

TOWNSHIP OF PEQUANNOCK

REQUEST FOR PROPOSALS for PROFESSIONAL SERVICES – 2018 FEMA FMA HOME ELEVATION GRANT APPLICATION

The Township of Pequannock, a municipal corporation in the County of Morris and the State of New Jersey, having its offices at 530 Newark-Pompton Turnpike, Pompton Plains, NJ 07444, through a fair and open process in accordance with N.J.S.A. 19:44A-20.5 et seq., is soliciting proposals from firms interested in providing professional services related to Professional Services – 2018 FEMA FMA Home Elevation Grant Application.

Submission Deadline: Wednesday, September 5, 2018 at 11:00 a.m.

Number of Proposals to be sent: one (1) original, hard copy (clearly marked as “original”), one (1) copy (clearly marked as “copy”) and one (1) complete copy, as a PDF on a CD/DVD.

Address all Proposals to:

Adam W. Brewer, Township Manager
Township of Pequannock
530 Newark-Pompton Turnpike
Pompton Plains, New Jersey 07444

Proposals must be returned in a sealed envelope bearing the name and address of the proposer written on the face of the envelope and clearly marked “Professional Services – 2018 FEMA FMA Home Elevation Grant Application - Attn: Adam W. Brewer.”

Proposals may be hand delivered or mailed. In the case of mailed proposals, the Township assumes no responsibility for documents received after the above-stated designated date and time. Proposals received after the designated date and time for receipt will not be accepted and will be returned unopened. Proposals will not be accepted by facsimile or e-mail.

Each proposal and all required forms must be signed by a person authorized to do so. Proposals must cover all information requested in this RFP. Responses which in the judgment of the Township fail to meet the requirements of the RFP or which are in any way conditional, incomplete, obscure, contain additions or deletions from requested information, or contain errors may be rejected. All communications concerning this RFP or the RFP process shall be directed, in writing, to Manager Brewer. The Manager’s decision shall be final and conclusive.

This RFP is not intended to be an offer, order or contract and should not be recognized as such, nor shall any obligation or liability be imposed on the Township by issuance of this RFP.

The Township shall not be responsible for any expenditure of monies or other expenses incurred by the proposer in making its proposal.

The Township, in its sole discretion, reserves the right to reject any or all proposals and to waive any and all irregularities as is in the best interest of the Township. A final award shall be made by Resolution adopted by a majority of the Township Council based upon the qualifications made to the Township that have been determined to be **the most advantageous to the Township, price and other factors**

considered. The Township Council reserve the right to negotiate the terms and conditions with any qualified proposer before making its determination and appointment.

1. **Purpose & Scope.** To solicit proposals from Flood Mitigation Consultants to provide grant application consulting services and prepare the Township's 2018 FEMA HMA Home Elevation Grant Application:

- a. Working with the Municipal Flood Advocate and other associated Officials to prepare a 2018 FEMA HMA Grant Application for Home Elevations.
- b. Attending all required Flood Control Advisory Committee meetings, the Property-Owner Meeting for potential applicants, and all other strategy/information meetings associated with the preparation of the 2018 FEMA HMA Home Elevation Grant Application.
- c. Development of Benefit-Cost Analysis for applicant properties utilizing Benefit-Cost Ratios and/or Pre-Calculated Benefits.
- d. Working with the Municipal Flood Advocate to ensure a unified and coordinated message throughout the 2018 FEMA HMA Home Elevation Grant Application process.
- e. Any other services deemed necessary from the perspective of a Flood Mitigation Consultant in support of the Township and related to the preparation of a 2018 FEMA HMA Home Elevation Grant Application.

2. **Contract Required.** The successful proposer will be required to execute the Township's form of contract which includes its standard form indemnification and insurance provisions.

3. **PROPOSER'S RESPONSIBILITY IN RESPONDING TO TOWNSHIP'S REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES.** The proposer shall in response to this RFP provide at a minimum the following information:

- a. Qualification Information:
 1. Full name and business address of the Firm or Individual submitting the proposal.
 2. A statement concerning the ability of the specific individual who will be taking a lead role in the preparation of a 2018 FEMA HMA Home Elevation Grant Application to perform the tasks assigned by the Township in an effective and timely fashion.
 3. The name and qualifications of the specific individual who will be taking a lead role, as well as those who will be assisting him/her, in the preparation of the 2018 FEMA HMA Home Elevation Grant Application. Required information shall include but not be limited to: educational credentials, professional licensure, any specific certifications, years of experience, a list of public sector clients served, membership in any professional societies and/or organization with an indication as to any offices held.
 4. A list of all New Jersey FEMA HMA Home Elevation Grant Applications that have been prepared by the Consultant or Firm submitting a proposal within the last thirty-six (36) months. This list

shall include a brief paragraph describing the approach to the 2018 FEMA HMA Home Elevation Grant Application, the scope of the project, e.g. the list of elements included for a FEMA HMA Home Elevation Grant Application and any other special or unusual components of the project and include the total amount billed for the 2018 FEMA HMA Home Elevation Grant Application.

5. A listing of all public sector entities currently served by the Firm, Corporation or Company, if the specific individual who will be representing the Township is not a sole proprietor.
6. Any other information that describes the proposer's ability to perform the service for which proposals are being solicited.

b. Cost Proposal – The cost proposal, will satisfy the following requirements:

1. **A listing, or “menu” of potential costs associated with preparing a 2018 FEMA HMA Home Elevation Grant Application, enumerating the estimated cost, or range of costs, for each aspect of the 2018 FEMA HMA Home Elevation Grant Application. Estimated costs should be all inclusive; including, but not limited to: Benefit-Cost Analysis (BCR and/or Pre-Calculated Benefits), EHP requirements, GIS mapping, Individual Home Elevation Cost Estimates, E-grant preparation, Property-Owner Meeting, etc.**
2. **Clearly articulated hourly fees for any and all professionals or staff who may work on the project.**
3. **Any and all other anticipated, potential costs, fees or reimbursable items associated with the project.**

c. Law Against Discrimination and Affirmative Action. The proposer shall file a statement as to compliance with N.J.S.A. 10:5-1 et seq. (Laws against Discrimination) and P.L. 1975, c. 127 (Affirmative Action).

d. Proof of Business Registration Certificate. Proposer must furnish a copy of their New Jersey Business Registration Certificate prior to award of contract as required by N.J.S.A. 52:32-44.

e. Shareholder Disclosure Form. Proposer must complete and submit the Shareholder Disclosure Form attached hereto as Exhibit B.

- f. Affirmative Action.** In accordance with the laws of the State of New Jersey, all contracting entities must comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. Proposer is required to submit an Affirmative Action Statement together with evidence of compliance. Appendix A contains mandatory Affirmative Action Language which shall appear in any contract with the Township and which lists in subparagraph (j) thereof the acceptable documents that may be submitted to evidence compliance. Proposer must complete and submit the Affirmative Action Compliance Notice attached hereto as Exhibit C.
- g. Affidavit of Non-Collusion.** Proposer shall properly execute and submit the Affidavit of Non-Collusion attached hereto as Exhibit D.
- h. Pay to Play.** The successful proposer is advised of the responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-20.13 (P.L. 2005, c.271, s.3) if the successful proposer receives contracts in excess of \$50,000 from public entities in a calendar year. It is the successful proposer's responsibility to determine if filing is necessary. See Exhibit E.
- i. Americans with Disabilities Act of 1990.** Discrimination on the basis of disability in contracting for the purchase of goods and services is prohibited. Proposers are required to read Americans with Disabilities language attached to this RFP at Exhibit F and agree that the provisions of Title II of the Act are made a part of the contract. The successful Proposer will be obligated to comply with the Act and to hold the owner harmless.
- j. Protected Information.** By submission of the response to the RFP, the proposer certifies that the service to be furnished will not infringe upon any valid patent, trademark or copyright and the successful proposer shall, at its expense, defend any and all actions or suits charging such infringement, and will save the Township harmless in any case of any such infringement.
- k. Insurance.** A copy of a Certificate of Insurance shall be submitted, Issued by an insurance carrier licensed in the State of New Jersey, for the firm showing the amount of professional liability insurance and all other insurance coverage's in place for the proposed contract period.
- l. Signature Page.** Proposer shall complete and submit the signatory page attached as the Proposer's acceptance of the terms and conditions of this RFP.
- m. RFP Document Checklist.** Proposer must complete and submit the RFP Document Checklist attached hereto as Exhibit H.

4. **EVALUATION CRITERIA AND BASIS FOR AWARD OF CONTRACT.** The Township shall award the contract based upon price and other factors, including but not limited to, qualifications, merit, references and experience with issues confronting the Township of Pequannock. The specific evaluation criteria will include:

1. The individual or firms ability to submit a proposal that is consistent with the Purpose and Scope, as well as the areas identified in the Responsibility in Responding to the Township's Request for Proposals, identified in sections one (1) and three (3), respectively, of this RFP, its completeness as a proposal; and
2. The completeness of the proposal and the individual and/or firm's experience, qualifications and reputation; and
3. Cost

A final award shall be made by Resolution adopted by a majority of the Township Council based upon the proposal made to the Township that has been determined to be **the most advantageous to the Township, price and other factors considered.** The Township Council reserves the right to negotiate the terms and conditions with any qualified proposer before making its determination and appointment. All awards are and shall be subject to the availability of funds.

TOWNSHIP OF PEQUANNOCK

**STOCKHOLDER DISCLOSURE CERTIFICATION
Exhibit B**

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.

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: _____
Home Address: _____

Name: _____
Home Address: _____

Name: _____
Home Address: _____

Name: _____
Home Address: _____

Name: _____
Home Address: _____

Name: _____
Home Address: _____

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

(Affiant)

(Notary Public)

(Print name & title of affiant)

My Commission Expires

(Corporate Seal)

TOWNSHIP OF PEQUANNOCK

**AFFIRMATIVE ACTION AFFIDAVIT
Exhibit C**

STATE OF _____ :

ss

COUNTY OF _____ :

I, _____ of the (City, Township, Borough) of _____ in the County of _____, State of _____, of full age being duly sworn according to law on my oath depose and say that:

1. I am (President, partner, owner, member) of the firm of _____ a contractor of the State of New Jersey, County of Morris, Township of Pequannock.

2. I am familiar with the affirmative action requirements of P.L. 1975, c. 127 and rules and regulations issued by the Treasurer, State of New Jersey, pursuant thereto.

3. _____ has complied with all the affirmative action requirements of the State of New Jersey, including those required by P.L. 1975, c. 127 and rules and regulations issued by the Treasurer, State of New Jersey pursuant thereto.

4. I am aware that if _____ does not comply with P.L. 1975, c. 127 and rules and regulations issued pursuant thereto, that no monies will be paid by the State of New Jersey, County of Morris, Township of Pequannock, until an affirmative action plan is approved. I am also aware that the contract may be terminated and that _____ may be debarred from all public contracts for a period of up to five (5) years.

5. I am aware that _____ is required to submit one of the following three documents to the Township of Pequannock along with the signed contract for goods or services: 1) a copy of a letter from the Office of Federal Contract Compliance Programs evidencing federal affirmative action plan approval; 2) a copy of a Certificate of Employee Information Report issued by the State of New Jersey; or 3) a completed Initial Affirmative Action Employee Information Report (Form AA302).

6. If I am submitting an Initial Affirmative Action Employee Information Report (Form AA302), in compliance with paragraph 5 above, I do hereby certify that I have never before applied for a certificate of employee information report in accordance with rules promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time; and I agree to submit immediately to the Division a Copy of the Employee Information Report.

Subscribed and Sworn to
Before me this _____ day
of _____ 20__.

Signature of Authorized Representative

Name and Title

Appendix A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS

Each 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:

1. Appropriate evidence that the contractor is operating under an existing Federally approved or sanctioned affirmative action program;
2. A certificate of employee information report approval, issued in accordance with N.J.A.C. 17:27-4; or
3. 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.

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

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not 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 afford equal employment opportunities to minority and women workers consistent with good faith efforts to meet targeted county employment goals established in accordance with **N.J.A.C. 17:27-5.2**, or good faith efforts to meet targeted 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 procedure, if necessary, to assure that all personal 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, 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 and its subcontractor shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the Division from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant **to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

TOWNSHIP OF PEQUANNOCK
NON-COLLUSION AFFIDAVIT
Exhibit D

State of New Jersey
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 Proposer making this proposal for the RFP
entitled _____, and that I executed the said proposal with
(title of RFP)

full authority to do so that said Proposer 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 _____
_____ relies upon the truth of the statements contained in said Proposal
(name of contracting unit)
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 _____.

Subscribed and sworn to

before me this day

Signature

_____, 2 _____

(Type or print name of affiant under signature)

Notary public of

My Commission expires _____

(Seal)

TOWNSHIP OF PEQUANNOCK

**DISCLOSURE OF CONTRIBUTIONS (Pay-to-Play)
Exhibit E**

Starting in January 2007, all business entities are advised of their responsibility to file an annual disclosure statement of political contributions with the New Jersey Election Law Enforcement Commission (ELEC) pursuant to N.J.S.A. 19:44A-20.27 if they receive contracts in excess of \$50,000 from public entities in a calendar year. Business entities are responsible for determining if filing is necessary. Additional information on this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us.

TOWNSHIP OF PEQUANNOCK

**AMERICANS WITH DISABILITIES ACT OF 1990
Equal Opportunity for Individuals with Disability
Exhibit F**

The contractor and the Township of Pequannock, (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.

TOWNSHIP OF PEQUANNOCK

SIGNATORY PAGE
Exhibit G

State of New Jersey

County of _____ ss:

1. _____, being of full age and being duly sworn, upon his oath deposes and says:

2. I am _____ of the firm of

(Name and Mailing Address of Proposer)

(Phone and Email of Proposer)

3. I have carefully read and examined the Township's RFP, including any modifications and/or addenda incorporated therein, and have full knowledge of the conditions under which the services described herein must be performed.

4. I am duly authorized to submit this proposal on behalf of the above proposer as its act and deed and the proposer is ready, willing and able to perform if awarded the contract. The proposal is a true offer of the proposer to provide the design engineering services required by this RFP. All of the statements and declarations contained in the proposal are truthful to the best of my knowledge and belief.

(Signature)

Subscribed and sworn to

(Corporate Seal)

before me this _____ day

of _____, 20__.

Notary Public of the State
of New Jersey

My Commission expires _____
(Notary Seal)

TOWNSHIP OF PEQUANNOCK

**DOCUMENT CHECKLIST
Exhibit H**

Included with the response, at a minimum, please provide the following documents.

Required	Submission Requirement	Initial each required entry and if required submit the item
<input checked="" type="checkbox"/>	New Jersey Business Registration Certificate (prior to award of contract)	
<input checked="" type="checkbox"/>	Stockholder Disclosure Certification	
<input checked="" type="checkbox"/>	Affirmative Action Affidavit and Mandatory Affirmative Action Language	
<input checked="" type="checkbox"/>	Non-Collusion Affidavit	
<input checked="" type="checkbox"/>	A Certificate of Insurance	
<input checked="" type="checkbox"/>	Signatory Page	