

BOROUGH OF SOMERVILLE  
25 WEST END AVENUE  
SOMERVILLE, NJ 08876  
(908) 725-2300 X 1983

REQUEST FOR QUALIFICATIONS:

## PROFESSIONAL SERVICES

**Request for Qualifications/Proposal- Project 2024-001**

Contact: Kevin Sluka, Administrator x-1983

# BOROUGH OF SOMERVILLE REQUEST FOR QUALIFICATIONS NOTICE PROFESSIONAL SERVICES

NOTICE IS HEREBY GIVEN that the Borough of Somerville is seeking proposals for various professional services. Kindly submit to the Office of the Clerk, 25 West End Avenue, Somerville, New Jersey. Proposals will be received by the Clerk-Administrator, for the Borough of Somerset, County of Somerset, State of New Jersey. All proposals must be enclosed in a sealed envelope bearing the name and address of the firm and clearly marked "PROPOSAL FOR PROFESSIONAL SERVICES". The Proposals must be delivered before 4:00 p.m. on November 22, 2023, at the Office of the Clerk-Administrator.

Please note the qualifications required.

Please submit with your proposal all the required forms

NOTICE IS HEREBY GIVEN that the Borough of Somerville is seeking proposals to fill the following positions in 2024.

LEGAL SERVICES FOR REDEVELOPMENT  
LEGAL SERVICES TO SERVE AS BOROUGH LEGAL COUNSEL  
LEGAL SERVICES FOR PROSECUTOR  
LEGAL SERVICES TO SERVE AS BOND COUNSEL  
LEGAL SERVICES TO SERVE AS LABOR COUNSEL  
LEGAL SERVICES TO SERVE AS LEGAL COUNSEL FOR INVESTIGATIVE MATTERS  
RISK MANAGEMENT SERVICES  
ECONOMIC DEVELOPMENT CONSULTANT  
STORM SEWER ENGINEERING SERVICES  
ENVIRONMENTAL ENGINEERING SERVICES  
OTHER ENGINEERING SERVICES  
MUNICIPAL AUDITOR  
MUNICIPAL ACCOUNTING SERVICES  
FINANCIAL SERVICES  
LAND USE PLANNER  
LAND USE ENGINEER  
LAND USE PLANNER/ENGINEER  
LEGAL SERVICES FOR ZONING BOARD OF ADJUSTMENT  
LEGAL SERVICES FOR PLANNING BOARD

Re: Request for Qualifications

The proposal is due no later than November 22, 2023, by 4:00p.m. The Borough of Somerville would like to obtain various legal services, various engineering services, planning services and risk management services, economic development consulting services, accounting and auditing services to serve the Borough of Somerville and/or its Land Use Boards for the year 2024.

If you are interested in providing any of the services listed above for the Borough of Somerville, or the Planning Board or Zoning Board of Adjustment, the Borough of Somerville requires a detailed proposal. The proposal should include the following information but not limited to the following:

Please note that item #1 is particularly important. The Borough has various PILOT Agreements and Redevelopment Agreements. The charges against the developers' escrow and the borough shall also be billed in accordance with the billing schedule that is submitted within your proposal. The Professional shall check with the CFO to ensure that escrow funds are in place prior to work. The fee schedule charged against escrows must be clearly defined in your proposal.

It is important that at the minimum the following fee schedules be provided which shall include a breakdown of clerical work, meeting attendance time and participation and professional work if applicable.

- 1) A schedule of services and fees for services which shall include but not limited to:
  - a. Council Meetings and/or Board Meetings
  - b. Meetings with Administrator and appropriate Directors and or appropriate board
  - c. Phone communications
  - d. Communications with Mayor & Council and/or Board members/Professional staff
  - e. Court attendance
  - f. Preparation
  - g. Travel expenses
  - h. List of billable expenses
- 2) Your qualifications to perform such services
- 3) A list of the individuals from your firm that are expected to perform the services and their qualifications. And the fees for those individuals.
- 4) A list of the firm's clients
- 5) Business Registration Certificate
- 6) Contribution Disclosure Form
- 7) Disclosure of Ownership
- 8) Non-Collusion Affidavit
- 9) Contribution Disclosure Statement
- 10) Disclosure of Investment Activities in Russia or Belarus
- 11) Disclosure of Investment Activities in Iran
- 12) Insurance Requirement Acknowledge Form
- 13) Mandatory Equal Employment Opportunity Notice (require copy before contract execution)

If selected you will be required to breakdown your invoice as required by the Borough. And enter into a contract.

The Governing Body will be provided a copy of the proposal and will be asked to review said proposals. The proposals will be evaluated on price, quality, familiarity of scope of service, ability to produce the required service, and all other factors in the best interest of the Borough of Somerville.

**Three paper copies are required and one electronic copy. The electronic copy can be e-mailed to Kevin Sluka at [ksluka@somervillenj.org](mailto:ksluka@somervillenj.org) or provide a flashdrive.**

The Borough reserves the right to use other or additional professionals on matters as it deems necessary.

I am responding to the request for Qualifications for the following: (kindly check the appropriate box(es))

<b>Professional Service</b>	Kindly check off appropriate box(es)
Legal Services for Redevelopment	
Legal Services to serve as Borough Counsel	
Legal Services to serve as Prosecutor	
Legal Services to serve as Bond Counsel	
Legal Services to Labor Counsel	
Legal Services to serve as Counsel for Investigative matters	
Risk Manager	
Economic Development Consultant	
Storm Sewer Engineering	
Environmental Engineering Services	
Other Engineering & Inspection Services	
Municipal Auditor	
Municipal Accounting Services	
Financial Advisory Services	
Land Use Board Planner	
Land Use Board Engineer	
Land Use Board Planner/Engineer	
Legal Services for Zoning Board	
Legal Services for Planning Board	

## JOB DESCRIPTION REQUIREMENTS

### **Redevelopment Attorney**

Minimum of 5 years proven experience and knowledge of New Jersey Redevelopment Laws, familiarity with PILOT programs, Economic Redevelopment Growth Grant Program, knowledge of Redevelopment Litigations, understanding of condemnation processes. Interviews conducted by the Borough's Redevelopment Committee may be required. Additional requirements will be identified in the contract if awarded. Experience in municipalities in similar size to Somerville Borough. A qualified substitute if the primary attorney is unavailable or conflicted. Support staff is a must.

### **Borough Attorney**

Minimum 5 years' experience, licensed in the State of New Jersey. Must have extensive experience in municipal law. knowledge in the field of municipal law generally, including but not limited to zoning and planning; affordable housing; public employment; organization and responsibilities in the Borough's form of government; laws applicable to municipalities, including Titles 40 and 40A of the New Jersey Statutes; municipal litigation; municipal ordinances; school budget appeals; Gross Receipts and Franchise Tax replacement revenues; sewer utility law; and Board of Health Law. The Borough will serve as the Tax Appeal attorney; however the Borough reserves the right to select other attorneys for both tax appeals and general law. Additional requirements will be identified in the contract if awarded. Council Meetings are held the 1<sup>st</sup> and 3<sup>rd</sup> Monday of every month. A qualified backup must be identified. Identification of support staff a must.

### **Municipal Prosecutor**

Minimum 3 years' experience as an attorney, licensed in the State of New Jersey. Must have extensive experience in municipal law. Must have served as a Municipal Prosecutor in a municipality of same or similar size. Borough of Somerville holds its court sessions in Bridgewater Township.

### **Bond Counsel**

Minimum of 5 years proven experience and knowledge in the field of municipal financing and bond law, and wide recognition in the market for expertise in public financing. The firm shall be able to assist the Borough's Chief Financial Officer in analyzing rates and understanding the municipal bond market. Additional requirements will be identified in contract if awarded. Identifying support staff is a must.

### **Professional Attorney-Labor Counsel**

Minimum 5 years' experience, licensed in the State of New Jersey. The Borough is seeking a law firm that will serve the Borough as it's appointed labor counsel. The Borough is seeking a lawyer that has knowledge of labor law, CBA negotiations and employment law. Strong understanding of the collective bargaining process. Familiarity with PERC. A qualified substitute on staff is a must.

### **Legal Services for Investigatory Matters**

Minimum 5 years' experience, licensed in the State of New Jersey. Must have extensive experience in investigating personnel matters, complaints filed by personnel in the public sector for municipalities with 50+ employees.

**Municipal Risk Manager**

Minimum of 5 years proven experience as an insurance broker in the State of New Jersey; Minimum of 5 years' experience analyzing risk and coverage needs and claim management; Knowledge of the administrative structure and insurance needs of the Borough of Somerville and subject matter to be addressed under the contract. Additional requirements will be identified in contract if awarded. The Borough is a member of the Statewide Joint Insurance Fund. Familiarity and a relationship with the JIF a must.

**Economic Development Consultant**

Minimum of 5 years proven experience as a consultant specializing in Redevelopment in the State of New Jersey; Minimum of 5 years' experience analyzing Redevelopment Agreements; Knowledge of State agencies, proficient with grant writing and tax incentive programs. Additional requirements will be identified in the contract if awarded. The Economic Development Consultant shall coordinate to produce an economic development plan with established metrics.

**Storm Sewer Engineer**

Minimum of 5 years of proven experience as a consultant specializing in Storm Sewer Systems in the State of New Jersey. Sufficient staff to conduct inspections produce specifications and perform escrow billing breakdowns. Experience utilizing the NJ with floodplain management and new flood rules. Ability to direct the municipality on new rules.

**Environmental Engineer**

Minimum of 5 years of proven experience as a licensed engineer specializing in Environmental Engineering in the State of New Jersey. Knowledge of DEP regulations and grant resources. Able to perform inspections and environmental surveys. Seeking an individual or firm with strong office support and capable of managing several jobs.

**Other Engineering and Inspection Services**

Minimum of 5 years of proven experience as a consultant. Ability to provide inspectors for road work, perform road design and specifications. Assist with Green Acres, ability to design recreation fields and playgrounds. Experience working with municipalities of similar populations and sizes.

**Municipal Auditor**

Minimum of 5 years of proven experience as a Registered Municipal Account. Experience with auditing agencies with public sector budgets of 20-35 million dollars. Experience with Parking utility auditing. The individual and/or firm must have strong office support. Must have qualified individuals listed as a substitute.

**Municipal Accounting Services**

Minimum of 5 years of accounting services. Experience preparing financial documents in municipalities with public sector budgets from 20-35 million dollars. Strong relationship with CFO. Individual/firm must have strong support and a qualified backup identified to service the Borough of Somerville.

**Financial Advisory Services**

Minimum of 5 years of public sector experience with debt planning, bond financing, budget planning and financial analysis.

**Land Use Planner**

Minimum of 5 years as a municipal land use planner. Specializing in the review of land use applications. Familiar with affordable housing and flood plain regulations. The Planning Board meets regularly 24 times per year, usually the 1<sup>st</sup> and 3<sup>rd</sup> Wednesday of the month. The Board of Adjustments regularly meets 12 times per year usually the 4<sup>th</sup> Wednesday of the month. The Planner must have a strong substitute and strong identified office support. The planner must have the ability to have office hours and maintain staff. Applicant shall have knowledge of Affordable Housing regulations.

**Land Use Engineer**

Minimum of 5 years as a municipal engineer. Specializing in reviewing land use board applications. The Planning Board meets regularly 24 times per year, usually the 1<sup>st</sup> and 3<sup>rd</sup> Wednesday of the month. The Board of Adjustments regularly meets 12 times per year usually the 4<sup>th</sup> Wednesday of the month. The Planner must have a strong substitute and strong identified office support. The planner must have the ability to conduct office hours and maintain staff.

**Land Use Planner & Engineer**

Minimum of 5 years serving in dual roles for municipal land use boards. The Planning Board regular meets 24 times per year and Zoning Board 12 times per year. The Meeting dates are Wednesday evenings. The Planner must have a strong substitute and strong identified office support. The planner must have the ability to conduct office hours and maintain staff.

**Legal Services for Zoning Board**

Minimum 5 years' experience, licensed in the State of New Jersey. The Borough is seeking a law firm that will serve a Board Attorney for the Zoning Board. Zoning Board meets regular 12 times per year, additional meetings are scheduled as needed. Meetings are usually held the 4<sup>th</sup> Wednesday of the month. Specializing in zoning laws and land use required. The Planner must have a strong substitute and strong identified office support. The planner must have the ability to conduct office hours and maintain staff.

**Legal Services for Planning Board**

Minimum 5 years' experience, licensed in the State of New Jersey. The Borough is seeking a law firm that will serve a Board Attorney for the Planning Board. Planning Board meets regularly 24 times per year, additional meetings are scheduled as needed. Meetings are usually held the 1<sup>st</sup> and 3<sup>rd</sup> Wednesday of the month. Specializing in land use required. The Planner must have a strong substitute and strong identified office support. The planner must have the ability to conduct office hours and maintain staff.

**BUSINESS ENTITY DISCLOSURE CERTIFICATION  
BOROUGH OF SOMERVILLE**

**Vendor Affirmation**

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that the firm listed below has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding the signed date of the contract to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the BOROUGH OF SOMERVILLE as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

**Signature and Attestation:**

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: \_\_\_\_\_

Signature of Affiant: \_\_\_\_\_ Title: \_\_\_\_\_

Printed Name of Affiant : \_\_\_\_\_ Date: \_\_\_\_\_

Subscribed and sworn before me this \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
(Witnessed or attested by)

My Commission expires:

\_\_\_\_\_  
(Seal)



**Ownership Disclosure Certification**

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

**Check the box that represents the type of business entity:**

- Partnership       Corporation       Sole Proprietorship       Subchapter S Corporation  
 Limited Partnership       Limited Liability Corporation       Limited Liability Partnership

Name of Stock or Shareholder	Home Address

**Signature and Attestation:**

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: \_\_\_\_\_

Signature of Affiant: \_\_\_\_\_

Title: \_\_\_\_\_ Printed Name of Affiant

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

Subscribed and sworn before me this \_\_\_\_ day of \_\_\_\_\_, 2\_\_.

\_\_\_\_\_  
(Witnessed or attested by)

My Commission expires:

\_\_\_\_\_  
(Seal)

**NON-COLLUSION AFFIDAVIT**

STATE OF NEW JERSEY :  
 : SS.  
COUNTY OF :

I, \_\_\_\_\_ of the \_\_\_\_\_

of \_\_\_\_\_ In the County of \_\_\_\_\_  
and the State of New Jersey, of full age, being duly sworn according to the law on my oath depose  
and say that:

I am \_\_\_\_\_

of the firm of \_\_\_\_\_

making the submission for the above named Company, and that I executed the said submission  
with the full authority to do so; the Company has not, directly or indirectly entered into any  
agreements, participated in any collusion or otherwise taken any action in restraint of fair and open  
competition in connection with the Company; and that all statements contained in said submission  
and in this affidavit are true and correct, and made to the full knowledge that the Borough of  
Somerville relies upon the truth of the statements contained in said submission an in the  
statements contained in this affidavit in awarding the contract for said service.

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 the commission, percentage,  
brokerage or contingent fee.

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

\_\_\_\_\_

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

\_\_\_\_\_

Signature

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

\_\_\_\_\_  
(Type or print name of Affiant and Title)

## INSURANCE REQUIREMENTS AND ACKNOWLEDGEMENT FORM

Certificate(s) of Insurance shall be filed with the Borough upon the award of the contract by the Borough:

The minimum amount of insurance to be carried by the Professional Service Entity shall be as follows:

### Professional Liability Insurance

Limits shall be a minimum of \$1,000,000.00 for each claim and \$1,000,000.00 aggregate each policy period.

Acknowledgement of Insurance Requirement:

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
PRINT NAME & TITLE

## DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN FORM

Pursuant to N.J.S.A. 52:32-57, et seq. (P.L. 2012, c.25 and P.L. 2021, c.4) any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must certify that neither the person nor entity, nor any of its parents, subsidiaries, or affiliates, is identified on the New Jersey Department of the Treasury's Chapter 25 List as a person or entity engaged in investment activities in Iran. The Chapter 25 list is found on the Division's website at <https://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf> Vendors/Bidders must review this list prior to completing the below certification. If the Director of the Division of Purchase and Property finds a person or entity to be in violation of the 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.

I certify, pursuant to N.J.S.A. 52:32-57, et seq. (P.L. 2012, c.25 and P.L. 2021, c.4), that neither the Vendor/Bidder listed below nor any of its parents, subsidiaries, or affiliates is listed on the New Jersey Department of the Treasury's Chapter 25 List of entities determined to be engaged in prohibited activities in Iran.

### CERTIFICATION

I, the undersigned, certify that I am authorized to execute this certification on behalf of the Vendor, that the foregoing information and any attachments hereto, to the best of my knowledge are true and complete. I acknowledge that the Borough of Somerville is relying on the information contained herein, and that the Vendor is under a continuing obligation from the date of this certification through the completion of any contract(s) with the Borough to notify the Borough in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification. If I do so, I may be subject to criminal prosecution under the law, and it will constitute a material breach of my contract(s) with the to declare any contract(s) resulting from this certification void and unenforceable.

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Entity Name

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Signature

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Date

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Print Name

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Title

**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY NOTICE**  
**(N.J.S.A. 10:5- ET. SEQ. AND N.J.A.C. 17:27 ET. SEQ.)**  
**GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS**

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

The successful entity shall submit to the Borough of Somerville, after notification of award but prior to the execution of this contract, one of the following three (3) documents as form of evidence:

- 1) 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
- 2) A photocopy of a Certificate of Employee Information report approval, issued in accordance with N.J.A.C. 17:27-1.1 et. seq.:  
OR
- 3) A photocopy of an Employee Information Report (Form AA302) provided by the Division of Contract Compliance and distributed to the Borough of Somerville to be completed by the vendor in accordance with N.J.A.C. 17:27-1.1 et. seq.

The successful entity may obtain the Employee Report (Form AA302) from the Borough of Somerville during normal business hours.

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

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

COMPANY \_\_\_\_\_

SIGNATURE \_\_\_\_\_ PRINT NAME \_\_\_\_\_

TITLE \_\_\_\_\_ DATE \_\_\_\_\_

**EXHIBIT A**  
**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE**  
**N.J.S.A. 10:5-31 et seq. (P.L.1975, c.127)**  
**N.J.A.C. 17:27 et seq.**  
**GOODS, GENERAL SERVICES, AND PROFESSIONAL SERVICES 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, affection-al 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, col-or, 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; or

Employee Information Report Form AA-302 (electronically provided by the Division and distributed to the public agency through the Division's website at: [http://www.state.nj.us/treasury/contract\\_compliance](http://www.state.nj.us/treasury/contract_compliance)).

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Purchase & Property, CCAU, EEO Monitoring Program as may be request-ed 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 Purchase & Property, CCAU, EEO Monitoring Program for conducting a compliance investigation pursuant to N.J.A.C. 17:27-1.1 et seq.

COMPANY \_\_\_\_\_

SIGNATURE \_\_\_\_\_ PRINT NAME \_\_\_\_\_

TITLE \_\_\_\_\_ DATE \_\_\_\_\_

### Goods, General Services and Professional Services Contracts

Upon award of a goods, general services or professional services contract, it is the responsibility of the Public Agency to provide the vendor with the Initial Employee Information Report, Form AA-302, if the vendor does not have a Certificate or Letter of Federal Approval. **The Division does not supply this form to the vendor.** If the Public Agency requires a supply of forms, the Public Agency may download the forms electronically at the following website address

[http://www.state.nj.us/treasury/contract\\_compliance/forms.shtml](http://www.state.nj.us/treasury/contract_compliance/forms.shtml).

If the vendor has an expired certificate, the vendor must apply for a renewal directly to the Division and file Form AA-302, Employee Information Report. As early as 90 days prior to the expiration of a certificate, a vendor may submit an application for renewal of the certificate with a check or money order for \$150.00 made payable to "Treasurer, State of NJ". A vendor may obtain a duplicate certificate for a fee of \$75.00.

### A SAMPLE OF THE EMPLOYEE INFORMATION CERTIFICATE IS SHOWN BELOW:

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





**\*\*COPY OF BUSINESS REGISTRATION  
CERTIFICATE MUST ACCOMPANY PROPOSAL\*\***

STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE FOR STATE AGENCY AND CASINO SERVICE CONTRACTORS		DEPARTMENT OF TREASURY DIVISION OF REVENUE PO BOX 252 TRENTON, NJ 08646-0252
TAXPAYER NAME: TAX REGISTRATION TEST ACCOUNT	TRADE NAME: CLIENT REGISTRATION	
TAXPAYER IDENTIFICATION#: 970-097-382/500	SEQUENCE NUMBER: 0107230	
ADDRESS: 847 ROEBLING AVE TRENTON NJ 08611	ISSUANCE DATE: 07/14/04	
EFFECTIVE DATE: 01/01/01	<i>John S. Kelly</i> Acting Director	
FORM-BRC(08-01)	This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.	

STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE	
<b>Taxpayer Name:</b>	TAX REG TEST ACCOUNT
<b>Trade Name:</b>	
<b>Address:</b>	847 ROEBLING AVE TRENTON, NJ 08611
<b>Certificate Number:</b>	1093907
<b>Date of Issuance:</b>	October 14, 2004
<b>For Office Use Only:</b>	20041014112823533

**AMERICAN WITH DISABILITIES ACT OF 1990  
EQUAL OPPORTUNITY FOR INDIVIDUALS WITH DISABILITY**

The Contractor and the Borough of Somerville ("Borough") does hereby agree that the provisions of Title 11 of the American with Disabilities Act ("Act") which prohibits discrimination on the basis of disability by entities in all services, programs and activities provided or made available by public entities, and the rules and regulations promulgated pursuant thereunto, are made part of this contract. In providing any aid, benefit, or services on behalf of the Borough pursuant to this contract, the Contractor agrees that the performance of this contract, the Contractor shall defend the Borough in any action or administrative proceeding commenced pursuant to this Act. The Contractor shall indemnify, protect and save harmless the Borough, 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 an 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 Borough's grievance procedure, the Contractor agrees to abide by any decision of the proceeding results in an award of damages against the Borough of if the Borough 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 Borough 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 Borough or any of its agents, servants and employees, the Borough shall expeditiously forward or have forwarded to the Contractor every demand, complaint, notice, summons, pleading, or other process received by the Borough or its representatives.

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

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

**Disclosure Requirement  
“Pay to Play”**

**P.L. 2005, Chapter 271, Section 3 Reporting**

**(N.J.S.A. 19:44A – 20.27)**

**Any business entity that has received \$50,000 or more in contracts from government entities in a calendar year will be required to file an annual disclosure report with ELEC.**

**At a minimum, a list of all business entities that file an annual disclosure report will be listed on ELEC’s website at [www.elec.state.nj.us](http://www.elec.state.nj.us).**

**If you have any questions please contact ELEC at:  
1-888-313-ELEC (toll free in NJ) or  
609-292-8700**

**END OF THE REQUEST FOR QUALIFICATION PACKAGE**