TOWNSHIP OF LAKEWOOD

COUNTY OF OCEAN
STATE OF NEW JERSEY

PROFESSIONAL SERVICES SOLICITATION

FAIR & OPEN PUBLIC SOLICITATION PROCESS

REQUEST FOR PROPOSAL & QUALIFICATIONS FOR PROFESSIONAL SERVICES:

PROFESSIONAL SERVICE:
(Please Circle Position of Interest)

Township Attorney, Municipal Prosecutor, Bond Counsel, Township Engineer, Airport Engineer, Township Planner, Township Auditor, Special Counsel Tax Appeals/Exemptions, Real Estate Appraiser, Labor Attorney, Special Counsel, or Public Defender

SUBMISSION DATE: Friday, November 30, 2018 at 12:00 p.m.

Township of Lakewood

Raymond G. Coles	**Mayor**
Menashe Miller	**Deputy Mayor**
Albert Akerman	**Committeeman**
Michael D'Elia	**Committeeman**
Meir Lichtenstein	**Committeeman**
Patrick Donnelly	**Township Manager**
Kathryn Hutchinson	**Township Clerk**
Steven Secare, Esq.	**Township Attorney**

TOWNSHIP OF LAKEWOOD
PUBLIC NOTICE FOR THE SOLICITATION
OF A PROFESSIONAL SERVICES CONTRACT

PLEASE TAKE NOTICE that the Township of Lakewood hereby solicits proposals for the below listed legal and professional services.

Sealed proposals must be submitted to the Township Manager on Friday, November 30, 2018 at or before 12:00 p.m. Proposals may be submitted in person at the Municipal Building, 231 Third Avenue, Lakewood, New Jersey, or sealed proposals may be mailed in advance to the attention of Patrick Donnelly, Township Manager, Township of Lakewood, 231 Third Street, Lakewood, NJ, 08701.

All proposals must be contained in a sealed envelope with the name and address of the party submitting the proposal and marked "sealed proposal" and the position sought.

Any persons having questions or to obtain further information should contact Patrick Donnelly, Township Manager, at (732) 364-2500 ext. 5200, 231 Third Street, Lakewood, New Jersey.

The criteria and appropriate proposal documents are available on the Township's website: www.lakewoodnj.gov.

Proposals for the below-listed services are being solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.5 et seq. The following criteria are being utilized as the basis for the award of services:

A. Experience and reputation in the field.
B. Knowledge of the Township of Lakewood and the subject matter to be addressed under the contract.
C. Availability to accommodate any required meetings of the Township and, in the case of the Municipal Public Defender and Municipal Prosecutor, any required regular or special court sessions of the Township.
D. Compensation proposal.
E. Such other factors demonstrated to be in the best interest of the Township of Lakewood, as contained in the detailed specifications for each position listed below.

In addition, the Township of Lakewood reserves the right to consider the following other factors:

A. Past performance;
B. Whether the vendor's proposal demonstrates a clear understanding of the scope of work and related objectives;
C. Whether the vendor's proposal is complete and responsive to the public notice and specifications;

D. Whether the vendor's past performance of the same or similar services has been documented;
E. History and experience of the vendor in performing the work, including whether the vendor is able to document a record of reliability;
F. Whether the vendor has a record of honesty and moral integrity;
G. Availability of the vendor's personnel, facilities and other resources, including proximity to the Township of Lakewood;
H. The qualification and experience of the vendor's staff;
I. Whether the vendor provides a full explanation of it's billing for goods and services, including a breakdown of specific tasks;
J. The vendor's financial stability and strength.

Applicants shall comply with the requirements of L.1975, c. 127, as amended (N.J.S.A.10:5-31 et seq.) and N.J.A.C. 17:27-1.1 et seq.

The following are specifications for each position:

Township Attorney

The Attorney should be an Attorney in good standing of the bar of the State of New Jersey with at least five (5) years experience representing municipal corporations, local government boards, or authorities, including, for example, planning boards or boards of adjustment, or municipal governing bodies. The Attorney should have knowledge of municipal law and transactions as well as have experience in litigation involving municipalities including actions in lieu of prerogative writs, actions under New Jersey Tort Claims Act, civil rights claims against municipalities under state and federal law, employment practices claims against municipalities under state and federal law, municipal management labor experience including contract negotiations, arbitrations, and grievance hearings. In addition, the Attorney should be competent and skilled in the preparation of ordinances, resolutions and legal opinions. The Attorney should also have experience in appellate practice. Law firms having members who are certified by the Supreme Court of New Jersey, the Board on Attorney Certification, as certified trial attorneys are encouraged to apply.

Municipal Prosecutor

The Attorney should be an Attorney in good standing of the bar of the State of New Jersey and have a minimum of two (2) years experience as either a municipal prosecutor, assistant county prosecutor, deputy attorney general, or attorney in private practice who regularly has appeared in municipal courts, have knowledge of the New Jersey Court Rules regarding criminal and municipal court practice. The Attorney should be available to appear in regular and special sessions of the Municipal Court and provide advice to the records department of the Lakewood Township Police Department concerning compliance with discovery requests, provide legal advice to the members of the Lakewood Township Police Department concerning law enforcement related matters, and should be thoroughly familiar with the New Jersey Supreme Court Guidelines on plea bargains in Municipal Court.

Township Bond Counsel

The Attorney should be an Attorney in good standing of the bar of the State of New Jersey with a minimum of ten (10) years experience, concentrating in the area of public finance and listed in the "The Bond Buyer's Municipal Market Place" book also known as the "Red Book" as a member concentrating in Public Finance as a Bond Counsel. The Attorney should have knowledge of municipal finance law and be competent and skilled in the preparation of ordinance, resolutions and legal opinions as they relate to municipal financing. The Attorney should be able to provide advice, legal assistance, and approving legal opinions acceptable to the market in connection with the sale of public securities.

Township Planner

The Planner shall be a licensed Professional Planner of the State of New Jersey. The Planner shall attend and participate in day and/or evening meetings as directed by the Township. The Planner shall provide planning services to the Township. The Planner shall also review and respond to correspondence and review all projects to be considered by the Township.

Township Engineer

The Township Engineer shall be a licensed Professional Engineer of the State of New Jersey, to be present at the Municipal Building five (5) days per week, a minimum of six (6) hours per day. The Engineer's office shall also provide a Planning Board Administrative Officer to be present at the Municipal Building five (5) Days per week, eight (8) hours per day. The Administrative Officer shall act as Planning Board Secretary during evening board meetings; an Administrative Assistant to be present at the Municipal Building five (5) days per week, eight (8) hours per day.

The engineer shall attend and participate in any day/evening meetings as directed by the Mayor, Committee or Manager; supervise the technical aspects of operations of the Engineering Department; Answer general questions as posed by the Mayor, Committee, Manager, employees or the general public; provide assistance to the Public Works Director and Department for various minor projects, problem resolutions, etc. as requested; review and respond to routine correspondence received by the Department of Engineering; review invoices from vendors providing goods and services to the Department of Engineering and verify reasonableness of the bill; participate in the planning and preparation of the Capital Budget, including but not limited to recommendations and project cost estimates.

Airport Consultant and Engineer

The airport consultant/engineer will, by contract for individual projects:

Prepare plans and/or supervise planning studies for improvements, redevelopment and expansion of the airport, public parking facilities of the airport, airport roadway systems, ground transportation systems, surveillance systems, and will check on plans submitted by architects and contractors, oversee construction, and participate in matters of real estate and zoning issues involving the airport.

Prepare plans as well as lay out the airport plus landing fields and direct construction work involved in leveling fields, laying out surfacing runways, and also providing drainage.

Prepare budgetary estimates and bid specifications for airport projects and participate in the bidding process, review of bid responses and recommendations on award of bids relating to airport projects.

Design runways based on weight plus size of aircraft and prepare material construction specifications.

Direct or participate in surveying to lay out installations, establish reference points, grades and elevations to guide construction.

Estimate costs to provide basis for payments to contractors.

Observe progress of construction to make sure work is in conformity with specifications; Advise contractor regarding necessary corrections.

May serve as agent or employee of contractor as well as study plans and specifications to recommend special equipment or procedures to reduce time and cost of construction.

Attends pre-construction meetings with and on behalf of Lakewood Airport as requested.

May schedule delivery of materials, analyze costs and provide technical advice in solution of construction problems.

Responsibilities may also include coordination of engineering and/or grant management activities with Federal, State and local agencies (budgeting and preparation for and of Grant applications, draw-downs and required reporting to appropriate agencies as required by regulation).

Must be registered with the State of New Jersey to do business in New Jersey.

Township Auditor

The Auditor shall be a public accountant of the State of New Jersey and have the designation of Registered Municipal Accountant (RMA). The Auditor shall audit the books, accounts and financial transactions in accordance with generally accepted auditing standards. A synopsis shall be prepared for the Mayor, Governing Body, and other Township officials. The Auditor shall assist with the preparation of the municipal budget, to include attendance at committee, staff meetings and public hearings if requested. The Auditor shall assist with the preparation of the Annual Financial Statement and Annual Debt Statement.

Real Estate Appraiser

The Appraiser shall have five (5) years of experience in representing municipalities or other governmental entities in State Tax Court and County Board tax appeals, in preparing appraisals for residential properties for defense of tax appeals, in preparing appraisals for commercial and industrial properties for defense of tax appeals, testifying in State Tax Court and County Board hearings, in valuation of contaminated and/or properties with environmental issues, with the Marshall & Swift Commercial Estimator, in mass appraisal, and be familiar with valuation of farmland assessment and appraisals, as well as open space and right-of-way and green acres. The Appraiser shall supervise a minimum of five appraisers and office staff and manage certified or licensed appraisers and trainees for commercial, industrial and residential properties. The Appraiser shall have a Certified Tax Assessor's Certificate, be a MAI, be a general certified real estate appraiser, and be in full compliance with all applicable affirmative action requirements. The Appraiser shall have completed Income Approach to Value, Real Property Tax Administration I, Basic and/or Advanced Income Capitalization, USPAP, and Defending Tax Appeals educational courses.

Special Counsel -- Tax Appeals/Exemptions

The Attorney should be an Attorney in good standing of the bar of the State of New Jersey with at least five (5) years experience representing municipal corporations, local government boards, or authorities, including, for example, planning boards or boards of adjustment, or municipal governing bodies on tax appeals and/or exemptions. The Attorney should have knowledge of municipal law and transactions as well as have experience in litigation involving municipalities. Law firms having members who are certified by the Supreme Court of New Jersey, the Board on Attorney Certification, as certified trial attorneys are encouraged to apply.

Labor Attorney

The Attorney should be an Attorney in good standing of the bar of the State of New Jersey with at least ten (10) years of experience representing public entities in management side legal and labor relations issues including, negotiation of collective bargaining agreements and individual contracts, grievances, preparation and filing of disciplinary charges, trial of contested disciplinary matters and rendering of advice to department heads and personnel/human resource officials concerning employment related matters.

Special Counsel

The Attorney should be an Attorney in good standing of the bar of the State of New Jersey with at least ten (10) years of experience representing municipalities, public entities, public officials and employees, in a variety of special litigation, administrative and general legal matters including defense work arising under the New Jersey Tort Claims Act, New Jersey Law Against Discrimination, State and Federal Civil Rights statutes, general municipal legal matters and municipal land use and zoning matters. The qualified attorney will have a demonstrable record of experience handling litigated and administrative matters on behalf of municipal corporations, public entities, public officials and employees, and be available to attend court proceedings, depositions, meetings with municipal officials and/or employees and other such matters necessary to perform the position of special counsel.

Public Defender

The Attorney should be an Attorney in good standing of the bar of the State of New Jersey and have a minimum of five (5) years experience as either a public defender or attorney in private practice who regularly has appeared in municipal courts, have knowledge of the New Jersey Court Rules. The Public Defender shall interview all indigent defendants qualifying for assistance as provided under the standards established by the office of the Public Advocate of the State of New Jersey, and shall defend same in the Municipal Court of the Township and provide such legal advice and counsel to such individuals as may be required in any proceedings before the Municipal Court of the Township.

GENERAL INFORMATION FOR APPLICANTS

RECEIPT OF PROPOSAL

1. Qualifications shall be received in accordance with public advertisement as required by law, a copy of said notice attached hereto and made part of these specifications.

2 Each proposal shall be submitted on the proposal forms attached, in a sealed envelope addressed to the Township Manager bearing the name and address of the applicant on the outside, and clearly marked "REQUEST FOR QUALIFICATIONS" with the name of the item(s) and contract number being proposed.

3. It is the Applicant's responsibility to see that qualification proposals are presented to the Township Manager at he time and place designated. Proposals may be hand delivered or mailed; however, it is the applicant's responsibility for the delivery of the proposal.

4. Responding applicants must submit one (1) copy of their proposal in addition to the original (labeled accordingly). A total of two (2) paper proposals shall be submitted. The original proposals must be the actual document received by the Township and must be clearly marked "Original." Two (2) electronic copies of the proposal will also be required on separate Universal Serial Bus (USB) flash drives or CD's. Faxed responses are not acceptable.

PROPOSAL FORM

Proposals must be submitted on the forms included in the qualification package. All blank spaces must be filled in. All proposals shall be typewritten in ink on the forms. Unit prices and totals must be inserted in the space provided. Insert "N/A" in the blanks if "not applicable." Proposals showing any erasure, alteration or interlineations must be initialed by the applicant in ink. Failure to comply may be cause for rejection of the proposal. Where discrepancies occur between the unit price and the extension, the unit price will prevail.

SIGNATURE ON PROPOSAL FORM

If the applicant is an individual, the proposal must be signed by the individual. If the applicant is not an individual, the proposal must be signed by a person authorized to sign on behalf of the applicant.

INTERPRETATIONS AND ADDENDA

1. The applicant is responsible for understanding all of the proposal documents that have been provided by the Township.

2. Applicants are expected to examine the specifications and related documents with care and observe all their requirements. Ambiguities, errors or omissions noted by applicants should be promptly reported in writing to the Purchasing Agent. If the applicant fails to notify the Township of such ambiguities, errors or omissions, the applicant shall be bound by the proposal.

3. No oral interpretation of the meaning of the Request for Qualifications will be made to any applicant. Every request for an interpretation shall be in writing, addressed to the Purchasing Agent. In order to be given consideration, written requests for interpretation must be received at least three (3) days prior to the date fixed for the opening of the proposals. Any and all such interpretations and any supplemental instructions will be in the form of written addenda to the specifications, and will be distributed to all prospective applicants in accordance with the statute. All addenda so issued shall become part of the contract documents, and shall be acknowledged by the applicant in the proposal. The Township's interpretations or corrections thereof shall be final.

REJECTION OF PROPOSAL

The Township reserves the right to reject any or all proposals and to waive any minor informality in any proposal should it be deemed in the best interest of the Township to do so. Proposals shall be rejected for any of the following reasons:

1. Failure to complete the Affirmative Action Certification.

2. Failure to comply with the American Disabilities Act of 1990.

3. Failure to complete the Disclosure of Ownership Statement.

4. Failure to provide New Jersey State Business Registration Certificate. (Including subcontractors)

Proposals may be rejected for any of the following reasons:

1. Failure to complete the Affidavit of Non-Collusion.

2. Failure to properly complete the Proposal form.

3. Failure to complete the Checklist of Required Documents.

4. Failure to complete the Insurance Requirement Acknowledgement Form.

5. Insertion of additional conditions, provisions or stipulations.

PROCEDURES ON AWARD OF CONTRACT

The Township of Lakewood awards contracts or rejects all proposals within 60 days, unless in accordance with N.J.S.A. 40A:11-24, which provides in part that "any applicant who consents thereto may, at the request of the contracting unit, have their proposal held for consideration for such longer periods as may be agreed." All prospective applicants are advised of this schedule since all proposals must be firm when proposed, and must remain so for 60 days or such longer period as the Township and the applicant may agree.

NOTIFICATION OF AWARD

1. Upon passage of a Township Committee Resolution awarding the contract, Township Attorney will forward two (2) sets of contract documents to the successful applicant for execution and delivery. The successful applicant shall return two (2) sets of contract documents to the Township Attorney.

2. If approved as to form and execution, the contract documents will then be submitted to the Mayor and Township Clerk for execution on behalf of the Township. A fully executed copy will be returned to the successful applicant by the Township. No Resolution of Award will become binding on the Township before the contract documents have been executed by the Mayor and Township Clerk.

ASSIGNING THE CONTRACT

The Contract shall not be sublet, assigned, pledged, hypothecated or sold, in whole or in part, without the written permission of the Township.

TERMINATION OF CONTRACT

1. **DEFAULT:** Non-performance of the applicant in terms of the Request for Qualifications shall be a basis for termination of the contract by the Township. The Township may terminate the contract upon thirty (30) days written notice to the applicant. The Township shall not pay for any services and/or materials, which are unsatisfactory. The contractor may be given a reasonable opportunity before termination to correct the deficiencies. This, however, shall in no way be construed as negating the basis for termination of nonperformance.

2. **UNCONDITIONAL TERMINATION FOR CONVENIENCE:** The Township may terminate the resultant contract for convenience by providing sixty (60) calendar days advance notice to the contractor.

3. **TERMINATION FOR DEFAULT:** If the applicant fails to meet deadlines or fails to provide the agreed upon services, and/or material altogether, a termination for default will be issued, but only after the Township has determined the applicant has failed to remedy the problem after being forewarned.

4. **TERMINATION BY THE TOWNSHIP:** If the contractor should be adjudged bankrupt or should make a general assignment for the benefit of its creditors, or if a receiver should be appointed on account of its insolvency, the Township may terminate this contract. If the Contractor should persistently or repeatedly refuse or should fail, except in cases for which extension of time is provided, to provide enough properly skilled workers or proper materials, or persistently disregard laws and ordinances, or not proceed with work or of this contract, the Township shall give the Contractor fifteen (15) calendar days written notice. Upon receipt of such termination notice, the Contractor shall be allowed seven (7) calendar days to cure such deficiencies.

INVOICES

The Township of Lakewood will not honor any invoices submitted for work performed other than that stipulated by these specifications unless previously authorized by a written change order from the Township.

THE CONTRACT

The following shall be deemed to be part of the contract:

- Notice to Applicants
- Information to Applicants
- Specifications (General, Special & Detail)
- Proposal
- All addenda issued by the Township prior to the receipt of proposals

CONFLICTING INFORMATION OR ERRORS

The Township reserves the right to correct any errors or omissions in said Request for Qualifications wherever such corrections are necessary for the proper fulfillment of the intentions of the plans and specifications. Should there be any conflicting information given in the plans and specifications, the Township shall be notified of same and the Township will determine the final decision.

Prior to the execution of the work, the contractor shall check the plans and specifications and immediately report to the Township all errors and omissions discovered therein. Thereafter, during the prosecution of the work, the contractor shall immediately report all further errors or omissions to the Township. Any adjustments made by the contractor without prior approval shall be had at their own risk and the settlement of any complications arising from such settlement shall be made by the contractor at their own expense.

COMPLIANCE WITH LAWS

The applicant must keep himself fully informed of, and observe and comply with, all state, national and municipal laws in any manner affecting those engaged or employed in the work or the materials used in the work and of all such orders and decrees for bodies having any jurisdiction or authority over the same.

If any discrepancy is discovered in the Request for Qualifications in relation to any such law, ordinance, regulation, order or decree, the applicant notify the Township in writing. The Contractor shall protect and indemnify the Township, its officers and agents against any claim or liability arising from a violation of any law, regulation, ordinance, order or decree whether by himself or his employees or sub-contractors.

BUSINESS REGISTRATION CERTIFICATE

N.J.S.A. 52:32-44 requires that each applicant (contractor and subcontractor) provide proof of business registration in response to a request for proposals at the time a Request for Qualifications is submitted. 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 Lakewood) 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 New Jersey 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.

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 contacting 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. Information on the law and its requirements are available by calling (609) 292-9292.

AFFIDAVIT OF NON-COLLUSION

The Non-collusion Affidavit, which is part of these specifications, shall be properly executed and submitted intact with the proposal.

NON-DISCRIMINATION

There shall be no discrimination against any employee engaged in the work required to produce the commodities covered by any contract resulting from this proposal, or against any applicant to such employment because of race, religion, sex, national origin, creed, color, ancestry, age, marital status, affectional or sexual orientation, familial status, liability for service in the Armed Forces of the United States, or nationality. This provision shall include, but not be limited to the following: Employment upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training including apprenticeship. The contractor shall insert a similar provision in all subcontracts for services to be covered by any contract resulting from this proposal.

REQUIRED AFFIRMATIVE ACTION EVIDENCE

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

2. A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-4; or

3. A photocopy of 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.

STATEMENT OF OWNERSHIP

Chapter 33 of the Public Laws of 1977 provides that no corporation or partnership shall be awarded any county contract for the performance of any work or the furnishing of any materials or supplies, unless prior to the receipt of the proposal or accompanying the proposal of said corporation or partnership, there is submitted a statement setting forth the names and addresses of all stockholders in the corporation or partnership who own ten percent or more of its stock or any class, or of all individual partners in the partnership who own a ten percent or greater interest therein. Form of Statement shall be completed and attached to the proposal.

ACQUISITIONS, MERGER, SALE AND/OR TRANSFER OF BUSINESS, ETC.

If during the life of the contract, the contractor disposes of his/her business concern by acquisition, merger, sale and/or transfer or by any means convey his/her interest(s) to another party, all obligations are transferred to that new party. In this event, the new owner(s) will be required to submit, when required a performance bond in the amount of the open balance of the contract.

INDEMNIFICATION

The Contractor agrees to indemnify and save the Township, its officers, agents and employees, hereinafter referred to as indemnities, from all suits, including attorneys fees and costs of litigation, actions, loss damage, expense, cost of claims, of any character or on account of any act, claim or amount arising or recovered under Workers Compensation law, or arising out of failure of the Contractor or those acting under Contractor to conform to any statutes, ordinances, regulations, law or court decree. It is the intent of the parties to this contract that the indemnities shall, in all instances, except for loss or damage resulting from the sole negligence of the indemnitee, be indemnified against all liability, loss or damage of any nature whatever.

STANDARDIZED SUBMISSION REQUIREMENTS & SELECTION CRITERIA

The Township of Lakewood is seeking sealed submissions in response to a request for proposal for legal and professional services. Successful candidates shall be appointed to the positions and placed on a pre-approved list for future services.

The standardized submission requirements shall include:

(I) Names and roles of the individuals who will perform the services and descriptions of their education and experience with projects similar to the services contained herein.

(II) Documented past performance of same or similar service.

(III) References and record of success of same or similar service.

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

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

(VI) Description of technical process and equipment used in performing the services.

(VII) Knowledge of the Township of Lakewood and the subject matter to be addressed under the contract

(VIII) Availability to accommodate attendance at any requested meetings of the Township and in the case of the Municipal Public Defender and Municipal Prosecutor, any required regular or special court sessions of the Township.

The selection criteria to be used in awarding contracts shall include:

(I) Qualifications of the individuals who will perform the services and the amounts of their respective participation.

(II) Experience and references.

(III) Ability to perform the services in a timely fashion, including staffing and familiarity with the subject matter.

(IV) Cost consideration including, but not limited to, historical costs for similar contracts, expertise involved and comparable costs for comparable public entities.

(V) Whether the vendor's proposal demonstrates a clear understanding of the scope of work and related objectives.

(VI) Whether the vendor's proposal is complete and responsive to the public notice and specifications.

(VII) Whether the vendor has a record of honesty and moral integrity.

Contract Term:

Pursuant to N.J.S.A. 40A:11-3(b), "...contracts for professional services pursuant to subparagraph (I) of paragraph (a) subsection (1) of section 5 of P.L. 1971, c. 198 (N.J.S.A. 40A:11-5) may be awarded for a period not exceeding twelve (12) consecutive months."

Additional Requirement:

Responding applicants must submit one (1) copy of their proposal in addition to the original (labeled accordingly). A total of two (2) paper proposals shall be submitted. The original proposals must be the actual document received by the Township and must be clearly marked "Original." Two (2) electronic copies of the proposal will also be required on separate Universal Serial Bus (USB) flash drives or CD's. Faxed responses are not acceptable.

TOWNSHIP OF LAKEWOOD
FAIR AND OPEN PROCESS DOCUMENT CHECKLIST

Professional Service: _____

Submission Date: Friday, November 30, 2018 at 12:00 p.m.

The following items, as indicated by initialing, shall be provided with the receipt of sealed submissions:

	Submission Requirement	**Initial Each Required Entry**
1.	Non-Collusion Affidavit	
2.	Disclosure of Ownership Form	
3.	Insurance Requirement Acknowledgment Form	
4.	Mandatory Equal Employment Opportunity Notice Acknowledgment *(Contracts over $17,500.00)*	
5.	Americans with Disabilities Act, Environmental Compliance and Conflict of Interest Certification	
6.	Copy of Business Registration Certificate *as issued by the State of New Jersey, Department of Treasury, Division of Revenue*	
7.	Professional Service Entity Information Form	
8.	Qualifications Submission Form	
9.	Acknowledgment of Corrections, Additions or Deletions Form	
10.	Compensation/Fee Proposal *Detailing all charges to be billed to the Township*	
11.	Disclosure of Investment Activities in Iran	
12.	W-9 Request for Taxpayers Identification Number and Certification	

EACH REQUIRED ITEM MUST BE INITIALED ON THIS FORM IN THE SPACE PROVIDED. THIS CHECKLIST MUST BE SIGNED AND SUBMITTED WITH THE QUALIFICATION PROPOSAL PACKAGE.

_____ _____
COMPANY/APPLICANT NAME AUTHORIZED SIGNATURE

_____ _____
NAME (PRINT) TITLE DATE

TOWNSHIP OF LAKEWOOD
NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY :
: ss
COUNTY OF OCEAN :

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 Lakewood 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

_____
Signature of Professional

_____
Type or print name of affiant and title

Subscribed and sworn to before me
this _____ day of _____, 2018

_____
Notary Public, State of New Jersey
My commission expires _____

TOWNSHIP OF LAKEWOOD
PROPOSAL SHEET

Position: _____

Company Name: _____

Authorized Representative: _____

Signature: _____ Date: _____

Title: _____

Telephone No.: _____ Facsimile No.: _____

Attach a schedule of hourly rates for all positions including attorney(s), engineer(s), auditor(s), paralegal(s) and secretary(s) hours applicable for each position. The schedule must also include any costs for all particular kinds of work, such as secretarial, photocopying, telephone, facsimile, messenger and any other necessary expenses.

Schedule Attached: Yes ___ No ____ (Check One)

TOWNSHIP OF LAKEWOOD
DISCLOSURE OF OWNERSHIP FORM
NJSA 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

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

Name of Organization:_____

Organization Address:_____

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

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

Part II

☐ The list below contains the names and addresses of all stockholders in the corporation 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, or of all members in the limited liability company who own a ten percent (10%) or greater interest therein, as the case may be. **(COMPLETE THE LIST BELOW THIS SECTION.)**

OR

☐ No one stockholder in the corporation owns ten percent (10%) or more of its stock, of any class, or not individual partner in the partnership owns a ten percent (10%) or greater interest therein, or no member in the limited liability company owns a ten percent (10%) or greater interest therein, as the case may be. **(SKIP TO PART IV.)**

Please attach additional sheets if more space is needed:

TOWNSHIP OF LAKEWOOD
DISCLOSURE OF OWNERSHIP FORM
Continued

Name of Individual or Business Entity	Home Address *(for Individuals)* or Business Address

Park III **Disclosure of 10% or Greater Ownership in the Stockholders, Partners or LLC Members Listed in Part II**

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

Website (URL) Containing the Last Annual SEC *(or Foreign Equivalent)* Filing	Page #'s

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

TOWNSHIP OF LAKEWOOD
INSURANCE REQUIREMENTS AND ACKNOWLEDGMENT FORM

Certificate(s) of Insurance for Professional Liability Insurance, satisfactory to the Township of Lakewood, shall be filed with the Township Purchasing Division upon award of contract by the Township Committee.

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

1. 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.

Acknowledgment of Insurance Requirement:

_____ _____
Signature Date

_____
(Print Name and Title)

TOWNSHIP OF LAKEWOOD
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 tot he Township of Lakewood, 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 Lakewood 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 Lakewood during normal business hours and distributed in accordance with the requirements on the Employee Information Report.

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: _____

EXHIBIT A
N.J.S.A. 10:5-31 and N.J.A.C. 17:27
MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
Goods, Professional Services and General Service Contracts
(Mandatory Affirmative Action Language)

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 the 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 for the 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 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 worker's 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 no limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national 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 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 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 Division of Contract Compliance and 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.

TOWNSHIP OF LAKEWOOD
AFFIDAVIT FOR AFFIRMATIVE ACTION

STATE OF _____ :
: SS
COUNTY OF _____ :

_____ being duly sworn, deposes and says that he/she

resides at: _____ and that he/she is the

_____ of _____
(Title) (Partnership/Corporation)

who signed the above Proposal or Bid, that during the course of this contract, he will agree to the Plan for Affirmative Action as outlined in the NOTICE TO BIDDERS, and more particularly detailed in the contract documents.

_____
(Signature of Affiant)

Subscribed and sworn to before me this _____ day

of _____, 2018.

_____
(Notary Public)

TOWNSHIP OF LAKEWOOD
AMERICANS WITH DISABILITIES ACT, ENVIRONMENTAL COMPLIANCE AND CONFLICT OF INTEREST CERTIFICATION

The Contractor and the Township of Lakewood 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 thereunto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the Township of Lakewood 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 Township of Lakewood in any action or administrative proceeding commenced pursuant to this Act. The Contractor shall indemnify, protect and save harmless the Township of Lakewood, 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 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.

The Township of Lakewood 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 Township of Lakewood or any of its agents, servants and employees, the Township of Lakewood shall expeditiously forward or have forwarded to the Contractor every demand, complaint, notice, summons, pleading or other process received by the Township of Lakewood or its representatives.

It is expressly agreed and understood that any approval by the Township of Lakewood 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 Township of Lakewood pursuant to this paragraph.

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

The Township of Lakewood does not discriminate on the basis of handicapped status in the admission or access to, or treatment, or employment in its programs or activities.

The Township of Lakewood shall allow access to any books, documents, papers and records of the contractor, which are directly pertinent to that specific contract.

Compliance is required with all applicable standards, orders, or requirements issued under 306 of the Clean Air Act, Section 508 of the Clean Water Act, Executive Order 11738 and Environmental Protection Agency Regulations (40 CRF, Part 15) which prohibits the use under non-exempt federal contracts, grants or loans of facilities included on the EPA list of violating facilities.

The Township of Lakewood considers it to be a substantial conflict of interest for any company desiring to do business with the Township of Lakewood to be owned, operated or managed by any Township of Lakewood employee, nor shall any Township of Lakewood personnel be employed by the vendor in conjunction with any work to be performed for or on behalf of the Township of Lakewood.

I hereby certify compliance with the foregoing.

Partnership
Individual

The undersigned is a Corporation under the law of the State of _____, having principal offices at _____.

_____
Name of Partnership, Corporation or Individual

Signed by: _____

_____
Print Name and Official Title

Address: _____

Telephone: _____

E-mail address: _____

Federal ID. No.: _____

TOWNSHIP OF LAKEWOOD
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 as 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 LAKEWOOD
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):

_____
_____
_____

7. History of Vendor's background and history, including office location and the proximity to the Township of Lakewood, the number of years in business, the scope of services currently provided to municipal clients, and financial stability and strength.

_____
_____
_____
_____
_____

8. Knowledge of the Township of Lakewood and the subject matter to be addressed under the contract.

_____
_____
_____
_____

Note: Attach additional sheets as necessary

Firm: _____
Date: _____

Authorized Representative
(Print): _____

Signature: _____
Title: _____

Telephone No.:_____
Fax No.: _____

TOWNSHIP OF LAKEWOOD
Acknowledgment of Receipt of Corrections, Additions or Deletions Form

Pursuant to N.J.S.A. 40A: 11-23.1a, the undersigned hereby acknowledges receipt of the following notices, revisions, or addenda to the qualification proposal advertisement, specifications or qualification documents. By indicating date of receipt, applicant acknowledges the submitted qualification proposal takes into account the provisions of the notice, revision or addendum. Note that the local unit's record of notice to applicants shall take precedence and that failure to include provisions of changes in a qualification proposal may be subject for rejection of the proposal.

Addendum Number	How Received (mail, fax, pick-up, etc.)	Date Received
---	---	---
---	---	---
---	---	---
---	---	---

Company/Applicant: _____

By Authorized Representative: _____

Signature: _____

Printed Name and Title: _____

Date: _____

LETTER OF QUALIFICATION

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

[INSERT DATE]

Municipal Manager
Township of Lakewood
231 Third Street
Lakewood, NJ 07746

Dear Sir:

The undersigned has reviewed its Proposal submitted in response to the Request for Qualifications (RFQ) issued by the Township of Lakewood ("Township"), dated _____, 2018, in connection with the Township's need for _____ Services.

We affirm that the contents of our Proposal (which Proposal is incorporated herein by reference), are accurate, factual and complete to the best of our knowledge and belief and that the Proposal is submitted in good faith upon the express understanding that any false statement may result in the disqualification of Name of Respondent.

(Respondent shall sign and complete the spaces provided below. If a joint venture, appropriate officers of each company shall sign.)

(Signature of Chief Executive Officer)

(Typed Name and Title)

(Type Name of Firm)

Dated: _____

LETTER OF INTENT

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

[INSERT DATE]

Municipal Manager
Township of Lakewood
231 Third Street
Lakewood, NJ 07746

Dear Sir:

The undersigned, as Respondent, has (have) submitted the attached Proposal in response to a Request for Qualifications (RFQ), issued by the Township of Lakewood ("Township"), dated _____, 2018 in connection with the Township's need for _____ Services.

Name of Respondent HEREBY STATES:

1. The Proposal contains accurate, factual and complete information.

2. Name of Respondent agrees (agree) to participate in good faith in the procurement process as described in the RFQ.

3. Name of Respondent acknowledges (acknowledge) that all costs incurred by it (them) in connection with the preparation and submission of the Proposal and any proposal prepared and submitted in response to the RFQ, or any negotiation which results therefrom shall be borne exclusively by the Respondent.

4. Name of Respondent hereby declares (declare) that the only persons participating in this Proposal as Principals are named herein and that no person other than those herein mentioned has any participation in this Proposal or in any contract to be entered into with respect thereto. Additional persons may subsequently be included as participating Principals, but only if acceptable to the Township. Name of Respondent declares that this Proposal is made without connection with any other person, firm or parties who has submitted a Proposal, except as expressly set forth below and that it has been prepared and has been submitted in good faith and without collusion or fraud.

5. Name of Respondent acknowledges and agrees that the Township may modify, amend, suspend and/or terminate the procurement process (in its sole judgement). In any case, the Township shall not have any liability to the Respondent for any costs incurred by the Respondent with respect to the procurement activities described in this RFQ.

6. Name of Respondent acknowledges that any contract executed with respect to the provision of _____ Services must comply with all applicable affirmative action and similar laws. Respondent hereby agrees to take such actions as are required in order to comply with such applicable laws.

(Respondent shall sign and complete the spaces provided below. If a joint venture, appropriate officers of each company shall sign.)

(Signature of Chief Executive Officer)

(Typed Name and Title)

(Type Name of Firm)

Dated: _____

Form **W-9**
(Rev. October 2018)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

▶ Go to *www.irs.gov/FormW9* for instructions and the latest information.

Give Form to the requester. Do not send to the IRS.

Print or type. See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

Requester's name and address (optional)

6 City, state, and ZIP code

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN,* later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

☐☐☐ – ☐☐ – ☐☐☐☐

or

Employer identification number

☐☐ – ☐☐☐☐☐☐☐

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here **Signature of U.S. person ▶** **Date ▶**

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9.*

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, *later.*

TOWNSHIP OF LAKEWOOD
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

PART 1: CERTIFICATION

BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX.
FAILURE TO CHECK ONE OF THE BOXES MAY RENDER THE PROPOSAL NON-RESPONSIVE.

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran. The Chapter 25 list is found on the State of New Jersey, Department of Treasury, Division of Purchase and Property website at http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf. Bidders must review this list prior to completing the below certification. **Failure to complete the certification may render a bidder's bid proposal non-responsive**. If the Township of Lakewood determines that a person or entity has submitted a false certification concerning its engagement in investment activities in Iran pursuant to section 4 of P.L. 2012, c.25 (C.52:32-58), the local contracting unit shall report to the New Jersey Attorney General the name of that person or entity, and the Attorney General shall determine whether to bring a civil action against the person to collect the penalty prescribed in paragraph (1) of subsection a. of section 5 of P.L. 2012, c.25 (C.52:32-59). The Township of Lakewood may also report to the municipal attorney or county counsel, as appropriate, the name of that person, together with its information as to the false certification, and the municipal attorney or county counsel, as appropriate, may determine to bring such civil action against the person to collect such penalty.

PLEASE CHECK THE APPROPRIATE BOX:

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

OR

☐ I am unable to certify as above because the bidder and/or one or more of its parents, subsidiaries, or affiliates is listed on the Department's Chapter 25 list. I will provide a detailed, accurate and precise description of the activities in Part 2 below and sign and complete the Certification below. Failure to provide such will result in the proposal being rendered as nonresponsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.

PART 2: PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN

You must provide a detailed, accurate and precise description of the activities of the bidding person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below.

PROVIDE INFORMATION RELATIVE TO THE ABOVE QUESTIONS. PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, ATTACH ADDITIONAL PAGES.

Name _____ Relationship to Bidder/Offeror _____

Description of Activities _____

_____

Duration of Engagement _____ Anticipated Cessation Date _____

Bidder/Offeror Contact Name _____ Contact Phone Number _____

Certification:

I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the above-referenced person or entity. I acknowledge that the Township of Lakewood is relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the Township of Lakewood to notify the Township of Lakewood in writing of any changes to the answers of information contained herein. I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with the Township of Lakewood and that the Township of Lakewood at its option may declare any contract(s) resulting from this certification void and unenforceable.

I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the above-referenced person or entity.

Bidder: _____

Signature: _____

Print Name: _____

Title: _____

Date: _____