

**BOROUGH OF KINNELON REQUEST
FOR QUALIFICATIONS UNDER THE
FAIR AND OPEN PROCESS**

-

**FOR
2024 PROFESSIONAL SERVICES**

ISSUE DATE: November 6, 2023

DUE DATE: November 28, 2023, at 11:00 a.m.

I s s u e d b y :

Borough of Kinnelon
130 Kinnelon Road
Kinnelon, NJ 07402
973-838-5401
www.kinnelonboro.org

Legal Publication date: Borough of Kinnelon website November 5, 2023

**THE BOROUGH OF KINNELON
REQUEST FOR QUALIFICATIONS
FOR 2024 PROFESSIONAL SERVICES**

NOTICE IS HEREBY GIVEN, that the Borough of Kinnelon is soliciting Qualification Statements from interested persons and/or firms for various professional services as indicated below for the year 2024. Through the Request for Qualification (“RFQ”) process, any person and/or firm interested in assisting the Borough with the services indicated below must prepare and submit a Qualified Statement in accordance with the procedure and schedule in the RFQs. The Borough intends to qualify a person and/or firm that (a) possesses the professional, financial, and administrative capabilities to provide the proposed service, and (b) agrees and meets the terms and conditions determined by the Borough that provide the greatest benefit to the taxpayers of Kinnelon.

The selection is subject to the “New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, et seq. The Borough has structured a procurement process that seeks to obtain the desired results, while establishing a competitive process, to assure that each person and/or firm is provided an equal opportunity to submit a Qualification Statement in response to the RFQ. The factors to be considered by the Borough include, but not limited to; (i) experience and reputation in the profession; (ii) knowledge of the subject matter to be addressed under contract; (iii) availability to accommodate any required meetings of the Borough or Borough agency; (iv) any other factors demonstrated to be in the best interest of the Borough of Kinnelon.

Instructions and qualification documents are available on the Borough’s website and can be requested through the Borough Clerk’s Office:

Borough of Kinnelon
Borough Clerk’s Office
Attn: Karen Ieule
130 Kinnelon Road
Kinnelon, NJ 0740
Tele: 973-838-5401
Email: kiuele@kinnelonboro.org

**SUBMISSION DUE DATE:
Tuesday, November 28, 2023, by 11:00 a.m.**

The Borough seeks Qualification Statements for the following professional services:

Risk Management Consultant; Borough Auditor; Borough Engineer; Water & Sewer Engineer; Borough Attorney; Bond Counsel; Labor Relations Counsel; Borough Planner; Borough Prosecutor

See Appendix A – Scope of Services (Commencing on page 24 to page 30)

Obtaining a Submission Package

Instructions and qualification documents are available on the Borough’s website (www.kinnelonboro.org) and can also be obtained through the Borough Clerk’s Office during regular business hours, Monday – Friday, from 8:00 a.m. to 4:00 p.m. The submission package can also be requested by phone or via email: 973-838-5401 kiuele@kinnelonboro.org.

Submission by Facsimile or Email

Qualification Statements will not be accepted by facsimile transmission. A pdf copy of the entire document must be submitted either electronically by e-mail to kiuele@kinnelonboro.com or by providing a thumb drive with the submission.

Submitting Envelope

Completed Qualification Statements must be submitted in the manner designed and outlined in the submission package. The envelope or package must be enclosed in a sealed envelope bearing the name and address of the Respondent, and the name of the specific professional service on the outside, addressed to the Borough of Kinnelon. Each interested firm or professional must submit a separate qualification statement for each area of interest. One qualification statement for multiple services will not be accepted. Please enclose one (1) original, marked original, and two (2) copies (each marked copy) of the proposal being submitted for each professional service of interest.

Note: The Borough of Kinnelon will consider proposals only from firms or organizations that have demonstrated the capability and willingness to provide high-quality services in the manner described in this Request for Qualification.

The Borough reserves the right to reject any or all submissions due to any defects or waive informalities and accept any submissions that, in their judgment, will be in the best interest of the Borough. The Borough shall award the contract or reject all submissions no later than 60 days from receipt of the same.

All Respondents are required to comply with the affirmative action and non-discrimination provisions of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 14:27.

BY THE ORDER OF THE BOROUGH COUNCIL OF THE BOROUGH OF KINNELON.

Karne Iuele, RMC
Borough Clerk
BOROUGH OF KINNELON

GLOSSARY

The following definitions shall apply to and are used in this Request for Qualifications:

- “Borough” – refers to the Borough of Kinnelon, its officers and elected and appointed officials, employees and advisors and consultants.
- “Due Date” - refers to the date and time by which Qualification Statements must be received by the Borough in order to be considered for award of the contract or position.
- “Qualification Statement” - refers to a Respondent’s complete response to this RFQ.
- “Qualified Respondent” - refers to those Respondents who (in the sole judgment of the Borough) have satisfied the qualification criteria set forth in this RFQ.
- “RFQ” - refers to this Request for Qualifications, including any amendments thereof or supplements thereto.
- “Respondent” or “Respondents” - refers to the interested individuals and firms that submit Qualification Statements.
- “Services” – refers to the professional services the Borough seeks in this RFQ process.
- “Successful Respondent” – refers to the Respondent selected by the Borough to perform the Services.

SECTION 1
INTRODUCTION AND GENERAL INFORMATION

1.1 Introduction and Purpose.

The Borough is soliciting Qualification Statements from interested persons and/or firms for the provision of the professional services described herein. Through a Request for Qualification process, persons and/or firms interested in assisting the Borough with the provision of such services must prepare and submit a Qualification Statement in accordance with the procedure and schedule in this RFQ. The Borough will review only Qualification Statements that include all the required information as described herein. The Borough intends to qualify persons and/or firms that (a) possess the professional capabilities to provide the proposed services; (b) will agree to work under the compensation terms and conditions set forth; and (c) have demonstrated the capability and willingness to provide high quality services to the Borough.

1.2 Procurement Process and Schedule.

The procurement process for professional services being procured are exempt from bidding pursuant to N.J.S.A. 40A:11-5 (1) (a) (i) The selection of Qualified Respondents is subject to the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4 *et seq.* The Borough has structured a competitive procurement process which ensures that anyone interested in providing the services sought has an opportunity to submit a Qualification Statement in response to this RFQ. The Borough will evaluate responses to this RFQ in accordance with the criteria set forth in Section 5. Based upon the totality of the information contained in the Qualification Statement, and from the Respondents' references, the Borough will determine which Respondents are qualified. Each Respondent that meets the requirements of the RFQ (in the sole judgment of the Borough) will be designated as a Qualified Respondent and will be considered for selection by the Borough.

The RFQ process commences with the issuance of this RFQ. The steps involved in the process and the anticipated completion dates are stated in the Anticipated Procurement Schedule. The Borough reserves the right to, among other things, amend, modify or alter the Procurement Schedule upon notice to all potential Respondents who have provided contact information to the Clerk upon receipt of this RFQ.

Qualification Statements must be received by the Borough's Designated Contact Person, via mail or hand delivery, by 11:00 A.M. prevailing time on the Due Date. Qualification Statements received after 11:00 A.M. on the Due Date will be returned unopened.

DESIGNATED CONTACT:

Borough of Kinnelon
Attn: Karen Iuele, Municipal Clerk
130 Kinnelon Road
Kinnelon, NJ 07405

ANTICIPATED PROCUREMENT SCHEDULE

<u>ACTIVITY</u>	<u>DATE</u>
1. Issuance of Request for Qualifications	October 31, 2023
2. Receipt of Qualification Statements/ Due Date	November 28, 2023
3. Completion of Evaluation of Qualification Statements	December 30, 2023
4. Award of Professional Services Agreements	January 2024
5. Term of Contract	January 1, 2024 – December 31, 2024

1.3 Conditions Applicable to RFQ.

Upon submitting a Qualification Statement in response to this RFQ, the Respondent acknowledges and consents to the following conditions:

- This document is an RFQ and does not constitute an RFP.
- This RFQ does not commit the Borough to issue an RFP.
- All costs incurred by the Respondent in connection with responding to this RFQ shall be borne solely by the Respondent. There shall be no claims whatsoever against the Borough, its staff or consultants for reimbursement or payment of costs or expenses incurred in the preparation of the Qualification Statement or other information required by the RFQ.
- The Borough reserves the right to reject for any reason any and all responses and components thereof.
- The Borough reserves the right to reject any Respondent that submits incomplete responses to this RFQ, or a Qualification Statement that is not responsive to the requirements of this RFQ.
- The Borough reserves the right, without prior notice, to supplement, amend, or modify this RFQ, or to request additional information.
- All Qualification Statements shall become the property of the Borough and will not be returned.
- All Qualification Statements will be made available to the public at the appropriate time, as determined by the Borough in accordance with law.

- Any Qualification Statements not received by the Borough timely will be rejected.
- The Borough shall not be liable for any claims or damages alleged to have been incurred as a result of this RFQ process, including the Borough's review of Qualification Statements and its award of contracts.

1.4 Rights of Borough.

The Borough reserves the following rights with regard to this RFQ and the procurement process in accordance with the provisions of applicable law:

- To determine that any Qualification Statement received complies or fails to comply with the terms of this RFQ.
- To supplement, amend or otherwise modify the RFQ through issuance of addenda to all prospective Respondents who have received a copy of this RFQ.
- To waive any technical non-conformance with the terms of this RFQ.
- To change or alter the schedule for any events called for in this RFQ upon the issuance of notice to all prospective Respondents who have received a copy of this RFQ.
- To conduct investigations of any or all of the Respondents, as the Borough deems necessary or convenient, to clarify the information provided as part of a Qualification Statement, and to request additional information to support the information included in any Qualification Statement.
- To suspend or terminate the procurement process described in this RFQ at any time, commence a new procurement process, or exercise any other rights provided under applicable law without any obligation to the Respondents.

The Borough shall be under no obligation to complete all or any portion of the procurement process described in this RFQ.

1.5 Addenda or Amendments to RFQ.

After the issuance of the RFQ, but no later than five (5) business days prior to the Due Date, the Borough may issue an addenda, amendments or answers to written inquiries. Addenda will be noticed by the Borough and will constitute a part of the RFQ. All responses to the RFQ shall be prepared with full consideration of any addenda issued.

1.6 Proposal Format.

Responses should cover all information requested in Section 3 of this RFQ. Responses that do not meet the requirements of the RFQ or which are in any way conditional, incomplete, obscure, contain additions or deletions from requested information, or contain errors may be rejected.

SECTION 2

SCOPE OF SERVICES

The Borough seeks Qualification Statements from Respondents that have expertise in the provision of services as outlined in the Notice of Solicitation. Refer to Appendix A for Scope of Services by particular profession.

SECTION 3

SUBMISSION REQUIREMENTS

3.1 General Requirements.

Respondent's Qualification Statement must meet or exceed the professional, administrative and financial qualifications set forth in this Section 3 and shall incorporate the information requested below.

In addition to the information described below, Respondents are invited to submit supplemental information that may be useful to the Borough in evaluating the Qualification Statement. This information may include, for example, a firm profile or brochure. Respondents are encouraged to be clear, factual, and concise in their presentation of information.

3.2 Administrative Information Requirements.

The Respondent shall, as part of its Qualification Statement, provide the following documentation and information:

1. An executive summary (not to exceed two (2) pages) of the information contained in all the other parts of the Qualification Statement.
2. An executed Letter of Intent (See Exhibit A).
3. Name, address and telephone number of the individual or firm submitting the Qualification Statement and the name of the key contact person.
4. A statement that the Respondent has complied with all applicable affirmative action (or similar) requirements with respect to its business activities (*e.g.*, N.J.S.A. 10:5-31 *et seq.* and N.J.A.C. 17:27 as amended) and evidence of such compliance. (See Exhibit B)
5. The number of years Respondent has been in practice.

6. Any judgments within the last three years in which Respondent has been adjudicated liable for professional malpractice. If any, please provide the docket numbers.
7. Whether Respondent or its firm is now or has been involved in any bankruptcy or re-organization proceedings in the last ten years. If so, please provide the docket numbers.
8. A statement that principals have no immediate relatives who are Borough employees or elected officials.

3.3 Professional Information Requirements.

1. Respondent shall submit a description of its overall experience in providing the same or similar Services. At a minimum, the following information should be included as appropriate:
 - a. Description and scope of Respondent's work experience.
 - b. Three business references, including contact information.
 - c. Explanation of perceived relevance of Respondent's experience to the RFQ.
2. Describe those portions of the Respondent's services, if any, that are sub-contracted. Identify all subcontractors the Respondent anticipates using in connection with the Services.
3. Resumes of key employees who will be assigned to provide the Services.

3.4 Services Fees.

1. **Refer to Scope of Services.**
2. Respondents should take careful note of the following:
 - a. Respondent shall be reimbursed for out-of-pocket expenses that shall include, but not be limited to:
 - (i) Faxes and conference calls;
 - (ii) Payment of filing, application fees, review fees and similar charges;
 - (iii) Outside printing, reproduction, binding, collating, graphic services;
 - (iv) Messenger service and overnight mail.

Charges incurred under (iii) and (iv) must be pre-approved by the Borough.
 - b. Respondent shall send monthly invoices to the Borough detailing the Services performed.

- c. The Borough shall require that upon performing Services totaling 70 percent of the encumbered amount, whether or not all Services have been invoiced to the Borough, the Respondent shall provide the Borough with an estimate of additional funds that may be necessary to conclude the matter. Additional funds must be approved by resolution of the Borough Council. The Borough expects its professional service providers to maintain time-management control systems to ensure compliance with this RFQ requirement.

SECTION 4

INSTRUCTIONS TO RESPONDENTS

4.1 Submission of Qualification Statements.

Each interested firm or professional must submit a separate Qualification Statement for each area of interest to the Designated Contact Person. One qualification statement for multiple services will not be accepted. Please enclose one (1) original, marked original, and two (2) copies (each marked copy) of the proposal being submitted for each professional service of interest:

**Borough of Kinnelon
130 Kinnelon Road
Kinnelon, NJ 07405
Attn: Karen Iuele, Municipal Clerk**

To be responsive, Qualification Statements must provide all requested information, and must be in strict conformance with the instructions set forth herein:

1. Qualification Statements must be received by the Borough no later than the Due Date and must be mailed or hand delivered. Qualification Statements forwarded by facsimile or email will not be considered. Qualification statements received after the designated time on the Due Date will be returned, unopened, to the sender. The Respondent is solely responsible for delays in delivery.
2. Qualification Statements and all Forms (Exhibits A through J) and other related information must be stapled or bound and signed by the Respondent. If Respondent is other than a natural person, the Qualification Statement must be signed by an individual with power to bind the Respondent.
3. The name of the Respondent and the position or contract for which the submission is being made must be printed on the outside of the package containing Respondent's submission. The Borough will, in its sole discretion, determine whether to qualify more than one Respondent for the Services.
4. Respondents are reminded that the forms attached to this RFQ must be completed and

submitted with their Qualifications Statements. See also, Exhibit C for a list of documents that must be submitted with the proposal and those that successful Respondents must present to the Borough prior to the Borough's executing a contract for services with the Respondent.

4.2 Legislation Compliance

Respondents are to submit a Certification of Political Contribution pursuant to N.J.S.A. 19:44A-20.4 *et seq.* with their proposals. A Certification form is provided as Exhibit G.

SECTION 5

EVALUATION

The Borough's objective in soliciting Qualification Statements is to enable it to select a firm, individual, or organization that will provide high quality and cost-effective services to the taxpayers of the Borough. The Borough will consider Qualification Statements only from firms, individuals, or organizations that, in the Borough's judgment, have demonstrated the capability and willingness to provide high quality services to the taxpayers of the Borough in the manner described in this RFQ. The Borough will consider all relevant factors, including, but not limited to:

1. Qualifications of firm, specifically as they relate to this Project.
2. Related project experience of the firm(s) and the individuals who would be assigned to the Project.
3. Familiarity with the Borough.
4. Available resources to complete project. This criterion would include the analytical, design tools, personnel, resources or methodologies commonly used by the firm that may be applicable to the project categories.
5. Other factors determined to be in the best interest of the Borough.

Exhibit A
LETTER OF INTENT

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

Date:

Borough of Kinnelon
130 Kinnelon Road
Kinnelon NJ 07405
Karen Iuele, Municipal Clerk

Re: Letter of Intent

Dear Ms. Iuele:

The undersigned, as Proposer, has (have) submitted the attached Proposal in response to a Request for Proposals\Qualifications (RFP\RFQ) for _____(service), issued by the Borough of Kinnelon dated October 31, 2023 in connection with the "Scope of Services". The undersigned hereby states:

1. The Proposal contains accurate, factual and complete information to the best of our knowledge and belief. The Proposal is submitted in good faith. I/we understand that any false statement may result in my/our disqualification.
2. Proposer agrees to participate in good faith in the procurement process described in the RFP and to adhere to the Borough's procurement schedule.
3. Proposer acknowledges that all costs incurred by it (them) in connection with the preparation and submission of the Proposal, amendments thereto, and any other documents prepared and submitted in response to the RFP, or any negotiation which results therefrom shall be borne exclusively by the Proposer
4. Proposer hereby declares that the only persons anticipated by Proposer to perform the professional services for which this Proposal is submitted are named herein and that no person other than those herein named participated in this Proposal or will participate in any contract to be entered into between Proposer and the Borough. Proposer declares that this Proposal is made without connection with any other person, firm or parties who has submitted a Proposal, except as expressly set forth below, and that it has been prepared and submitted in good faith and without collusion or fraud.
5. Proposer acknowledges and agrees that the Borough may modify, amend, suspend and/or terminate the procurement process (in its sole judgment).
6. Proposer acknowledges that if it becomes the Successful Proposer and is awarded a contract to provide the Services, it shall comply with all applicable affirmative action and equal employment opportunity laws

Signed: _____

Printed: _____

Title: _____

*If a joint venture, partnership or organization other than a natural person is submitting a Proposal, this Letter of Qualification must be signed by an individual with the authority to bind the organization.

Exhibit B

**EXHIBIT A - MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE PER
N.J.S.A. 10:5-31 *et seq.* and N.J.A.C. 17:27-1.1 *et seq.*
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.

Exhibit B, Continued

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. 17:27-1.1 et seq.**

Exhibit C

CHECKLIST FOR ITEMS TO BE SUBMITTED WITH QUALIFICATIONS STATEMENT

**Read,
Acknowledged,
Signed & Submitted
Respondent's Initial**

FAILURE TO SUBMIT ANY OF THESE ITEMS IS MANDATORY CAUSE FOR REJECTION OF RFP\RFQ

1	Letter of Intent (Ex. A)	
2	Affirmative Action Letter, Certificate or Employee Information Report AA-302 (Ex. B) (Submit Copy of State Certificate of Employee Information Report Prior to Contract Award)	
3	Disclosure Statement (Ex. D)	
4	Non-Collusion Affidavit (Ex. E)	
5	Certification of Political Contributions (Ex. G)	
6	Proposal Form (Ex. H)	
7	Acknowledgement of Receipt of Addenda (Ex. I)	
8	Disclosure of Investment Activities in Iran (Ex. J)	

DOCUMENTS REQUIRED PRIOR TO CONTRACT EXECUTION

1	Business Registration Certificate (BRC) from the State of New Jersey Department of Treasury, Division of Revenue) (N.J.S.A. 52:32-44) <i>(SUBMISSION OF CERTIFICATE WITH RESPONSE PREFERRED)</i>	
2	Certificate of Insurance Evidencing Comprehensive Liability, Property/Casualty (\$2 million aggregate/\$1million per occurrence) (or less if Umbrella coverage is present); Workers Compensation (statutory limits); and Professional Malpractice (if applicable) (\$2 million aggregate/\$1 million per occurrence) naming Borough as additional insured.	

READ ONLY

1	Americans With Disability Act of 1990 Language (Ex. F)	
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Signature: The undersigned hereby acknowledges that he/she has submitted the required documents with the Qualifications Statement and will submit the remaining required documents prior to execution of a contract with the Borough.

Name of Respondent/ Firm: _____

Print Name and Title: _____

Signature: _____

Date: _____

EXHIBIT D

STATEMENT OF OWNERSHIP DISCLOSURE

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

This statement shall be completed, certified to, and included with all bid and proposal submissions. Failure to submit the required information is cause for automatic rejection of the bid or proposal.

Name of Organization: _____

Organization Address: _____

Part I - Check the box that represents the type of business organization:

- Sole Proprietorship (skip Parts II and III, execute certification in Part IV)
- Non-Profit Corporation (skip Parts II and III, execute certification in Part IV)
- For-Profit Corporation (any type) Limited Liability Company (LLC)
- Partnership Limited Partnership Limited Liability Partnership (LLP)
- Other (be specific): _____

Part II

The list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. **(COMPLETE THE LIST BELOW IN THIS SECTION)**

OR

No one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. **(SKIP TO PART IV)**

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

Name of Individual or Business Entity	Business Address

Part III - DISCLOSURE OF 10% OR GREATER OWNERSHIP IN THE STOCKHOLDERS, PARTNERS OR LLC MEMBERS LISTED IN PART II

If a bidder has a direct or indirect parent entity which is publicly traded, and any person holds a 10 percent or greater beneficial interest in the publicly traded parent entity as of the last annual federal Security and Exchange Commission (SEC) or foreign equivalent filing, ownership disclosure can be met by providing links to the website(s) containing the last annual filing(s) with the federal Securities and Exchange Commission (or foreign equivalent) that contain the name and address of each person holding a 10% or greater beneficial interest in the publicly traded parent entity, along with the relevant page numbers of the filing(s) that contain the information on each such person. **Attach additional sheets if more space is needed.**

Website (URL) containing the last annual SEC (or foreign equivalent) filing	Page #'s

Please list the names and addresses of each stockholder, partner or member owning a 10 percent or greater interest in any corresponding corporation, partnership and/or limited liability company (LLC) listed in Part II **other than for any publicly traded parent entities referenced above.** The disclosure shall be continued until names and addresses of every non-corporate stockholder, and individual partner, and member exceeding the 10 percent ownership criteria established pursuant to N.J.S.A. 52:25-24.2 has been listed. **Attach additional sheets if more space is needed.**

Stockholder/Partner/Member and Corresponding Entity Listed in Part II	Home Address (for Individuals) or Business Address

Part IV - Certification

I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the bidder/proposer; that the ***Borough of Kinnelon*** is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with ***Borough of Kinnelon*** to notify the ***Borough of Kinnelon*** 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, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the, permitting the ***Borough of Kinnelon*** to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print):		Title:	
Signature:		Date:	

Exhibit E

NON-COLLUSION AFFIDAVIT

I, _____ of the City of _____,

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

I am _____ of the firm of _____, the Proposer herein, and I executed the Proposer with full authority to do so; that the Proposer has not directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive proposing in connection with the above-named Vendor, and that all statements contained in the Proposal and in this affidavit are true and correct, and made with full knowledge that the Borough of Kinnelon relies upon the truth of the statements contained in the Proposal and the statement in this affidavit in awarding the contract.

I further warrant that no person or selling agency has been employed or retained to solicit or secure a 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 Vendor)

Signature

Print or Type Name and Title

Exhibit F

AMERICANS WITH DISABILITIES ACT OF 1990 EQUAL OPPORTUNITY FOR INDIVIDUALS WITH DISABILITY

The RESPONDENT and the BOROUGH OF KINNELON (herein referred to as the BOROUGH) do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") (42 U.S.C. S12101 *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 regulation promulgated pursuant thereto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the BOROUGH pursuant to this contract, the RESPONDENT agrees that the performance shall be in strict compliance with the Act. In the event the RESPONDENT, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the RESPONDENT shall defend the BOROUGH in any action or administrative proceeding commenced pursuant to this Act. The RESPONDENT 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 the alleged violation. The RESPONDENT 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 RESPONDENT agrees to abide by any decision of the BOROUGH, which is rendered pursuant to, said grievance procedure. If any action or administrative proceeding result in an award of damages against the BOROUGH or if the BOROUGH incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure the RESPONDENT 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 RESPONDENT 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 RESPONDENT 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 RESPONDENT pursuant to this contract will not relieve the RESPONDENT 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 BOROUGH assumes no obligation to indemnify or save harmless the RESPONDENT, its agents, servants, employees and subcontractors for any claim which may arise out of their performance of this Agreement. Furthermore, the RESPONDENT expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the RESPONDENT'S obligations assumed in this Agreement, nor shall they be construed to relieve the RESPONDENT from any liability, nor preclude the BOROUGH from taking any other actions available to it under any other provisions of this Agreement or otherwise at law.

Exhibit G

CERTIFICATION OF POLITICAL CONTRIBUTIONS

Name of Business Entity: _____
(Proposer)

Contact Person: _____
(Name and Title)

Proposal Submitted for: _____
(i.e., Borough Engineer; Labor Counsel, etc.)

Date of Proposal: _____

STATE OF NEW JERSEY)
 ss:
COUNTY OF _____)

_____, being duly sworn, upon his/her oath deposes and says:

I am _____ of the Proposer referenced above.
(title)

I have read Borough of Kinnelon Ordinance No. 06-13 Establishing Restrictions on the Award of Contracts to Professional Entities and Certain Other Entities Who Make Certain Political Contributions, and pursuant to Section 3 (a) thereof, and I state that the Proposer has not made any contributions in violation of Section 1 of Ordinance No. 06-13 and amended by Ord. 19-23.

(Signature)

Exhibit H

PROPOSAL FORM

COMPLETE IF REQUIRED BY SCOPE OF SERVICES

To the Municipal Clerk of the Borough of Kinnelon for:

Write or type the service of interest

The Proposer whose signature is below declares that he/she has reviewed the RFP\RFQ. In the event this Proposal is accepted, and the Borough awards a contract to this Proposer for the Services, Proposer agrees to perform the Services as set forth under Section 2 of the RFP\RFQ following total amount:

\$ _____
(Proposal amount in numbers)

(Proposal amount in words)

Name of Proposer (Print)

Title

Signature

Date

Exhibit I

ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA

The undersigned hereby acknowledges receipt of the following Addenda:

Addendum Number

Dated

Acknowledged for _____
Name of Proposer

By _____
Signature of Authorized Representative

Name _____
(Print)

Title _____

Exhibit J

**BOROUGH OF KINNELON DISCLOSURE OF
INVESTMENT ACTIVITIES IN IRAN**

BID/RFP/RFO Solicitation: _____ **Bidder/Offeror:** _____

Part 1: Certification

**BIDDERS ARE TO COMPLETE PART 1 BY CHECKING EITHER BOX
Failure to check one of the Boxes 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 the 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 may render a bidder's proposal non-responsive. If the Director 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.

PLEASE CHECK THE APPROPRIATE BOX:

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

OR

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

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 on additional sheets provided by you.

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 Kinnelon Borough is relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the Borough to notify the Borough 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 Kinnelon Borough, New Jersey and that the Borough at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print) _____ Signature: _____

Title _____ Date: _____

*This form need not be submitted. It is provided for use in assuring compliance with all required documentation.

BOROUGH OF KINNELON

SEALED SUBMISSION LABEL FOR REQUEST FOR QUALIFICATIONS

Please Tape This Label To The Front Of Your Sealed Submission

DO NOT OPEN

IMPORTANT - SEALED SUBMISSION ENCLOSED

NAME COMPANY: _____

ADDRESS: _____

TO: BOROUGH OF KINNELON ATTN:
MUNCIPAL CLERK
1 CIVIC CENTER DRIVE
KINNELON, NJ 08816-1081 TITLE OF

SUBMISSION:

APPENDIX A

RISK MANAGEMENT CONSULTANT

Section 3 - SERVICES TO BE PROVIDED:

1. The Consultant shall assist the Borough in identifying its insurable the exposures and to recommend professional methods to reduce, assume or transfer risk loss.

1. Assist the Borough in understanding and selecting the various coverages available from the Camden County Joint Insurance Fund.
2. Review with the Borough any additional coverages that the Consultant feels should be carried but are not available from the Camden County Joint Insurance Fund.
3. Assist the Borough in the preparation of applications, statements of values and similar documents requested by the Camden County Joint Insurance Fund, it being understood that this agreement does not include any appraisal work by the Consultant.
4. Review the Borough's assessment as prepared by the Camden County Joint Insurance Fund and assist the Borough in the preparation of its annual insurance budget.
5. Review the loss and engineering reports and generally assist he safety committee in it loss containment objectives.
6. Assist where needed in the settlement of claims, with the understanding that the scope of the Consultant's involvement does not include the work normally done by a public adjustor.
7. Attendance at the majority of meetings of the Camden County Joint Insurance Fund and the performance of such other services as required by the Borough or the Camden County Joint Insurance Fund.
8. Any other services required by the Fund's Bylaws.

Section 4 - MANDATORY MINIMUM REQUIREMENTS: The proposal submitted by the Respondent must meet or exceed the professional, administrative and financial qualifications and requirements set forth in this RFP and shall incorporate the information requested below. In addition to the information required as described below, a Respondent may submit supplemental information that it feels may be useful in evaluating its proposal. Respondents are encouraged to be clear, factual, and concise in their presentation of information.

The Borough reserves the right to hold oral discussions with individuals and/or firms of their choice for clarification of their proposal. The Borough further reserves the right to request additional information.

1. Shall be a New Jersey licensed property/casualty insurance agent or broker with demonstrated prior experience in the management of public insurance risks. The Risk Management Consultant shall be an "Insurance Producer", pursuant to N.J.S.A. 17:22-A, but shall not be a Fund Commissioner.
1. Must have a minimum of ten (10) years' experience representing municipalities in risk management services.
1. Must have sufficient support staff to provide all services required by the Borough.
1. Must list past and present public employers represented as Risk Management Consultant.

BOROUGH AUDITOR:

The Borough seeks Qualification Statements from Respondents that have expertise in the provision of **Borough Auditor**. Respondents must be able to demonstrate that they have and will continue to have the capabilities to perform the Services.

Scope of Service:

The Borough shall expect the successful Respondent to provide auditor services as follows:

-Audit of the Borough's accounts and records supporting the Borough's December 31, 2023, financial statements including: current fund, trust funds (all), general capital, water utility (operating and capital), sewer utility fund (operation and capital), and fixed assets account group; trust accounts, the Uniform Construction Code Filing, and Deferred Compensation 457.

-The audit shall be completed no later than June 30th following the year end regardless of whether the State of New Jersey extends the deadline, unless a later date is agreed to by the Chief Financial Officer.

-Audit fieldwork should commence at a mutually agreed upon date as early as possible.

-A list of required schedules shall be provided at least two weeks prior to the commencement of field work, including confirmation letters to be prepared and where possible audit transaction selections should be made in advance for the data to be gathered.

-Preliminary findings, internal control observations and adjustments should be discussed prior to the end of fieldwork with the Chief Financial Officer.

-Perform tests of internal controls and compliance with statutory requirements.

-If applicable, performance of a federal and or state single audit in accordance with OMB Circular A-133 and N J OMB Circular 04-04.

-Preparation of the Borough's audited statutory financial statements;

- Issuance of a separate report on the Municipal Court and Animal Control;
- Review of annual budget;
- Provide as needed accounting and tax guidance throughout the year and advise on legislative changes which may require record changes during the year;
- Meet with the Mayor, Administration, Council as needed and requested;
- Attend meetings of the Borough Council when requested and all other meetings that the Borough may require;
- Provide financial and budgetary advice to the Borough as needed or requested.

Contract Term:

The term of the contract between the Borough and the successful Respondent will be one (1) year. The Borough anticipates awarding a contract for the Services at its first regular Council Meeting in January. The Borough shall reserve the right to terminate the contract without cause on 15 days' notice.

Service Fee: Respondent shall provide a quote for services for the year.

ENGINEERING SERVICES:

The Borough seeks Qualification Statements from Respondents that have expertise in the provision of **Borough Engineer**. The Borough intends to qualify engineers and engineering firms for the provision of Services as:

1. Borough Engineer
2. Water and Sewer Engineer

Respondents must note in their responses which of the Services they are interested in providing. Respondents also must be able to demonstrate that they have and will continue to have the capabilities to perform the Services.

Respondents to this RFQ shall be able to demonstrate that they have and will continue to have the capabilities to perform the Services.

Scope of service:

The Borough shall expect the successful Respondents to:

- a. Perform Engineering Services as requested by the Borough, Planning Board or Zoning Board.
- b. Attend meetings of the Borough Council or the Boards as requested.
- c. Attend all other meetings that the Borough or the Boards shall require.
- d. Provide all services usual and customary to engineers.

Note: All engineers who will be performing services for the Borough must be licensed by the State of New Jersey.

Contract Term:

The term of the contract between the Borough and the successful Respondent will be for one (1) year. The Borough anticipates awarding a contract for the Services at its first regular Council Meeting in January. The Borough will qualify Respondents for the Planning and Zoning Boards. Each Board will award its own contract for a one (1) year term. The Borough and Boards will reserve the right to terminate a contract without cause on 15 days' notice.

Service Fee:

Fees for personnel shall be set forth on a schedule to be included with Respondent's proposal.

LEGAL SERVICES:

The Borough seeks Qualification Statements from Respondents that have expertise in the provision of **Legal Services**. The Borough intends to qualify several attorneys and law firms for the provision of Services for the following:

- Borough Attorney
- Bond Counsel
- Labor Relations Counsel

Respondents must state in their responses the Services they are interested in providing. Respondents also must be able to demonstrate that they have and will continue to have the capabilities to perform the Services.

The Borough shall expect the successful Respondents to:

- a. Perform the legal services requested by the Borough.
- b. Attend meetings of the Borough Council as requested.
- c. Attend all other meetings that the Borough shall require;
- d. Prepare legal opinions and legal memoranda when requested;
- e. Provide legal advice and review to the Borough as needed.

Note: All attorneys who will be performing legal services for the Borough must be licensed to practice law in the State of New Jersey. Attorneys are reminded that conflicts may arise in connection with their private practice and their services for the Borough and are advised to familiarize themselves with the *Supreme Court Advisory Committee on Professional Ethics Opinion No. 697*, 188 N.J. 549 (2006), which discusses conflicts of interest and application of R.P.C. 1.8(k).

Contract Term:

The term of the contracts between the Borough and the successful Respondents will be for one (1) year. The Borough anticipates awarding contracts for the Services at its first regular Council Meeting in January. The Borough shall reserve the right to terminate a contract without cause on 15 days' notice.

Service Fee:

Respondent shall provide a fee schedule with the proposal.

PROFESSIONAL PLANNER:

The Borough seeks Qualification Statements from Respondents that have expertise in the provision of **Planner Services**. The Borough intends to qualify planners and planning firms for the provision of Services as

- Borough Planner

Respondents must note in their responses which of the Services they are interested in providing. Respondents also must be able to demonstrate that they have and will continue to have the capabilities to perform the Services.

Scope of Service:

Respondents to this RFQ shall be able to demonstrate that they have and will continue to have the capabilities to perform the Services.

The Borough shall expect the successful Respondents to:

- Perform Planning Services as requested by the Governing Body or Borough Administrator
- Present to the Planning Board for review and recommendation to the Borough Council, if required.
- Present to the Borough Council for its consideration.
- Attend meetings of the Borough Council as requested.
- Attend such other meetings as the Mayor and Borough Council shall require.
- Provide all services usual and customary to planners.

Note: All planners who will be performing services for the Borough must be licensed by the State of New Jersey.

Contract Term:

The term of the contract between the Borough and the successful Respondent will be for one (1) year. The Borough anticipates awarding a contract for the Services at its Reorganization Meeting. The Borough Council will qualify Respondents for this position. The Borough Council reserves the right to terminate a contract without cause on 15 days' notice.

Service Fee:

Respondents shall provide a fee schedule for services.

PROSECUTOR:

The Borough seeks Qualification Statements from Respondents that have expertise as a Municipal Prosecutor. The Borough may consider Respondents for two Municipal Prosecutor positions, one of which shall be the position of **Municipal Prosecutor and Municipal Prosecutor DWIDUI** pursuant to

N.J.S.A. 2B:25-4(f). Respondents must be able to demonstrate that they have and will continue to have the capabilities to perform the Services.

Scope of Service:

The Borough shall expect the successful Respondents to

- a. Perform the duties of and meet the qualifications for Municipal Prosecutors in accordance with the rules of the Municipal Court of the Borough and the laws of the State of New Jersey, including, but not limited to, N.J.S.A. 2B:25-1 *et seq.*
- b. Prosecute matters on behalf of the Borough in the Municipal Court of the Borough as required.
- c. Provide all services usual and customary to Municipal Prosecutors.
- d. Municipal Court Sessions are currently 2nd and 4th Tuesdays zoom at 1:30 p.m. and in court sessions are at 3:00 pm. Some days there are split sessions zoom and in court sessions

Note: All attorneys who will be performing legal services for the Borough must be licensed to practice law in the State of New Jersey. Attorneys are reminded that conflicts may arise in connection with their private practice and their position with the Borough and are advised to familiarize themselves with the *Supreme Court Advisory Committee on Professional Ethics Opinion No. 697*, 188 N.J. 549 (2006), which discusses conflicts of interest and application of R.P.C. 1.8(k).

Contract Term:

The term of the contract between the Borough and the successful Respondent will be for one (1) year. The Borough anticipates awarding contracts for the Services at its first regular Council Meeting in January.

Service Fee:

The respondent shall indicate an annual fee for this service.

