

Borough of Middlesex

1200 Mountain Avenue
Middlesex, New Jersey 08846
(732) 356-7400 ext. 237



NOTICE TO BIDDERS

RFP-2023-07

PUBLIC NOTICE UNDER A FAIR AND OPEN PROCESS FOR THE SOLICITATION OF QUALIFICATIONS AND RATES PURSUANT TO N.J.S.A 40A:11-4.1 FOR PUBLIC RELATIONS AND DESIGN CONSULTING SERVICES

**FOR APPOINTMENT FROM JANUARY 1, 2024 THROUGH DECEMBER 31, 2024 AND
SPECIAL PROJECTS ON A PROJECT BY PROJECT BASIS**

NOTICE IS HEREBY GIVEN that sealed submissions will be received by the Purchasing Agent or designated representative, for Middlesex Borough, on **Wednesday, December 6, 2023 at 11:00 a.m.** prevailing time, in the Municipal Building, 1200 Mountain Avenue, Middlesex, New Jersey 08846, then publicly opened and read out loud for the following position:

PUBLIC RELATIONS AND DESIGN CONSULTING SERVICES

All contractors that are awarded competitive contracts pursuant to N.J.S.A. 40A:11-4.1(m) are required to comply with the requirements of N.J.S.A. 52:32-44 (Business Registration of Public Contractors), N.J.S.A. 52:25-24.2 (Statement of Corporate Ownership), N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. (Contract Compliance and Equal Employment Opportunities in Public Contracts). The submission package may be obtained via email by contacting the Purchasing Agent, Carmen Modica at cmodica@middlesexboro-nj.gov and providing your contact information. Contact information to include vendor name and address, contact person, telephone number.

The Borough reserves the right to reject any or all submissions due to any defects or waive informalities and accept any submissions that in their judgment will be in the best interest of the Borough. Questions concerning this notice may be directed to Michael La Place at mlaplace@middlesexboro-nj.gov.

Carmen Modica, QPA
Purchasing Agent

Date Advertised: November 7, 2023

SPECIFICATIONS

The Borough of Middlesex is seeking the services of a full-service Public Relations and Design Consulting Services agency to assist with the following, at a minimum:

- a. Press Release Writing
- b. Press Distribution
- c. Press Pitches (per media outlet)
- d. Press List Management
- e. Email Newsletter Design, Content and Distribution
- f. Facebook Posts
- g. Social Media Engagement
- h. Coordination of Boosted Facebook Posts + Ads
- i. Social Media Graphic Design
- j. Miscellaneous Graphic Design (flyers, brochures, etc.)
- k. Branding of the Borough (should have knowledge of the Borough)
- l. Webmaster Services:
 - Updates of documents, web copy, calendar & images
 - Page additions
 - Formatting Edits
- m. Reporting + Analytics:
 - Monthly Google Analytics for middlesexboro-nj.gov
 - Monthly Facebook Analytics
 - Quarterly Email Newsletter Report
 - Press Reports

SCOPE OF WORK

1. Understanding of the Requested Work

The proposals will be evaluated for general compliance with instructions and requests issued in the bid package. Non-compliance with significant instructions shall be grounds for disqualification of proposals.

2. Knowledge and Technical Competence

This includes the ability of the respondent to perform all of the tasks and fulfill adequately the stated requirements.

3. Management, Experience and Personnel Qualifications

Expertise of the firm shall be demonstrated by past contract successes providing government agencies with similar services. The respondent will be evaluated on knowledge, experience, prior collaboration, and successful completion of projects/services similar to that requested in this bid package. In addition to relevant experience, respondents shall provide personnel qualifications in the Proposal.

4. Ability to Complete the Services in a Timely Manner

This is based on the estimated duration of the tasks and the respondent's ability to accomplish these tasks as stated.

5. Term of the contract

The term of this contract is January 2023 – December 2023. (Options to extend may be exercised by mutual agreement in accordance with terms of N.J.S.A. 40A:11-4.1 et seq.)

6. Notice of Award

The successful respondent will be notified of the award of contract upon a favorable decision by the governing body.

BOROUGH OF MIDDLESEX

STANDARDIZED SUBMISSION REQUIREMENTS & SELECTION CRITERIA

(FAIR & OPEN PUBLIC SOLICITATION PROCESS FOR PUBLIC RELATIONS AND DESIGN CONSULTING SERVICES)

The Borough of Middlesex is seeking sealed submissions in response to a Public Notice for the solicitation of Public Relations and Design Consulting Services. These services are being solicited as competitive contract pursuant to N.J.S.A. 40A:11-4.1(m).

The standardized submission requirements shall include:

1. Visual or audio branding sample promoting the Borough.
2. Names and roles of the individuals who will perform the services/tasks and descriptions of their experience with projects similar to the services contained herein including their education, degrees, and certifications.
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 time estimates for each individual, all expenses and total cost of “not to exceed” amount.
6. List of All Contribution(s).

Proposals will be evaluated in accordance with N.J.S.A. 40A:11-4.5(d) by the authorized members of Borough Council and staff of the Borough of Middlesex on the basis of the most advantageous, price and other factors considered but not limited to the following:

1. Branding vision for the municipality (prospective bidders may be invited to make a full branding presentation to a subcommittee as part of the award process);
2. Knowledge of the administrative structure of the Borough of Middlesex and subject matter to be addressed under the contract;
3. Ability to attend Borough Council and occasional Special Meetings as needed.
4. Ability to demonstrate responsiveness;
5. Press releases, web design, branding campaigns, social media design, and other written and visual materials that applicant chooses to submit

Please Note this Additional Requirements:

Prospective bidders shall submit one (1) original and one (1) copy of their sealed submission, on **Wednesday, December 6, at 11:00 am**. Must provide a visual or audio branding sample promoting the Borough.

BOROUGH OF MIDDLESEX

INFORMATION FOR COMPETITIVE CONTRACT SOLICITATION, QUALIFICATIONS AND RATES FOR 2024

(FAIR & OPEN PUBLIC SOLICITATION PROCESS)

1.1 RECEIPT AND OPENING OF SUBMISSIONS

1.1.1 OWNER AND PROJECT

The Borough of Middlesex, Middlesex County, New Jersey (hereinafter called the "OWNER") invites submissions for the service(s) mentioned in the Public Notice for Professional Services Qualifications and Rates for 2023.

1.1.2 TIME AND PLACE OF SUBMISSION OPENINGS

Municipal Clerk and/or her designated representative will receive submissions at the time and place mentioned in the Public Notice for Solicitation, and at such time and place will be publicly opened and read aloud.

1.1.3 SUBMISSIONS NOT IN COMPLIANCE

The OWNER may waive any informality or reject any and/or all submissions, in accordance with the *Fair and Open Public Solicitation Process for Professional Service(s)* pursuant to P.L. 2004, c. 19 (N.J.S.A. 19:44A-20.4 et seq.)

1.1.4 WITHDRAWING SUBMISSIONS

Submissions forwarded to the Borough Clerk and/or her designated representative before the time of opening of submissions may be withdrawn upon written application of the professional services entity who shall be required to produce evidence showing that they are or they represent the principal or principals involved in the submission. Submissions may not be withdrawn within twenty-four (24) hours of the stipulated time of opening of submissions.

1.2 QUALIFICATIONS OF PROFESSIONAL SERVICES ENTITIES

1.2.1 INDIVIDUALS PERFORMING TASKS

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

1.2.2 PAST PERFORMANCE

Documented past performance of same and/or similar service.

1.2.3 REFERENCES

References and record of success of same or similar service.

1.2.4 DESCRIPTION OF ABILITIES

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

1.2.5 COST DETAILS

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

1.2.5.1 “FLAT FEE RATE”

Provide the “FLAT FEE RATE” for services. The Flat Fee Rate shall be the total compensation expected for the year for services rendered payable monthly in equal installments.

1.2.6 TECHNICAL PROCESS AND EQUIPMENT

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

1.3 PREPARATION OF SUBMISSIONS

1.3.1 COMPLETION OF SUBMISSIONS

Each submission must be provided on a Standardized Submission Form as supplied in the submission package and signed by the professional services entity or principal thereof and shall contain the name, address, and telephone number of the professional services entity. All prices and amounts must be written in ink or preferably typewritten. Each signatory to the submission must initial all erasures or corrections.

*Each submission shall be contained in a sealed envelope clearly marked “**PUBLIC RELATIONS AND DESIGN CONSULTING SERVICES**” addressed to: **PURCHASING AGENT, Borough of Middlesex, 1200 Mountain Ave., Middlesex, NJ 08846. The submission must be delivered at the place and time required or mailed so as to be received prior to the opening time set in the advertisement. Submissions received after the hour herein named or in an unsealed envelope shall not be considered. Email or fax submissions will not be considered.***

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

The submission shall be accompanied by the forms included in bid package: (1) a Non-Collusion Affidavit, (2) a Disclosure of Ownership Form, (3) an Insurance Requirement Acknowledgement Form, (4) a Mandatory Equal Employment Opportunity Notice Acknowledgement - Exhibit A – EEO/Affirmative Action Compliance Notice (5) a Professional Services Entity Information Form, (6) a Qualifications Submission, (7) Bid Proposal/Signature Page, (8) List of Contribution, (9) Disclosure of Investment Activities in Iran and (10) an Acknowledgement of Corrections, Additions or Deletions Form.

All forms listed above, (#1 through #10) shall be completed in their entirety.

1.3.2 ERRORS IN SUBMISSIONS

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

1.4 TIME FOR AWARD OF CONTRACT

The contracting unit shall award the contract or reject all submissions within such time as may be specified in the invitation for submission, but in no case more than 60 days, except that the submissions of any professional services entities who consent thereto may, at the request of the contracting unit, be held for consideration for such longer period as may be agreed.

The award of the Contract for this service will not be made unless the Borough's Chief Financial Officer has certified the necessary funds in a lawful manner.

1.5 MODIFICATIONS OF SUBMISSIONS

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

1.6 REJECTION OF SUBMISSIONS

1.6.1 MULTIPLE SUBMISSIONS NOT ALLOWED

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

1.6.2 UNBALANCED SUBMISSIONS

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

1.6.3 RIGHT TO REJECT SUBMISSIONS

The right is reserved to reject any or all submissions in whole or in part if not in compliance with the standardized submission requirements or in the event that Cost Details and Flat Fee rates requested exceed Owner's expectations or specifications are required to be substantially modified.

1.6.4 RIGHT TO WAIVE INFORMALITIES RESERVED

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

1.7 PROFESSIONAL SERVICES ENTITY REFERRED TO LAWS

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

1.8 PAYMENT

Generally, checks are processed by the Borough of Middlesex within 30 days of invoicing. It is necessary that the approved signed vouchers be accompanied by an invoice and be submitted in advance.

1.9 TRANSITIONAL PERIOD

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

1.10 FACSIMILE DOCUMENTS PROVIDED IN A SUBMISSION

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

1.11 CONTRACT COMPLIANCE AND EQUAL EMPLOYMENT OPPORTUNITY IN PUBLIC CONTRACTS

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

1.12 GENERAL REQUIREMENTS/INFORMATION

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

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

NO MINIMUM PAYMENT IS IMPLIED OR GUARANTEED.

The Borough of Middlesex reserves the right to cancel any contract entered into upon thirty (30) days written notice.

This solicitation is for a time period extending through 2024.

1.13 PAY TO PLAY – NOTICE OF DISCLOSURE REQUIREMENT

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

1.13.1 LIST ALL CONTRIBUTIONS

List all contributions, including in-kind contributions you or your firm/company (including all equitable owners/members thereof) have made to any campaign or candidate for any public office in Middlesex Borough or Middlesex County in 2022-2023. Include amount(s) of such contribution(s) and the candidate(s) or committees to whom such amounts were given.

1.14 RESUBMISSIONS

In the case of Resubmissions for Bids or RFP's, bidders are cautioned to use and submit only documents of the current active bid. Prior bid documents, (original or any prior resubmission), are invalid as those opportunities no longer legally exist. Submission of any forms or documents from a prior bid or resubmission shall be reason to find your bid for the current opportunity non-responsive.

BOROUGH OF MIDDLESEX

CHECKLIST

SOLICITATION FOR: PUBLIC RELATIONS AND DESIGN CONSULTING SERVICES

SUBMISSION DATE: **Wednesday, December 6, 2023 at 11:00am**

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

- 1. Non-Collusion Affidavit X
- 2. Stockholder Disclosure Certification X
- 3. Insurance Requirement Acknowledgement Form X
- 4. Exhibit A – EEO/Affirmative Action Compliance Notice X
- 5. Copy of your *Business Registration Certificate* as issued by the State of New Jersey, Department of Treasury, Division of Revenue X
- 6. Professional Service Entity Information Form X
- 7. Qualifications Submission Form..... X
- 8. Bid Proposal/Signature Page..... X
- 9. List of Contribution(s)..... X
- 10. Disclosure of Investment Activities in Iran. Required prior to award of contract..... X
- 11. Acknowledgement of Corrections, Additions or Deletions Form X
- 12. Visual or Audio Sample of Branding..... X .

Reminder

Please submit one (1) original and one (1) copy of the sealed submission. Include a visual or audio branding sample.

All submissions shall be contained in a sealed envelope addressed to: Purchasing Agent, Borough of Middlesex, 1200 Mountain Ave., Middlesex, NJ 08846 and said envelope shall specify 'PUBLIC RELATIONS AND DESIGN CONSULTING SERVICES – SEALED PROPOSAL'.

The submission must be delivered at the place and time required or mailed so as to be received prior to the opening time set in the advertisement.

Submissions received after the hour herein named or in unsealed envelope shall not be considered. Faxed or emailed bids will NOT be accepted.

PROPOSAL COST FORM/SIGNATURE PAGE

2024

TO THE BOROUGH OF MIDDLESEX:

The undersigned declares that he/she has read the Notice, Instructions, Affidavits and Scope of Services attached, that he/she has determined the conditions affecting the proposal and agrees, if this proposal is accepted, to furnish and deliver services per the attached schedule of fees for the following:

Services	Quantity (provide)
Press Release Writing	
Press Distribution	
Press Pitches (per media outlet)	
Press List Management	
Email Newsletter Design, Content and Distribution	
Facebook Posts	
Social Media Engagement	
Coordination of Boosted Facebook Posts + Ads	
Social Media Graphic Design	
Miscellaneous Graphic Design (flyers, brochures, etc.)	
Branding	
Webmaster Services: <ul style="list-style-type: none">• Updates of documents, web copy, calendar & images• Page additions• Formatting Edits	
Reporting + Analytics: <ul style="list-style-type: none">• Monthly Google Analytics for middlesexboro-nj.gov• Monthly Facebook Analytics• Quarterly Email Newsletter Report• Press Reports	
Monthly Retainer Cost	\$
Monthly Retainer Hours	
Yearly Flat Fee Rate	\$

(Corporation)
The undersigned is a (Partnership) under the laws of the State of _____ having its
(Individual)

Principal office at: _____

Company: _____
Address: _____

Federal I.D. # or Social Security #

Signature of Authorized Agent

Type or Print Name

Title of Authorized Agent

Date

Telephone Number

Email Address

Fax Number

LIST ALL CONTRIBUTION(S)

2022-2023

List all contributions, including in-kind contributions you or your firm/company (including all equitable owners/members thereof) have made to any campaign or candidate for any public office in Middlesex Borough or Middlesex County in 2022-2032. Include amount(s) of such contribution(s) and the candidate(s) or committees to whom such amounts were given.

Name of Campaign or Candidate	Amount of Contribution
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

By signing below you acknowledge that you or your firm/company (including all equitable owners/members thereof), **have not** made any contributions to any campaign or candidate for any public office in Middlesex Borough or Middlesex County in 2022-2023.

COMPANY: _____ PRINT NAME: _____

SIGNATURE: _____ TITLE: _____

DATE: _____

BOROUGH OF MIDDLESEX

QUALIFICATIONS 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 including their education, degrees, and certifications:**

- 2. References and record of success of same or similar service:**

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

4. Cost details, including the hourly rates of each of the individuals who will perform services, including their title, level of expertise and years of experience, and all expenses:

Firm _____ Date: _____

Authorized Representative (Print): _____

Signature: _____ Title: _____

Telephone #: _____ Fax #: _____

**BOROUGH OF MIDDLESEX
NON-COLLUSION AFFIDAVIT**

State of _____
County of _____

ss:

I, _____ of the City 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 _____ of the firm of _____
(Title or position) (Name of firm)

the bidder making this Proposal for the above named project, and that I executed the said proposal with full authority so to do; 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 Borough of Middlesex 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 Contractor)

(N.J.S.A. 52:34-15)

Subscribed and sworn to

Before me this _____ day

Of _____, _____.

Signature

(Type or print name of affiant under signature)

Notary public of

My Commission expires _____.

**BOROUGH OF MIDDLESEX
OWNERSHIP STATEMENT - STOCKHOLDER DISCLOSURE FORM**

LEGAL NAME OF BIDDER: _____

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 | <input type="checkbox"/> Limited Liability Corporation | <input type="checkbox"/> Limited Liability Partnership |
| <input type="checkbox"/> Subchapter S Corporation | <input type="checkbox"/> Other, Please List _____ | |

List the names and addresses of all stockholders who own ten (10%) percent or more of the above company's stock, and if there **are NO STOCKHOLDERS OF 10% OR MORE, simply check the second box below.** If one or more such stockholders or partner is itself a corporation or partnership, the stockholders holding 10% or more of that corporation's stock, or the individual partners owning 10% of that corporation's stock, or the individual partners owning 10% or greater interest in that partnership, as the case may be, must also be listed.

The disclosure shall be continued until names and addresses of every person who is a non-corporate stockholder, or individual partner, exceeding the 10% ownership criteria established in this act, has been listed, in full compliance with Chapter 33 of the New Jersey Public Laws of 1977.

BIDDERS/RESPONDENTS MUST CHECK THE APPROPRIATE BOX:

- I certify that the **list below** contains the names and addresses of all **stockholders holding 10% or more** of the issued and outstanding stock of the undersigned.
- I certify that **no one stockholder** owns 10% or more of the issued and outstanding stock of the undersigned.

Publicly Traded - For publicly traded entities to comply with N.J.S.A. 52:25-24.2 they may submit the name and address of each publicly traded entity, and the name and address of each person holding 10% or more beneficial interest in the publicly traded entity as of the last annual filing with the Security Exchange Commission (SEC), or foreign equivalent

Submit here the Website (URL) providing the last annual Security Exchange Commission (SEC) filing, or foreign equivalent:

The requested information is available on the following page number(s) of the SEC, or foreign equivalent, filing:

Stockholder Name _____

Address _____

Percentage of Ownership _____ %.

Stockholder Name _____

Address _____

Percentage of Ownership _____ %.

Stockholder Name _____

Address _____

Percentage of Ownership _____ %.

(Note: Attach additional pages if necessary)

(Respondent/Respondent Authorized Signature)

(Date)

(Print name of authorized signatory)

(Title)

BOROUGH OF MIDDLESEX

INSURANCE REQUIREMENTS AND ACKNOWLEDGEMENT FORM

Certificate(s) of Insurance shall be filed with the Borough Clerk's Office upon award of contract by the Mayor and Borough Council.

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

PROFESSIONAL LIABILITY INSURANCE

Limits shall be a minimum of \$1,000,000.00 for each claim and \$1,000,000.00 aggregate each policy period.

Acknowledgement of Insurance Requirement:

(Signature)

(Date)

(Printed Name and Title)

EXHIBIT A
MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)
N.J.A.C. 17:27
GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

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

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not 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 will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter 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 meet targeted Borough employment goals established in accordance with 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, and labor unions, that it does not discriminate on the basis of age, race, 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 targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, 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 (electronically provided by the Division and distributed to the public agency through the Division's website at www.state.nj.us/treasury/contract_compliance).

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Purchase & Property, CCAU, EEO Monitoring Program 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

Initials _____

**EXHIBIT A
EEO/AFFIRMATIVE ACTION COMPLIANCE NOTICE
N.J.S.A. 10:5-31 and N.J.A.C. 17:27
GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS**

All successful bidders are required to submit evidence of appropriate affirmative action compliance to the Borough and Division of Public Contracts Equal Employment Opportunity Compliance. During a review, Division representatives will review the Borough files to determine whether the affirmative action evidence has been submitted by the vendor/contractor. Specifically, each vendor/contractor shall submit to the Borough, prior to execution of the contract, one of the following documents:

Goods and General Service Vendors

1. Letter of Federal Approval indicating that the vendor is under an existing federally approved or sanctioned affirmative action program. A copy of the approval letter is to be provided by the vendor to the Borough and the Division. This approval letter is valid for one year from the date of issuance.

Do you have a federally-approved or sanctioned EEO/AA program? Yes No

If yes, please submit a photo static copy of such approval.

2. A Certificate of Employee Information Report (hereafter "Certificate"), issued in accordance with N.J.A.C. 17:27-1.1 et seq. The vendor must provide a copy of the Certificate to the Borough as evidence of its compliance with the regulations. The Certificate represents the review and approval of the vendor's Employee Information Report, Form AA-302 by the Division. The period of validity of the Certificate is indicated on its face. Certificates must be renewed prior to their expiration date in order to remain valid.

Do you have a State Certificate of Employee Information Report Approval? Yes No

If yes, please submit a photo static copy of such approval.

3. The successful vendor shall complete an Initial Employee Report, Form AA-302 and submit it to the Division with \$150.00 Fee and forward a copy of the Form to the Borough. Upon submission and review by the Division, this report shall constitute evidence of compliance with the regulations. Prior to execution of the contract, the EEO/AA evidence must be submitted.

The successful vendor may obtain the Affirmative Action Employee Information Report (AA302) on the Division website www.state.nj.us/treasury/contract_compliance.

The successful vendor(s) must submit the AA302 Report to the Division of Public Contracts Equal Employment Opportunity Compliance, with a copy to Public Agency.

The undersigned vendor certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27 and agrees to furnish the required forms of evidence.

The undersigned vendor further understands that his/her bid shall be rejected as non-responsive if said contractor fails to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27.

COMPANY: _____ SIGNATURE: _____

PRINT NAME: _____ TITLE: _____

DATE: _____

SAMPLE CERTIFICATE OF EMPLOYEE INFORMATION REPORT

Certification 111XX

CERTIFICATE OF EMPLOYEE INFORMATION REPORT

INITIAL

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of 15-DEC-20XX to 15-DEC-20XX

SAMPLE COMPANY, INC.
33 WEST STATE STREET
TRENTON, NJ 08625


State Treasurer

VOID

BOROUGH OF MIDDLESEX

PROFESSIONAL SERVICE ENTITY INFORMATION FORM

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

Name: _____

Address: _____

Telephone No.: _____ Social Security No.: _____

Fax No.: _____ E-Mail: _____

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

Trading As: _____ Telephone No.: _____

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

Name of Partners: _____

Firm Name: _____

Address: _____

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

Fax No.: _____ E-Mail: _____

Social Security No.: _____

Signature of authorized agent: _____

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

State under whose laws incorporated: _____

Location of principal office: _____

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

Fax No.: _____ E-Mail: _____

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

Telephone No.: _____ Name of Corporation: _____

Signature: _____ By: _____

Title: _____ Address: _____

BOROUGH OF MIDDLESEX

DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

BID/RFP/Solicitation Number: _____

Bidder/Offeror: _____

Part 1: Certification

BIDDERS ARE TO COMPLETE PART 1 BY CHECKING **EITHER BOX**

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 the Treasury’s Chapter 25 list as a person or entity engaging in investment activities in Iran. The Chapter 25 list is found on the Division’s 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 proposal non-responsive. If the Director finds a person or entity to be in violation of the law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party.

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 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, sign and complete the Certification below.

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 on additional sheets provided by you.

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 Borough of Middlesex 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 Borough to notify the Borough 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 Borough of Middlesex, New Jersey and that the Borough at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print) _____ Signature: _____

Title _____ Date: _____

BOROUGH OF MIDDLESEX

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

The Contractor and the Owner, do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") (42 *U.S.C.* S121 01 et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant there unto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the owner pursuant to this contract, the contractor agrees that the performance shall be in strict compliance with the Act. In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the owner in any action or administrative proceeding commenced pursuant to this Act. The contractor shall indemnify, protect, and save harmless the owner, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The contractor shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the owner's grievance procedure, the contractor agrees to abide by any decision of the owner which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the owner, or if the owner incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the contractor shall satisfy and discharge the same at its own expense.

The owner shall, as soon as practicable after a claim has been made against it, give written notice thereof to the contractor along with full and complete particulars of the claim, If any action or administrative proceeding is brought against the owner or any of its agents, servants, and employees, the *owner shall* expeditiously forward or have forwarded to the contractor every demand, complaint, notice, summons, pleading, or other process received by the owner or its representatives.

It is expressly agreed and understood that any approval by the owner of the services provided by the contractor pursuant to this contract will not relieve the contractor of the obligation to comply with the Act and to defend, indemnify, protect, and save harmless the owner pursuant to this paragraph.

It is further agreed and understood that the owner assumes no obligation to indemnify or save harmless the contractor, its agents, servants, employees, and subcontractors for any claim which may arise out of their performance of this Agreement. Furthermore, the contractor expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the contractor's obligations assumed in this Agreement, nor shall they be construed to relieve the contractor from any liability, nor preclude the owner from taking any other actions available to it under any other provisions of the Agreement or otherwise at law.

Initials _____

BOROUGH OF MIDDLESEX

THESE ARE **SAMPLES** OF THE **ONLY** ACCEPTABLE
BUSINESS REGISTRATION CERTIFICATES

PREFER SUBMITTED WITH BID RESPONSE
REQUIRED BY LAW PRIOR TO AWARD OF CONTRACT

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE
FOR STATE AGENCY AND CASINO SERVICE CONTRACTORS

DEPARTMENT OF TREASURY
DIVISION OF REVENUE
PO BOX 252
TRENTON, N.J. 08644-0252

TAXPAYER NAME: **TAX REGISTRATION TEST ACCOUNT**

TRADE NAME: **CLIENT REGISTRATION**

TAXPAYER IDENTIFICATION#: **970-097-382/500**

SEQUENCE NUMBER: **0107330**

ADDRESS: **847 ROEBLING AVE
TRENTON NJ 08611**


ISSUANCE DATE: **07/14/04**

EFFECTIVE DATE: **01/01/01**

FORM-BRC(08-01)

John S. Tully
Acting Director

This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.



STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name: TAX REG TEST ACCOUNT

Trade Name:

Address: 847 ROEBLING AVE
TRENTON, NJ 08611

Certificate Number: 1093907

Date of Issuance: October 14, 2004

For Office Use Only:
20041014112823533

BOROUGH OF MIDDLESEX

ACKNOWLEDGMENT OF RECEIPT OF ADDENDA
PUBLIC RELATIONS AND DESIGN CONSULTING SERVICES

The undersigned Bidder hereby acknowledges receipt of the following Addenda:

ADDENDUM NUMBER	DATE	ACKNOWLEDGE RECEIPT (Initial)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

No Addenda were received:

Acknowledged for: _____
(Name of Bidder)

By: _____
(Signature of Authorized Representative)

Name: _____
(Print or Type)

Title: _____

Date: _____

EVALUATION SHEET

BOROUGH OF
MIDDLESEX

EVALUATORS NAME _____
COMPANY NAME _____

Write NA if
category
does not apply.

Understanding the Requested Work 10 Points				
Category	0 Points	1 - 2 Points	3 - 4 Points	Points Given
Demonstrates clear understanding	Does not demonstrate clear understanding	Proposal points are adequately defined	Proposal is clear, readable and precise	
	0 Points	1 - 2 Points	3 Points	
Completeness and responsiveness to RFP	Does not address major requirements	Proposal absent some non-critical points	Proposal complete and responsive	
Compliance with instructions and requests	Does not comply	Complies substantially	Complies with all instructions and requests	

Knowledge and Professional Compliance 25 Points				
Category	0 - 2 Points	3 - 4 Points	5 - 6 Points	Points Given
Education and training of employees, suitability to perform the required tasks	Minimal training, no formal education, new performer	Some prior experience, some training and documented performance	High level of education and training, well proven performance	
	0 Points	1 - 2 Points	3 - 7 Points	
Does respondent have the character, integrity, reputation, judgment, experience & efficiency required by the Professional	Not adequately documented	Proposal uses some current technology	Well documented use of the latest technologies	
	0 Points	1 - 2 Points	3 - 4 Points	
QA/QC Process	Not adequately documented	QA/QC documented, but with little oversight	QA/QC documented with significant oversight	
	0 Points	1 - 3 Points	4 - 8 Points	
Primary Professional vs. subcontracted resources depending on nature of sub and percentage of project	More than one Sub-Professional	Only one Sub-Professional providing 50% of resources to be used	Primary Professional will do entire project	
Ability to Perform Services in a Timely Manner 15 Points				
Category	0 Points	1 - 2 Points	3 - 4 Points	Points Given
Scheduling Timeline	Cannot meet schedule	Meets most of schedule	Meets entire schedule	
	0 - 1 Points	2 - 3 Points	4 - 6 Points	
Personnel & Resources	May not be sufficient	Sufficient for project	Dedicated resources	
	0 - 2 Points	3 - 4 Points	5 Points	
Primary Professional relationship Sub-Professionals	Primary Professional has not worked with Sub-Professional	Primary Professional has limited experience with Sub-Professional	No Sub-Professional or a proven record with Sub-Professional	

Management, Experience and Personnel Qualifications 25 Points				
Category	0 Points	1 - 2 Points	3 Points	Points Given
Demonstrated Branding	Not demonstrated as sound	Demonstrated well but little experience	Demonstrated well and has exceptional experience	
Project Management Plan	Not demonstrated as sound	Plan is average	Plan is sound and detailed	
Project Management Team	Does not meet qualifications	Qualified but little experience working together	Well qualified and has collaborated on similar projects	
	0 Points	1 - 2 Points	3 - 5 Points	
Record of reliability and quality of service	Not documented	Some documentation	Track record of high quality	
	0 - 1 Points	2 - 4 Points	5 - 7 Points	
Scope of Work Experience	Few related projects	Some similar projects	Numerous similar projects	
Experience in performing similar work by employees	Limited experience	Good experience	Exceptional experience	

Management, Experience and Personnel Qualifications 25 Points				
Category	0 Points	2 Points	3 Points	Points Given
Explanation of costs	Costs not explained	Some correlation provided	Well documented	
	0 - 4 Points	5 - 10 Points	11 - 15 Points	
Cost comparison	Highest third in salary dollars	Middle third in salary dollars	Lowest third in salary dollars	
	0 - 1 Points	2 - 3 Points	4 - 6 Points	
Other costs, copies, travel, etc	Travel and copy cost in excess of OPRA	Copy cost equal to OPRA costs	None	

	0 Points	1 - 2 Points	3 Points	
Additional Services	No needed additional services identified	Possible additional services identified, costs not included	Needed additional services identified and included	
TOTAL POINTS AWARDED				