

**REQUEST FOR PROPOSALS
TOWNSHIP OF FRANKLIN, SOMERSET COUNTY
FOR THE PROVISION OF LEGAL SERVICES – BOND COUNSEL 2019**

RFP # MC-F0-0007-19

ISSUE DATE: November 9, 2018

DUE DATE: December 7, 2018 by 11:00 a.m. Prevailing Time

Issued by:

**Township of Franklin
475 DeMott Lane
Franklin, New Jersey 08873**

* RFP Addenda will be issued on the website. Therefore, interested respondents shall be responsible for monitoring the website from now through RFP opening. It is the sole responsibility of the respondent to be knowledgeable of all addenda related to this procurement.

Respondents are required to comply with the requirements of N.J.S.A. 10:5-31 et seq.

GLOSSARY

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

"Township" - refers to the Township of Franklin.

"Proposal" - refers to the complete responses to this RFP submitted by the Respondents.

"Qualified Respondent" - refers to those Respondents who (in the sole judgment of the Township) have satisfied the proposal criteria set forth in this RFP.

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

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

SECTION 1

INTRODUCTION AND GENERAL INFORMATION

1.1. Introduction and Purpose.

The Township is soliciting Proposals from interested persons and/or firms for the provision of **Bond Counsel Legal Services**, as more particularly described herein. Through a Request for Proposal process described herein, persons and/or firms interested in assisting the Township with the provision of such services must prepare and submit a Proposal in accordance with the procedure and schedule in this RFP. The Township will review Proposals only from those firms that submit a Proposal which includes all the information required to be included as described herein (in the sole judgment of the Township). The Township 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 Township to provide the greatest benefit to the taxpayers of Franklin.

1.2. Procurement Process and Schedule.

The selection of a Respondent 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 subject to the “New Jersey Local Unit Pay-to-Play” Law, N.J.S.A. 19:44A-20.4 et seq. However, the Township 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 Proposal in response to the RFP will be evaluated in accordance with the criteria set forth in Section 2 of this RFP, which will be applied in the same manner to each Proposal received. Respondents agree to at all times abide by all requirements of New Jersey law, including, but not limited to the aforementioned “Pay to Play” laws, as well as any and all relevant Executive Orders and the New Jersey Election Law Enforcement Commission disclosure requirements.

Proposals will be reviewed and evaluated by the Township and its legal and/or financial advisors (collectively, the "Review Team"). The Proposals will be reviewed to determine if the Respondent has met the minimum professional, administrative and financial areas described in this RFP. Under no circumstances will a member of the review team review responses to an RFP for a job which they or their firm submitted a response. Based upon the totality of the information contained in the Proposal, including information about the reputation and experience of each Respondent, the Township will (in its sole judgment) determine which Respondents are qualified (from professional, administrative and financial standpoints) Each Respondent that meets the requirements of the RFP (in the sole judgment of the Township) will be designated as a Qualified Respondent and will be given the opportunity to participate in the selection process determined by the Township.

The RFP process commences with the issuance of this RFP. The steps involved in the process and the anticipated completion dates are set forth in Table 1, Procurement Schedule. The Township reserves the right to, among other things, amend, modify or alter the Procurement Schedule upon notice to all potential Respondents.

All communications concerning this RFP or the RFP process shall be directed to the Township's Designated Contact Person, in writing.

Designated Contact Person:

Cindy Belanger, Qualified Purchasing Agent
Township of Franklin Municipal Building
475 DeMott Lane
Franklin, N.J. 08873

Proposals must be submitted to, and be received by, the Township, via mail or hand delivery, by 11:00 a.m. Prevailing Time on December 7, 2018. Proposals will not be accepted by facsimile transmission or e-mail.

Subsequent to issuance of this RFP, the Township (through the issuance of addenda to all firms that have received a copy of the RFP) may modify, supplement or amend the provisions of this RFP 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 Township.

TABLE 1

ANTICIPATED PROCUREMENT SCHEDULE

ACTIVITY	DATE
1. Issuance of Request for Proposals	November 9, 2018
2. Receipt of Proposals	December 7, 2018
3. Completion of Evaluation of Proposals by the Review Team	December 28, 2018
4. Township Review of Review Team Recommendations	January 4, 2019
5. Approval of Professional Services Resolutions by Township Council (anticipated date)	January 7, 2019

Section 1.3. Conditions Applicable to RFP.

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

- All costs incurred by the Respondent in connection with responding to this RFP shall be borne solely by the Respondent.
- The Township 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 RFP from further consideration for this procurement.
- The Township reserves the right (in its sole judgment) to reject any Respondent that submits incomplete responses to this RFP, or a Proposal that is not responsive to the requirements of this RFP.
- The Township reserves the right, without prior notice, to supplement, amend, or otherwise modify this RFP, or otherwise request additional information.
- All Proposals shall become the property of the Township and will not be returned.
- All Proposals will be made available to the public at the appropriate time, as determined by the Township (in the exercise of its sole discretion) in accordance with law.
- The Township may request Respondents to send representatives to the Township for interviews.
- Any and all Proposals not received by the Township by 11:00 a.m. Prevailing Time on December 7, 2018 will be rejected.
- Neither the Township, nor their respective staffs, consultants or advisors (including but not limited to the Review Team) shall be liable for any claims or damages resulting from the solicitation or preparation of the Proposal, nor will there be any reimbursement to Respondents for the cost of preparing and submitting a Proposal or for participating in this procurement process.

Section 1.4. Rights of Township.

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

- To determine that any Proposal received complies or fails to comply with the terms of this RFP.

- To supplement, amend or otherwise modify the RFP through issuance of addenda to all prospective Respondents who have received a copy of this RFP.
- To waive any technical non-conformance with the terms of this RFP.
- To change or alter the schedule for any events called for in this RFP upon the issuance of notice to all prospective Respondents who have received a copy of this RFP.
- To conduct investigations of any or all of the Respondents, as the Township deems necessary or convenient, to clarify the information provided as part of the Proposal and to request additional information to support the information included in any Proposal.
- To suspend or terminate the procurement process described in this RFP at any time (in its sole discretion.) If terminated, the Township may determine to commence a new procurement process or exercise any other rights provided under applicable law without any obligation to the Respondents.

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

1.5 Addenda or Amendments to RFP.

During the period provided for the preparation of responses to the RFP, the Township may issue addenda, amendments or answers to written inquiries. Those addenda will be noticed by the Township and will constitute a part of the RFP. All responses to the RFP shall be prepared with full consideration of the addenda issued prior to the proposal submission date.

1.6 Cost of Proposal Preparation.

Each proposal and all information required to be submitted pursuant to the RFP shall be prepared at the sole cost and expense of the respondent. There shall be no claims whatsoever against the Township, its staff or consultants for reimbursement for the payment of costs or expenses incurred in the preparation of the Proposal or other information required by the RFP.

1.7 Proposal Format.

Responses should cover all information requested in the Questions to be answered in this RFP.

Responses which in the judgment of the Township fail to meet the requirements of the RFP or which are in any way conditional, incomplete, obscure, contain additions or deletions from requested information, or contain errors may be rejected.

1.8. “Pay to Play” – Notice of Disclosure Requirement – P.L. 2005, Chapter 271, Section 3 Reporting (N.J.S.A. 19:44A – 20.27)

- (1) Any business entity that has received \$50,000 or more in contracts from government entities in a calendar year is required to file an annual disclosure report with ELEC. The instructions and form are available on the ELEC website.
- (2) Annual Disclosures require submission by March 30th of each year covering contracts and contributions for the prior calendar year.
- (3) At a minimum, a list of all business entities that file an annual disclosure report will be listed on ELEC’s website at www.elec.state.nj.us.
- (4) If you have any questions please contact ELEC at:
1-888-313-ELEC (3532) (toll free in NJ) or 609-292-8700

1.9 Insurance and Indemnification

If it becomes necessary for the contractor, either as principal or by agent or employee, to enter upon the premises or property of the owner in order to construct, erect, inspect, make delivery or remove property hereunder, the contractor hereby covenants and agrees to take use, provide and make all proper, necessary and sufficient precautions, safeguards, and protection against the occurrence of happenings of any accident, injuries, damages, or hurt to person or property during the course of the work herein covered and be his/her sole responsibility.

The contractor further covenants and agrees to indemnify and save harmless the owner from the payment of all sums of money or any other consideration(s) by reason of any, or all, such accidents, injuries, damages, or hurt that may happen or occur upon or about such work and all fines, penalties and loss incurred for or by reason of the violation of any owner regulation, ordinance or the laws of the State, or the United States while said work is in progress.

The contractor shall maintain sufficient insurance to protect against all claims under Workers Compensation, General Liability and Automobile and shall be subject to approval for adequacy of protection and certificates of such insurance shall be provided.

A. Insurance Requirements:

Worker’s Compensation and Employer’s Liability Insurance

This insurance shall be maintained in full force during the life of this contract by the contractor covering all employees engaged in performance of this contract pursuant to N.J.S.A. 34:15-12(a) and N.J.A.C. 12:235-1.6. Minimum Employer’s Liability \$1,000,000.00.

General Liability Insurance

This insurance shall have limits of not less than \$1,000,000.00 any one person and \$1,000,000.00 any one accident for bodily injury and \$1,000,000.00 aggregate for property damage, and shall be maintained in force during the life of the contract.

Automobile Liability Insurance

This insurance covering contractor for claims arising from owned, hired and non-owned vehicles with limits of not less than \$1,000,000.00 any one person and \$1,000,000.00 any one accident for bodily injury and \$1,000,000.00 each accident for property damage, shall be maintained in force during the life of this contract by the contractor.

B. Certificates of the Required Insurance

Certificates shall be submitted along with the contract as evidence covering the above insurances in the amounts set forth above. Such coverage shall be with acceptable insurance companies operating on an admitted basis in the State of New Jersey.

The contractor shall provide the Township with a Certificate of Insurance naming the Township as additional insured, evidencing the existence of required insurance prior to the commission of work. Said insurance must include coverage for complete operations, contractual insurance and independent contractor or subcontractor insurance, where and if applicable.

Self-insured contractors shall submit an affidavit attesting to their self-insured coverage and shall name the owner as an additional insured.

Franklin Township will not accept Mutual Limitation of Liability terms.

C. Indemnification

Successful respondent shall indemnify and hold harmless the owner from all claims, suits or actions and damages or costs of every name and description to which the owner may be subjected or put by reason of injury to the person or property of another, or the property of the owner, resulting from negligent acts or omissions on the part of the respondent, the respondent's agents, servants or subcontractors in the delivery of goods and services, or in the performance of the work under the contract.

Professional Liability, (Errors & Omissions) Insurance Policy

Coverage in the amount of \$1,000,000.00/occurrence, \$1,000,000.00 aggregate and assurance that each such policy for each staff member remains full and in effect while providing

SECTION 2

SCOPE OF SERVICES

It is the intent of the Township to solicit Proposals from Respondents that have expertise in the provision of **Legal Services – Bond Counsel**. Firms and/or persons responding to this RFP shall be able to demonstrate that they will have the continuing capabilities to perform these services.

SECTION 3

SUBMISSION REQUIREMENTS

Section 3.1 General Requirements.

The Proposal 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.

In addition to the information required as described below, a Respondent may submit supplemental information that it feels may be useful in evaluating its Proposal. 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 Proposal, provide the following information:

1. A Proposal Summary including:
 - (a) a description of its overall experience in providing the type of services sought in the RFP.
 - (b) Name, address and contact information of references
 - (c) Describe the services that Respondent would perform directly and those portions of the Respondent's services, if any, that are sub-contracted out. Identify all subcontractors the Respondent anticipates using in connection with this project.
 - (d) Does the Respondent normally employ union or non-union employees?

(e) Resumes of key employees

(f) List all immediate relatives of Principal(s) of Respondent who are Township employees or elected officials of the Township. For purposes of the above, "immediate relative" means a spouse, parent, stepparent, brother, sister, child, stepchild, direct-line aunt or uncle, grandparent, grandchild, and in-laws by reason of relation.

2. An executed Letter of Qualification (See Appendix A to this RFP).
3. Name, address and telephone number of the firm or firms submitting the Proposal pursuant to this RFP, and the name of the key contact person.
4. 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 Proposal. For purposes of this RFP, "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 parents' approval rights over the activities of the firm submitting a Proposal. Describe the approval process.
 - (c) If the Respondent is a partnership or a joint venture or similar organization, provide comparable information as required in (b) above for each member of the partnership, joint venture or similar organization.
 - (d) A statement that the Respondent has complied with all applicable affirmative action (or similar) requirements with respect to its business activities, together with evidence of such compliance.
5. An executed Letter of Intent (See Appendix B).
6. The number of years your organization has been in business under the present name and current management.
7. Any judgments, claims or suits within the last three (3) years in which Respondent has been adjudicated liable for professional malpractice. If yes, please explain.

8. 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 explain.
9. Confirm appropriate federal and state licenses to perform activities. **Submit a copy of the Firm's Business Registration Certificate.**

Section 3.3 Compensation Requirements.

Interested firms must outline proposed rates to be used for the term of services and for reimbursement of costs. Respondents must submit specific costs for providing the work outlined in the scope of services. Alternatively, if circumstances permit, the Township reserves the right to request a detailed cost proposal from Respondents.

The Cost Proposal section must include the notarized signature, printed name and title of the individual completing the Proposal for the Respondent.

SECTION 4

INSTRUCTIONS TO RESPONDENTS

4.1 Submission of Proposals.

Respondents must submit an original and one (1) digital copy of the Proposal (flashdrive) to the Designated Contact Person:

Cindy Belanger, Qualified Purchasing Agent
Township of Franklin Municipal Building
475 DeMott Lane
Franklin, N.J. 08873

Proposals must be received by the Township no later than 11:00 a.m. (prevailing time) on December 7, 2018, and must be mailed or hand-delivered. Proposals forwarded by facsimile or e-mail will not be accepted.

To be responsive, Proposals must provide all requested information, and must be in strict conformance with the instructions set forth herein. Proposals and all related information must be bound, and signed and acknowledged by the Respondent.

SECTION 5

EVALUATION

The Township's objective in soliciting Proposals is to enable it to select a firm or organization that will provide high quality and cost effective services to the citizens of Franklin. The Township will consider Proposals only from firms or organizations that, in the Township's judgment, have demonstrated the capability and willingness to provide high quality services to the citizens of the Township in the manner described in this RFP.

Proposals will be evaluated by the Township on the basis of the most advantageous, all relevant factors considered. The evaluation will consider:

1. Experience and reputation in the field;
2. Knowledge of the Township and the subject matter addressed under the contract;
3. Availability to accommodate the required meetings of the Township; and
4. Other factors demonstrated to be in the best interest of the Township.

SECTION 6

FORMS

FORM 1

AFFIRMATIVE ACTION REQUIREMENTS

AFFIRMATIVE ACTION REQUIREMENTS/EQUAL EMPLOYMENT OPPORTUNITY

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

a. 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 non-discrimination clause;

b. 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;

c. 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 Public Agency Compliance 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;

d. 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.

e. The contractor or subcontractor agrees to make good faith efforts to meet targeted County employment goals established in accordance with N.J.A.C. 17:27-5.2.

f. 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;

g. 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;

h. 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:

- a. Letter of Federal Affirmative Action Plan Approval;
- b. Certificate of Employee Information Report; or
- c. Employee Information Report Form AA 302 (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 subcontractors shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunities Compliance as may be requested by the office from time to time in order to carry out the purposes of these regulations and the Township of Franklin shall furnish such information as may be requested by the Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

FORM 2

STATEMENT OF OWNERSHIP DISCLOSURE

**CERTIFICATION OF SHAREHOLDERS, MEMBERS, OFFICERS,
LIMITED PARTNERS OR PARTNERS**

ALL CORPORATE, LIMITED LIABILITY COMPANY, LIMITED PARTNERSHIP OR PARTNERSHIP VENDORS MUST COMPLETE THIS FORM IN ACCORDANCE WITH N.J.S.A.

52:25-24.2.

List all shareholders, members, limited partners or partners with ten (10%) percent or more of the stock or interest in said corporation, limited liability company, limited partnership or partnership (all corporate partners or shareholders owning ten (10%) percent or more of the stock must disclose their holdings). If any entity owns 10% or more of the vendor, disclosure of the ownership interest must continue until the interest is less than 10%.

<u>Shareholder/Partner/LP/Member</u>	<u>Interest</u>	<u>Address</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Please check here if no stockholder, member, limited partner or partner owns ten percent (10%) or more of the stock or interest in the corporation, limited liability company, limited partnership or partnership

_____.

List all directors and officers of the corporation.

<u>Name</u>	<u>Address</u>	<u>Title (list all positions held)</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby certify that the information given above is true and correct as of

(Date of Submission)

I am aware that if any of the foregoing statements made by me above is willfully false,
I am subject to punishment.

(Partner or Corporate (Title) Officer to sign)

NOTICE: If there are any questions concerning this form or its completion, refer to N.J.S.A.
52:2524.2. Attach additional sheets if necessary.

FORM 3

NON-COLLUSION

AFFIDAVIT

STATE OF
: SS:
COUNTY OF :

I, _____, of the Municipality of _____, in the County of _____, State of _____, of full age, being duly sworn according to law on my oath depose and say that:

I am _____ of the firm of _____, the proposer making the submission, and that I executed the said submission with full authority to do so; that said proposer has not, directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive competition in connection with the submission; and that all statements contained in said submission and in this Affidavit are true, correct, and made with full knowledge that the Authority relies upon the truth of the statements contained in said submission and in the statements contained in the Affidavit in awarding the Contract for the said submission.

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

(Name of Proposer)

By _____

Subscribed and Sworn
to before me this
_____ day of ____ 20____
Notary Public of _____
Commission Expires _____

(Type or print name of affiant)

FORM 4

ATTENTION ALL PROFESSIONAL SERVICE ENTITIES

P.L. 2004, c.57, Business Registration of Contractors with Government Agencies requires all business organizations that do business with a local contracting agency to be registered with the State of New Jersey, Department of Treasury, Division of Revenue, at the time of submission of the proposal and provide proof of that registration to the contracting agency before the contracting agency may enter into a contract with the business.

A “Business Organization” means an individual, partnership, association, joint stock company, trust, corporation or other legal business entity or successor thereof.

The law provides that: Business organizations must be registered with the State of New Jersey Department of Treasury. A copy of the Business Registration Certificate issued by the New Jersey Department of Treasury, Division of Revenue, must be provided prior to an award of contract. Failure to be registered at time of contract award may be cause for rejection. This law covers construction as well as non-construction submissions. Entities or individuals that need to file for a certificate may do so on-line through the NJ Division of Local Government Services at the following link: <http://www.state.nj.us/treasury/>.

ATTACH A COPY OF YOUR BUSINESS REGISTRATION CERTIFICATE.

(The Business Registration Certificate issued by the State of New Jersey Department of the Treasury is the only acceptable form of submission.)

FORM 5

DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

Proposer Name:

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 the person or entity, or one of the person or entity's parents, subsidiaries, or affiliates, is not identified on a list created and maintained by the Department of the Treasury as a person or entity engaging in investment activities in Iran. If the Director finds a person or entity to be in violation of the principles which are the subject of this 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 person or entity.

I certify, pursuant to Public Law 2012, c. 25, that the person or entity listed above for which I am authorized to propose:

___ is not providing goods or services of \$20,000,000 or more in the energy sector of Iran, including a person or entity that provides oil or liquefied natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas, for energy sector of Iran, **AND**

___ is not a financial institution that extends \$20,000,000 or more in credit to another person or entity, for 45 days or more, if that person or entity will use the credit to provide goods or services in the energy sector in Iran.

In the event that a person or entity is unable to make the above certification because it or one of its parents, subsidiaries, or affiliates has engaged in the above-referenced activities, a detailed accurate and precise description of the activities must be provided in part 2 below under penalty of perjury. Failure to provide such will result in the proposal being rendered as nonresponsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.

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

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

NAME: _____ Relationship to Proposer

Description of Activities _____

Duration of Engagement _____ Anticipated Cessation Date

Proposer Contact Name _____ Contact Phone Number

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

Full Name (Print) _____ Signature:

Title _____ Date:

FORM 6
SIGNATURE PAGE

(Corporation)

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

Principal office at _____

Company

Federal I.D. # or Social Security #

Address

Signature of Authorized Agent

Type or Print Name

Title of Authorized Agent

Date

Telephone Number

Email Address

Fax Number

FORM 7

ACKNOWLEDGMENT OF RECEIPT OF ADDENDA

The undersigned Respondent hereby acknowledges receipt of the following Addenda:

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

Acknowledged for: _____
(Name of Respondent)

By: _____
(Signature of Authorized Representative)

Name: _____
(Print or Type)

Title: _____

Date: _____

FORM NOT REQUIRED IF NO ADDENDA ISSUED

TOWNSHIP OF FRANKLIN
CHECKLIST

PROFESSIONAL SERVICE TITLE: LEGAL SERVICES – BOND COUNSEL

SUBMISSION DATE: December 7, 2018 AT 11:00 A.M.

The following items shall be provided with the receipt of sealed submissions:

- | | |
|---|------------|
| Qualifications Submission | <u> X</u> |
| (Please describe individual's/firm's qualifications) | |
|
 | |
| Cost Proposal (as applicable) | <u> X</u> |
|
 | |
| Affirmative Action Requirements - Form 1..... | <u> X</u> |
| Statement of Ownership Disclosure - Form 2..... | <u> X</u> |
| Non-Collusion Affidavit - Form 3..... | <u> X</u> |
|
 | |
| Copy of your Business Registration Certificate as issued by the State of New Jersey,
Department of Treasury, Division of Revenue - Form 4..... | <u> X</u> |
| Disclosure of Investment Activities in Iran - Form 5..... | <u> X</u> |
| Signature Page - Form 6..... | <u> X</u> |
| Addenda (to be completed if addenda issued) - Form 7..... | <u> X</u> |

APPENDIX A

LETTER OF QUALIFICATION

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

[insert date]

Robert G. Vornlocker, Jr., Township Manager
Township of Franklin Municipal Building
475 DeMott Lane
Franklin, N.J. 08873

Dear Mr. Vornlocker:

The undersigned have reviewed our Qualification Statement submitted in response to the Request for Proposal (RFP) issued by the Township of Franklin ("Township"), dated November 9, 2018, in connection with the Township's need for **Bond Counsel Legal Services**.

We affirm that the contents of our Qualification Statement (which Qualification Statement is incorporated herein by reference) are 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 (Name of Respondent).

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

(Signature of Chief

Executive Officer)

(Typed Name and Title)

(Type Name of Firm)

Dated: _____

APPENDIX B

LETTER OF INTENT

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

[insert date]

Robert G. Vornlocker, Jr., Township Manager
Township of Franklin Municipal Building
475 DeMott Lane
Franklin, N.J. 08873

Dear Mr. Vornlocker:

The undersigned, as Respondent, has (have) submitted the attached Qualification Statement in response to a Request for Proposal (RFP), issued by the Township of Franklin ("Township"), dated November 9, 2018 in connection with the Township's need for **Bond Counsel Legal Services**.

(Name of Respondent) HEREBY STATES:

1. The Qualification Statement contains accurate, factual and complete information.
2. (Name of Respondent) agrees (agrees) to participate in good faith in the procurement process as described in the RFP and to adhere to the Township's procurement schedule.
3. (Name of Respondent) acknowledges (acknowledge) that all costs incurred by it (them) in connection with the preparation and submission of the Qualification Statement and any Qualification

Statement prepared and submitted in response to the RFP, or any negotiation which results therefrom shall be borne exclusively by the Respondent.

4. (Name of Respondent) hereby declares (declare) that the only persons participating in this Qualification Statement as Principals 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 be included as participating Principals, but only if acceptable to the Township. (Name of 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. (Name of Respondent) acknowledges and agrees that the Township may modify, amend, suspend and/or terminate the procurement process (in its sole judgment). In any case, the Township shall have any liability to the Respondent for any costs incurred by the Respondent with respect to the procurement activities described in this RFP.

7. (Name of Respondent) acknowledges that any contract executed with respect to the provision of **Bond Counsel Legal Services** must comply with all applicable affirmative action and similar laws. Respondent hereby agrees to take such actions as are required in order to comply with such applicable laws.

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

(Signature of Chief Executive Officer)

(Typed Name and Title)

(Type Name of Firm)

Dated: _____