

REQUEST FOR QUALIFICATIONS

Purpose:

The following procedures are designed to provide for a fair and open process in awarding professional services based on qualifications, merit and cost effectiveness through accessible advertising. Services include annual appointments and day-to-day programs, projects and contracts.

Scope of Services:

HEARING OFFICER

The Township of Deptford (“Township”) is soliciting a Request for Qualifications (“RFQ”) for the services Hearing Officer pursuant to the provisions of N.J.S.A. 19:44A-20.5 et seq. (New Jersey Pay to Play Law). It is the intent of the Township to award a contract for Hearing Officer under a “fair and open process”. All statements of qualifications shall include, at a minimum, the following information:

1. Names of individuals who will perform the required tasks:

A. Identify the attorney who will be primarily responsible for the services required by the Township and provide a description of the education and experience of the primary attorney with projects and issues similar to those that will be undertaken and performed on behalf of the Township. Please provide a resume(s).

B. Identify persons who will serve as a backup to the primary person, if applicable, and attach a resume.

C. Identify and describe key staff that will be assigned to the Township to perform the tasks required under the contract.

2. List of professional references:

A. Provide names, addresses and telephone numbers of persons who can verify the professional experience and record of success.

3. Ability to provide services in a timely manner:

A. Describe your ability to attend scheduled hearings for the Township.

B. Identify the business addresses of the key staff personnel who will be responsible for providing the services under the contract.

C. Identify key business equipment and software that will facilitate the performance of tasks undertaken on behalf of the Township.

4. Comply with the equal employment opportunity requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 (Attachment A).

BASIC CRITERIA FOR HEARING OFFICER

The Township Hearing Officer shall be a licensed attorney in the State of New Jersey having at least five (5) years of professional experience as a practicing attorney and three (3) years of experience with municipal entities and/or local government law and/or as a hearing officer. The Township Hearing Officer shall be well versed in the fields of general Municipal Law, Public Contracts Law and laws involving municipal entities, labor relations, contract negotiations, and arbitration and grievance procedures. The Township Hearing Officer shall possess the ability to hear and decide complex municipal law and labor issues and shall hold a valid New Jersey Business Registration certificate.

FAIR AND OPEN PROPOSAL AWARD CRITERIA/QUALIFICATION EVALUATION

The Township will utilize a fair and open process to evaluate the RFQs for Hearing Officer. The decision of the Township as to what constitutes a fair and open process shall be final. The Township will evaluate the RFQs based on the following criteria:

1. History, experience and reputation in performing professional work in the applicable field;
2. Qualification and experience of personnel;
3. Knowledge of the Township of Deptford and the subject matter to be addressed under the Hearing Officer contract;
4. Availability to accommodate any required meetings of the agency;
5. Availability of personnel, facilities, equipment and other resources;
6. Demonstration of financial stability and sufficient financial resources to meet obligations under the Hearing Officer contract;
7. Compensation proposal;
8. Other factors if demonstrated to be in the best interest of the Township of Deptford.
9. The applicant/proposer shall submit **two (2) copies** of his/her proposal to the attention of the Township Clerk for review and consideration by the Township Manager and Township Council.

SELECTION: Once the Township finalizes its selection, the Township will negotiate a contract with the selected attorney/entity. Once the contract is finalized, it will be presented to the Township for approval. The contract shall also address the following items:

- Affirmative Action Evidence (Exhibit A): The selected consultant shall complete a questionnaire indicating the status of their affirmative action certification.
- Non-Collusion Affidavit (Exhibit B): The selected consultant shall supply a statement of non-collusion with executed contract.
- Ownership Disclosure Forms (Exhibit C): The selected consultant shall complete an ownership disclosure form listing persons owning 10% or more of the firm.

- Insurance: Professional shall maintain appropriate liability coverage for the services to be provided including the following: 1. Professional Liability: Malpractice minimum of \$1,000,000.00 coverage, \$1,000,000.00 Errors and Omissions.

- New Jersey Business Registration Certificate: The selected consultant shall provide the Township with a valid New Jersey Business Registration Certificate upon execution of the contract.

“The Township shall require that all public documents held by outside vendors/professionals be copied and provided to the Township, without charge, if requested by the Township. The vendor/professional shall comply with a request for public documents by the Township within five (5) working days of the request.”

EXHIBIT A

EQUAL EMPLOYMENT OPPORTUNITY PROFESSIONAL SERVICES CONTRACTS

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

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will 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.

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 maybe 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.

EXHIBIT B

**TOWNSHIP OF DEPTFORD PROFESSIONAL SERVICES
NON-COLLUSION AFFIDAVIT**

STATE OF NEW JERSEY)
) ss
COUNTY OF GLOUCESTER)

I, _____, of the municipality of _____ 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 the _____ of the firm of _____, a professional services provider submitting a Proposal to the Township of Deptford to perform the professional services as the Hearing Officer, and I executed the said Proposal with full authority to do so; that said firm has not, directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive submissions in connection with the above professional services; and that all statements contained in said Proposal and in this affidavit are true and correct, and made with full knowledge that Township of Deptford relies upon the truth of the statements contained in said Proposal and in the statements contained in the affidavit in awarding a professional services contract for said services.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such professional services contract upon an agreement or understanding for a commission, percentage or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by _____ (N.J.S.A. 52:34:15).
(Name of Firm)

Signed: _____
(print or type name under signature)

Subscribed and sworn to
before me this _____ day
of _____ 2020.

(Notary Public)

My commission expires _____.

EXHIBIT C

**TOWNSHIP OF DEPTFORD PROFESSIONAL SERVICES CONTRACT
NOTICE OF OWNERSHIP**

Providers of professional services to the Township of Deptford are hereby notified that any corporation or partnership shall be required to furnish the Township of Deptford with a statement setting forth the names and addresses of all stockholders in the corporation or partnership who own ten percent (10%) or more of its stock of any class, or of all individual partners in the partnership who own a ten percent (10%) or greater interest therein.

| | | |
|----------------------|-------|-----|
| A. Type of Business: | Yes | No |
| 1. Individual | ___ | ___ |
| 2. Partnership | ___ | ___ |
| 3. Corporation | ___ | ___ |
| 4. Other (specify) | _____ | |

B. Name and Address of Stockholders or Partners:

| NAME | ADDRESS |
|-------|---------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

Name of Person Completing Form: _____

Position or Title: _____

Signature: _____

Date: _____

Phone Number: (____) _____ Fax Number: (____) _____

Attest: _____