statements and utility budget and preparation of the state require budget forms.
6. Minimum of five (5) years of experience in providing these services to municipalities.
7. Fee Proposal.

BOND COUNSEL

1. Prepare or review all bond ordinances adopted or to be adopted by the governing body.
2. Assemble a certified record of proceedings to evidence the proper adoption of each bond ordinance in accordance with the provisions of the Local Bond Law and other applicable New Jersey Statutes.
3. Prepare the necessary resolutions or other operative documents to set up all bond sales and submit to the Borough Attorney for review. Consult with the Auditor in connection with the appropriate maturity schedule for the bonds to be sold and will review the sections of the Official Statement pertaining to tax and security law matters and the description of the security for the bonds. By request of the Borough will arrange for the printing and the distribution of the Official Statement to those financial institutions that customarily submit bids for new issues of New Jersey municipal bonds of that type. Bond Counsel will arrange for the printing of the notice of sale and will answer any inquiries made by the investment community concerning the bond sale. Bond Counsel will attend the bond sale and will render legal advice as necessary concerning the submission of bids for the bonds in accordance with the notice of sale and the requirements of law.
4. After the bond sale, bond counsel will prepare the bonds for execution, will prepare and see to the execution of the necessary closing certificates and will establish the time and the place for the delivery of the bonds to the successful bidder. Bond Counsel will attend

the closing with the appropriate at which time the bonds will be delivered, payment will be made for the bonds, and bond counsel will issue a final approving legal opinion with respect to the validity of the bonds.

5. Prepare any necessary resolutions to authorize the sale of bond anticipation notes or tax anticipation notes and submit them to the Borough Clerk. When the purchaser and the details of the notes have been determined, bond counsel will prepare the notes for execution and will prepare the appropriate closing certificates and an approving legal opinion with respect to the notes. Normally, it is not necessary for bond counsel to attend the closing for the notes. Unless requested otherwise, bond counsel will forward the notes, closing papers and approving legal opinion to the appropriate borough officer for execution and delivery.
6. Provide basic advice regarding the effect of the federal arbitrage regulations on the issuance of bonds or bond anticipation notes and the investment of the proceeds thereof.
7. Provide basic advice regarding compliance with Rule 15c2-12 of the Securities and Exchange Commission.
8. Bond Counsel shall have a minimum of five years of experience as Municipal Bond Counsel.
9. Resumes of all partners and key employees.
10. Fee Proposal.

MUNICIPAL FINANCIAL ADVISOR

1. Provide general financial advice as requested by the governing body, Borough Administrator and Chief Financial Officer.
2. Assistance in developing the plan of finance in connection with any financing including determining the amount, maturity structure, call provisions and other terms and conditions.
3. Advise on redevelopment or economic revitalization projects including cost/benefit and tax impact analysis, budget consulting, cash flow modeling and review of financial agreements.
4. Fee Proposal.

MUNICIPAL ENGINEER

1. The services to be provided by the Engineer include those services required of a Municipal Engineer by Statute and Ordinance and any other services requested by the municipality during the term of the Engineer's appointment.
2. Provide a licensed Civil Engineer with a minimum of five year's municipal experience in resolving technical as well as community inquires.
3. Assist the municipality in implementation of Capital Construction Program, including preparation of plans and specifications for advertisement for bid as well as the contact administration and construction phase of the project. This will be undertaken on a project basis.
4. Other services that may be requested by the municipality.
5. Fee Proposal.

MUNICIPAL PLANNER

1. Minimum of ten (10) years of experience in Municipal Land Use providing planning services to municipalities.
2. A high degree of knowledge experience and ability with New Jersey Municipal Land Use Law, Master Plan Updates and drafting or amending land use ordinances.
3. Undertake studies and recommend comprehensive redevelopment plans, amendments to zoning ordinances and updates to the Master Plan as requested by the Borough Council.
4. Maintain and update the official zoning map.
5. Be in good standing with all applicable licenses to perform general engineering services in New Jersey.
6. Fee Proposal.

MUNICIPAL GRANT WRITER

1. Minimum of 5 years of proven experience with successfully securing funding through local, state, and federal grant proposals.
2. Ability to identify grant funding opportunities for various Borough projects.
3. Knowledge of the administrative structure of the Borough of Bound Brook and subject matter to be addressed under the contract.
4. Fee Proposal.

MUNICIPAL PROSECUTOR

1. Minimum of 5 years proven experience and knowledge in the field of Municipal Court law, practice, and procedure.
2. Prosecution of complaints for violation of municipal ordinances, the provisions of N.J.S.A. 39:1-1 et seq. (Motor Vehicle Act) and all other criminal or quasi-criminal statutes of the State of New Jersey within the jurisdiction of the Municipal Court.
3. Knowledge of the administrative structure of the Borough of Bound Brook and subject matter to be addressed under the contract.
4. Fee Proposal.

ASSISTANT MUNICIPAL PROSECUTOR

1. Minimum of 5 years proven experience and knowledge in the field of Municipal Court law, practice, and procedure.
2. Prosecution of complaints for violation of municipal ordinances, the provisions of N.J.S.A. 39:1-1 et seq. (Motor Vehicle Act) and all other criminal or quasi-criminal statutes of the State of New Jersey within the jurisdiction of the Municipal Court.
3. Knowledge of the administrative structure of the Borough of Bound Brook and subject matter to be addressed under the contract.
4. Fee Proposal.

MUNICIPAL PUBLIC DEFENDER

1. Minimum of 5 years proven experience and knowledge in the field of municipal law.
2. The ability to represent any indigent defendants which the Municipal Court may determine as qualified for such services.
3. Knowledge of the administrative structure of the Borough of Bound Brook and subject matter to be addressed under the contract.
4. Provide expert and law investigation and testimony as well as other required preparations.
5. Fee Proposal.

MUNICIPAL TAX APPEAL ATTORNEY

1. Minimum of 5 years proven experience and knowledge under the provisions of N.J.S.A. 54:3 et seq., N.J.S.A 54:4 et seq and N.J.A.C. 18:12A et seq.
2. Knowledge of the Borough's tax base and its exposure to tax appeals.
3. Resumes of all partners and key employees.
4. Fee Proposal.

MUNICIPAL LABOR ATTORNEY

1. Minimum of five (5) years proven experience and knowledge in the field of Labor Law, Education Law and Municipal Law.
2. Provide interpretation and advise on wage and hour laws, workplace safety, laws regarding rest and breaks, disability and leave requirements, workplace harassment, discrimination, and wrongful termination.
3. Knowledge of the administrative structure of the Borough of Bound Brook and subject matter to be addressed under the contract.
4. Availability to accommodate any meetings as required by the Borough of Bound Brook
5. Fee Proposal.

PLANNING BOARD ATTORNEY

1. Provide legal services for general litigation in defense of the Borough Planning Board and/or in any action where the Borough's insurance carrier has denied coverage for the Borough Planning Board.
2. Provide monthly updates as to the status of litigation to the Borough Attorney.
3. Provide a narrative statement of understanding of the Planning Board's needs and goals.
4. Attend all necessary Planning Board meetings.
5. Resumes of all partners and key employees.
6. A minimum of ten (10) years of experience for providing these services and working with public agencies is required.
7. Fee Proposal.

PLANNING BOARD ENGINEER

1. A minimum of ten (10) years of experience for providing these services and working with public agencies is required in addition to knowledge and proficiency in Municipal Land Use Law (MLUL).
2. Review subdivision and site plans including preparation of written reports setting forth compliance to municipal ordinances.
3. Provide field observation service of subdivision and/or site plans to assure compliance with Board requirements and approvals.
4. Provide general engineering and planning advice and assistance to the Board as requested.
5. Attend all regular or special meetings of the Board or its subcommittees as required by the Board.
6. Be in good standing with all applicable licenses to perform general engineering services in New Jersey.
7. Fee Proposal.

PLANNING BOARD PLANNER

1. A minimum of ten (10) years of experience providing planning services and proficient knowledge in Municipal Land Use Law (MLUL).
2. Review and submit written reports to the Board upon all Board applications.
3. Undertake studies and recommend comprehensive amendments redevelopment plans.
4. Be in good standing with all applicable licenses to perform general engineering services in New Jersey.
5. Fee Proposal.

2.2 Affirmative Action

The Successful Respondent shall comply with all applicable statutes and regulations pertaining to affirmative action as set forth on Appendix A.

SECTION 3

INSTRUCTION FOR PREPARATION AND SUBMISSION OF PROPOSALS

3.1 General Requirements.

In addition to the professional qualifications stated in Section 2, Respondent's Proposal must meet or exceed the professional and administrative qualifications set forth in this Section 3 and shall incorporate the information requested below.

In addition to the information requested by this RFP, a Respondent may submit supplemental information that it feels may be useful in evaluating its Proposal. Respondents are encouraged to be clear, factual, and concise in their presentation of information.

3.2 Administrative Information Requirements.

The Respondent shall, as part of its Proposal, provide the following information:

1. An executive summary (not to exceed two (2) pages) of the information contained in all other parts of its Proposal.
2. An executed Letter of Qualification (See Appendix A to this RFP).
3. Name, address and telephone number of the firm submitting a response to the RFP, and the name of the key contact person.
4. A description of the business organization (i.e., corporation, partnership, joint venture, etc.) of each firm, its ownership and its organizational structure.
 - (a) Provide the names and business addresses of all Principals of the firm submitting the Proposal. For purposes of this RFP, "Principals" mean persons possessing an ownership interest in the Respondent. If the Respondent is a corporation, "Principals" shall include each investor who would have any amount of operational control over the Respondent and every stockholder having an ownership interest of 10% or more in the firm (See Exhibit D).
 - (b) If a firm is a partially owned or a fully owned subsidiary of another firm, identify the parent company and describe the nature and extent of the parents' approval rights over the activities of the firm submitting a Proposal. Describe the approval process.
 - (c) If the Respondent is a partnership or a joint venture or similar organization, provide comparable information as required in (b) above for each member of the partnership, joint venture, or similar organization.

- (d) A statement that the Respondent has complied with all applicable affirmative action (or similar) requirements with respect to its business activities, together with evidence of such compliance (See Exhibit B).
- 5. An executed Letter of Intent (See Appendix C).
- 6. The number of years your organization has been in business under the present name.
- 7. The number of years the business organization has been under the current management.
- 8. Any judgments, claims or suits within the last three (3) years in which Respondent has been adjudicated liable for professional malpractice. If yes, please explain.
- 9. Whether the business organization is now or has been involved in any bankruptcy or re-organization proceedings in the last ten (10) years. If yes, please explain.
- 10. Confirm appropriate federal and state licenses to perform Scope of Services for the Professional Services for which Respondent is responding. Submit a copy of the Respondent's Business Registration Certificate.
- 11. List all immediate relatives of Principal(s) of Respondent who are Borough employees or elected officials of the Borough. For purposes of the above, "immediate relative" means a spouse, parent, stepparent, brother, sister, child, stepchild, direct-line aunt or uncle, grandparent, grandchild, and in-laws by reason of relation.
- 12. Respondents shall submit a fee proposal with their Proposal, describing all fees, charges or expenses proposed for the professional services for which Respondent is submitting its Proposal.
- 13. In addition to all other information to be submitted by Respondents pursuant to this RFP, Respondents shall submit the Proposal Checklist (Exhibit J), together with all checklist Appendices and information required to be submitted pursuant to the Checklist.

3.3 Professional Information Requirements.

RESPONDENT MUST SUBMIT THE INFORMATION IN THIS SECTION 3.3 FOR EACH OF THE PROFESSIONAL SERVICES FOR WHICH RESPONDENT IS SUBMITTING A RESPONSE

1. Respondent shall submit a description of its overall experience in providing the type of Professional Services for which Respondent is submitting a response. At a minimum, the following information on experience should be included as appropriate to the RFP:
2. Description of Respondent's experience with respect to the Professional Services for which Respondent is submitting a response.
3. Name, address and contact information of references.
4. Explanation of perceived relevance of Respondent's experience to the Professional Services and Scope of Services under the RFP.
5. Describe the Professional Services that Respondent would perform directly.
6. Describe those portions of the Professional Services, if any, that are sub-contracted. Identify all subcontractors the Respondent anticipates using in connection with the Scope of Services.
7. Does the Respondent normally employ union or non-union employees?
8. Résumés of key employees.
9. A narrative statement of the Respondent's understanding of the Borough's needs and goals with respect to the Professional Services for which Respondent is submitting a Proposal.

3.4 Submission of Proposals, Time and Place

Proposals shall be submitted to the Borough **on or before Friday, December 2, 2022, at 10 a.m.** Proposals shall be enclosed in an opaque, sealed envelope, marked with the name and address of the Respondent, directed to Borough of Bound Brook at the following address: 230 Hamilton Street, Bound Brook, New Jersey 08805, Attention: Jasmine McCoy, Borough Clerk, and further marked with the Professional Services for which the proposal is being submitted.

One (1) original (marked "Original") and one (1) copy (marked "Copy") of the Proposal shall be submitted **BY HAND DELIVERY, REGULAR OR OVERNIGHT MAIL** and received by the Borough on or prior to the above-referenced date and time. A full submission (marked "2023 RFP Professional Services" with the Professional Services for which the Proposal is being submitted) shall also be **EMAILED** to jmccoy@boundbrook-nj.org on or prior to the above-referenced date and time.

Respondents shall number each set of documents sequentially (numbers 1-3, with number 1 being the original) on the upper right-hand corner of each cover.

All Proposals submitted will be date and time-recorded by the Borough upon receipt but will remain unopened until the time and date established for the Proposal opening.

The delivery of the Proposal to the Borough by the above date and time is solely and strictly the responsibility of the Respondent. The Borough shall not, under any circumstances, be responsible for the loss of, delay or non-delivery of any Proposal sent or delivered by mail or otherwise prior to the Proposal opening.

SECTION 4

CONTRACTUAL REQUIREMENTS

4.1 Contractual Requirements

The Successful Respondent must be prepared to execute, and deliver to the Borough, a professional services agreement in form and content acceptable to the Borough, in its sole discretion, within seven (7) days of its presentation.

4.2 Subcontracting/Assignment of Contract

Subcontracting and/or assignment of any portion of the Professional Services to be provided under the professional services agreement and/or terms and provisions of this RFP shall be strictly prohibited without prior written consent of the Borough, in the Borough's sole discretion.

SECTION 5

EVALUATION

The Borough's objective in soliciting Proposals is to enable it to select an individual or firm that will provide high quality and cost-effective Professional Services to the Borough. The Borough will consider Proposals only from individuals or firms who, in the Borough's sole judgment, have demonstrated the capability and willingness to provide high quality Professional Services to the Borough in the manner described in this RFP.

Proposals will be evaluated by the Borough to determine the Proposal(s) most advantageous to the Borough, all relevant factors considered. The evaluation will consider:

1. Experience and reputation in the field;
2. Knowledge of the Borough and of the subject matter and Scope of Services for Professional Services for which a response is being submitted;
3. Availability to accommodate required meetings of the Borough;
4. Reasonableness of Fee Proposal; and
5. Other factors demonstrated to be in the best interest of the Borough.

APPENDIX A

LETTER OF QUALIFICATION

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

[insert date]

Jasmine D. McCoy, Borough Clerk
230 Hamilton Street
Bound Brook, New Jersey 08805

Dear Borough Clerk:

The undersigned has reviewed our Proposal being submitted in response to the Request for Proposals issued by the Borough of Bound Brook (“Borough”), dated _____, for the following Professional Services:

(Respondent, please insert category(ies) of the Professional Services for which a response is being submitted).

We affirm that the contents of our Proposal, including our stated qualifications as incorporated herein by reference, are accurate, factual and complete to the best of our knowledge and belief and that our Proposal is submitted in good faith upon express understanding that any false statement may result in the disqualification of (Name of Respondent).

(Respondent shall sign and complete the spaces provided below. This Letter of Qualification must be signed by an officer of Respondent empowered to sign and commit the Respondent. If a joint venture, appropriate officers of each company shall sign.)

(Signature of Officer)

(Typed Name and Title)

(Type Name of Firm)

Dated: _____

APPENDIX B

AFFIRMATIVE ACTION

Affirmative Action Plan Compliance

Respondents shall submit with their Proposals one of the three (3) documents listed below. In accordance with N.J.A.C. 17:27.4.3, submission thereof is a precondition to entering into a valid and binding professional services contract with the Borough, if awarded a contract.

- i. Appropriate evidence that the contractor is operating under an existing federally approved or sanctioned affirmative action program; or
- ii. A certificate of employee information report approval issued in accordance with N.J.A.C. 17:27-4;
- iii. An initial employee information report consisting of forms provided by the affirmative action office and completed by the contractor in accordance with N.J.A.C. 17:27.

APPENDIX C

LETTER OF INTENT

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

[insert date]

Jasmine D. McCoy, Borough Clerk
230 Hamilton Street
Bound Brook, New Jersey 08805

Dear Borough Clerk:

The undersigned, as Respondent, has (have) submitted the attached Proposal, in response to a Request for Proposals issued by the Borough of Borough of Bound Brook (“Borough”), dated _____ (RFP), for the following Professional Services:

(Respondent, please insert category(ies) of Professional Services for which a response is being submitted]

(Name of Respondent) HEREBY STATES:

1. The Proposal contains accurate, factual and complete information.
2. (Name of Respondent) agrees (agree) to participate in good faith in the procurement process as described in the RFP and to adhere to the Borough's procurement schedule.
3. (Name of Respondent) acknowledges (acknowledge) that all costs incurred by it (them) in connection with the preparation and submission of their Proposal prepared and submitted in response to the RFP, or any negotiation that results therefrom, shall be borne exclusively by the Respondent.
4. (Name of Respondent) hereby declares (declare) that the only persons participating in this Proposal as Principals are named herein and that no person other than those herein mentioned has any participation in this Proposal or in any contract to be entered into with respect thereto. Additional persons may subsequently be included as participating Principals, but only if acceptable to the Borough. (Name of Respondent) declares that this Proposal is made without connection with any other persons, firms or parties who have submitted a Proposal, except as expressly set forth below, and that it has been prepared and has been submitted in good faith and without collusion or fraud.
5. (Name of Respondent) acknowledges (acknowledge) and agrees (agree) that the Borough may modify, amend, suspend and/or terminate the procurement process (in its sole judgment). In any case, the Borough shall not have any liability to the Respondent for any costs incurred by the Respondent with respect to the procurement activities described in this RFP.

6. (Name of Respondent) acknowledges (acknowledge) that any contract executed with respect to the provision of the Professional Services for which it has submitted a response must comply with all applicable affirmative action and similar laws. Respondent hereby agrees to take such actions as are required in order to comply with such applicable laws.

(Respondent shall sign and complete the spaces provided below. This Letter of Qualification must be signed by an officer of Respondent empowered to sign and commit the Respondent. If a joint venture, appropriate officers of each company shall sign.)

(Signature of Officer)

(Typed Name and Title)

(Type Name of Firm)

Dated: _____

APPENDIX D

BOROUGH OF BOUND BROOK

OWNERSHIP DISCLOSURE STATEMENT

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

This Statement Shall Be Included with Proposal Submission

Name of Respondent: _____

"No corporation, partnership, or limited liability company shall be awarded any contract nor shall any agreement be entered into for the performance of any work or the furnishing of any materials or supplies, unless prior to the receipt of the bid or proposal, or accompanying the bid or proposal of said corporation, said partnership, or said limited liability company there is submitted a statement setting forth 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.

If one or more such stockholder or partner or member is itself a corporation or partnership or limited liability company, the stockholders holding 10 percent or more of that corporation's stock, or the individual partners owning 10 percent or greater interest in that partnership, or the members owning 10 percent or greater interest in that limited liability company, as the case may be, shall also be listed. The disclosure shall be continued until names and addresses of every non-corporate stockholder, and individual partner, and member, exceeding the 10 percent ownership criteria established in this act, has been listed.

To comply with this section, a bidder with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 percent or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest."

The Attorney General has advised that the provisions of N.J.S.A. 52:25-24.2, which refer to corporations and partnerships, apply to limited partnerships, limited liability partnerships, and Subchapter S corporations.

This Ownership Disclosure Certification form shall be completed, signed and notarized.

Failure of the Respondent to submit the required information is cause for automatic rejection of the proposal.

Part I

Check the box that represents the type of business organization:

- Sole Proprietorship (skip Parts II and III, sign and notarize at the end)
- Non-Profit Corporation (skip Parts II and III, sign and notarize at the end)
- Partnership
- Limited Partnership
- Limited Liability Partnership
- Limited Liability Company
- For-profit Corporation (including Subchapters C and S or Professional Corporation)
- Other (be specific): _____

Part II

I certify that the list below contains the names and addresses of all stockholders in the corporation 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, or of all members in the limited liability company who own a ten (10) percent or greater interest therein, as the case may be.

OR

I certify that no one stockholder in the corporation owns ten (10) percent or more of its stock, of any class, or no individual partner in the partnership owns a ten (10) percent or greater interest therein, or that no member in the limited liability company owns a ten (10) percent or greater interest therein, as the case may be.

Sign and notarize the form below, and, if necessary, complete the list below.

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

Name: Home Address:

Name: Home Address:

Name: Home Address:

Part III - Any Direct or Indirect Parent Entity Which is Publicly Traded:

“To comply with this section, a bidder with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 percent or greater beneficial interest, shall also submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest.”

Pages attached with name and address of each publicly traded entity as well as the name and address of each person that holds a 10 percent or greater beneficial interest.

OR

Submit here the links to the Websites (URLs) containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent.

AND

Submit here the relevant page numbers of the filings containing the information on each person holding a 10 percent or greater beneficial interest.

Respondent must sign below, and Respondent’s signature must be notarized:

Name of Respondent

Affiant (Signature individual authorized to sign on behalf of Respondent)

Title

Subscribed and sworn before me
this ___ day of _____.

A Notary Public of the State of _____

My Commission expires: _____

Subscribed and sworn before me this ____
day of _____, 2____

(Notary Seal)

Notary Public of
My Commission Expires:

APPENDIX E

BOROUGH OF BOUND BROOK

NON-COLLUSION AFFIDAVIT

State of _____

County of _____

ss:

I, _____ of the City of _____ 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 Respondent making this Proposal, and that I executed the said Proposal with full authority so to do; that said Respondent has not, directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive contracting in connection with the Request for Proposals, _____ issued by the Borough of Bound Brook (the "Borough"); and that all statements contained in said Proposal and in this affidavit are true and correct, and made with full knowledge that the Borough will rely upon the truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding the Contract.

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 employees or bona fide established commercial or selling agencies maintained by _____.
(Name of Respondent)

Subscribed and sworn to
before me this _____ day of
_____.

Signature

Print name of affiant under Signature

Notary public of

My Commission expires _____

APPENDIX F

BOROUGH OF BOUND BROOK

ACKNOWLEDGMENT OF RECEIPT OF ADDENDA

The undersigned Respondent hereby acknowledges receipt of the following Addenda:

Addendum Number	Dated	Acknowledge Receipt (initial)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

No addenda were received: *(Respondent must check if no addenda were received)*

Acknowledged for: _____
(Name of Respondent)

By: _____
(Signature of Authorized Representative)

Name: _____
(Print or Type)

Title: _____

Date: _____

APPENDIX G

BOROUGH OF BOUND BROOK

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

N.J.S.A. 10:5-31 et seq.; N.J.A.C. 17:27-1 et seq.

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

During the performance of the Services, the Contractor must agree as follows:

a. The Contractor or subcontractor 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 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 contracting officer setting forth provisions of this nondiscrimination clause.

b. 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.

c. The Contractor or subcontractor will send to each labor union or representative of 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.

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

e. The Contractor or subcontractor 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 N.J.A.C. 17:27-1 et seq.

f. 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 N.J.S.A. 10:5-31 et seq., 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 N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time.

g. 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, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency that engages in direct or indirect discriminatory practices.

h. 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.

i. 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, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, 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 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)

j. The Contractor or its subcontractors shall furnish such reports or other documents to the Division of Purchase and Property, CCAU, EEO Monitoring Program for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

APPENDIX H

DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

Proposer: _____

PART 1: CERTIFICATION

**PROPOSERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX.
FAILURE TO CHECK ONE OF THE BOXES WILL RENDER THE BID NON-
RESPONSIVE**

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 neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran. The Chapter 25 list is found on the Division's website at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Bidders **must** review this list prior to completing the below certification. **Failure to complete the certification will render a bidder's bid non-responsive.** If the Borough finds a person or entity to be in violation of law, the Borough shall take action 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 party.

PLEASE CHECK THE APPROPRIATE BOX:

I certify, pursuant to Public Law 2012, c. 25, that neither the bidder listed above nor any of the bidder's parents, subsidiaries, or affiliates is listed on the N.J. Department of the Treasury's list of entities determined to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c. 25 ("Chapter 25 List"). I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. **I will skip Part 2 and sign and complete the Certification below.**

OR

I am unable to certify as above because the bidder and/or one or more of its parents, subsidiaries, or affiliates is listed on the Department's Chapter 25 list. I will provide a detailed, accurate and precise description of the activities in Part 2 below and sign and complete the Certification below. 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

You must provide a detailed, accurate and precise description of the activities of the bidding person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below.

EACH BOX WILL PROMPT YOU TO PROVIDE INFORMATION RELATIVE TO THE ABOVE QUESTIONS, PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, PLEASE PROVIDE ON A SEPARATE ATTACHED PAGE.

Name _____ Relationship to Respondent _____

Description of Activities _____

Duration of Engagement _____ Anticipated Cessation Date _____

Contact Name _____ Contact Phone Number _____

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 Borough 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 state 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 Borough at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): _____ Signature: _____

Title: _____ Date: _____

APPENDIX I

BOROUGH OF BOUND BROOK

PROPOSAL CHECKLIST

**REQUEST FOR PROPOSALS FOR THE PROVISION OF PROFESSIONAL SERVICES FOR THE
BOROUGH OF BOUND BROOK**

Dated: _____

PROPOSAL CHECK-LIST

Name of Respondent: _____

The following is a check-list of all items that each **Respondent shall submit with its Proposal** in order for its Proposal to be considered by the Borough in accordance with the provisions of the RFP. Capitalized terms not defined in this check-list shall be as defined in the RFP. **Respondents shall submit a copy of this Proposal Checklist with their Proposals.**

(1) Failure to submit any of the following documents may be cause for rejection of the Proposal:

	CHECK
Letter of Qualification (Appendix A)	()
Affirmative Action (Appendix B).....	()
Letter of Intent (Appendix C).....	()
Ownership Disclosure Statement (Appendix D).....	()
Non-Collusion Affidavit (Appendix E).....	()
Acknowledgement of Receipt of Addenda (Appendix F).....	()
Mandatory EEO Language (Appendix G)	()
Disclosure of Investment Activities in Iran (Appendix H)	()
Fee Proposal (See Section 3 of this RFP)	()
Executive Summary (See Section 3 of the RFP)	()
All Additional Administrative/Professional Information (See Section 3 of the RFP ...)	()
Proposal Checklist (Appendix I)	()