REQUEST FOR SEALED PROPOSALS
FOR
PROFESSIONAL SERVICES UNDER A FAIR AND OPEN PROCESS

BOROUGH OF SOUTH TOMS RIVER

Contract Term

January 1, 2027 through December 31, 2027

Submission Deadline

TUESDAY, DECEMBER 9, 2026 at 11:00 am prevailing time

ADDRESS ALL PROPOSALS TO:

LAVON PHILLIPS, BOROUGH ADMINISTRATOR
BOROUGH OF SOUTH TOMS RIVER
19 DOUBLE TROUBLE ROAD
SOUTH TOMS RIVER, NJ 08757

REQUEST FOR PROPOSAL CHECKLIST

THIS CHECKLIST MUST BE COMPLETED AND SUBMITTED WITH YOUR PROPOSAL. PLEASE INITIAL BELOW, INDICATING THAT YOUR PROPOSAL INCLUDES THE ITEMIZED DOCUMENTS. A PROPOSAL SUBMITTED WITHOUT THE FOLLOWING DOCUMENTS MAY BE REJECTED.

ITEM	INITIALS
Executed Disclosure Statement	
Executed Non-Collusion Affidavit (form provided)	
Executed Affirmative Action Compliance Notice (form provided)	
Executed Americans with Disabilities Act of 1990 Language (form provided)	
Executed Stockholder Information (form provided)	
Vendor Information Form (form provided)	
Disclosure of Investment Activities in Iran (form provided)	
New Jersey Business Registration Certificate & W9	
Original and (1 copy /thumb drive) copy of completed package.	

THE UNDERSIGNED HEREBY ACKNOWLEDGES THE ABOVE LISTED REQUIREMENTS.

Person, Firm or Corporation submitting Proposal: _____

Authorized Agent Name and Title: _____

Authorized Signature and Date: _____

BOROUGH OF SOUTH TOMS RIVER

RESOLUTION 2026-144

BOROUGH OF SOUTH TOMS RIVER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE MUNICIPAL CLERK TO ADVERTISE FOR CY 2027 REQUEST FOR PROFESSIONAL SERVICES

WHEREAS, the Borough of South Toms River wishes to implement the "Fair and Open" Process for the solicitation of professional services for the year 2027; and

WHEREAS, the request for proposals with respect to such services shall be published at least 10 days prior to the receipt of such proposals; and

NOW, THEREFORE BE IT RESOLVED this 26th day of October 2026 that the Municipal Clerk is hereby authorized to advertise requests for the proposals pursuant to the Fair and Open Process in accordance with the bid specifications set forth herein.

BE IT FURTHER RESOLVED THAT notice of this request for proposals should be published once in the Asbury Park Press.

BE IT FURTHER RESOLVED, THAT a copy of this resolution be forwarded to the following:

1. All professionals who have previously submitted proposals to the Borough of South Toms River for the year 2026.

CERTIFICATION

I, Jamie Jubert, Deputy Municipal Clerk of the Borough of South Toms River, in the County of Ocean, hereby certify that the above is a true copy of a resolution adopted by the Borough Council on the 26th day of October, 2026.

Jamie Jubert

Jamie Jubert, CMR
Municipal Clerk

Record of Vote	Councilman Ross	Councilman Fennell	Councilman Kosh	Councilman Murray	Councilman T.Rolzhausen	Council-woman K.Rolzhausen	Mayor Cradle
Motion To Approve		✓					
Motion to Second						✓	
Approved	✓	✓		✓	✓	✓	
Opposed							
Not Voting/Recues							
Absent/Excused			✓				

BOROUGH OF SOUTH TOMS RIVER

PUBLIC NOTICE FOR THE SOLICITATION OF PROFESSIONAL SERVICE CONTRACTS

NOTICE IS HEREBY GIVEN that sealed submissions will be received by the Municipal Clerk of the Borough of South Toms River, County of Ocean, State of New Jersey on TUESDAY, DECEMBER 9, 2026 at 11:00 am prevailing time, at the Office of the Municipal Clerk, Borough of South Toms River Municipal Building, 19 Double Trouble Rd, South Toms River, New Jersey for the following position:

1. Borough Counsel & Conflict Counsel
2. Labor Relations
3. Borough Prosecutor & Alternate Prosecutor
4. Borough Public Defender & Alternate Public Defender
5. Bond Counsel
6. Borough Engineer
7. Borough Planner
8. Borough Auditor
9. Land Use Board Attorney
10. Land Use Board Engineer/Planner
11. Special Projects Engineer
12. Redevelopment Counsel
13. Affordable Housing Counsel
14. Special Projects Counsel

These proposals are being submitted through this "fair and open process" in accordance with N.J.S.A 19:44A-20.5 et seq.

Professional service contracts are 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.

SEALED PROPOSALS MUST HAVE THE POSITION SOUGHT WRITTEN ON THE FRONT OF THE PACKAGE. Submissions can be provided on a disc/thumbdrive; and/or hard copies. For submission, please provide 1 copy regardless of format (discs or hard copy).

SPECIFICATIONS FOR PROFESSIONALS
BOROUGH OF SOUTH TOMS RIVER
CONTRACT APPOINTMENTS SHALL BE FROM JANUARY 1, 2027
THROUGH DECEMBER 31, 2027

1. BOROUGH ATTORNEY

Borough Attorney agrees to perform professional legal services for an annual salary which would include the following required services:

1. Preparation of all resolutions as requested by any elected official or his or her designee.

2. Preparation of Borough and including research and preparation of such ordinances,

3. Attendance and participation at meetings and conferences of members of the governing body of the Borough or the designee at the attorney's office or within the Borough of South Toms River or at an office within the State of New Jersey, or any federal, state, county or local authority or agency.

4. Telephone conferences, routine correspondence, legal research (including preparation of opinion letter, if requested). review of correspondence, reports, documents, etc" pertaining to Borough business and prepared by persons other than an attorney,

5. Preparation of specifications and contracts (and legal research pertaining to the preparation of said documents).

6. Receipt and review of processing of bankruptcy proofs of claims and various bankruptcy court orders and notices.

7. The following services shall be considered non-contract services and attorneys shall be compensated at an hourly rate to be quoted by the attorney for the year under consideration. Any bill or voucher submitted shall have an attached itemization of services rendered and the hours or

fractions of hours thereof of the time spent by the attorney in rendering such non-contract services. These non-contract services shall include (1) attendance and participation at conferences or meetings in excess of eight hours per month; conferences or meetings held in the evening shall require a three hour minimum payment but day conferences or meeting shall require no minimums other than the actual time spent by the attorney; (2) litigation involving the Borough or any of its offices or employees in any Court or administrative agency of the State of new Jersey, including preparation of pleadings, interrogatories, discovery proceedings, motions, trials, pre trials and settlement conferences, interviews of parties or witnesses, legal research, preparation of briefs or memorandum of law and all other matters necessary or incidental to such proceedings. These services shall be compensated at the hourly rate submitted by the professional.

The attorney/law firm must have the following:

At least 10 years experience as an attorney
Experience in labor and contract negotiations
Litigation and appeal experience
Real estate and land use law experience
Contract law experience
Legal defense experience
Satisfy all other requirements as set forth by New Jersey state law and Borough of South Toms River Municipal Ordinance

Clearly label package as to position under submission:

Package to include:

- Resume of attorney and staff attorneys that would be providing legal services.
- Brief narrative of abilities
- 3 references
- Cost per hour for attorney, paralegals and support staff
- Cost per meeting attendance.
- Itemized list of all other fees and charges
- Statement as to whether any of the principals of the firm or the firm itself has been convicted of a crime within the last 5 years
- Statement as to whether any of the principals of the firm of the firm itself has received a target letter from a grand jury
- Certification as to the truth of the above two statements

Submissions can be provided on a disc/thumbdrive; and/or hard copies. For submission, please provide 9 copies regardless of format (discs or hard copy).

2. LABOR RELATIONS AND CONFLICT ATTORNEY

Borough Attorney agrees to perform professional legal services on an as-needed basis at an hourly rate, which would include the following required services:

1. Conflict Attorney - To represent the Borough when conflict arises

2. Preparation of resolutions, ordinance and contracts relating to Labor Relations and Conflict, as requested by any elected official or his or her designee.

3. Attendance and participation at meetings and conferences of members of the governing body of the Borough or the designee at the attorney's office or within the Borough of South Toms River or at an office within the State of New Jersey, or any federal, state, county or local authority or agency.

4. Telephone conferences, routine correspondence, legal research (including preparation of opinion letter, if requested). review of correspondence, reports, documents, etc" pertaining to Borough business and prepared by persons other than an attorney,

5. Preparation of specifications and contracts (and legal research pertaining to the preparation of said documents).

6. Labor - Represent the Borough in all matters related to labor and employment law, labor negotiations, conduct legal research & render legal opinions, represent the Borough in any litigation & any other manner necessary for the calendar year 2023.

7. The following services shall be considered non-contract services and attorneys shall be compensated at an hourly rate to be quoted by the attorney for the year under consideration. Any bill or voucher submitted shall have an attached itemization of services rendered and the hours or fractions of hours thereof of the time spent by the attorney in rendering such non-contract services. These non-contract services shall include (1) attendance and participation at conferences or meetings in excess of eight hours per month; conferences or meetings held in the evening shall require a three hour minimum payment but day conferences or meeting shall require no minimums other than the actual time spent by the attorney; (2) litigation involving the Borough or any of its offices or employees in any Court or administrative agency of the State of new Jersey, including preparation of pleadings, interrogatories, discovery proceedings, motions, trials, pre trials and settlement conferences, interviews of parties or witnesses, legal research, preparation of briefs or memorandum of law and all other matters necessary or incidental to such proceedings. These services shall be compensated at the hourly rate submitted by the professional.

The attorney/law firm must have the following:

At least 10 years experience as an attorney
Experience in labor and contract negotiations
Litigation and appeal experience
Real estate and land use law experience
Contract law experience

Legal defense experience
Satisfy all other requirements as set forth by New Jersey state law and Borough of South Toms River Municipal Ordinance

Clearly label package as to position under submission:

Package to include:

- Resume of attorney and staff attorneys that would be providing legal services.
- Brief narrative of abilities with a concentration on Labor relations
- 3 references
- Cost per hour for attorney, paralegals and support staff
- Cost per meeting attendance.
- Itemized list of all other fees and charges
- Statement as to whether any of the principals of the firm or the firm itself has been convicted of a crime within the last 5 years
- Statement as to whether any of the principals of the firm of the firm itself has received a target letter from a grand jury
- Certification as to the truth of the above two statements

Submissions can be provided on a disc/thumbdrive; and/or hard copies. For submission, please provide 1 copy regardless of format (discs or hard copy).

3. Municipal Prosecutor & Alternate Prosecutor

Request for Professional Services
Requirements

The Municipal Prosecutor shall be an attorney at law of New Jersey and shall provide all necessary and desirable legal counsel and advice requested for the prosecution of cases before the Municipal Court of the Borough, and shall conduct the prosecution of such cases except such crimes and offenses as it may be the duty county or state officer to prosecute.

The attorney must have the following:

At least 5 years experience as an attorney; at least 2 years experience as prosecutor
Satisfy all other requirements as set forth by New Jersey state law and Borough of South Toms River Municipal Ordinance

I. SCOPE OF SERVICES REQUIRED

The Borough of South Toms River is requesting proposals from qualified attorneys and law firms interested in providing municipal prosecution services. The Borough requests that qualified firms submitting proposals in response to this solicitation ensure that their proposals clearly reflect demonstrated experience in providing the following services:

1. Act as the Borough's primary representative before the Municipal Court as the Borough Prosecutor during bench trials, pre-trial matters, motions, and administrative hearing dockets.

2. Responsible for prosecuting all cases falling within the jurisdiction of the Municipal Court, including violations of municipal ordinances (code violations).

3. Conduct legal research and prepare all necessary motions, opposition, and complaints (if necessary).

4. Work with Municipal Court staff and Police Department personnel.

5. Must be available before the Municipal Court on every 4th Monday, from 9:00 a.m., to 4:00 p.m., except on holidays observed by the Borough of South Toms River

II. COMPENSATION

The Borough of South Toms River will engage the services of qualified attorneys and law firms interested in providing municipal prosecution services based on either an hourly rate (without retainer) or a fixed (flat) fee compensation. The proposal must provide BOTH options, and distinguish between Prosecutor and Alternate fees, if any.

Option 1: A fixed (flat) fee amount to be charged per month by the proposing attorney or law firm to provide all municipal prosecution services before the Municipal Court for the Borough of South Toms River. *This will reflect the cost per Court Day; not per Session*

Option 2: Hourly rate (without retainer) for all work associated in providing municipal prosecution services before the Municipal Court for the Borough of South Toms River. This includes itemized rates for attorney, paralegal or secretarial services; printing, etc.

Package to include:

- Resume of attorney and staff attorneys that would be providing legal services.
- Brief narrative of abilities
- 3 references
- Cost per hour or Day for attorney (See Option 1 or 2 above)
- Itemized list of all other fees and charges
- Statement as to whether any of the principals of the firm or the firm itself has been convicted of a crime within the last 5 years
- Statement as to whether any of the principals of the firm of the firm itself has received a target letter from a grand jury
- Certification as to the truth of the above two statements
- *Unless otherwise stated, the Borough Court does not currently operate in separate sessions (morning/evening). Court fees must be submitted as a Daily rate.*

Submissions can be provided on a disc/thumbdrive; and/or hard copies. For submission, please provid 1 copy regardless of format (discs or hard copy).

4. Public Defender & Alternate Public Defender
Request for Professional Services
Requirements

The Public Defender shall be an attorney at law of New Jersey and shall interview all indigent defendants qualifying for assistance as provided under the standards established by the office of the Public Advocate of the State of New Jersey, and shall defend same in the Municipal Court of the Borough and provide such legal advice and counsel to such individuals as may be required in any proceedings before the Municipal Court of the Borough.

The attorney must have the following:

At least 5 years experience as an attorney; at least 2 years experience as public defender.
Satisfy all other requirements as set forth by New Jersey state law and Borough of South Toms River Municipal Ordinance

I. SCOPE OF SERVICES REQUIRED

The Borough of South Toms River is requesting proposals from qualified attorneys and law firms interested in providing public defender services. The Borough requests that qualified firms submitting proposals in response to this solicitation ensure that their proposals clearly reflect demonstrated experience in providing the following services:

1. Act as the Borough's primary representative before the Municipal Court as the Borough Public Defender during bench trials, pre-trial matters, motions, and administrative hearing dockets.
2. Responsible for acting as defense counsel in all cases for which the defendant is found to be eligible for the services of the public defender.
3. Conduct legal research and prepares all necessary motions, opposition, and related defense services.
4. Works with Municipal Court staff.
5. Must be available before the Municipal Court on every 4th Monday, from 9:00 a.m., to 4:00 p.m., except on holidays observed by the Borough of South Toms River
6. Alternate Public Defenders will be assigned based on Public Defender RFP submissions

II. COMPENSATION

The Borough of South Toms River will engage the services of a qualified attorney and law firms interested in providing public defender services based on either an hourly rate (without retainer) or a fixed (flat) fee compensation. The proposal must provide BOTH options, and distinguish between the Public Defender and Alternate Public Defender fees, if any.

:

Option 1: A fixed (flat) fee amount to be charged per month by the proposing attorney or law firm to provide all municipal prosecution services before the Municipal Court for the

Borough of South Toms River. *This will reflect the cost per Court Day; not per Session*

Option 2: Hourly rate (without retainer) for all work associated in providing all public defender services before the Municipal Court for the Borough of South Toms River. This includes itemized rates for attorney, paralegal or secretarial services; printing, etc.

Package to include:

- Resume of attorney and staff attorneys that would be providing legal services.
- Brief narrative of abilities
- 3 references
- Cost per hour or Day for attorney (See Option 1 or 2 above)
- Itemized list of all other fees and charges
- Statement as to whether any of the principals of the firm or the firm itself has been convicted of a crime within the last 5 years
- Statement as to whether any of the principals of the firm of the firm itself has received a target letter from a grand jury
- Certification as to the truth of the above two statements
- *Unless otherwise stated, the Borough Court does not operate in separate sessions (morning/evening). Court fees must be submitted as a Daily rate.*

Submissions can be provided on a disc/thumbdrive; and/or hard copies. For submission, please provide 1 copy regardless of format (discs or hard copy).

5. Bond Counsel

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

The attorney must have the following:

At least 10 years experience as a lawyer
At least 5 years experience as bond counsel
Satisfy all other requirements as set forth by New Jersey state law and Borough of South Toms River Municipal Ordinance
Clearly label package as to position under submission:
Package to include:

- Resume of attorney and staff attorneys that would be providing legal services.
- Brief narrative of abilities
- 3 references
- Cost per hour
- Itemized list of all other fees and charges

- Statement as to whether any of the principals of the firm or the firm itself has been convicted of a crime within the last 5 years
- Statement as to whether any of the principals of the firm of the firm itself has received a target letter from a grand jury
- Certification as to the truth of the above two statements

Submissions can be provided on a disc/thumbdrive; and/or hard copies. For submission, please provide 1 copy regardless of format (discs or hard copy). (preferred method of submission for Bond Counsel is by disc/thumbdrive).

6. Borough Engineer

The Borough Planner shall be a New Jersey licensed professional planner. The Planner shall prepare all reports as requested by the Borough Council.

The Borough Engineer shall be a New Jersey licensed Professional Engineer. The Borough Engineer shall attend meetings of the Borough and provide general engineering advice as requested from time to time. The Borough Engineer shall further oversee and be responsible for capital projects as approved from time to time by the Borough Council.

The engineer/engineering firm must meet the following requirements:

At least ten (10) years experience in municipal engineering.
Licensed as a Professional Engineer and Professional Planner.
Certified Municipal Engineer.
Experience in public bidding and contract administration.
Experience in Land Use Planning and Law.
Knowledge of Municipal Grant Programs.
Knowledge of local, county, state and federal regulations.
Experience with Ocean County, NJDOT and NJDEP
Experienced Planning Staff, Master Plan preparation experience, experience with Counsel on Affordable Housing.
Satisfy all other requirements as set forth by New Jersey state law and Borough of South Toms River Municipal Ordinance
Clearly label package as to position under submission:
Proposal package to include:

- Previous experience in municipality.
- Additional services available.
- Location of office serving municipality.
- Resume of Engineers providing services.
- Brief narrative of abilities
- 3 references
- Cost per hour for Engineer and staff
- Cost per meeting attendance.
- Itemized list of all other fees and charges

- Statement as to whether any of the principals of the firm or the firm itself has been convicted of a crime within the last 5 years
- Statement as to whether any of the principals of the firm of the firm itself has received a target letter from a grand jury
- Certification as to the truth of the above two statements

Submissions can be provided on a disc/thumbdrive; and/or hard copies. For submission, please provide 1 copy regardless of format (discs or hard copy).

7. Borough Planner

The Borough Planner shall provide consulting professional services to the Borough. Applicants should demonstrate knowledge and experience with respect to all aspects of municipal planning and land use regulations required by a municipal entity. Any experience or knowledge of matters that directly affect the Borough of South Toms River should be addressed.

The Borough Planner firm must meet the following requirements:

Must be a currently licensed New Jersey Planner.
Must be a member of the American Institute of Certified Planners.
Must have a minimum of ten years' experience in providing consulting professional planning services to municipalities including demonstrated experience with the preparation of comprehensive plans and development ordinances, housing elements and fair share plans, redevelopment plans, and review of development applications.
Must have experience in working with municipal land use boards in a community with demographics similar to the Borough of South Toms River.
Must list past and present municipalities served as a consulting professional planner.
Must provide a detailed description of the company's qualifications and experience, including resumes of personnel who will be assigned to provide services to South Toms River.

Submissions can be provided on a disc/thumbdrive; and/or hard copies. For submission, please provide 1 copy regardless of format (discs or hard copy).

8. Borough Auditor

The Borough Auditor shall make the annual audit of the Borough financial records for the year ending December 31st, and serve as Borough Auditor for the calendar year under submission, and perform the duties prescribed by law all in accordance with generally accepted auditing standards and the laws and regulations of the State of New Jersey regarding same. The Borough Auditor shall perform such duties and render such services as may from time to time be requested by the Borough Council, the Chief Financial Officer or the Borough Administrator.

The auditor/firm must have the following:

At least 5 years experience in public sector accounting
A working knowledge of utility budgets, bond financing
Satisfy all other requirements as set forth by New Jersey state law and Borough of South Toms River Municipal Ordinance
Clearly label package as to position under submission:
Package to include:

- Resume of attorney and staff attorneys that would be providing legal services, including membership in professional associations Peer Review
- Description of software using during budget and audit process.
- Brief narrative of abilities
- 3 references
- Cost per audit and budget preparation
- Itemized list of all other fees and charges
- Statement as to whether any of the principals of the firm or the firm itself has been convicted of a crime within the last 5 years
- Statement as to whether any of the principals of the firm of the firm itself has received a target letter from a grand jury
- Certification as to the truth of the above two statements

Submissions can be provided on a disc/thumbdrive; and/or hard copies. For submission, please provide 1 copy regardless of format (discs or hard copy).

9. Land Use Board Attorney

GENERAL CRITERIA: The Borough of South Toms River and its Land Use Board desires to appoint an attorney consistent with the provisions of the Municipal Land Use Law, N.J.S.A 40:55D-1 et seq., whose responsibilities will be to represent the combined board of the Land Use Board at all of their respective regular and special meetings and work sessions, conduct legal research and render legal opinions, represent the Board in any litigation and assist the Board in any other manner necessary for the calendar year 2023. Any experience or knowledge of matters that directly affect South Toms River Borough should be addressed. Bidders may be an individual or a firm.

The Land Use Board Attorney shall be an attorney at law of New Jersey. The Land Use Board Attorney shall attend all regular and special Land Use Board meetings, which shall include routine phone calls with staff. The Land Use Board Attorney shall prepare and defend all litigation affecting the Land Use Board, or any member of it, which is the result of decisions made on applications or in the normal performance of their official duties pursuant to the Municipal Land Use Law. The Land Use Board Attorney shall provide legal advice, research and assistance on any other special matters that the Land Use Board may require to be addressed by the attorney. The Land Use Board Attorney shall draft all legal documents as may be required including preparation of documents, Developers Agreements, and review of deeds, covenants, easements, etc. The Land Use Board Attorney shall represent or advise the Land Use Board on any matter in which the Planning Board may have a present or future interest. The attorney/law firm must have the following:

At least 10 years experience as an attorney, with a minimum of 5 years experience representing municipal entities in connection with planning and zoning applications and ordinances.
Litigation and appeal experience
Real estate and land use law experience
Contract law experience
Legal defense experience
Satisfy all other requirements as set forth by New Jersey state law, Municipal Land Use Law and Borough of South Toms River Municipal Ordinance

Clearly label package as to position under submission:

Package to include:

- Resume of attorney and staff attorneys that would be providing legal services.
- Brief narrative of abilities
- 3 references
- Cost per hour for attorney, paralegals and support staff
- Cost per meeting attendance.
- Itemized list of all other fees and charges
- Statement as to whether any of the principals of the firm or the firm itself has been convicted of a crime within the last 5 years
- Statement as to whether any of the principals of the firm of the firm itself has received a target letter from a grand jury
- Certification as to the truth of the above two statements

Submissions can be provided on a disc/thumbdrive; and/or hard copies. For submission, please provide 1 copy regardless of format (discs or hard copy).

10. Land Use Board Planner/Engineer

The Engineer shall be a New Jersey licensed professional engineer. The Planning Board Engineer shall perform such duties as specified in New Jersey State Law and the Municipal Codes and Regulations and shall include, but not be limited to, attend all regular and special Planning Board meetings, which shall include routine phone calls with staff, review and report on all development and site plan applications and perform any additional non-escrow work such as ordinance review as requested by the Planning Board.

The engineer/engineering firm must meet the following requirements:

At least ten (10) years experience in municipal engineering.
Licensed as a Professional Engineer and Professional Planner.
Certified Municipal Engineer.
Experience in public bidding and contract administration.
Experience in Land Use Planning and Law.
Knowledge of Municipal Grant Programs.
Knowledge of local, county state and federal regulations.

Experience with Ocean County, NJDOT and NJDEP
Experienced Planning Staff, Master Plan preparation experience.
Satisfy all other requirements as set forth by New Jersey state law and Borough of South Toms River Municipal Ordinance
Clearly label package as to position under submission:

Proposal package to include:
Previous experience in municipality.
Additional services available.
Location of office serving municipality.
Resume of Engineers providing services.
Brief narrative of abilities
3 references
Cost per hour for Engineer and staff
Cost per meeting attendance.
Itemized list of all other fees and charges
Statement as to whether any of the principals of the firm or the firm itself has been convicted of a crime within the last 5 years
Statement as to whether any of the principals of the firm of the firm itself has received a target letter from a grand jury
Certification as to the truth of the above two statements

Submissions can be provided on a disc/thumbdrive; and/or hard copies. For submission, please provide 1 copy regardless of format (discs or hard copy).

11. Special Projects Engineer

The Special Projects Engineer (and other engineers, if any) shall perform the following minimum duties on an as-needed, project-based basis, as well as those prescribed by applicable law, subject to the review and approval of the Mayor and Council:

A. A. Provide engineering services as requested by the Mayor and Council;
B. Perform such duties as are prescribed by general law and ordinance;
C. Prepare, or cause to be prepared, plans, designs, and specifications for public works projects and other improvements undertaken by the Borough of South Toms River;
D. Prepare reports and provide advice to the Mayor and Council regarding issues that arise that include but are not limited to: regulations, legislation and ordinances;
E. Interact with the Borough's Administration on related issues;
F. When requested by the Mayor and Council, reply to inquiries from residents and/or commercial enterprises;
G. Attend regular, special, and/or Executive Session meetings as requested by the Mayor and Council.

SECTION I Appointment of Municipal Engineer

This is to be part of an engineering pool for professional services. One engineering firm, or

individual, shall be appointed by the Mayor and Council to serve as an as-needed basis., and other engineers or firms may be appointed by the Mayor and Council, for a term of one (1) year, to perform services for the Borough of South Toms River including but not limited to those services as described in Section II of this document. The Mayor and Council may select, at its sole discretion, individuals or firms for this position, so long as those individuals or firms meet or exceed the minimum requirements set forth in Section III hereof. Once an appointment is made, no substitution of personnel may be made without the express written consent of the Mayor and Council, whose consent may be withheld in their sole discretion. The Mayor and Council reserve the right to appoint other licensed engineers to perform engineering services as the need may arise.

SECTION II Scope of Services

The Special Project Engineer shall perform the following minimum duties as well as those prescribed by applicable law, subject to the review and approval of the Mayor and Council:

A. A. Provide engineering services as requested by the Mayor and Council;
B. Perform such duties as are prescribed by general law and ordinance;
C. Prepare, or cause to be prepared, plans, designs, and specifications for public works projects and other improvements undertaken by the Borough of South Toms River;
D. Prepare reports and provide advice to the Mayor and Council regarding issues that arise that include but are not limited to: regulations, legislation and ordinances;
E. Interact with the Borough's Administration on related issues;
F. When requested by the Mayor and Council, reply to inquiries from residents and/or commercial enterprises;
G. Attend regular, special, and Executive Session meetings as requested by the Mayor and Council.

SECTION III Minimum Qualifications and Response Requirements

In order for an individual's or firm's proposal to be considered by the Mayor and Council, interested parties submitting proposals in response to this solicitation must meet the following:

A. Minimum Qualifications:
    1. Is multi-disciplined with at least ten (10) years experience in all aspects of municipal engineering (the appointed engineer may be assisted by employees of his/her firm with lesser levels of experience);
    2. Experience in public bidding and contract administration.
    3. Experience in Land Use Planning and Law.
    4. Knowledge of Municipal Grant Programs.
    5. Knowledge of local, county, state and federal regulations.
    6. Experience with Ocean County, NJDOT and NJDEP
    7. Experienced Planning Staff, Master Plan preparation experience, experience with Counsel on Affordable Housing.
    8. Satisfy all other requirements as set forth by New Jersey state law and Borough of South Toms River Municipal Ordinance

1. Proposal package to include:
2. Previous experience in municipality.
3. Additional services available.
4. Location of office serving municipality.
5. Resume of Engineers providing services.
6. Brief narrative of abilities
7. 3 references
8. Cost per hour for Engineer and staff
9. Cost per meeting attendance.
10. Itemized list of all other fees and charges
11. Statement as to whether any of the principals of the firm or the firm itself has been convicted of a crime within the last 5 years
12. Statement as to whether any of the principals of the firm of the firm itself has received a target letter from a grand jury
13. Certification as to the truth of the above two statements

Submissions can be provided on a disc/thumbdrive; and/or hard copies. For submission, please provide 1 copy regardless of format (discs or hard copy).

12. Redevelopment Counsel

The Borough of South Toms River desires to appoint a firm to serve as Redevelopment Counsel. Counsel must be able to provide all legal services which are typically provided by an attorney of the State of New Jersey. Responsibilities include, but are not limited to, attend and participate in meetings as directed by the Borough, shall perform such duties as are appropriate to facilitate any redevelopment projects within South Toms River Borough, preparation of Redevelopment Ordinances and Resolutions, and the review of the adoption proceedings, and provide legal opinion, briefs and advice as requested. A minimum of five (5) years experience representing a New Jersey municipal entity in a community with redevelopment issues similar to South Toms River Borough is required.

METHOD OF PAYMENT Contractor shall be paid in accordance with the Contract document upon receipt of an invoice and a properly executed voucher. After approval by Borough Council, the payment voucher shall be placed in line for prompt payment. Each invoice shall contain an itemized, detailed description of all work performed during the billing period. Failure to provide sufficient specificity shall be cause for rejection of the invoice until the necessary details are provided. The following required services include:

1. Preparation of all resolutions, ordinances and contracts pertaining to Redevelopment and/or Rehabilitation as requested by any elected official or his or her designee.

2. Attendance and participation at meetings and conferences members of the governing body, Land Use Board or other Board orCommittee pertaining to Redevelopment/Rehabilitation of the

Borough or the designee at the attorney's office or within the Borough of South Toms River or at an office within the State of New Jersey, or any federal, state, county or local authority or agency.

3. Telephone conferences, routine correspondence, legal research (including preparation of opinion letter, if requested). review of correspondence, reports, documents, etc" pertaining to Borough business and prepared by persons other than an attorney,

4. Preparation of specifications and contracts (and legal research pertaining to the preparation of said documents).

The attorney/law firm must have the following:

- At least 10 years experience as an attorney
- Experience in PILOT programs and Abatement contracts
- Strong understanding of the Redevelopment and/or Rehabilitation process
- Litigation and appeal experience
- Real estate and land use law experience
- Contract law experience
- Legal defense experience

Clearly label package as to position under submission:

Package to include:

- Resume of attorney and staff attorneys that would be providing legal services.
- Brief narrative of abilities
- 3 references
- Cost per hour for attorney, paralegals and support staff
- Cost per meeting attendance.
- Itemized list of all other fees and charges
- Statement as to whether any of the principals of the firm or the firm itself has been convicted of a crime within the last 5 years
- Statement as to whether any of the principals of the firm of the firm itself has received a target letter from a grand jury
- Certification as to the truth of the above two statements

Submissions can be provided on a disc/thumbdrive; and/or hard copies. For submission, please provide 1 copy regardless of format (discs or hard copy).

13. Special/Fair Share Housing Counsel

Borough Attorney agrees to perform professional legal services for an annual salary which would include the following required services:

SCOPE OF WORK

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

SECTION I Appointment of Special/Affordable Housing Counsel

This is to be part of a legal counsel pool for professional services. One law firm, or individual, shall be appointed by the Mayor and Council to serve as an as-needed basis, and other attorney or firms may be appointed by the Mayor and Council, for a term of one (1) year, to perform services for the Borough of South Toms River including but not limited to those services as described in Section II of this document. The Mayor and Council may select, at its sole discretion, individuals or firms for this position, so long as those individuals or firms meet or exceed the minimum requirements set forth in Section III hereof. Once an appointment is made, no substitution of personnel may be made without the express written consent of the Mayor and Council, which consent may be withheld in their sole discretion. The Mayor and Council reserve the right to appoint other licensed attorneys to perform legal services as the need may arise.

SECTION II Scope of Services

The Special/Fair Share Housing Counsel shall perform the following minimum duties as well as those prescribed by applicable law, subject to the review and approval of the Mayor and Council:

1. Provide legal services as requested by the Mayor and Council;
2. Perform such duties as are prescribed by general law and ordinance;
3. Prepare, or cause to be prepared, plans, reports, negotiations, and other legal services associated with affordable housing undertaken by the Borough of South Toms River;
4. Prepare reports and provide advice to the Mayor and Council regarding issues that arise that include but are not limited to: regulations, legislation and ordinances;
5. Interact with the Borough's Administration on related issues;
6. Attend regular, special, and Executive Session meetings as requested by the Mayor and Council.

SECTION III Minimum Qualifications and Response Requirements

EVALUATION CRITERIA

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

PROPOSAL PACKAGE TO INCLUDE

1. Previous experience in municipality.
2. Additional services available.
3. Location of office serving municipality.
4. Resume of Attorneys providing services.
5. Brief narrative of abilities
6. 3 references
7. Cost per hour for Attorney(s) and staff
8. Cost per meeting attendance.
9. Itemized list of all other fees and charges
10. Statement as to whether any of the principals of the firm or the firm itself has been convicted of a crime within the last 5 years
11. Statement as to whether any of the principals of the firm of the firm itself has received a target letter from a grand jury
12. Certification as to the truth of the above two statements

14 SPECIAL PROJECTS COUNSEL POOL

SPECIAL PROJECTS COUNSEL POOL

Purpose:

The following procedures are designed to provide for a fair and open process in awarding professional services based on qualifications, merit and cost effectiveness through accessible advertising. Services include annual appointments and day-to-day programs, projects and contracts.

Scope of Services: SPECIAL PROJECTS COUNSEL POOL

Any person or firm interested in providing professional services to the Borough of South Toms River as defined in the New Jersey Statutes, NJSA 40A:11-2(6).

1) Appointment of Special Projects Counsel. A Special Projects Counsel shall be appointed from the Special Projects Counsel Pool, and by the Borough Council by a majority vote of a quorum of its members and shall serve on an as-needed basis for an assigned project not to exceed a term of one (1) year from the first day of January of the year of appointment and until a successor has been appointed and qualified. A Special Projects Counsel shall be an attorney-at-law of New Jersey. In lieu of appointing an individual attorney, Borough Council may appoint a firm of attorneys, all members of which shall be attorneys-at-law of New Jersey, and for a specific assignment. The Special Projects Counsel shall be appointed in a manner consistent with the Local Public Contracts Law and shall execute a written contract with the Borough and the Special Counsel Attorney shall receive such compensation as shall be agreed upon by the Borough.

2) Duties.

The Special Projects Counsel shall:

A. Represent the Borough in all specially-assigned legal matters and shall advise and assist the Council, the Administrator, and the Departments as required in the administration of Borough Government.
B. Attend meetings of the Council, draft ordinances and resolutions as directed by the Administrator or the majority of the members of Council, and give opinions and rulings on questions of law which may arise during assigned Special Projects at the request of a majority of the members of Council or the Borough Administrator.
C. Prepare or approve all legal instruments relating to the business of the Borough's Special Projects.
D. Represent the Borough in any litigation, and conduct trials, appeals and other proceedings arising from the assigned Special Project, affecting the interest of the Borough as he may in his discretion determine to be necessary or desirable, subject to the approval of Council.

3) Additional Duties.

The Special Projects Counsel shall also:

A. Maintain records of all action suits, proceedings and matters which relate to the Borough's interest, and report thereon as the Manager or Council may require.
B. Have power to enter into any agreement, compromise or settlement or any litigation in which the Borough is involved, subject to the prior approval or ratification of the Council.
C. Upon the termination of his service with the Borough, forthwith surrender to his successor all Borough property, papers and records, together with written consent to substitution of his successor in any pending actions or proceedings.

4) Special Projects Counsel. Whenever he deems that the interests of the Borough so require, the Special Counsel, may recommend to the Borough Council the appointment of special counsel with the approval of the Council and within the limits of available appropriations, may appoint special counsel to assist him in the preparation, trial or argument of any issue or in such other capacity as he may determine. If the Special Projects Counsel should be disqualified with respect to any matter or recommend the appointment of special counsel for any reason, the Council may appoint special counsel to represent the Borough for and with respect to such matter, within the limits of available appropriations.

5) Residence. The Special Labor Counsel need not be a resident of South Toms River Borough.

6) Applicants'/Proposers' Responsibility in Responding to Borough's Request For Proposals for Professional Services

The applicant/proposer shall in response to the Borough's RFP, at a minimum, include the following information: A. Qualification requirements to compete for the needed service or activity as set forth in the "duties and responsibilities" of the position defined in the Borough's RFP. Qualifications, at a minimum, shall include requirements defined as follows:

1. Full name and business address.
2. Listing of all post high school education of the applicant and/or members of a professional firm seeking to provide professional services as described within the body of the RFP
3. Dates of licensure in the State of New Jersey and any other state as to the professional discipline requested to serve the needs of South Toms River Borough.
4. A listing of any professional affiliations or membership in any professional societies or organizations, with an indication as to any offices held.
5. The number of licensed professionals employed (if a professional firm) and/or affiliated with the professional entity seeking to provide services to the Borough. A description of each individual's qualifications, including education, Licensure and years of professional experience.
6. A listing of all previous Public Sector entities served by the applicant/proposer licensed professional including dates of service and position(s) held.
7. **Proposed cost of the service(s)** or activities, including the hourly rate of individuals who will perform the services or activities. The proposed cost should include:
    a. Attorney meetings.
    b. Site visits and expenses
    c. Expenses for travel, postage and telephone excluded from the hourly rate.
    d. Additional services defined beyond the scope of regular services.
8. **Insurance**. The applicant/proposer, as a member of a profession which is subject to suit for professional malpractice, shall provide documentation that insurance for professional liability/malpractice coverage with limits as to liability acceptable to the Borough of South Toms River.

9. **Financial Disclosure.** The applicant/proposer as a "professional", if required by law, shall file a Financial Disclosure Statement pursuant to a Local Government Ethnics Law NJSA 40A:9-22(1) et.seq.
10. **Law Against Discrimination and Affirmative Action.** The applicant/proposer as a "professional" shall file a statement as to compliance with NJSA 10:5-1 et. Seq.

B. The applicant/proposer shall submit seven (1) copy of his/her proposal to the attention of the Borough Clerk for review and consideration by the Borough Administrator and Borough Council.

7) Basis for Award of Contract/Agreement for Professional Services

The Borough shall award all professional service contracts or agreements based on qualification, merit and cost competitiveness. Selection criteria will include:

1. Qualifications of the individual or firms who will perform the service or activity.
2. Experience and references.
3. Ability to perform the service or activity in a timely fashion, including staffing and the staff's familiarity of the service or activity.
4. Cost Competitiveness.
5. The Borough reserves the right to conduct an interview or interviews with the prospective professional to discuss the scope of the professional services as outlined in the applicant's/proposer's proposal.
6. All awards or waivers will be by resolution acted on by the Borough Council at a Borough meeting.
7. All awards are subject to availability of funds.
8. This policy will include, but not be limited to, all of the above listed requirements.

BOROUGH OF SOUTH TOMS RIVER
Schedule "A"
FAIR & OPEN PUBLIC SOLICITATION PROCESS FOR PROFESSIONAL SERVICES

(Pursuant to N.J.S.A. 19:44A-20.5 et. seq. and in conformance with the Municipal Ordinance #Ord. No. 17A-2006 which was approved by the Governing Body of the Borough of South Toms River December 21st, 2006, and attached herein)

The standardized submission requirements shall include:

1. 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.
2. References and record of success.
3. Description of ability to provide the services in a timely fashion (including staffing, familiarity and location of key staff).
4. Cost details, including the hourly rates of each of the individuals who will perform services and time estimates for each individual, all expenses, and, where appropriate, total cost of "not to exceed" amount.

The selection criteria to be used in awarding a Title 19 contract or a contract or agreement for professional services shall include:

1. Full name and business address.
2. Qualification of the individuals who will perform the tasks and the amounts of their respective participation (professional services contracts only).
3. Any professional or business licenses held by the applicant in the State of New Jersey, or any other State, including a "Certificate of Good Standing" or other documents evidencing that the license is not presently suspended or revoked.
4. The number of licensed professionals employed by, or associated with, the applicant.
5. A listing of all degrees (college and/or graduate degrees) held by the applicant and any associated professionals in the business entity (professional service contracts only).
6. A listing of all public entities for whom the business entity has had a contractual relationship, either currently or previously, including the dates of service and the positions held.
7. A listing of any professional affiliations or membership in any professional societies or organizations, including any offices or honors held (professional services contracts only).
8. Experience and references.

9. Ability to perform the task in a timely fashion (professional service contracts shall include staffing and familiarity with subject matter.)
10. Cost consideration–including, but not limited to, historical costs for similar professional services, expertise involved and comparable costs for comparable public entities.

Pursuant to N.J.S.A. 30A:11-3(b), …"contracts for professional services pursuant to subparagraph (i) of paragraph (a) subsection (1) of section 5 of P.L. 1971, c.198 (N.J.S.A. 40A:11-5) may be awarded for a period not exceeding twelve (12) consecutive months".

This solicitation is for the length, effective from date of award by resolution of Borough Council through to completion.

The award of this contract is based upon funds being encumbered and contingent upon the availability of funds in the appropriate municipal budget.

DISCLOSURE STATEMENT

The attention of prospective proposer is drawn to the provisions of the Local Government Ethics Law (N.J.S.A. 40A:9-22-1, et seq.) which prohibits a Borough of South Toms River or employee or member of his/her immediate family from having an interest in a business organization or engaging in any business transaction, or professional activity which is in substantial conflict with the proper discharge of his/her duties in the public interest.

In furtherance thereof, every proposer must disclose below, being a Borough of South Toms River Officer or employee or whether an immediate family member is a Borough of South Toms River Officer or employee. If the proposer is a business organization, then disclosure shall be made with respect to anyone having an interest in the business and their immediate family members.

Please answer the following:

Is the proposer or a member of the proposer's immediate family, or anyone having an interest in the proposer's business organization including their immediate family members, an officer or employee of the Borough of South Toms River?

NO _____ YES _____

S_____ *

President, Vice President or Signature of Authorized Representative

_____

Print Name _____

Title

If yes, provide the name of the individual and identify the position held, below, and notify in writing, prior to the proposal opening date, to the Borough Administrator/Clerk, Borough of South Toms River, 19 Double Trouble Road.. South Toms River,, New Jersey 08757. (Kindly attach a copy of the correspondence to this form).

_____

_____

_____

NOTE: All terms used herein are to be construed in accordance with their meaning under the Local Government Ethics Law, cited above.

*** FAILURE TO SIGN THIS AFFIDAVIT BY A DULY AUTHORIZED COMPANY OFFICIAL WILL RESULT IN REJECTION OF THIS PROPOSAL.**

NON-COLLUSION AFFIDAVIT

State of New Jersey

SS.

COUNTY OF _____

I, _____, of _____
In the County and State of New Jersey, of full age being duly sworn according to law on
My oath, depose and say that:

I, am _____ of the firm(s) of _____
The bidder making the Proposal for the above named project, and that I executed the said Proposal with full authority so to do; that said bidder has not, directly or indirectly, entered into an agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above named project, and that all statements contained in said Proposal and in this affidavit are true and correct, and made with full knowledge that the Owner relies upon the truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract for the said project.

Subscribed and sworn to before me this _____
Day of _____ 20_____

Notary Public of New Jersey
My Commission expires _____ 20_____

AFFIRMATIVE ACTION REQUIREMENTS

BIDDERS ARE REQUIRED TO COMPLY WITH THE REQUIREMENTS OF N.J.S.A. 10:5- 31 et seq. and N.J.A.C. 17:27

REQUIRED AFFIRMATIVE ACTION EVIDENCE

PROCUREMENT & SERVICE CONTRACT (which are not subject to a Federally approved or sanctioned affirmative action program). All successful vendors must submit within ten calendar (10) days of the notice of intent to award (Memorandum of Agreement) or the signing of the contract, whichever is sooner, one of the following:

1. A PHOTOCOPY OF THEIR FEDERAL LETTER OF AFFIRMATIVE ACTION PLAN APPROVAL.

OR

2. A PHOTOCOPY OF THEIR CERTIFICATE OF EMPLOYEE INFORMATION REPORT.

OR

3. A COMPLETED AFFIRMATIVE ACTION EMPLOYEE INFORMATION REPORT (AA302). FORM IS INCLUDED IN THIS PACKAGE, NEXT PAGE.

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

THE AFFIRMATIVE ACTION AFFIDAVIT FOR VENDORS HAVING LESS THAN FIFTY (50) EMPLOYEES IS NO LONGER ACCEPTABLE.

The undersigned vendor certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et. seq. and agrees to furnish the required forms of evidence.

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

COMPANY NAME: _____

SIGNATURE: _____

PRINT NAME: _____

TITLE: _____

DATE: _____

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)

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.**

THE UNDERSIGNED HEREBY ACKNOWLEDGES THE ABOVE LISTED REQUIREMENTS.

Person, Firm or Corporation submitting Proposal: _____

Authorized Agent Name and Title: _____

Authorized Signature and Date: _____

AMERICANS WITH DISABILITIES ACT
EQUAL OPPORTUNITY FOR INDIVIDUALS WITH DISABILITIES

The contractor and the Borough of South Toms River (hereafter "Owner") do hereby agree that the provisions of Title II of the Americans With Disabilities Act of 1990 (the "Act") (42 U.S.C. S12.101 et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs and activities provided or made available by public entities, and the rules and regulations promulgated pursuant thereunto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the Owner pursuant to this contract, the contractor agrees that the performance shall be in strict compliance with the Act. In the event the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the Owner in any action or administrative proceeding commenced pursuant to this Act. The contractor shall indemnify, protect, and save harmless the Owner, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The contractor shall, at it own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the Owner's grievance procedure, the contractor agrees to abide by any decision of the Owner which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the Owner, or if the Owner incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the contractor shall satisfy and discharge the same at its own expense.

The Owner shall, as soon as practicable after a claim has been made against it, give written notice thereof to the contractor along with full and complete particulars of the claim. If any action or administrative proceeding is brought against the Owner or any of its agents, servants, and employees, the Owner shall expeditiously forward or have forwarded to the contractor every demand, complaint, notice, summons, pleading, or other process received by the Owner or its representatives.

It is expressly agreed and understood that any approval by the Owner of the services provided by the contractor pursuant to this contract will not relieve the contractor of the obligation to comply with the Act and to defend, indemnify, protect, and save harmless the Owner pursuant to this paragraph.

It is further agreed and understood that the Owner assumes no obligation to indemnify or save harmless the contractor, its agents, servants, employees and subcontractors for any claim which may arise out of their performance of this Agreement. Furthermore, the contractor expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the contractor's obligations assumed in this Agreement, nor shall they be construed to relieve the contractor from any liability, nor preclude the Owner from taking any other actions available to it under any other provisions of this Agreement or otherwise at law.

S/_____

President, Vice President or Signature of Authorized Representative

_____ _____ _____

Print Name Title Date

STOCKHOLDER DISCLOSURE CERTIFICATION N.J.S.A. 52:25-24.2 (P.L. 1977 c.33) FAILURE OF THE BIDDER/RESPONDENT TO SUBMIT THE REQUIRED INFORMATION IS CAUSE FOR AUTOMATIC REJECTION

In accordance with N.J.S.A. 52:25-24.2 et seq., no corporation, partnership, limited partnership, limited liability corporation, limited liability partnership, Subchapter S corporation or sole proprietorship, shall be awarded a contract, unless prior to the receipt of the bid or accompanying the bid of the corporation, partnership, limited partnership, limited liability corporation, limited liability partnership, Subchapter S corporation or sole proprietorship, there is submitted to the Borough, a statement setting forth the names and addresses of all stockholders who own ten percent (10%) or more of the stock, of any class or all individual partners who own a ten percent (10%) or greater interest in the corporation, partnership, limited partnership, limited liability corporation, limited liability partnership, Subchapter S corporation or sole proprietorship. If one or more such stockholder or partner is itself a corporation or partnership, the stockholders holding ten percent (10%) or more of that corporation's stock, or the individual partners owning ten percent (10%) or greater interest in that partnership, as the case may be, shall also be listed. The disclosure shall be continued until names and addresses of every noncorporate stockholder and individual partner, exceeding the ten percent (10%) ownership criteria established in this act has been listed.

_____ _____
Legal Name of Bidder Date

_____ / _____ / _____ / _____
Street Address Borough State Zip Code

_____ / _____ / _____
Telephone # Fax # e-mail address

CHECK TYPE OF BUSINESS ENTITY:

	Date Incorporated	Where Incorporated		
Corporation	____	_____	_____	Limited Partnership ____
Limited Liability Corporation	____	_____	_____	Limited Liability Partnership ____ Subchapter
S Corporation	____	_____	_____	Sole Proprietorship ____
Partnership ____				

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

_____
Name Address

_____
Name Address

_____
Name Address

If more space is required, continue listing on a separate page and include with bid submittal.

****

******** If no stockholder or partner owns ten percent (10%) or more of the business submitting the bid, please sign and date this form. I certify that no stockholder or partner owns ten percent (10%) or more of the business submitting this bid: S/_____

_____ President, Vice President or Signature of Authorized Representative Date

****

FAILURE TO COMPLETE THIS FORM OR SIGN THE ABOVE STATEMENT BY A DULY AUTHORIZED COMPANY OFFICIAL WILL RESULT IN REJECTION OF THIS PROPOSAL.

VENDOR INFORMATION

In order to assure that all future correspondence is directed to the correct address, assure proper ordering, expedite future payments, and in accord with I.R.S. regulations, the following information must be provided with this bid.

Name of Business: _____
(Print)

Name of Contact Person: _____
(Print)

Correspondence Address (including zip code):
_____
_____

Purchase Order Address (including zip code):
_____
_____

Payment Address (including zip code):
_____
_____
_____

Telephone Number (including area code): ( )

Fax Number (including area code): ( )

E-Mail Address:

Employer I.D. # or S.S. #:

FAILURE TO PROVIDE ALL OF THE ABOVE INFORMATION MAY RESULT IN REJECTION OF THIS BID.

DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

PART 1: CERTIFICATION
BIDDERS 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 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 proposal non-responsive.** If the Director finds a person or entity to be in violation of law, s/he 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 below 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 below, or I am an officer or representative of the entity listed below 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.

PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, PLEASE ADD AN ADDITIONAL SHEET(S) OF PAPER.

me _____ Relationship to Bidder _____

scription of Activities: _____

_____

ration of Engagement _____ Anticipated Cessation Date _____

der 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 County of Ocean 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 County to notify the County 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 County of Ocean and that the County at its option may declare any contract(s) resulting from this certification void and unenforceable.

Name of Bidder: _____

Full Name (Print): _____ Signature: _____

Title: _____ Date: _____

BASIS OF AWARD
(To be completed by Borough Administrator and Borough Governing Body)

EVALUATION FACTORS Points awarded will be based on the information contained in the technical proposal, any supplemental information obtained and information gathered during the interview, if one is conducted.	SCORE
A. Technical Proposal contains all required information	_____ points
B. Relevance and Extent of Q	_____ points
C. Relevance and Extent of Similar Engagements performed	_____ points
D. Plan for performing engagement is realistic, thorough, and demonstrates knowledge of requirements and personnel availability	_____ points
E. Reasonableness of Cost Proposal	_____ points
TOTALS	_____ points