

**TOWNSHIP OF BURLINGTON
851 OLD YORK ROAD
BURLINGTON TOWNSHIP, NJ 08016**

Request for Proposals for 2017 Annual Professional Services

Please take notice in accordance with N.J.S.A. 19:44A-20.5 et seq., through the fair and open process, Burlington Township is seeking proposals and resumes for our 2017 Annual Professional Services Contracts for the following positions:

Affordable Housing Attorney	Planner, Planning/Zoning
Animal Control Services	Prosecutor
Auditor	Prosecutor (Alternate #1)
Bond Attorney (Specific)	Prosecutor (Alternate #2)
Dam Safety Engineering Consultant	Public Defender
Insurance Claims Handling Services	Real Estate Tax Appeal Appraisal Services
Insurance/Risk Manager Services	Solicitor Planning Board
Labor Counsel	Solicitor Zoning Board
Land Surveyor	Solicitor Township
Liability Claims Adjuster	Traffic Engineer, Planning/Zoning
Licensed Site Remediation Professional (LSRP)	Worker's Compensation Attorney
Medical Services	*Sanitary Sewer & Water Utility Instrumentation
Planner, Township	Programming and Engineering

**Sanitary Sewer & Water Utility Instrumentation Programming and Engineering services are more fully described in the proposal packet.*

Requests to obtain proposal forms should be made in person to the Municipal Clerk, Anthony J. Carnivale, Jr., 851 Old York Road, Burlington Township, NJ, 08016 during the hours of 9:00 AM to 5:00 PM, Monday through Friday, or on the web at twp.burlington.nj.us.

Sealed proposals will be opened on Friday, December 2, 2016 at 10:00 AM by the Municipal Clerk at the Burlington Township Municipal Building, 851 Old York Road, Burlington Township, NJ 08016. Proposals received after this time will not be accepted. Proposals shall be labeled "**RFP for (Name of Position)**" marked on the outside.

Respondents are required to comply with the requirements of N.J.S.A 10:5-31 et seq. and P.L. 1975, c. 127 (N.J.A.C.17:27), Affirmative Action Requirements, (N.J.A.C. 52:25-24.2) Statement of Ownership, (N.J.S.A 52:32-44) New Jersey Business Registration and Disclosure of Investments in Iran (Public Law 2012, c.25).

The award of contracts for providing the above will be made at a regular meeting of the Mayor and Council, who reserve the right to waive formalities and accept or reject any part or all of the submitted proposals as they may determine to be in the best interest of the Township of Burlington.

Anthony J. Carnivale, Jr., RMC
Municipal Clerk

TOWNSHIP OF BURLINGTON

REQUEST FOR PROPOSALS

Purpose:

The following process is designed to find qualified service providers in a fair and open manner for the provision of professional or other service contract based on qualifications, merit and cost effectiveness. The general requirements set forth below must be met in order for any proposer to be considered to provide such services, exempt from public bidding pursuant to N.J.S.A. 40A:11-5 and within the scope of N.J.S.A. 19:44A-20.5 et seq., to the Township.

Response to the Request for Proposal (RFP) shall be used to determine whether the costs or fees proposed to provide the services are fair and reasonable, both in terms of the Township's budgetary interest, the general market rate for the requested services, and the level of experience, breadth of services, and expertise of the proposer.

Appointments shall be for the calendar year 2017.

Submissions:

Submission shall address how the proposer meets the qualifications for the desired position and shall outline fees proposed, fee schedule (including attendance at regular monthly or special meetings), or other basis for compensation sought. Please, where applicable, indicate hourly rates, monthly or other retainers, per project fees, or such other manner of compensation proposer deems appropriate to the services to be provided.

1. Please submit one copy of your proposal to the Burlington Municipal Clerk at the address listed below:

Mailing Address:

Township of Burlington
ATTN: Anthony J. Carnivale, Jr.
Municipal Clerk
851 Old York Road
Burlington, NJ 08016

Physical Address:

Township of Burlington
ATTN: Anthony J. Carnivale, Jr.
Municipal Clerk
851 Old York Road
Burlington, NJ 08016

2. Sealed proposals will be opened on Friday, December 2, 2017 at 10:00 AM by the Municipal Clerk at the Burlington Township Municipal Building, 851 Old York Road, Burlington Township, NJ 08016. Proposals received after this time will not be accepted. Proposals shall be labeled "**RFP for (Name of Position)**" marked on the outside.
3. The Township reserves the right to conduct an interview or interviews with the proposer to discuss the scope of the project as out lined in its proposal.
4. Where applicable, proposer will be required to comply with the requirements of (N.J.S.A. 10-5-31 et seq. and (N.J.A.C. 17:27) Affirmative Action, (N.J.A.C. 52:25-24.2) Statement of Ownership, and (N.J.S.A. 52:32-44) New Jersey Business Registration and Disclosure of Investments in Iran (Public Law 2012, c.25).

5. Proof of Insurance for professional liability/malpractice coverage with limits as to liability acceptable to the Township will be required prior to the award of any contract.
6. All awards are subject to availability of funds. Acceptance of a contract will be by resolution acted on by either the Township Council, Planning Board or Zoning Board at their Meeting.
7. The Township will not guarantee any minimum level of activity or business.

By submitting a proposal, the proposer agrees and understands that the Township reserves the right and may exercise at its sole discretion the following rights and options with respect to this RFP:

- To accept or reject any or all proposals;
- To issue additional solicitations for proposals;
- To waive any irregularities in proposals should it be in the best interest of the Township;
- To enter into an agreement for only portions (or not enter into an agreement for any) of the services contemplated by the proposals;
- To select the proposal that best satisfies the interests of the Township and not necessarily on the basis of price or any other single factor.

Evaluation:

The following criteria, not necessarily listed in the order of importance, will be used to review the proposals. The Township reserves the right to weigh its evaluation criteria in any manner it deems appropriate for the best interest of the Township:

- Experience and reputation in the field
- Qualification of individual(s) who will perform the service or activity
- Knowledge of the Township and the subject matter to be addressed by the contract
- Availability to accommodate and required meetings
- Compensation proposal
- Other factor, if demonstrated to be in the best interest of the Township

TOWNSHIP OF BURLINGTON
SANITARY SEWER & WATER UTILITY
INSTRUMENTATION, PROGRAMING & ENGINEERING
RFP SUPPLEMENTAL INFORMATION

SUBMISSION DEADLINE: Refer to advertisement and posting by the Municipal Clerk.

POSITION DESCRIPTION: Vendor shall provide design, programing & troubleshooting for Sanitary Sewer and Water Utility SCADA, Instrumentation and Controls as directed by the Chief Operator of each Utility, which may include Engineering and Technical Services for HMI and PLC/RTU Platform Solutions, Systems Integration, P&I Diagrams, Functional Programing, Software, Drawings & Specifications.

SUBMISSION REQUIREMENTS:

1. The Township of Burlington is soliciting proposals for the provision of professional programing, engineering and technical services in connection with instrumentation for the Township's sanitary sewer and water utilities for calendar year 2017.
2. All sealed proposals shall be submitted to the Municipal Clerk, 851 Old York Road, Burlington, NJ 08016 by the deadline noted in the RFP issued by the Office of the Municipal Clerk. Only one copy of the proposal is required.
3. Each submission shall include at a minimum, the name, address and contact information of the person or firm making the proposal, a statement of qualifications, including applicable licenses held, a statement of experience in rendering similar professional services to public entities, and a proposal for compensation or a schedule of fees to be charged for such professional services.
4. In addition to the General Criteria listed in the RFP issued by the Office of the Municipal Clerk, the evaluation of each proposal received will consider:
 - a. Knowledge and experience working with local public utilities.
 - b. Availability to accommodate the Township needs and schedule.
 - c. Support staff availability.

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

The contractor and the Township of Burlington, (hereafter "owner") do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") (*42 U.S.C. §12101 et seq.*), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant there unto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the owner pursuant to this contract, the contractor agrees that the performance shall be in strict compliance with the Act. In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the owner in any action or administrative proceeding commenced pursuant to this Act. The contractor shall indemnify, protect, and save harmless the owner, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The contractor shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the owner's grievance procedure, the contractor agrees to abide by any decision of the owner which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the owner, or if the owner incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the contractor shall satisfy and discharge the same at its own expense.

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

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

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

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)
N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

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

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

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

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

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

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the applicable employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302

The contractor and its subcontractors shall furnish such reports or other documents to the Div. of Contract Compliance & EEO as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Div. of Contract Compliance & EEO for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

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

GOODS AND SERVICES CONTRACTS

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

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

- (a) A photocopy of a valid letter that the contractor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);
OR
- (b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-4;
OR
- (c) A photocopy of an Employee Information Report (Form AA302) provided by the Division and distributed to the public agency to be completed by the contractor in accordance with N.J.A.C. 17:27-4.

The successful vendor may obtain the Affirmative Action Employee Information Report (AA302) from the Burlington Township Purchasing Department during normal business hours.

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

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

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

COMPANY: _____

SIGNATURE: _____

PRINT NAME: _____

TITLE: _____

DATE: _____

**BURLINGTON TOWNSHIP
NON-COLLUSION AFFIDAVIT**

State of _____

County of _____

ss:

I, _____ residing in _____
(name of affiant) (name of municipality)
in the County of _____ and State of _____ of
full age, being duly sworn according to law on my oath depose and say that:

I am _____ of the firm of _____
(title or position) (name of firm)
_____ the bidder making this Proposal for the bid

entitled _____, and that I executed the said proposal with full authority
(title of bid proposal)

to do so that said bidder has not, directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above named project; and that all statements contained in said proposal and in this affidavit are true and correct, and made with full knowledge that the Township of Burlington 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.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by

(name of contractor)

Subscribed and sworn to

before me this _____ day

of _____, 2016

Signature of affiant

(Type or print name of affiant under signature)

Notary public of

My Commission expires _____

(Seal)

**BURLINGTON TOWNSHIP
STOCKHOLDER DISCLOSURE CERTIFICATION
This Statement Shall Be Included with Bid Submission**

Name of Business: _____

I certify that the list below contains the names and home addresses of all stockholders holding 10% or more of the issued and outstanding stock of the undersigned.

OR

I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

If a corporation owns all or part of the stock of the corporation or partnership submitting the bid, then the statement shall include a list of the stockholders who own 10% or more of the stock of any class of that owning corporation. If no one owns 10% or more stock, attest to that.

Check the box that represents the type of business organization:

Partnership

Corporation

Sole Proprietorship

Limited Partnership

Limited Liability Corporation

Limited Liability Partnership

Subchapter S Corporation

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

Stockholders:

Name: _____

Name: _____

Home Address: _____

Home Address: _____

Name: _____

Name: _____

Home Address: _____

Home Address: _____

Name: _____

Name: _____

Home Address: _____

Home Address: _____

Subscribed and sworn before me this ____ day of _____,
2016.

(Affiant)

(Notary Public)

(Print name & title of affiant)
(Corporate Seal)

My Commission expires:

DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

PART 1: CERTIFICATION

BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX.

FAILURE TO CHECK EITHER BOX WILL RENDER THE PROPOSAL 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 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 EITHER BOX:

I certify, pursuant to Public Law 2012, c. 25, that neither the person/entity listed above nor any of the entity'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

OR

I am unable to certify as above because I or the bidding entity 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.

PROVIDE INFORMATION RELATIVE TO THE ABOVE QUESTIONS. PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, USE ADDITIONAL PAGES.

Name: _____

Relationship to Bidder/Vendor: _____

Description of Activities: _____

Duration of Engagement: _____ Anticipated Cessation Date: _____

Bidder/Vendor: _____

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 below-referenced person or entity. I acknowledge that the Township of Burlington is relying on the information contained herein and

thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of contracts with the Township of Burlington to notify the Township of Burlington 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 agreements(s) with the Township of Burlington and that the Township of Burlington at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): _____

Signature: _____

Title: _____ Date: _____

Bidder/Vendor: _____