<u>NOTE</u>: To receive addenda or modification to this Request for Qualifications, please provide the Clerk with Respondent's name, email address, and phone number upon receipt of this document.

REQUEST FOR QUALIFICATIONS

FOR THE PROVISION OF PROFESSIONAL SERVICES AND EXTRAORDINARY UNSPECIFIABLE SERVICES

Municipal Court Judge

ISSUE DATE: February 28, 2012

DUE DATE: March 20, 2012 at 10:00 a.m.

Issued by:

Borough of Bergenfield

GLOSSARY

The following definitions shall apply to and are used in this Request for Qualifications:

"Borough" - refers to the Borough of Bergenfield.

"Cost Proposal" – refers to a statement of hourly rates and costs for the services provided.

"Due Date" – refers to the date and time by which Qualification Statements must be received by the Borough in order to be considered for award of the contract or position.

"Qualification Statement" - refers to the complete responses to this RFQ submitted by the Respondents.

"Qualified Respondent" - refers to those Respondents who (in the sole judgment of the Borough) have satisfied the qualification criteria set forth in this RFQ.

"RFQ" - refers to this Request for Qualifications, including any amendments thereof or supplements thereto.

"Respondent" or "Respondents" - refers to the interested firm(s) that submit a Qualification Statement.

SECTION 1

INTRODUCTION AND GENERAL INFORMATION

1.1. Introduction and Purpose.

The Borough is soliciting Qualification Statements from interested persons and/or firms for the provision of professional services and extraordinary unspecifiable services. Through a Request for Qualification process described herein, persons and/or firms interested in assisting the Borough with the provision of such services must prepare and submit a Qualification Statement in accordance with the procedure and schedule in this RFQ. The Borough will review Qualification Statements only from those firms that submit a Qualification Statement that includes all the information required to be included as described herein (in the sole judgment of the Borough). The Borough intends to qualify person(s) and/or firm(s) that (a) possesses the professional, financial and administrative capabilities to provide the proposed services, and (b) will agree to work under the compensation terms and conditions determined by the Borough to provide the greatest benefit to the taxpayers of the Borough. The Borough will consider Qualification Statements only from individuals, firms or organizations that have demonstrated the capability and willingness to provide high quality services as required by the Borough. All appointments shall be made in accordance with the provisions of N.J.S.A. 40A:60-5, Chapter 50 of the Code of the Borough of Bergenfield, and any other statutes or regulations that may apply.

1.2. Procurement Process and Schedule.

The selection of Qualified Respondents is not subject to the bidding provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. The selection is, however, subject to the "New Jersey Local Unit Pay-to-Play" Law, N.J.S.A. 19:44A-20.4 et seq. The Borough has structured a procurement process that seeks to obtain the desired results described above, while establishing a competitive process to assure that each person and/or firm is provided an equal opportunity to submit a Qualification Statement in response to the RFQ. Qualification Statements will be evaluated in accordance with the criteria set forth in Section 5 of this RFQ, which will be applied in the same manner to each Qualification Statement received.

The Qualification Statements will be reviewed to determine if the Respondent has met the minimum professional, administrative and financial criteria described in this RFQ. Under no circumstances will the RFQ for a particular position be reviewed by a person who has submitted a Qualification Statement for said position. Based upon the totality of the information contained in the Qualification Statement, including information about the reputation and experience of each Respondent, the Borough will (in its sole judgment) determine which Respondents are qualified (from professional, administrative and financial standpoints). Each Respondent that meets the requirements of the RFQ (in the sole judgment of the Borough) will be designated as a Qualified Respondent, and will be considered for selection by the Borough, in accordance with the provisions of N.J.S.A. 40A:60-5, Chapter 50 of the Bergenfield Code, and any other applicable statute or governing regulation.

The RFQ process commences with the issuance of this RFQ. The steps involved in the process and the anticipated completion dates are set forth in Table 1, Procurement Schedule. The Borough reserves the right, among other things, to amend, modify or alter the Procurement Schedule upon notice to all potential Respondents who have provided contact information to the Clerk upon receipt of this RFQ.

All communications concerning this RFQ or the RFQ process shall be directed to the Borough's designated contact person, in writing.

Designated Contact Person:

Carole Chamberlain-Berman
Borough Clerk
Bergenfield Municipal Building
198 North Washington Avenue
Bergenfield, New Jersey 07621

Qualification Statements must be submitted to, and be received by, the Borough, via mail or hand delivery, by the Due Date. Qualification Statements will not be accepted by facsimile transmission or e-mail.

Subsequent to issuance of this RFQ, the Borough (through the issuance of addenda to all firms that have received a copy of the RFQ) may modify, supplement or amend the provisions of this RFQ in order to respond to inquiries received from prospective Respondents or as otherwise deemed necessary or appropriate by (and in the sole judgment of) the Borough.

TABLE 1

ANTICIPATED PROCUREMENT SCHEDULE

	ACTIVITY	**DATE**
1.	Issuance of Request for Qualifications	February 28, 2012
2.	**Due Date** for Receipt of Qualification Statements	March 20, 2012 at 10:00 a.m.
3.	Opening of Bids*	March 20, 2012 at 10:00 a.m.
4.	Borough Attorney Review and Recommendations*	March 27, 2012
5.	Anticipated Date for Award of Contract.*	April 3, 2012

Dates for items marked with a "*" are approximate and subject to change based upon the needs of the Borough.

Section 1.3. <u>Conditions Applicable to RFQ</u>.

Upon submission of a Qualification Statement in response to this RFQ, the Respondent acknowledges and consents to the following conditions relative to the submission and review and consideration of its Qualification Statement:

- This document is an RFQ and does not constitute an RFP.
- This RFQ does not commit the Borough to issue an RFP.
- All costs incurred by the Respondent in connection with responding to this RFQ shall be borne solely by the Respondent.
- The Borough reserves the right (in its sole judgment) to reject for any reason any and all responses and components thereof and to eliminate any and all Respondents responding to this RFQ from further consideration for this procurement.
- The Borough reserves the right (in its sole judgment) to reject any Respondent that submits incomplete responses to this RFQ, or a Qualification Statement that is not responsive to the requirements of this RFQ.

- The Borough reserves the right to supplement, amend or otherwise modify the RFQ through issuance of addenda to all prospective Respondents who have received a copy of this RFQ, and who have provided their contact information to the Borough.

- All Qualification Statements shall become the property of the Borough and will not be returned.

- All Qualification Statements will be made available to the public at the appropriate time, as determined by the Borough (in the exercise of its sole discretion) in accordance with law.

- The Borough may request additional information from Respondents, including requiring Respondents to send representatives to the Borough for interviews.

- Any Qualification Statements not received by the Borough by the Due Date will be rejected.

- Neither the Borough, nor their respective staffs, consultants or advisors shall be liable for any claims or damages resulting from the solicitation or preparation of the Qualification Statement, nor will there be any reimbursement to Respondents for the cost of preparing and submitting a Qualification Statement or for participating in this procurement process.

Section 1.4. <u>Rights of Borough</u>.

The Borough reserves, holds and may exercise, at its sole discretion, the following rights and options with regard to this RFQ and the procurement process in accordance with the provisions of applicable law:

- To determine that any Qualification Statement received complies or fails to comply with the terms of this RFQ.

- To supplement, amend or otherwise modify the RFQ through issuance of addenda to all prospective Respondents who have received a copy of this RFQ, and who have provided their contact information to the Borough.

- To waive any technical non-conformance with the terms of this RFQ.

- To change or alter the schedule for any events called for in this RFQ upon the issuance of notice to all prospective Respondents who have received a copy of this RFQ.

- To conduct investigations of any or all of the Respondents, as the Borough deems necessary or convenient, to clarify the information provided as part of the Qualification Statement and to request additional information to support the information included in any Qualification Statement.

- To suspend or terminate the procurement process described in this RFQ at any time (in its sole discretion). If terminated, the Borough may determine to commence a new procurement process or exercise any other rights provided under applicable law without any obligation to the Respondents.

The Borough shall be under no obligation to complete all or any portion of the procurement process described in this RFQ.

1.5 Addenda or Amendments to RFQ.

During the period provided for the preparation of responses to the RFQ, the Borough may issue addenda, amendments or answers to written inquiries. Those addenda will be provided by the Borough to all respondents who have provided the Borough with their contact information, and will constitute a part of the RFQ. All responses to the RFQ shall be prepared with full consideration of the addenda issued prior to the submission due date.

1.6 Cost of Qualification Statement Preparation.

Each Qualification Statement and all information required to be submitted pursuant to the RFQ shall be prepared at the sole cost and expense of the Respondent. There shall be no claims whatsoever against the Borough, its staff or consultants for reimbursement for the payment of costs or expenses incurred in the preparation of the Qualification Statement or other information required by the RFQ.

1.7 Qualification Statement Format.

Responses should cover all information requested in the Questions to be answered in this RFQ. Responses which in the judgment of the Borough fail to meet the requirements of the RFQ or which are in any way conditional, incomplete, obscure, contain deletions from requested information, or contain errors may be rejected.

SECTION 2

SCOPE OF SERVICES

The Borough seeks to award contracts of up to one year duration for the position listed below during the calendar year 2012. The contract shall be open-ended, and may encompass additional work during the course of the year not explicitly described herein. It is the intent of the Borough to solicit Qualification Statements from Respondents that have expertise in the provision of the services required by the position or contract sought. Firms and/or persons responding to this RFQ must be able to demonstrate that they will have the continuing capabilities to perform these services.

MUNICIPAL COURT JUDGE

Attorneys who are New Jersey residents and have practiced law for at least five years may be appointed to three-year terms as Municipal Court Judges by the Mayor, with the advice and consent of the council, or in some cases by the Governing Body. Municipal Court Judges do not have tenure and are not subject to a mandatory retirement age, characteristics which distinguish them from the Judges in the Judiciary. The majority of the State's Municipal Court Judges serve only part-time and, as a result, are able to maintain private law practices, subject to the Rules of Court.

A Municipal Court Judge performs judicial activities and oversees the judicial function of the Municipal Court, ensuring conformance with legal and departmental requirements. Works under general employment contract provision set forth by the Mayor and Council which is empowered to appoint and remove the Municipal Court Judge as an officer of the Borough. The municipal court, consistent with relevant constitutional provisions, statutes, and case law, shall maintain its independence from the executive and legislative branches, while recognizing that this should be accomplished in a cooperative manner.

This person selected must take an oath of office, comply with the Code of Judicial Conduct and be subject to ethics law applicable to this office.

SECTION 3

SUBMISSION REQUIREMENTS

Section 3.1 General Requirements.

The Qualification Statement submitted by the Respondent must meet or exceed the professional, administrative and financial qualifications set forth in this Section 3 and shall incorporate the information requested below. **Eight (8) copies of the Qualification Statement and all attachments are to be submitted by each Respondent in response to this RFQ.**

In addition to the information required as described below, a Respondent may submit supplemental information that it feels may be useful in evaluating its Qualification Statement. This information may include documents such as a firm profile or brochure. Respondents are encouraged to be clear, factual, and concise in their presentation of information.

Section 3.2 Administrative Information Requirements.

The Respondent shall, as part of its Qualification Statement, provide the following documentation and information:

1. An executive narrative summary (not to exceed two (2) pages) of the information contained in all the other parts of the Qualification Statement.

2. An executed Letter of Qualification (See Appendix "A" to this RFQ).

3. An executed Letter of Intent (See Appendix "B" to this RFQ).

4. Name, address and telephone number of the firm or firms submitting the Qualification Statement pursuant to this RFQ, and the name of the key contact person for this RFQ.

5. A description of the business organization (i.e., corporation, partnership, joint venture, etc.) of each firm, its ownership and its organizational structure.

   (a) Provide the names and business addresses of all principals of the firm or firms submitting the Qualification Statement. For purposes of this RFQ, the term "principals" means persons possessing an ownership interest in the Respondent. If the Respondent is a corporation, "principals" shall include each investor who would have any amount of operational control over the Respondent and every stockholder having an ownership interest of 10% or more in the firm.

(b) If a firm is a partially owned or a fully-owned subsidiary of another firm, identify the parent company and describe the nature and extent of the parent's approval rights over the activities of the firm submitting a Qualification Statement. Describe the approval process.

(c) If the Respondent is a partnership or a joint venture or similar organization, provide comparable information as required in (a) and (b) above for each member of the partnership, joint venture or similar organization.

6. A statement that the Respondent has complied with all applicable affirmative action (or similar) requirements with respect to its business activities (e.g. N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 as amended) together with evidence of such compliance.

7. The number of years Respondent has been in business under the present name.

8. The number of years Respondent has been under the current management. If Respondent is a Corporation, please provide a current list of corporate officers.

9. Any judgments within the last three years in which Respondent has been adjudicated liable for professional malpractice. If yes, please provide a recitation of the docket numbers.

10. Whether the business organization is now or has been involved in any bankruptcy or re-organization proceedings in the last ten (10) years. If yes, please provide a recitation of the docket numbers.

11. Confirm appropriate federal and state licenses to perform the services required by the position or contract for which this RFQ is made.

12. A copy of Respondent's State of New Jersey Business Registration Certificate.

13. A completed Business Entity Disclosure Certification, in accordance with the State of New Jersey's Pay-to-Play laws, N.J.S.A. 19:44A-1, et seq. (See Appendix "C" to this RFQ).

14. A completed C. 271 Political Contribution Disclosure Form and Stockholder Disclosure Certification, in accordance with the State of New Jersey's Pay-to-Play laws, N.J.S.A. 19:44A-1, et seq. (See Appendix "D" to this RFQ).

15. A completed Financial Disclosure Statement, in accordance with the State of New Jersey's Local Government Ethics Law. (See Appendix "E" to this RFQ).

16. <u>IMPORTANT</u> - A listing of Respondent's hourly rates and charges for all services to be provided.

Section 3.3 **<u>Professional Information Requirements</u>**.

17. Respondent shall submit a description of its overall experience in providing the type of services sought in the RFQ. At a minimum, the following information on past experience should be included as appropriate to the RFQ:

    (a) Description and scope of work by Respondent,
    (b) Name and contact information for any references,
    (c) Explanation of perceived relevance of the experience to the RFQ.

18. Describe the services that Respondent would perform directly.

19. Describe those portions of the Respondent's services, if any, that are sub-contracted out. Identify all subcontractors the Respondent anticipates using in connection with the position or contract for which this RFQ is made.

20. Is any portion of Respondent's workforce unionized?

21. Professional history of all individuals whom Respondent anticipates performing the professional services or extraordinary unspecifiable services required by the position or contract for which this RFQ is made.

22. A narrative statement of Respondent's understanding of the Borough's needs and goals to be accomplished by the appointment or contract for which this RFQ is made.

23. List all immediate relatives of Principal(s) of Respondent who are Borough employees or elected officials of the Borough.

    (For purposes of the above, "immediate relative" means a spouse, parent, step-parent, brother, sister, child, step-child, direct-line aunt or uncle, grandparent, grandchild, and in-laws.)

SECTION 4

INSTRUCTIONS TO RESPONDENTS

4.1 Submission of Qualification Statements.

A Respondent must submit its Qualification Statement to the designated contact person:

Carole Chamberlain-Berman
Borough Clerk
Bergenfield Municipal Building
198 North Washington Avenue
Bergenfield, NJ 07621

To be responsive, Qualification Statements must provide all requested information, and must be in strict conformance with the instructions set forth herein:

1. Qualification Statements must be received by the Borough no later than the Due Date, and must be mailed or hand-delivered. Qualification Statements forwarded by facsimile or e-mail will not be accepted. Qualification statements received after this time will not be considered. The Borough will not bear responsibility for delays in delivery for any reason.

2. Qualification Statements and all related information must be stapled or bound, and signed by the Respondent. If Respondent is other than a natural person, the Qualification Statement must be signed by an individual with power to bind Respondent.

3. The name of the Respondent and the position or contract for which the submission is being made must be printed on the outside of the package containing Respondent's submission, together with instructions that the submission should not be opened prior to the Due Date. (Suggested format: "Qualification Statement for _____. Do not open until _____")

SECTION 5

EVALUATION

The Borough's objective in soliciting Qualification Statements is to enable it to select a firm, individual, or organization that will provide high quality and cost effective services to the taxpayers of Bergenfield. The Borough will consider Qualification Statements only from firms, individuals, or organizations that, in the Borough's judgment, have demonstrated the capability and willingness to provide high quality services to the taxpayers of the Borough in the manner described in this RFQ.

Qualification Statements will be evaluated by the Borough on the basis of the most advantageous submission, all relevant factors considered. The evaluation will consider the following:

1. Experience and reputation in the field;

2. Knowledge of the Borough and the subject matter addressed under the contract;

3. Availability to accommodate the required meetings of the Borough;

4. Cost to the Borough; and

5. Other factors demonstrated to be in the best interest of the Borough.

APPENDIX A

LETTER OF QUALIFICATION

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

Date: _____

Carole Chamberlain-Berman
Borough Clerk
Bergenfield Municipal Building
198 North Washington Avenue
Bergenfield, NJ 07621

Re: LETTER OF QUALIFICATION

Dear Ms. Berman:

The undersigned has/have reviewed my/our Qualification Statement submitted in response to the Request for Qualifications (RFQ) issued by the Borough of Bergenfield ("Borough"), dated _____, in connection with the Borough's need for professional services or extraordinary unspecifiable services.

I/We affirm that the contents of the enclosed Qualification Statement (which Qualification Statement is incorporated herein by reference) is accurate, factual and complete to the best of our knowledge and belief and that the Qualification Statement is submitted in good faith upon express understanding that any false statement may result in the disqualification of _____(Respondent).*

Signed: _____

Printed: _____

Title: _____

* If a joint venture, partnership or other formal organization other than a natural person is submitting a Qualification Statement, this Letter of Qualification must be signed by an individual with the legal authority to bind the organization.

APPENDIX B

LETTER OF INTENT

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

Date: _____

Carole Chamberlain-Berman
Borough Clerk
Bergenfield Municipal Building
198 North Washington Avenue
Bergenfield, NJ 07621

Re: LETTER OF INTENT

Dear Ms. Berman:

The undersigned, as Respondent, has (have) submitted the attached Qualification Statement in response to a Request for Qualifications (RFQ), issued by the Borough of Bergenfield ("Borough"), dated _____, in connection with the Borough's need for professional services or extraordinary unspecifiable services.

_____ ("Respondent")* HEREBY STATES:

1. The Qualification Statement contains accurate, factual and complete information.

2. Respondent agrees to participate in good faith in the procurement process as described in the RFQ and to adhere to the Borough's procurement schedule.

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

4. Respondent hereby declares that the only persons anticipated by respondent to perform the professional services or extraordinary unspecifiable services for which this Qualification Statement is submitted are named herein and that no person other than those herein mentioned has any participation in this Qualification Statement or in any contract to be entered into with respect thereto. Additional persons may subsequently perform professional services or extraordinary services for which this Qualification Statement is submitted, but only if acceptable to the Borough. Respondent declares that this Qualification Statement is made without connection with any other person, firm or parties who has submitted a Qualification Statement, except as expressly set forth below and that it has been prepared and has been submitted in good faith and without collusion or fraud.

6. Respondent acknowledges and agrees that the Borough may modify, amend, suspend and/or terminate the procurement process (in its sole judgment). In any case, the Borough 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.

7. Respondent acknowledges that any contract executed with respect to the provision of professional services or extraordinary unspecifiable 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.

Signed: _____

Printed: _____

Title: _____

Dated: _____

* If a joint venture, partnership or other formal organization other than a natural person is submitting a Qualification Statement, this Letter of Qualification must be signed by an individual with the legal authority to bind the organization.

APPENDIX "C"
BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS
Required Pursuant To N.J.S.A. 19:44A-20.8
BOROUGH OF BERGENFIELD

Part I – Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that the _____ has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding January 1, 2012 to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the Borough of Bergenfield as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

Timothy J. Driscoll	Carlos Aguasvivas
Robert Gillman	Thomas Lodato
Chrisopher Tully	Charles Steinel
Ora Kornbluth	

Part II – Ownership Disclosure Certification

☐ I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

☐ Partnership ☐ Corporation ☐ Sole Proprietorship ☐ Subchapter S Corporation
☐ Limited Partnership ☐ Limited Liability Corporation ☐ Limited Liability Partnership

Name of Stock or Shareholder	Home Address

Part 3 – Signature and Attestation:

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity:_____

Signature of Affiant:_____ Title:_____

Printed Name of Affiant :_____ Date:_____

Subscribed and sworn before me this ___ day of _____, 2___.

_____
(Witnessed or attested by)

My Commission expires:

_____
(Seal)

BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS
Required Pursuant To N.J.S.A. 19:44A-20.8
BOROUGH OF BERGENFIELD

The following is statutory text related to the terms and citations used in the Business Entity Disclosure Certification form.

"Local Unit Pay-To-Play Law" (P.L. 2004, c.19, as amended by P.L. 2005, c.51)

19:44A-20.6 Certain contributions deemed as contributions by business entity.
5. When a business entity is a natural person, a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity.

19:44A-20.7 Definitions relative to certain campaign contributions.
6. As used in sections 2 through 12 of this act:
"business entity" means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other state or foreign jurisdiction;
"interest" means the ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit, as appropriate;

Temporary and Executing
12. Nothing contained in this act shall be construed as affecting the eligibility of any business entity to perform a public contract because that entity made a contribution to any committee during the one-year period immediately preceding the effective date of this act.

~~~~~~~~~~~~~~~~~~~~~~

The New Jersey Campaign Contributions and Expenditures Reporting Act (N.J.S.A. 19:44A-1 et seq.)

19:44A-3 Definitions. In pertinent part...

p. The term "political party committee" means the State committee of a political party, as organized pursuant to R.S.19:5-4, any county committee of a political party, as organized pursuant to R.S.19:5-3, or any municipal committee of a political party, as organized pursuant to R.S.19:5-2.

q. The term "candidate committee" means a committee established pursuant to subsection a. of section 9 of P.L.1973, c.83 (C.19:44A-9) for the purpose of receiving contributions and making expenditures.

r. the term "joint candidates committee" means a committee established pursuant to subsection a. of section 9 of P.L.1973, c.83 (C.19:44A-9) by at least two candidates for the same elective public offices in the same election in a legislative district, county, municipality or school district, but not more candidates than the total number of the same elective public offices to be filled in that election, for the purpose of receiving contributions and making expenditures. For the purpose of this subsection: ...; the offices of member of the board of chosen freeholders and county executive shall be deemed to be the same elective public offices in a county; and the offices of mayor and member of the municipal governing body shall be deemed to be the same elective public offices in a municipality.

19:44A-8 and 16 Contributions, expenditures, reports, requirements.
While the provisions of this section are too extensive to reprint here, the following is deemed to be the pertinent part affecting amounts of contributions:
"The $300 limit established in this subsection shall remain as stated in this subsection without further adjustment by the commission in the manner prescribed by section 22 of P.L.1993, c.65 (C.19:44A-7.2)
~~~~~~~~~~~~~~~~~~~~~~

APPENDIX "D"

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Contractor Instructions

Business entities (contractors) receiving contracts from a public agency that are NOT awarded pursuant to a "fair and open" process (defined at N.J.S.A. 19:44A-20.7) are subject to the provisions of P.L. 2005, c. 271, s.2 (N.J.S.A. 19:44A-20.26). This law provides that 10 days prior to the award of such a contract, the contractor shall disclose contributions to:

- any State, county, or municipal committee of a political party
- any legislative leadership committee
- any continuing political committee (a.k.a., political action committee)
- any candidate committee of a candidate for, or holder of, an elective office:
  - of the public entity awarding the contract
  - of that county in which that public entity is located
  - of another public entity within that county
  - or of a legislative district in which that public entity is located or, when the public entity is a county, of any legislative district which includes all or part of the county

The disclosure must list reportable contributions to any of the committees that exceed $300 per election cycle that were made during the 12 months prior to award of the contract. See N.J.S.A. 19:44A-8 and 19:44A-16 for more details on reportable contributions.

N.J.S.A. 19:44A-20.26 itemizes the parties from whom contributions must be disclosed when a business entity is not a natural person. This includes the following:

- individuals with an "interest" ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit
- all principals, partners, officers, or directors of the business entity or their spouses
- any subsidiaries directly or indirectly controlled by the business entity
- IRS Code Section 527 New Jersey based organizations, directly or indirectly controlled by the business entity and filing as continuing political committees, (PACs).

When the business entity is a natural person, "a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity." [N.J.S.A. 19:44A-20.26(b)] The contributor must be listed on the disclosure.

Any business entity that fails to comply with the disclosure provisions shall be subject to a fine imposed by ELEC in an amount to be determined by the Commission which may be based upon the amount that the business entity failed to report.

The enclosed list of agencies is provided to assist the contractor in identifying those public agencies whose elected official and/or candidate campaign committees are affected by the disclosure requirement. It is the contractor's responsibility to identify the specific committees to which contributions may have been made and need to be disclosed. The disclosed information may exceed the minimum requirement.

The enclosed form, a content-consistent facsimile, or an electronic data file containing the required details (along with a signed cover sheet) may be used as the contractor's submission and is disclosable to the public under the Open Public Records Act.

The contractor must also complete the attached Stockholder Disclosure Certification. This will assist the agency in meeting its obligations under the law. NOTE: **This section does not apply to Board of Education contracts.**

* N.J.S.A. 19:44A-3(s): "The term "legislative leadership committee" means a committee established, authorized to be established, or designated by the President of the Senate, the Minority Leader of the Senate, the Speaker of the General Assembly or the Minority Leader of the General Assembly pursuant to section 16 of P.L.1993, c.65 (C.19:44A-10.1) for the purpose of receiving contributions and making expenditures."

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Required Pursuant To N.J.S.A. 19:44A-20.26

This form or its permitted facsimile must be submitted to the local unit no later than 10 days prior to the award of the contract.

Part I – Vendor Information

Vendor Name:			
Address:			
City:		State:	Zip:

The undersigned being authorized to certify, hereby certifies that the submission provided herein represents compliance with the provisions of N.J.S.A. 19:44A-20.26 and as represented by the Instructions accompanying this form.

Signature Printed Name Title

Part II – Contribution Disclosure

Disclosure requirement: Pursuant to N.J.S.A. 19:44A-20.26 this disclosure must include all reportable political contributions (more than $300 per election cycle) over the 12 months prior to submission to the committees of the government entities listed on the form provided by the local unit.

☐ Check here if disclosure is provided in electronic form.

Contributor Name	Recipient Name	Date	Dollar Amount
			$

☐ Check here if the information is continued on subsequent page(s)

Continuation Page

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Required Pursuant To N.J.S.A. 19:44A-20.26

Page ___ of ______

Vendor Name:

Contributor Name	Recipient Name	Date	Dollar Amount
			$

List of Agencies with Elected Officials Required for Political Contribution Disclosure
N.J.S.A. 19:44A-20.26

County Name: Bergen
State: Governor, and Legislative Leadership Committees
Legislative District #s: 32, 35, 36, 37, 38, 39, 40
State Senator and two members of the General Assembly per district.

County:

Freeholders
County Executive
County Clerk
Surrogate
Sheriff

Municipalities (Mayor and members of governing body, regardless of title):

Allendale Borough
Alpine Borough
Bergenfield Borough
Bogota Borough
Carlstadt Borough
Cliffside Park Borough
Closter Borough
Cresskill Borough
Demarest Borough
Dumont Borough
East Rutherford Borough
Edgewater Borough
Elmwood Park Borough
Emerson Borough
Englewood City
Englewood Cliffs Borough
Fair Lawn Borough
Fairview Borough
Fort Lee Borough
Franklin Lakes Borough
Garfield City
Glen Rock Borough
Hackensack City
Harrington Park Borough
Hasbrouck Heights Borough
Haworth Borough
Hillsdale Borough
Ho-Ho-Kus Borough
Leonia Borough
Little Ferry Borough
Lodi Borough
Lyndhurst Township
Mahwah Township
Maywood Borough
Midland Park Borough
Montvale Borough
Moonachie Borough
New Milford Borough
North Arlington Borough
Northvale Borough
Norwood Borough
Oakland Borough
Old Tappan Borough
Oradell Borough
Palisades Park Borough
Paramus Borough
Park Ridge Borough
Ramsey Borough
Ridgefield Borough
Ridgefield Park Village
Ridgewood Village
River Edge Borough
River Vale Township
Rochelle Park Township
Rockleigh Borough
Rutherford Borough
Saddle Brook Township
Saddle River Borough
South Hackensack Township
Teaneck Township
Tenafly Borough
Teterboro Borough
Upper Saddle River Borough
Waldwick Borough
Wallington Borough
Washington Township
Westwood Borough
Woodcliff Lake Borough
Wood-Ridge Borough
Wyckoff Township

(continued on next page)

Boards of Education (Members of the Board):

Allendale Borough
Alpine Borough
Bergenfield Borough
Bogota Borough
Carlstadt Borough
Carlstadt-East Rutherford
Cliffside Park Borough
Closter Borough
Cresskill Borough
Demarest Borough
Dumont Borough
East Rutherford Borough
Edgewater Borough
Elmwood Park
Emerson Borough
Englewood Cliffs Borough
Fair Lawn Borough
Fairview Borough
Fort Lee Borough
Franklin Lakes Borough
Garfield City
Glen Rock Borough
Hackensack City
Harrington Park Borough
Hasbrouck Heights Borough
Haworth Borough
Hillsdale Borough
Ho Ho Kus Borough
Leonia Borough
Little Ferry Borough
Lodi Borough
Lyndhurst Township
Mahwah Township
Maywood Borough
Midland Park Borough
Montvale Borough
Moonachie Borough
New Milford Borough
North Arlington Borough
Northern Highlands Regional
Northern Valley Regional
Northvale Borough
Norwood Borough
Oakland Borough
Old Tappan Borough
Oradell Borough
Palisades Park
Paramus Borough
Park Ridge Borough
Pascack Valley Regional
Ramapo-Indian Hill Regional
Ramsey Borough
Ridgefield Borough
Ridgefield Park Township
Ridgewood Village
River Dell Regional
River Edge Borough
River Vale Township
Rochelle Park Township
Rockleigh
Rutherford Borough
Saddle Brook Township
Saddle River Borough
South Hackensack Township
Teaneck Township
Tenafly Borough
Teterboro
Upper Saddle River Borough
Waldwick Borough
Wallington Borough
Westwood Regional
Wood Ridge Borough
Woodcliff Lake Borough
Wyckoff Township

STOCKHOLDER DISCLOSURE CERTIFICATION

Name of Business:

☐ I certify that the list below contains the names and home addresses of all stockholders holding 10% or more of the issued and outstanding stock of the undersigned.

OR

☐ I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business organization:

☐ Partnership ☐ Corporation ☐ Sole Proprietorship

☐ Limited Partnership ☐ Limited Liability Corporation ☐ Limited Liability Partnership

☐ Subchapter S Corporation

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

Stockholders:

Name: Home Address:	Name: Home Address:
Name: Home Address:	Name: Home Address:
Name: Home Address:	Name: Home Address:

Subscribed and sworn before me this ___ day of _____, 2 __.	_____ (Affiant)
(Notary Public)	_____ (Print name & title of affiant)
My Commission expires:	(Corporate Seal)

Last Name: _____ First Name: _____ Middle: _____

(for DLGS use only)
Municode:

State of New Jersey
Department of Community Affairs

Division of Local Government Services
Local Finance Board

Local Government Ethics Law
Financial Disclosure Statement

This Financial Disclosure Statement is required annually of all local government officers in accordance with N.J.S.A. 40A:9-22.1 et seq., the Local Government Ethics Law.

(Please Type or Print)

Year of Service: 2011

Section I. Personal Information- *Local Government Officer*

Local Government Served
Municipality: _____ County: _____ Other: _____

First Name: _____ Middle: _____ Last Name: _____ Suffix: _____

*Spouse's
First Name: _____ Middle: _____ Last Name: _____ Suffix: _____

Home Address: _____
(optional) _____
_____

Telephone Numbers (optional)
Home: _____
Business: _____

* Spouse includes a Civil Union partner.

	Agency	*Position Held*	*Term Expires (If applicable)*
1.			
2.			
3.			

Section II. Financial Information

Provide the following information for yourself and *members of your immediate family* for the prior calendar year. If none, please indicate NONE in the space provided. If additional space is needed, please use Extension Forms.

A. List the name and address of each source of income, earned and unearned, which you received in excess of $2,000. If a publicly traded security is the source of income, the security need not be reported unless you or *a member of your immediate family* has an *interest in the business organization.*

	Name	Address	Self	Spouse	Dependent Name
1.			☐	☐	
2.			☐	☐	
3.			☐	☐	
4.			☐	☐	
5.			☐	☐	

B. List the name and address of each source of fees and honorariums having an aggregate amount exceeding $250 received from any single source for personal appearances, speeches, or writing.

	Name	Address	Self	Spouse	Dependent Name
1.			☐	☐	
2.			☐	☐	
3.			☐	☐	
4.			☐	☐	
5.			☐	☐	

Last Name: _____ First Name: _____ Middle: _____

(for DLGS use only)
Municode:

State of New Jersey
Department of Community Affairs

Local Government Ethics Law
Financial Disclosure Statement

Division of Local Government Services
Local Finance Board

Section II. Financial Information- continued

C. List the name and address of each source of gifts, reimbursements or prepaid expenses having an aggregate value exceeding $400 from any single source, excluding relatives.

	Name	Address	Self	Spouse	Dependent Name
1.					
2.					
3.					
4.					
5.					

D. List the name and address of all *business organizations* in which an interest was held.

	Name	Address	Self	Spouse	Dependent Name
1.					
2.					
3.					
4.					
5.					

E. List the address and a brief description of all real property in the State of New Jersey in which an interest was held.

	Municipality	County	Block	Lot	Qual.	Address (if applicable)	% of Ownership	Self	Spouse	Dependent Name
1.										
2.										
3.										
4.										
5.										

F. Please add any other information you believe is necessary to complete this form.

_____

_____

_____

Section III. Certification

I hereby certify that this Financial Disclosure Statement contains no willful misstatement of fact or omission of material fact and, together with any and all statements previously submitted in writing to the clerk of my local government or the Local Finance Board, constitutes a full disclosure with respect to all matters required by N.J.S.A. 40A:9-22.1 et seq., to the best of my knowledge. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to fines and possible disciplinary action.

_____
Date

_____
Signature of *Local Government Officer*
(Original Signature)