

NOTICE TO PROPOSERS

Notice is hereby given that proposals will be received by Deptford Township from qualified proposers for the following:

REQUEST FOR PROPOSALS AGGREGATED ENERGY PURCHASE CONTRACTING SERVICE – ELECTRICITY AND NATURAL GAS

The Township of Deptford (the “Township”) is seeking proposals from qualified firms with demonstrated experience in energy markets, bidding to energy suppliers, evaluation of bid responses and execution of comprehensive supply contracts for electricity and natural gas for the Township for the year 2010 and beyond.

Proposals must describe the services offered along with a schedule of professional fees, payable directly or indirectly through energy pricing (such as per unit charge) for retention term options of one, three, and five years.

Proposals will be received by the Township no later than 4:00pm on September 29, 2010. Proposals should be mailed or delivered to:

Township of Deptford
Clerk’s Office
1011 Cooper Street
Deptford, NJ 08096

Proposal documents may be obtained from the Township Clerk’s Office at the above address during regular business hours or online at www.deptford-nj.org beginning September 14, 2010,

The following documents must be included in the proposal package:

- RFP Document Submission Checklist
- RFP Proposal
- Affirmative Action
- Non-collusion Affidavit
- Stockholder Disclosure
- Evidence of NJ Business Registration
- Letter of Qualification
- Letter of Intent

The Township reserves the right to accept or reject any and all proposals for the above listed items in whole and/or part and may waive informalities that the Township may, in its sole discretion, deem to be in the Township’s best interest.

RFP DOCUMENT SUBMISSION CHECKLIST

The items listed below (INCLUDING THIS CHECKLIST) are to be submitted with this proposal package and acknowledged by the proposer. Please initial next to each required item.

RFP Document Submission Checklist
(properly initialed) _____

RFP Proposal
(to be supplied by proposer) _____

Affirmative Action
(signed) _____

Non-Collusion Affidavit
(signed and notarized) _____

Stockholder Disclosure
(signed and notarized) _____

NJ Business Registration _____

Letter of Qualification
(provided by proposer) _____

Letter of Intent
(provided by proposer) _____

Acknowledgement of Addendum
and/or Clarification (if applicable) _____

AFFIRMATIVE ACTION REGULATIONS

**GOODS, PROFESSIONAL SERVICE, AND GENERAL SERVICE CONTRACTS
P.L. 1975, C. 127 (N.J.A.C. 17:27)**

If awarded a contract, all procurement and service contractors will be required to comply with the requirements of P.L. 1975, C. 127, (N.J.A.C. 17:27). Within seven (7) days after receipt of the notification of intent to award the contract or receipt of the contract, whichever is sooner, the contractor should present one of the following to the Clerk's Office.

1. A photocopy of a valid letter from the U.S. Department of Labor that the contractor has an existing federally-approved or sanctioned Affirmative Action Plan (good for one year from the date of the letter).

OR

2. A photocopy of approved Certificate of Employee Information Report.

OR

3. An Affirmative Action Employee Information Report (Form AA302)

NO FIRM MAY BE ISSUED A CONTRACT UNLESS IT COMPLIES WITH THE AFFIRMATIVE ACTION REGULATIONS OF P.L. 1975, C. 127.

The following questions must be answered by all bidders:

1) Do you have a federally-approved or sanctioned Affirmative Action Program?
YES _____ NO _____

2) Do you have a Certificate of Employee Information Report Approved?
YES _____ NO _____
(If yes, please submit a copy of such certificate.)

3) Are you a minority-owned business?
YES _____ NO _____

The undersigned contractor certifies that he is aware of the commitment to comply with the requirements of P.L. 1975, C. 127 and agrees to furnish the required documentation pursuant to the law.

COMPANY: _____ SIGNATURE: _____

TITLE: _____

Note: A contractor's bid must be rejected as non-responsive if a contractor fails to comply with requirements of P.L. 1975, C. 127, within the time frame.

MANDATORY AFFIRMATIVE ACTION LANGUAGE
P.L. 1975, C. 127 (N.J.A.C. 17.27)

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 or sex. 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 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 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 the regulations promulgated by the Treasurer pursuant to P.L. 1975, c.127, as amended and supplemented from time to time.

The contractor or subcontractor agrees to attempt in good faith to employ minority and female workers consistent with the applicable county employment goals prescribed by N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c.127, as amended and supplemented from time to time or in accordance with a binding determination of the applicable county employment goals determined by the Affirmative Action Office pursuant to N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c.127, as amended and supplemented from time to time.

The contractor or subcontractor agrees to inform in writing appropriate recruitment agencies in the area, including 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 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.

The contractor and its subcontractors shall furnish such reports or other documents to the Affirmative Action Office 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 Affirmative Action Office for conducting a compliance investigation pursuant to Subchapter 10 of the administrative Code (NJAC 17:27).

Submitted By: (Name of Firm) _____

Name of Representative: _____

Signature of Representative: _____

Title: _____

Date: _____

NON-COLLUSION AFFIDAVIT

State of New Jersey
County of _____

I, _____ (name of affiant) residing in
_____ (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 _____ (title or position) of the firm of _____
_____ (name of firm), the bidder making this Proposal for the bid proposal
entitled _____ (title of proposal) and that I executed the said proposal with
full authority to do so and that said bidder has not, directly or indirectly, entered into any
agreement, participated in any collusion, or otherwise taken any action in restraint of free,
competitive bidding in connection with the above named project; and that all statements
contained in said proposal and in this affidavit are true and correct, and made with full
knowledge that the _____ (name of contracting unit) relies
upon the truth of the statements contained in said Proposal and in the statements
contained in this affidavit in awarding the contract for the said project.

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

Signature of Affiant

Typed or Printed Name of Affiant

Subscribed and sworn to
Before me this _____ day of _____, 2010

Notary Public
My Commission expires _____ 20

STOCKHOLDER DISCLOSURE CERTIFICATION

Please check appropriate boxes below and sign below. This statement must be included with bid submission.

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:

- | | | |
|----------------------------------------------------------|--------------------------------------------------------|--------------------------------------------------------|
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Corporation | <input type="checkbox"/> Sole Proprietorship |
| <input type="checkbox"/> Limited Partnership Partnership | <input type="checkbox"/> Limited Liability Corporation | <input type="checkbox"/> Limited Liability Partnership |
| <input type="checkbox"/> Subchapter S Corporation | | |

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

Stockholders:

Name/Address: _____

Name/Address: _____

Name/Address: _____

Name/Address: _____

Name/Address: _____

Subscribed and sworn before me
this ____ day of 2010

Notary Public

My Commission Expires _____, 2010

Signature of Affiant

Typed or Printed Name

CONFLICT OF INTEREST

STATE OF NEW JERSEY, LAWS OF 1977, CHAPTER 33, ASSEMBLY NO. 22

No corporation or partnership shall be awarded any contract nor shall any agreement be entered into for the performance of any work or the furnishing of any materials or supplies, the cost of which is to be paid with or out of any public funds, by the State, or any county, municipality or school district, or any subsidiary or agency of the State, or of any county, municipality or school district, or by any authority, board, or commission which exercises governmental functions, unless prior to the receipt of the bid or accompanying the bid, of said corporation or said partnership, there is submitted a statement setting forth the names and addresses of all stockholders in the corporation or partnership who own 10% or more of its stock, of any class or of all individual partners in the partnership who own a 10% or greater interest therein, as the case may be. If one or more such stockholder or partner is itself a corporation or partnership, the stockholder holding 10% or more of that corporation's stock, or the individual partners owning 10% or greater interest in that partnership, as the case may be, shall also be listed. The disclosure shall be continued until names and addresses of every non-corporate stockholder, and individual partner, exceeding the 10% ownership criteria established in this act, has been listed.