



TOWNSHIP OF TOMS RIVER PARKING AUTHORITY

**COUNTY OF OCEAN
STATE OF NEW JERSEY**

PROFESSIONAL SERVICES SOLICITATION

FAIR & OPEN PUBLIC SOLICITATION PROCESS

(Pursuant To N.J.S.A. 19:44A-20.5 et. seq. and in conformance with the Public Contracting Reform Ordinance which was approved by the voters of the Township of Toms River pursuant to N.J.S.A. 40:69A-184 at the General Election held Tuesday, November 8, 2005 and which became effective December 20, 2005)

PROFESSIONAL SERVICE: GENERAL LEGAL AND LITIGATION COUNSEL

SUBMISSION DATE: JANUARY 29, 2025 @ 11:00 A.M.

PUBLIC NOTICE TO PROFESSIONAL SERVICES ENTITIES

INFORMATION FOR PROFESSIONAL SERVICES ENTITIES

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
(EXHIBIT A)

BUSINESS REGISTRATION OF CONTRACTORS
WITH GOVERNMENTAL AGENCIES

STANDARDIZED SUBMISSION REQUIREMENTS

CHECK LIST

SUBMISSION DOCUMENTS

TOWNSHIP OF TOMS RIVER PARKING AUTHORITY

PUBLIC NOTICE FOR THE SOLICITATION OF A PROFESSIONAL SERVICE CONTRACT

NOTICE IS HEREBY GIVEN that sealed submissions will be received by the Executive Director, or designated representative, for the Township of Toms River Parking Authority, County of Ocean, State of New Jersey, **JANUARY 29, 2025 at 11:00 A.M.**, prevailing time, in the *Community Room*, Township of Toms River Municipal Complex, 33 Washington Street, Toms River, NJ then publicly opened and read aloud for the following:

GENERAL LEGAL AND LITIGATION COUNSEL

Submission packages may be obtained at the Parking Authority Office, (732) 240-2800 during regular business hours, 8:30AM to 4:30PM, Monday through Friday, excluding holidays.

These proposals are being solicited through a "fair and open process" in accordance with **N.J.S.A. 19:44A-20.5 et. seq.** and in conformance with the ***Public Contracting Reform Ordinance*** which was approved by the voters of the Township of Toms River pursuant to **N.J.S.A. 40:69A-184** at the General Election held Tuesday, November 8, 2005 and which became effective December 20, 2005.

Professional service contractors are required to comply with the requirements of **N.J.S.A. 10:5-31 et seq.** and **N.J.A.C. 17:27 et seq.**

TOWNSHIP OF TOMS RIVER PARKING AUTHORITY
INFORMATION FOR PROFESSIONAL SERVICES ENTITIES

1B.1 RECEIPT AND OPENING OF SUBMISSIONS

1B.1.1 OWNER AND PROJECT

The Township of Toms River Parking Authority, Ocean County, New Jersey (hereinafter called the "OWNER") invites submissions for the service(s) mentioned in the Public Notice for Solicitation.

1B.1.2 TIME AND PLACE OF SUBMISSION OPENINGS

Submissions will be received by the EXECUTIVE DIRECTOR and/or his designated representative at the time and place mentioned in the Public Notice for Solicitation, and at such time and place will be publicly opened and read aloud.

1B.1.3 SUBMISSIONS NOT IN COMPLIANCE

The OWNER may waive any informalities or reject any and/or all submissions, in accordance with the *Fair and Open Public Solicitation Process for Professional Service(s)* pursuant to **N.J.S.A. 19:44A-20.5 et. seq.** and in conformance with the **Public Contracting Reform Ordinance** which was approved by the voters of the Township of Toms River pursuant to N.J.S.A. 40:69A-184 at the General Election held Tuesday, November 8, 2005 and which became effective December 20, 2005.

1B.1.4 WITHDRAWING SUBMISSIONS

Submissions forwarded to the Executive Director and/or his designated representative before the time of opening of submissions may be withdrawn upon written application of the professional services entity who shall be required to produce evidence showing that they are or they represent the principal or principals involved in the submission. Submissions may not be withdrawn within twenty-four (24) hours of the stipulated time of opening of submissions. Once submissions have been opened, they must remain firm for a period of sixty (60) days.

1B.2 QUALIFICATIONS OF PROFESSIONAL SERVICES ENTITIES

1B.2.1 INDIVIDUALS PERFORMING TASKS

Name and roles of the individuals who will perform the tasks and descriptions of their education and experience similar to the services contained herein.

1B.2.2 PAST PERFORMANCE

Documented past performance of same and/or similar service.

1B.2.3 REFERENCES

References and record of success of same or similar service

1B.2.4 DESCRIPTION OF ABILITIES

Description of ability to provide the services in a timely fashion (including staffing, familiarity and location of key staff).

1B.2.5 COST DETAILS

If applicable, cost details including the hourly rates of each of the individuals who will be performing services, and all expenses.

1B.3 PREPARATION OF SUBMISSIONS

1B.3.1 COMPLETION OF SUBMISSIONS

Each submission must be provided on a Standardized Submission Form as supplied in the submission package, and signed by the professional services entity or principal thereof and shall contain the name, address, and telephone number of the professional Services entity. All prices and amounts must be written in ink or preferably typewritten. All erasures or corrections must be initialed by each signatory to the submission. Each submission shall be contained in a sealed envelope addressed to the Executive Director, Township of Toms River Parking Authority, 33 Washington Street, Toms River, N.J., 08753 or in the preprinted envelope supplied with the submission package when available, and said envelope shall specify the item for which the submission is provided and must be delivered at the place and time required or mailed so as to be received prior to the opening time set in the advertisement. Submissions received after the hour herein named or in unsealed envelopes shall not be considered.

The Owner will not be responsible for submissions forwarded through the U.S. Mail if lost in transit at any time before submission opening, or if hand-delivered to incorrect location.

The submission shall be accompanied by (1) a Non-Collusion Affidavit, (2) a Disclosure of Ownership Form, (3) an Insurance Requirement Acknowledgement Form, (4) a Mandatory Equal Employment Opportunity Notice Acknowledgement, (5) a copy of the applicable Business Registration Certificate, (6) a Professional Services Entity Information Form, (7) a Qualifications Submission Form, and (8) an Acknowledgement of Corrections, Additions or Deletions Form.

All forms listed above, (#1 through #8) shall be completed in their entirety.

1B.3.2 ERRORS IN SUBMISSIONS

If applicable, in the event there is a discrepancy between the unit prices and the extended totals, the unit prices shall govern or if between the correct sum of the extended totals and the total Submission submitted, the correct sum shall govern. Amounts written in words shall govern over the amounts written in numerals.

1B.4 TIME FOR AWARD OF CONTRACT

The contracting unit shall award the contract or reject all submissions within such time as may be specified in the invitation for submission, but in no case more than 60 days, except that the submissions of any professional services entities who consent thereto may, at the request of the contracting unit, be held for consideration for such longer period as may be agreed. When the invitation for submission states that the execution of the contract shall be subject to prior approval by a Federal or State agency or department, the contract shall be awarded or all submissions rejected within five (5) days after the approval by such Federal or State agency or department.

1B.5 MODIFICATIONS OF SUBMISSIONS

Any professional services entity may modify his submission by registered mail at any time prior to the scheduled closing time for receipt of submissions, provided such communication is received by the OWNER prior to the closing time. The communication should not reveal the submission price but should provide the addition to or subtraction from or other modification so that the final price(s) or term(s) will not be known by the OWNER until the sealed submission is opened.

1B.6 REJECTION OF SUBMISSIONS

1B.6.1 MULTIPLE SUBMISSIONS NOT ALLOWED

More than one submission from an individual, a firm or partnership, a corporation or association of principals under the same or different names shall not be considered.

1B.6.2 UNBALANCED SUBMISSIONS

Submissions which are obviously unbalanced may be rejected at the option of the OWNER.

1B.6.3 RIGHT TO REJECT SUBMISSIONS

The right is reserved to reject any or all submissions in whole or in part if not in compliance with the standardized submission requirements.

1B.6.4 METHOD OF AWARD OF SUBMISSIONS

The right is reserved by the Township of Toms River Parking Authority to award submissions on an “service by service” basis, “per project” basis, in part or in whole as determined by the Owner.

1B.6.5 RIGHT TO WAIVE INFORMALITIES RESERVED

The owner expressly reserves the right to waive any informality in any submission, and to accept the submission which, in the OWNER'S judgment, serves its best interests.

1B.7 PROFESSIONAL SERVICES ENTITY REFERRED TO LAWS

The attention of the professional services entity is especially directed to the provisions of Federal, State, County and Local Government statutes and regulations that may apply to the work.

1B.8 PAYMENT

Bills are publicly approved every fourth Thursday of each month at regular Parking Authority meetings. All bills approved at that meeting are paid by checks which are mailed the Friday after the meeting. No checks may be picked up by the professional service entity.

In order for a voucher to be placed on said meetings for approval, they must be submitted to the Parking Authority, be signed by all the appropriate officials and be presented to the Parking Authority office no later than 12:00 noon the Monday prior to the meeting. There are no exceptions to this rule.

1B.9 TRANSITIONAL PERIOD:

In the event that a new contract has not been awarded prior to the contract expiration date, it shall be incumbent upon the professional services entity to continue the contract under the same terms and conditions until a new contract(s) can be completely operational. At no time shall this transition period extend more than ninety (90) days beyond the expiration date of the contract.

1B.10 FACSIMILE DOCUMENTS PROVIDED IN A SUBMISSION:

Under no circumstances, on submission documents requiring authorized signatures, will the OWNER accept documents provided through facsimile machines.

1B.11 CONTRACT COMPLIANCE AND EQUAL EMPLOYMENT OPPORTUNITY IN PUBLIC CONTRACTS

Professional services entities are required to comply with the requirements of **N.J.S.A. 10:5-31 et seq.** and **N.J.A.C. 17:27 et seq.**

1B.12 GENERAL REQUIREMENTS/INFORMATION

The professional services entity shall guarantee any or all material and services supplied under these specifications. Defective or inferior items shall be replaced at the expense of the professional services entity.

It is understood by the professional services entity that this submission is provided on the basis of standardized submission requirements prepared by TOWNSHIP OF TOMS RIVER PARKING AUTHORITY and the fact that any professional services entity is not familiar with these standardized submission requirements or conditions will not be accepted as an excuse.

NO MINIMUM PAYMENT IS IMPLIED OR GUARANTEED.

TOWNSHIP OF TOMS RIVER PARKING AUTHORITY reserves the right to cancel any contract entered into upon thirty (30) days written notice.

EXHIBIT A

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

GOODS, PROFESSIONAL SERVICES 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, or sex. Except with respect to affectional or sexual orientation, 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, 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 non-discrimination 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 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 attempt in good faith to employ minority and female 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, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, 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 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, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, 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 subcontractor shall furnish such reports or other documents to the Division of Contract Compliance & EEO 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 Contract Compliance & EEO for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27**.

ATTENTION ALL PROFESSIONAL SERVICE ENTITIES

On June 29, 2004, Governor McGreevey signed P.L. 2004, c.57, Business Registration of Contractors with Government Agencies, into law. Effective September 1, 2004, all business organizations that do business with a local contracting agency (i.e. Township of Toms River) are required to be registered with the State of New Jersey, Department of Treasury, Division of Revenue, and provide proof of that registration to the contracting agency before the contracting agency may enter into a contract with the business.

A "Business Organization" means an individual, partnership, association, joint stock company, trust, corporation or other legal business entity or successor thereof.

The law provides that: A copy of the Business Registration Certificate issued by the NJ Department of Treasury, Division of Revenue, shall be provided at the time any submission is received; *failure to do so is a fatal defect that cannot be cured.* This law covers construction as well as non-construction submissions.

Further information may be obtained by visiting the following web site at the State of New Jersey: www.nj.gov/treasury/revenue/busregcert.htm

Goods & Services Contracts (including purchase orders):

N.J.S.A. 52:32-44 imposes the following requirements on contractors and all subcontractors that **knowingly** provide goods or perform services for a contractor fulfilling this contract:

- 1) the contractor shall provide written notice to its subcontractors and suppliers to submit proof of business registration to the contractor;
- 2) prior to receipt of final payment from a contracting agency, a contractor must submit to the contracting agency an accurate list of all subcontractors or attest that none was used;
- 3) during the term of this contract, the contractor and its affiliates shall collect and remit, and shall notify all subcontractors and their affiliates, that they must collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act, (N.J.S.A. 54:32B-1 et seq.) on all sales of tangible personal property delivered into this State.

A contractor, subcontractor or supplier who fails to provide proof of business registration or provides false business registration information shall be liable to a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration not properly provided or maintained under a contract with a contracting agency.

TOWNSHIP OF TOMS RIVER PARKING AUTHORITY
AMERICANS WITH DISABILITIES ACT OF 1990
EQUAL OPPORTUNITY FOR INDIVIDUALS WITH DISABILITY

The CONTRACTOR and the TOWNSHIP OF TOMS RIVER PARKING AUTHORITY (herein referred to as the Parking Authority) 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 regulations promulgated pursuant thereto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the PARKING AUTHORITY pursuant to this contract, the CONTRACTOR agrees that the performance shall be in strict compliance with the Act. In the event the CONTRACTOR, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the CONTRACTOR shall defend the PARKING AUTHORITY in any action or administrative proceeding commenced pursuant to this Act. The CONTRACTOR shall indemnify, protect, and save harmless the PARKING AUTHORITY, 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 PARKING AUTHORITY'S grievance procedure, the CONTRACTOR agrees to abide by any decision of the PARKING AUTHORITY, which is rendered pursuant to, said grievance procedure. If any action or administrative proceeding results in an award of damages against the PARKING AUTHORITY or if the PARKING AUTHORITY 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 PARKING AUTHORITY 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 PARKING AUTHORITY or any of its agents, servants, and employees, the PARKING AUTHORITY shall expeditiously forward or have forwarded to the CONTRACTOR every demand, complaint, notice, summons, pleading, or other process received by the PARKING AUTHORITY or its representatives.

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

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



TOWNSHIP OF TOMS RIVER PARKING AUTHORITY

PAYMENT POLICY

Payment vouchers with appropriate invoices are publicly approved every fourth THURSDAY of each month at regular Parking Authority meetings. All payment vouchers/invoices approved at each meeting are paid by checks which are **mailed** the Friday directly after the meeting. Under no circumstances may checks be picked-up by the vendor/contractor.

In order for a payment voucher to be placed on said meetings for approval, they must be submitted fully executed by the vendor/contractor to the Parking Authority Office, be signed by all the appropriate officials and be presented to the Parking Authority office no later than 12:00 noon on Monday prior to the meeting.

This means that the Parking Authority cannot process payment without the certification on the payment voucher that the goods have been received or the services performed. Further, the Parking Authority will not accept any delivery of goods or services '**C.O.D.**'. There are **no** exceptions to these procedural requirements.

CHECKLIST – FAIR & OPEN PUBLIC SOLICITATION PROCESS

Pursuant to **N.J.S.A. 19:44A-20.5 et. seq.** and in conformance with the **Public Contracting Reform Ordinance** which was approved by the voters of the Township of Toms River pursuant to **N.J.S.A. 40:69A-184** at the General Election held Tuesday, November 8, 2005 and which became effective December 20, 2005.

PROFESSIONAL SERVICE: GENERAL LEGAL AND LITIGATION COUNSEL

SUBMISSION DATE: JANUARY 29, 2025 @ 11:00 A.M.

The following items, as indicated below (X), shall be provided with the receipt of sealed submissions:

- 1. Non-Collusion Affidavit _____
- 2. Disclosure of Ownership Form _____
- 3. Insurance Requirement Acknowledgement Form _____
- 4. Mandatory Equal Employment Opportunity Notice Acknowledgement *(Contracts over \$17,500.00)* _____
- 5. **Copy** of your **Business Registration Certificate** as issued by the State of New Jersey, Department of Treasury, Division of Revenue _____
- 6. Professional Service Entity Information Form _____
- 7. Qualifications Submission Form _____
- 8. Acknowledgement of Corrections, Additions or Deletions Form _____
- 9. Certification of Compliance pursuant to **N.J.S.A. 19:44A-20.5 et. seq.** and in conformance with the **Public Contracting Reform Ordinance** which was approved by the voters of the Township of Toms River pursuant to **N.J.S.A. 40:69A-184** at the General Election held Tuesday, November 8, 2005 and which became effective December 20, 2005
..... _____

TOWNSHIP OF TOMS RIVER PARKING AUTHORITY

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 law

on my oath depose and say that:

I am _____

of the firm of _____

the Professional Service Entity making the submission for the above named Service, and that I executed the said submission with full authority to do so; that said Professional Service Entity 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 above named Service; and that all statements contained in said submission and in this affidavit are true and correct, and made with full knowledge that the Township of Toms River Parking Authority relies upon the truth of the statements contained in said submission and 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 a commission, percentage, brokerage or contingent fee, except bonafide employees or bonafide establish, commercial or selling agencies maintained by:

Name of Professional Service Entity

Subscribed and sworn to before me

this _____ day of _____, 20____

Notary Public, State of _____

(Signature of Professional)

My Commission expires _____

(Type or Print name of affiant and Title, under signature)

TOWNSHIP OF TOMS RIVER PARKING AUTHORITY
DISCLOSURE OF OWNERSHIP FORM

N.J.S.A. 52:25-24.2 reads in part that “no corporation or partnership shall be awarded any contract by the State, County, *Municipality* or School District, or any subsidiary or agency thereof, unless prior to the receipt of the submission of the corporation or partnership, there is provided to the public contracting unit a statement setting forth the names and addresses of all individual who own 10% or more of the stock or interest in the corporation or partnership”.

1. If the professional service entity is a *partnership*, then the statement shall set forth the names and addresses of all partners who own a 10% or greater interest in the partnership.
2. If the professional service entity is a *corporation*, then the statement shall set forth the names and addresses of all stockholders in the corporation who own 10% or more of its stock of any class.
3. If a corporation owns all or part of the stock of the corporation or partnership providing the submission, then the statement shall include a list of the stockholders who own 10% or more of the stock of any class of that corporation.
4. If the professional service entity is other than a corporation or partnership, the contractor shall indicate the form of corporate ownership as listed below.

COMPLETE ONE OF THE FOLLOWING STATEMENTS:

I. Stockholders or Partners owning 10% or more of the company providing the submission:

NAME:

ADDRESS:

SIGNATURE: _____ DATE: _____

II. No Stockholder or Partner owns 10% or more of the company providing this submission:

SIGNATURE: _____ DATE: _____

III. Submission is being provided by an individual who operates as a sole proprietorship:

SIGNATURE: _____ DATE: _____

IV. Submission is being provided by a corporation or partnership that operates as a (check one of the following):

_____ Limited Partnership

_____ Limited Liability Corporation

_____ Limited Liability Partnership

_____ Subchapter S Corporation

SIGNATURE: _____ DATE: _____

TOWNSHIP OF TOMS RIVER PARKING AUTHORITY

INSURANCE REQUIREMENTS and ACKNOWLEDGEMENT FORM

*FAIR & OPEN PUBLIC SOLICITATION PROCESS pursuant to **N.J.S.A. 19:44A-20.5 et. seq.** and in conformance with the **Public Contracting Reform Ordinance** which was approved by the voters of the Township of Toms River pursuant to **N.J.S.A. 40:69A-184** at the General Election held Tuesday, November 8, 2005 and which became effective December 20, 2005.*

Certificate(s) of Insurance for Liability, Workmen's Compensation and Professional Liability Insurance, satisfactory to the Township of Toms River Parking Authority, shall be filed with the Parking Authority Office upon award of contract by the Parking Authority Board of Commissioners.

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

1. WORKMEN'S COMPENSATION & EMPLOYERS LIABILITY INSURANCE

The Professional Service Entity shall take out and maintain during the life of the contract adequate workmen's compensation and employer's liability insurance for all employees employed in connection with the work, and in case any work is sublet, the Professional Service Entity shall require each sub-contractor similarly to provide workmen's compensation and employer's liability insurance for the latter's employees, unless such employees are covered by the protection afforded by the Professional Service Entity's insurance.

Coverage A shall be New Jersey Statutory

Coverage B (Employer's Liability) shall be unlimited as per New Jersey Workmen's Compensation Law

2. COMPREHENSIVE GENERAL LIABILITY INSURANCE

Limits shall be a minimum of \$1,000,000.00 bodily injury and property damage combined. The Certificate of Insurance must indicate coverage at the above limits for:

A. Contractual indicated on the face of the Certificate as being in accordance with the standardized submission requirements.

B. Independent Contractors (if any)

C. Completed Operations

3. COMPREHENSIVE AUTOMOBILE LIABILITY

Limits shall be a minimum of \$1,000,000.00 bodily injury and property damage combined. The Certificate of Insurance must indicate coverage at the above limits for:

(A.) Hired Vehicles

(B.) Non-Owned Vehicles.

4. 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)

(Printed Name and Title)

TOWNSHIP OF TOMS RIVER PARKING AUTHORITY
MANDATORY EQUAL EMPLOYMENT OPPORTUNITY NOTICE
N.J.S.A. 10:5-31 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 professional service entity's requirement to comply with the requirements of **N.J.S.A. 10:5-31 et seq.** and **N.J.A.C. 17:27 et seq.**

The successful professional service entity shall submit to the Township of Toms River Parking Authority, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

(a) A photocopy of a valid letter that the vendor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);

OR

(b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-1.1 et seq.;

OR

(c) A photocopy of an Employee Information Report (Form AA302) provided by the Division of Contract Compliance and distributed to the Township of Toms River Parking Authority to be completed by the vendor in accordance with N.J.A.C. 17:27-1.1 et seq.

The successful professional service entity may obtain the Employee Information Report (AA302) from the Township of Toms River Parking Authority during normal business hours.

The successful professional service entities must submit the white and canary copies of the AA302 (Employee Information Report) to the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (Division). The pink *Public Agency* copy is submitted to the Township of Toms River Parking Authority and the gold *Vendor* copy is retained by the professional service entity.

The undersigned professional service 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. 17:27 et seq. and agrees to furnish the required forms of evidence.

The undersigned professional service entity further understands that his/her submission shall be rejected as non-responsive if said professional service 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 : _____

**TOWNSHIP OF TOMS RIVER PARKING AUTHORITY- PROFESSIONAL SERVICE ENTITY
INFORMATION FORM**

If the Professional Service Entity is an **INDIVIDUAL**, sign name and give the following information:

Name: _____

Address: _____

Telephone No.: _____ Social Security No.: _____

Fax No.: _____ E-Mail: _____

If individual has a TRADE NAME, give such trade name:

Trading As: _____ Telephone No.: _____

If the Professional Service Entity is a **PARTNERSHIP**, give the following information:

Name of Partners: _____

Firm Name: _____

Address: _____

Telephone No.: _____ Federal I.D. No.: _____

Fax No.: _____ E-Mail: _____

Social Security No.: _____

Signature of authorized agent: _____

If the Professional Service Entity is **INCORPORATED**, give the following information:

State under whose laws incorporated _____

Location of principal office: _____

Telephone No.: _____ Federal I.D. No.: _____

Fax No.: _____ E-Mail: _____

Name of agent in charge of said office upon whom notice may be legally served:

Telephone No.: _____ Name of Corp.: _____

Signature: _____ By: _____

Title: _____ Address: _____

TOWNSHIP OF TOMS RIVER PARKING AUTHORITY

FAIR & OPEN PUBLIC SOLICITATION PROCESS FOR PROFESSIONAL SERVICES

Pursuant to **N.J.S.A. 19:44A-20.5 et. seq.** and in conformance with the **Public Contracting Reform Ordinance** which was approved by the voters of the Township of Toms River pursuant to **N.J.S.A. 40:69A-184** at the General Election held Tuesday, November 8, 2005 and which became effective December 20, 2005.

SUBMISSION FORM

1. Names and roles of the individuals who will perform the services and description of their education and experience with projects similar to the services contained herein:

2. Documented past performance of same or similar service.

3. References and record of success of same or similar service.

4. Description of ability to provide the services in a timely fashion (including staffing, familiarity and location of key staff).

5. Cost details, including the hourly rates of each of the individuals who will perform services, and all expenses.

6. Description of technical process and equipment used in performing task(s).

Note: Attach additional sheets as necessary.

Firm _____ Date: _____

Authorized Representative (Print): _____

Signature: _____ Title: _____

Telephone #: _____ Fax #: _____

TOWNSHIP OF TOMS RIVER PARKING AUTHORITY– EXCEPTIONS TO SPECIFICATIONS

Fair and Open Solicitation Process pursuant to **N.J.S.A. 19:44A-20.5 et. seq.** and in conformance with the **Public Contracting Reform Ordinance** which was approved by the voters of the Township of Toms River pursuant to **N.J.S.A. 40:69A-184** at the General Election held Tuesday, November 8, 2005 and which became effective December 20, 2005.

Professional Service entities are to fully and accurately complete this form. If no exceptions are taken, the word “NONE” shall be written. If exceptions are taken, they must be listed fully on this page. You may attach additional sheets as necessary.

Name of Company: _____

Signature: _____

TOWNSHIP OF TOMS RIVER PARKING AUTHORITY

ACKNOWLEDGEMENT OF CORRECTIONS, ADDITIONS AND DELETIONS FORM

Fair and Open Solicitation Process pursuant to **N.J.S.A. 19:44A-20.5 et. seq.** and in conformance with the **Public Contracting Reform Ordinance** which was approved by the voters of the Township of Toms River pursuant to N.J.S.A. 40:69A-184 at the General Election held Tuesday, November 8, 2005 and which became effective December 20, 2005.

I, _____

of the firm _____

hereby acknowledge that any corrections, additions and/or deletions

have been initialed and dated in this Submission Package.

(Signature)

(Type or Print name of affiant and Title, under signature)

(Date)

**TOMS RIVER TOWNSHIP PUBLIC CONTRACTING
REFORM ORDINANCE CERTIFICATION**

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that _____ received a copy of the Toms River Township Public Contracting Reform Ordinance approved pursuant to N.J.S.A. 69A-184 et. seq. by referendum at the November 8, 2005 general election.

It is understood that myself or members of my professional business entity as defined by state statute and local ordinance did not contribute or solicit funds for campaigns for one year preceding the award of this contract, or on or after December 20, 2005, whichever is the lesser, which would preclude receiving an award from Toms River Township. This means my professional business entity may have annually contributed a maximum of \$300.00 for any purpose to each municipal candidate, for mayor or council, and \$300.00 to each Toms River Township or Ocean County party committees, or to a municipal PAC as referenced by ordinance without violation. However, any professional business entity including such principals, partners, and officers of the entity in the aggregate, could not annually contribute for any purpose in excess of a total of \$2,500.00 to: all Toms River Township candidates and office holders with the ultimate responsibility for the award of the contract and all Toms River Township or Ocean County political parties and municipal PACS as referenced by statute, and/or ordinance combined. If my business is a natural person, a contribution by my spouse or any child living with me shall be deemed as a contribution by me. If my business is not owned by a natural person but by a firm; corporation; professional corporation; partnership; organization; or association; any contribution by a principal owning 10% or more in the business shall be deemed a contribution on behalf of the business. The definition of a professional business entity includes all principals who won 10% or more of the equity in the corporation or business trust, partners, and officers in the aggregate employed by the entity as well as any subsidiaries directly controlled by the business entity.

It is understood that myself or members of my professional business entity as defined by state statute and local ordinance have a continuing duty not to contribute or solicit funds for campaigns contrary to law during the life of the contract and to report the same. This means my professional business entity may not contribute any funds for any purpose to each candidate, for mayor or council, to each Toms River Township or Ocean County Party committee or to a municipal PAC as referred to by statute and/or ordinance without violation.

It shall be a breach of the terms of the Toms River Township professional service agreement for a business entity to: (i) make or solicit a contribution in violation of the ordinance; (ii) knowingly conceal or misrepresent a contribution given or received; (iii) make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution; (iv) make or solicit any contribution on the condition or with the agreement that it will be contributed to a campaign committee of any candidate or holder of public office; (v) engage or employ a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any contribution, which if made or solicited by the business entity itself, would subject that entity to the restrictions of this ordinance; (vi) fund contributions made by third parties, including consultants, attorneys, family members, and employees; (vii) engage in any exchange or contributions to circumvent the intent of this ordinance; or (viii) directly or indirectly, through or by any person or means, do any act which would subject that entity to the restrictions of this ordinance.

The undersigned if 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: _____
Signed: _____ Title: _____
Print Name: _____ Date: _____

Subscribed and sworn before me this _____ day of _____, 2012.

(Affiant)
My Commission Expires: _____
(Print name & title of affiant) (Corporate Seal)