

REQUEST FOR RFQ'S
2026 PROFESSIONAL SERVICES

ISSUE DATE: November 13, 2025

DUE DATE: December 18, 2025

The Provision of Services for the Following Positions:

Affordable Housing Attorney
Borough Attorney
Borough Auditor
Borough Planner
Borough Prosecutor
Borough Public Defender
Borough Water System Operator
Board of Adjustment Attorney
Board of Adjustment Engineer
Board of Adjustment Planner
Bond Counsel
Financial Advisor
Fixed Asset Inventory
Labor Attorney
Municipal Administrative Consultant (part-time)
Planning Board Attorney
Planning Board Engineer
Planning Board Planner
Real Estate Appraiser
Rent Board Attorney
Special Legal Counsel

NOTE: The Borough of Caldwell will consider proposals only from firms or organizations that have demonstrated the capability and willingness to provide high quality services in the manner described in this Request for Qualifications

TABLE OF CONTENTS

Request for Qualifications	1
Section 1	
Introduction and General Information.....	2
Section 2	
Scope of Services.....	7
Section 3	
Submission Requirements	14
Section 4	
Instructions to Respondents.....	16
Section 5	
Statutory Guidelines and Other Requirements.....	17
Section 6	
Evaluation Criteria	19

APPENDIXES

Appendix A	Letter of Qualification
Appendix B	Letter of Intent
Appendix C	Americans with Disabilities Act of 1990
Appendix D	Statement of Ownership Disclosure
Appendix E	Affirmative Action Compliance
Appendix F	Statement of Bidders Experience & Financial Responsibility
Appendix G	Proposal Document Checklist

BOROUGH OF CALDWELL
Request for Qualifications
2026 Professionals

The Borough of Caldwell is soliciting Qualification Statements from interested persons and/or firms for the services set forth below in accordance with the "fair and open process" pursuant to N.J.S.A. 19:44A-20.5, et. seq. Through a Request for Qualification process, persons and/or firms interested in assisting the Borough with such services must prepare and submit a Qualification Statement in accordance with the procedure and schedule in the RFQ. The Borough will review Qualification Statements only from those firms that submit a Qualification Statement which includes all the information required to be included as described (in the sole judgment of the Borough). The Borough intends to qualify (a) person(s) and/or firm(s) that (a) possess(ess) the professional, financial and administrative capabilities to provide the proposed services, and (b) agrees and meets the terms and conditions determined by the Borough that provide the greatest benefit to the taxpayers of Caldwell.

The selection of Qualified Respondents is not subject to the 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 Borough has structured a procurement process that seeks to obtain the desired results, and 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 must be submitted to, and be received by Brittany Heun, Borough Clerk, Borough of Caldwell, 24 Smull Ave, Caldwell, NJ 07006 on or before 12:00 p.m. (NOON) on Thursday, December 18, 2025. RFQ's will be publicly opened on Thursday, December 18, 2025 at 12:00 p.m. (NOON). Qualification Statements will not be accepted by facsimile transmission or e-mail.

Affordable Housing Administrative
Agent

Affordable Housing Attorney
Borough Attorney
Borough Auditor
Borough Planner
Borough Prosecutor
Borough Public Defender
Borough Water System
Operator Board of Adjustment
Attorney Board of Adjustment
Engineer Board of Adjustment
Planner

Bond Counsel
Financial Advisor
Fixed Assets
Inventory
Labor Attorney
Municipal Administrative Consultant (part-time)
Planning Board Attorney
Planning Board
Engineer Planning Board
Planner Real Estate
Appraiser Rent Board
Attorney Special Legal
Counsel

The Instructions for Qualification Statements are filed in the office of Brittany Heun, Borough Clerk, Borough of Caldwell, 24 Smull Ave, Caldwell, NJ 07006 and may be inspected by prospective respondents during regular business hours between 9 a.m. to 4 p.m. beginning on Thursday, November 13, 2025, excluding Holidays. Qualification Statements must be submitted in the manner designated in the Instructions, must be enclosed in sealed envelopes bearing name and address of the respondent and the name of the Professional Service respondent is seeking on the outside and addressed to the Borough of Caldwell. Any questions, please contact Brittany Heun at 973-403-4638, or email bheun@caldwell-nj.com.

BY ORDER OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CALDWELL, NEW JERSEY

Brittany Heun
Borough Clerk

SECTION I

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 **Affordable Housing Administrative Agent, Affordable Housing Attorney, Borough Attorney, Borough Auditor, Borough Planner, Borough Prosecutor, Borough Public Defender, Borough Water System Operator, Board of Adjustment Attorney, Board of Adjustment Engineer, Board of Adjustment Planner, Bond Counsel, Financial Advisor, Labor Attorney, Municipal Administrative Consultant, Planning Board Attorney, Planning Board Engineer, Planning Board Planner, Real Estate Appraiser, Rent Board Attorney, Special Legal Counsel** Services as more particularly described herein. 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 in this RFQ. The Borough will review Qualification Statements only from those firms that submit a Qualification Statement which 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 Caldwell.

1.2. Procurement Process and Schedule.

The selection of Qualified Respondents is exempt from public bidding pursuant to N.J.S.A. 40A:11-5 and provisions of the Local Public Contracts Law, N.J. S.A. 40A: 11-1 et seq. The selection of all positions in excess of \$17,500 is subject to the "New Jersey Local Unit Pay-to-Play" Law, N.J.S.A. 19:44A-20.4 et however. The Borough is seeking to obtain an, **Affordable Housing Administrative Agenda, Affordable Housing Attorney, Borough Attorney, Borough Auditor, Borough Planner, Borough Prosecutor, Borough Public Defender, Borough Water System Operator, Board of Adjustment Attorney, Board of Adjustment Engineer, Board of Adjustment Planner, Bond Counsel, Financial Advisor, Fixed Asset Inventory, Labor Attorney, Municipal Administrative Consultant, Planning Board Attorney, Planning Board Engineer, Planning Board Planner, Real Estate Appraiser, Rent Board Attorney, Special Legal Counsel** 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 evaluation criteria set forth in Section 6 of this RFQ, which will be applied in the same manner to each Qualification Statement received.

Qualification Statements will be reviewed and evaluated by the Borough and its legal and/or financial advisors. No individual will review or evaluate Qualification Statements for a position for which he or she has applied. The Qualification Statements will be reviewed to determine if the Respondent has met the minimum professional, administrative and financial areas described in this RFQ. 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 given the opportunity to participate in the selection process determined by the Borough.

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 Section 1, Table 1. and Procurement Schedule.

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

Designated Contact Person:

Brittany Heun
Borough Clerk
24 Smull Avenue
Caldwell, NJ 07006

Qualification Statements must be submitted to, and be received by the Borough, via mail or hand delivery, no later than 12:00 p.m. (NOON) Prevailing Time on Thursday, December 18, 2025. Qualification Statements will not be accepted by facsimile transmission or e-mail. A Public Opening will take place on Thursday, December 18, 2025 at 12:00 p.m. (NOON) in the conference room at 24 Smull Avenue, Caldwell, New Jersey 07006. All RFQ Submissions sent via regular mail, federal express, UPS or courier service and shall be at the sole risk of the Respondent.

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. Respondents' attention is specifically called to those Appendix Forms that require notarization and/or Respondent signatures.

**TABLE 1
ANTICIPATED PROCUREMENT SCHEDULE**

ACTIVITY	DATE
1. Issuance of Request for Qualifications	November 13, 2025
2. Receipt of Qualification Statements	December 18, 2025
3. Opening of Proposals	December 18, 2025
4. Borough Team Analysis of RFQ*	December. 18-27, 2025
5. Recommendation of Award*	December 31, 2025
6. Award of Contract to Successful Respondent*	2026 Re-organization meeting
7. Execution of Contract *	January 15, 2026

Dates for items marked with an "*" are approximate dates and may be subject of change based upon the needs of the Borough.

Section 1.3. Conditions Applicable to RFQ.

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 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, without prior notice, to supplement, amend, or otherwise modify this RFQ, or otherwise request additional information.

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 Respondents to send representatives to the Borough for interviews.

Any and all Qualification Statements not received by the Borough by 12:00 p.m. (NOON) prevailing time on December 17, 2024 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 there be any reimbursement to Respondents for the cost of preparing and submitting a Qualification Statement.

Section 1.4. Rights of Borough.

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.

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. Addenda will be noticed by the Borough 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 proposal submission date. See Appendix G.

1.6 Cost of Proposal Preparation.

Each proposal 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 Proposal Format.

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 additions or deletions from requested information, or contain errors may be rejected.

1.8 Seeking Multiple Positions.

Submitting RFQ for more than one position requires a separate RFQ submission for each position you are seeking, all requirements herein must be sent for each RFQ submission.

SECTION 2

SCOPE OF SERVICES

It is the intent of the Borough to solicit Qualification Statements from Respondents that have expertise in their field of Professionals Service. The Borough is seeking response from Firms and/or persons to this RFQ. Respondents shall be able to demonstrate that they have the capabilities to perform the services as described herein.

Affordable Housing Administrative Agent

The Borough of Caldwell, Essex County, is seeking proposals for an Affordable Housing Administrative Agent in compliance with the Rules on Affordable Housing promulgated by the Department of Community Affairs (DCA) of the State of New Jersey and as defined and set forth in the Uniform Housing Affordability controls (UHAC) adopted by the New Jersey Housing and Mortgage Finance Agency (HMFA), N.J.A.C. 5:80-26.1 et seq. The administrative agent selected must be DCA (formerly COAH) approved and enter into a contract prepared by the Borough of Caldwell. The term of this agreement shall expire December 31, 2026.

Affordable Housing Attorney

The Borough of Caldwell, Essex County, is seeking proposals for an Affordable Housing Attorney to guide the Borough and assist the Affordable Housing Administrative Agent in compliance with the Rules on Affordable Housing promulgated by the Department of Community Affairs (DCA) of the State of New Jersey and as defined and set forth in the Uniform Housing Affordability controls (UHAC) adopted by the New Jersey Housing and Mortgage Finance Agency (HMFA), N.J.A.C. 5:80-26.1 et seq. The responding attorney must be able to provide experience in specifically dealing with Mount Laurel matters within the State of New Jersey. The term of this agreement shall expire December 31, 2026.

Borough Attorney

Respondent must have significant experience representing New Jersey municipalities as municipal attorney, general counsel and/or corporate counsel. The successful respondent will provide the Borough with legal guidance and representation relating to, but not necessarily limited to the following: performing legal research and providing advisory opinions as needed; representing the Borough in federal and state courts, as well as administrative forums; reviewing, analyzing and advising the Borough on any application before it; reviewing and/or drafting resolutions and ordinances; attending all meetings of the Mayor and Council and any other board or committee, as directed; performing all requirements of the position of Borough Attorney; notifying the Borough of changes in the law or regulations, as well as Court decisions that may impact the Borough and its officials, and; any other matters as directed by appropriate Borough officials.

Respondent must be or employ an attorney to practice law in the State of New Jersey that wishes to provide services to the Borough with regard to property tax appeals, as directed by the Mayor and Council, the Borough Tax Assessor, or appropriate official within the Borough. Respondent must have significant experience in representing New Jersey municipalities in Tax Court and before County Boards of Taxation. The successful respondent will provide the Borough with legal guidance relating to tax appeals, but not necessarily limited to: performing legal research and providing advisory opinions as needed; drafting pleadings and stipulations of

settlement related to tax appeals; representing the Borough in litigation in federal and state courts and administrative forums with regard to tax appeal issues; preparing motions and discovery requests; attending meetings of the Mayor and Council and/or Committees upon request; conducting programs on specified legal issues relating to tax appeals for appropriate elected officials and/or Borough employees upon request; and other matters as directed by the Borough.

The Borough retains the Borough Attorney to perform the duties of said position as established by statute, Borough Ordinance and as authorized and directed by the Mayor and Council. The services of the

Attorney are being engaged without public bidding as professional services pursuant to the provisions of the New Jersey Local Public Contracts Law inasmuch as such services are to be performed by a person and/or firm authorized by law to practice a recognized profession which is regulated by law and not subject to public bidding. Attorney shall receive a retainer in such sum as established by ordinance of the Borough of Caldwell or as otherwise appropriated in the Local Municipal Budget. Such retainer shall encompass the attendance by the Attorney at all regularly scheduled meetings of the Mayor and Council; telephone conferences with the Mayor, Members of the Council, Borough Administrator, Borough Clerk and other Department Heads; review of agenda items as prepared by the Mayor and Borough Clerk. For all additional services including, but not limited to litigation, public employee matters, contract negotiations, preparation of bid specifications, ordinances, tax appeals, arbitrations, mediations, other hearing and disputes, related correspondence telephone conferences with persons other than those named above, and miscellaneous matters and special Projects. The term of this agreement shall expire December 31, 2026.

Borough Auditor

Respondent must have significant experience in public sector auditing. Further, the Respondent shall be licensed as a Registered Municipal Accountant. The successful respondent will provide the Borough with consulting services related, but not necessarily limited to: assisting in the preparation of the Municipal Budget; making routine investigations, examinations, and audits of books and financial records and preparing reports thereof, making inspections of varied financial transactions and records to ensure that concerned regulations and accounting procedures are observed; auditing expense invoices and preparing audits and reports of costs and other financial summaries and statements; preparing detailed reports of audits containing findings, conclusions, and recommendations; maintaining essential auditing records and files; and any other thing necessary and proper for completion of the duties of the Borough Auditor as directed by the Borough. The term of this agreement shall expire December 31, 2026.

Borough Planner

Must be a currently Licensed New Jersey Planner. Must be a member of the American Institute of Certified Planners. Must have a minimum of ten years' experience in providing consulting professional planning services to municipalities including demonstrated experience with the preparation of comprehensive plans and development ordinances, housing elements and fair share plans, redevelopment plans, and review of development applications. Must be experienced in working with various State, County and local regulatory agencies. Must have experience working with municipal land use boards in a community with demographics similar to the Borough of Caldwell. Must list past and present municipalities served as consulting professional planner. Must provide a detailed description of the company's qualifications and experience, including resumes of personnel who will be assigned to provide services to the Borough of Caldwell. The term of this agreement shall expire on December 31, 2026.

Borough Prosecutor

The successful applicant shall have a minimum of five (5) years' experience as a New Jersey licensed attorney and provide a detailed resume. The Borough's Prosecutor must have experience in all areas of Municipal Court representation, including expert, direct, and cross-examination, handling of discovery, and motions, defense of Title 39, Municipal Ordinances, and other violations commonly considered by the Municipal Court, and respond promptly to all legal questions posed by the Borough of Caldwell Police, Code Enforcement, and any other employee who may appear in municipal court. The appointed Prosecutor must attend all court sessions. In the event the appointed Prosecutor is unable to attend a regularly scheduled, or special court sessions, the Prosecutor must make arrangements with an alternate Prosecutor appointed by the Borough of Caldwell and whose payment for such services will be deducted from the Prosecutor's salary. The term of this agreement shall expire on December 31, 2026.

Borough Public Defender

The Borough seeks an attorney to perform Municipal Court Public Defender services pursuant to N.J.S.A. 19:44A-20.44 et.seq. and must be an attorney licensed in the State of New Jersey with a minimum of five (5) years' experience and provide a detailed resume. The Public Defender must have experience in all areas of Municipal Court representation, including expert, direct, and cross-examination, handling of discovery, and motions, defense of Title 39, Municipal Ordinances, and other violations commonly considered by the Municipal Court. The Public Defender shall provide legal representation of any indigent defendant who is formally charged with the commission of an indictable and municipal offense to include all necessary services and facilities of representation. In the event the appointed Public Defender is unable to attend a regularly scheduled, or special court sessions, the Public Defender must make arrangements with an alternate Public Defender appointed by the Borough of Caldwell and whose payment for such services will be deducted from the Public Defender's salary. The term of this agreement shall expire on December 31, 2026.

NJDEP W-2 Licensed Water Operator.

The Borough of Caldwell which has a population of roughly 9,100 residents purveys potable water from the Borough of Essex Fells Water Department, however, the Borough owns and operates its own Public Water Distribution System which consists of approximately 1,917 metered service connections. In accordance with Federal guidelines, owners of all community and non-transient noncommunity water systems must place the direct supervision of their water system, including each treatment facility and/or distribution system, under the responsible charge of an operator(s) holding a valid certification equal to or greater than the classification of the treatment facility and/or distribution system. The New Jersey State regulations governing licensed operators can be found in N.J.A.C. 7:10A, Licensing of Water Supply and Wastewater Treatment System Operators. As defined in the regulations, public water distribution systems such as that for the Borough of Caldwell requires a **W-2 license**. A public water distribution system is a system comprising structures which is a public community water system or a public non transient noncommunity water system identified by a specific ID number pursuant to the Safe Drinking Water Act Regulations, N.J.A.C. 7: 10, and which operating alone or with other structures, results in the derivation, conveyance (or transmission) or distribution of piped water for human consumption and domestic purposes.

Job Description/Duties

Water Distribution responsibilities include but are not limited to the following; operating and maintaining water mains, fire hydrants, water services, pumping equipment, Lab sampling and analysis, filing all reports to NJDEP and certifying all required reports and paperwork.

The licensed water operator shall also provide to the owner of the system all the requirements for licensed operators under the New Jersey State regulations governing licensed operators which can be found in N.J.A.C. 7:10A.

Board of Adjustment Attorney

Respondent must have significant experience representing New Jersey municipal land use boards as land use attorney. The successful respondent will provide the Board of Adjustment with legal guidance and representation relating to, but not necessarily limited to: performing legal research and providing advisory opinions as needed; representing the Board in federal and state courts and administrative forums; reviewing, analyzing and advising the Board on any application before it; reviewing and/or drafting resolutions; attending all regularly scheduled and special meetings of the Caldwell Board of Adjustment; performing all requirements of the position of Board of Adjustment Attorney: notifying the Board of changes in law or regulations, as well as Court decisions, that impact the Board and the applications before it; and any other matters as appropriately directed by the Board. The Borough retains the Board of Adjustment Attorney to perform the duties of said position as established by statute, Borough Ordinance and as authorized and directed by the Members of the Board of Adjustment. The services of the Attorney are being engaged without public bidding as professional services pursuant to the provisions of the New Jersey Local Public Contracts Law inasmuch as such services are to be performed by a person and/or firm authorized by law to practice a recognized profession which is regulated by law and not subject to public bidding. General Board business, which shall include attendance at Board meetings, routine research, and general correspondence, shall be compensated with a general annual retainer. The term of this agreement shall expire December 31, 2026.

Board of Adjustment Engineer

Respondent must have significant experience in providing engineering services to New Jersey municipalities and/or other New Jersey public entities. Preference shall be given to respondents that employ at least one Certified Municipal Engineer ("CME"). General Board business shall include attendance at Board meetings, routine research, and general correspondence. The successful respondent will provide the Board of Adjustment with engineering services relating, but not necessarily limited to, planning and designing of capital improvements for buildings, roads, parks and recreational facilities within the Borough. The successful firm will also review private applications for development as directed by the Board.

Additionally, the successful respondent may provide engineering services in technical and administrative areas such as traffic engineering, pavement management, storm water management, water system operations, municipal land use, public contracts law, data management, infrastructure maintenance and any other engineering matter as directed by the Board. The term of this agreement shall expire December 31, 2026.

Board of Adjustment Planner

Must be a currently Licensed New Jersey Planner. Must be a member of the American Institute of Certified Planners. Must have a minimum of ten years' experience in providing consulting professional planning

services to municipalities including demonstrated experience with the preparation of comprehensive plans and development ordinances, housing elements and fair share plans, redevelopment plans, and review of development applications. Must be experienced in working with various State, County and local regulatory agencies. Must have experience working with municipal land use boards in a community with demographics similar to the Borough of Caldwell. Must list past and present municipalities served as consulting professional planner. Must provide a detailed description of the company's qualifications and experience, including resumes of personnel who will be assigned to provide services to the Borough of Caldwell. The term of this agreement shall expire December 31, 2026.

Bond Counsel

Respondent must have significant experience representing New Jersey municipalities and/or other public entities in bond matters. The successful Respondent will provide the Borough with legal guidance relating to, but not necessarily limited to: performing legal research and providing advisory opinions as needed; rendering the Bond Counsel's opinion regarding the validity and binding effect of the bonds, the source of payment and security for the bonds, and the excludability of interest on the bonds from gross income for federal income tax purposes; preparing and reviewing documents necessary or appropriate to the authorization, issuance, sale, and delivery of the bonds, coordination of the authorization and execution of these documents, and review and, where appropriate, drafting of enabling legislation; assisting the Issuer in seeking from other governmental authorities any approvals, permissions, and exemptions necessary or appropriate in connection with the authorization, issuance, sale, and delivery of the bonds; reviewing legal issues relating to the structure of the bond issue; Preparing election proceedings or pursue validation proceedings; reviewing or preparing those sections of the offering document to be disseminated in connection with the sale of the bonds that relate to the bonds, financing documents, bond counsel opinion, and tax exemption; assisting the Issuer in presenting information to bond rating organizations and credit enhancement providers relating to legal issues affecting the issuance of the bonds; and reviewing or preparing the notice of sale or bond purchase contract for the bonds and reviewing or drafting the continuing disclosure undertaking of the Issuer; representing the Borough in any litigation resulting from the issuance or intent to issue bonds; attending meetings of the Mayor and Council upon request; notifying the Borough of changes in municipal bond or municipal finance law or regulations, as well as Court decisions that impact the Borough; and any other matters as directed by the Borough. The term of this agreement shall expire December 31, 2025.

Financial Advisor

Review existing debt structure and assist in developing a debt financing plan, develop detailed financing timetable, coordinate the financing team, assist in and/or review of the preliminary and final official statements. Monitor market and provide analysis regarding timing, comparable sales and structure of debt issues. Special Projects as requested. Provide updated debt service schedules, create summary reports of debt issuances, assist in and/or review and filing of 15c 2-12 annual reports; and provide ongoing advice to management regarding financial and budgetary matters. The term of this agreement will expire on December 31, 2026.

Fixed Asset Inventory

Borough Labor Attorney

Respondent must be an attorney or law firm licensed to practice law in the State of New Jersey that wishes to provide labor and employment legal services to the Borough. Respondent must have at least 5 years of experience representing New Jersey municipalities as labor counsel. The successful respondent will provide the Borough with legal guidance and representation relating to, but not necessarily limited to: performing legal research and providing advisory opinions as needed; researching and drafting ordinances, resolutions and

collective bargaining agreements; reviewing and/or drafting contracts and other legal documents; representing the Borough in negotiations and litigation in state courts and administrative forums; attending meetings of the Mayor and Council; meeting with individual Council members or employees upon request; and any other matters as directed by the Borough. Each Respondent for this position must set forth a detailed cost proposal, outlining their hourly rate and all fees and expenses that will be charged to the Borough for these services. The term of this agreement shall expire on December 31, 2026.

Municipal Administrative Consultant

The Municipal Administrative Consultant will assist the Borough Administrator in the operations of the Borough and be available to consult on a weekly basis. The Consultant will be an independent contractor and not directly employed by the Borough and will have no set hours and will be available for the Borough Administrator or other Borough Official to communicate with. The Consultant should have working knowledge of how a New Jersey municipality operates, including all functions of government, including budgeting, finance and the administrative offices. Any direct experience with the Borough of Caldwell or specific knowledge of the Borough of Caldwell should be identified and addressed in the response.

Planning Board Attorney

Respondent must have significant experience representing New Jersey municipal land use boards as land use attorney. The successful respondent will provide the Planning Board with legal guidance and representation relating to, but not necessarily limited to: performing legal research and providing advisory opinions as needed; representing the Board in federal and state commissions and administrative forums; reviewing, analyzing and advising the Board on any application before it; reviewing and/or drafting resolutions; attending all regularly scheduled and special meetings of the Caldwell Planning Board; performing all requirements of the position of Planning Board Attorney; notifying the Board of changes in law or regulations, as well as Court decisions, that impact the Board and the applications before it; and any other matters as appropriately directed by the Board. The Borough retains the Planning Board Attorney to perform the duties of said position as established by statute, Borough Ordinance and as authorized and directed by the members of the Planning Board. The services of the Attorney are being engaged without public bidding as professional services pursuant to the provisions of the New Jersey Local Public Contracts Law inasmuch as such services are to be performed by a person and/or firm authorized by law to practice a recognized profession which is regulated by law and not subject to public bidding. General Board business, which shall include attendance at Board meetings, routine research, and general correspondence, shall be compensated with a general annual retainer. The term of this agreement shall expire December 31, 2026.

Planning Board Engineer

Respondent must have significant experience in providing engineering services to New Jersey municipalities and/or other New Jersey public entities. Preference shall be given to respondents that employ at least one Certified Municipal Engineer ("CME"). The successful respondent will provide the Planning Board with engineering services relating, but not necessarily limited to, planning and designing capital improvements for buildings, roads, parks, and recreational facilities within the Borough. General Board business shall include attendance at Board meetings, routine research, and general correspondence. The successful firm will also review private applications for development as directed by the Board. Additionally, the successful respondent may provide engineering services in technical and administrative areas such as traffic engineering, pavement management, storm water management, water system operations, municipal land use, public contracts law, data

management, infrastructure maintenance and any other engineering matters as directed by the Board. The term of this agreement shall expire on December 31, 2025.

Planning Board Planner

Must be a currently Licensed New Jersey Planner. Must be a member of the American Institute of Certified Planners. Must have a minimum of ten years' experience in providing consulting professional planning services to municipalities including demonstrated experience with the preparation of comprehensive plans and development ordinances, housing elements and fair share plans, redevelopment plans, and review of development applications. Must be experienced in working with various State, County and local regulatory agencies. Must have experience working with municipal land use boards in a community with demographics similar to the Borough of Caldwell. Must list past and present municipalities served as consulting professional planner. Must provide a detailed description of the company's qualifications and experience, including resumes of personnel who will be assigned to provide services to the Borough of Caldwell. The term of this agreement shall expire on December 31, 2026.

Real Estate Appraiser

The applicant shall be a New Jersey licensed and certified real estate appraiser able to perform the appraisal of real estate and assist the tax assessor and tax appeal attorney in matters relating to determining the value of real estate or providing appraisals on tax appeal litigation. Successful applicant must be able to attend New Jersey Tax Court as well as Bergen County Tax Board as a resource to both the tax assessor and tax appeal attorney. The term of this agreement shall expire on December 31, 2026.

Rent Board Attorney

The Rent Board Attorney will represent the Borough of Caldwell Rent Board in all matters, including but not limited to, hearings and appeals held before the Rent Control Board. Applicants should demonstrate knowledge of New Jersey law relevant to the position. Any direct experience or knowledge of matters directly affecting the Borough should be identified and addressed.

Special Legal Counsel

Respondent must have significant experience in providing legal services to New Jersey Municipalities and/or other New Jersey public entities, must provide comprehensive resume. The successful respondent will provide the Borough of Caldwell with legal guidance and representation for any special legal matters at the discretion of the Mayor and Council. The term of this agreement shall expire December 31, 2026.

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.

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. 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 information:

1. An executive summary (not to exceed two (2) pages) of the information contained in all the other parts of the Qualification Statement.
2. An executed Professional Letter of Qualification Form with signatures. See Appendix A
3. 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 along with the identity of individuals who are also authorized to provide billable professional services.
4. A description of the business organization (i.e., corporation, partnership, joint venture, etc.) of each firm, its ownership and its organizational structure.
5. An executed Letter of Intent. See Appendix B.
6. The number of years your organization has been in business under the present name.
7. The number of years the business organization has been under the current management.
8. Submission of a photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-4; or a Photocopy of an Employee Information Report (Form AA 302) provided by the Division and distributed to the public agency to be completed by the respondent in accordance with N.J.A.C. 17:27-4.
9. Any judgments within the last three years in which Respondent has been adjudicated liable for professional malpractice. If yes, please explain.
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 explain.
11. Certification of EEO/Affirmative Action Compliance (must return pages 27 & 28)

12. Confirm appropriate federal and state licenses to perform activities, if necessary.
13. A copy of the Firm's Business Registration Certificate will be required prior to award of contract.
14. Submit a copy of respondent's Professional Liability Insurance covering respondent for claims arising from its representation of the municipality with limits of not less than \$1,000,000 for any one occurrence, which shall be claim based, and coverage shall be maintained in full force during the life of the contract.

Section 3.3 Professional Information Requirements.

- a. 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:
 1. Description and scope of work by Respondent
 2. Name, address and contact information of references
 3. Explanation of perceived relevance of the experience to the RFQ
- b. Describe the services that Respondent would perform directly.
- c. A narrative statement of the Respondent's understanding of the Borough's needs and goals.
- d. Resumes of key employees whom are also authorized to provide billable professional services.

Section 3.4 Consultant Fee Schedule

Interested respondents **must** submit a fee proposal; itemized by task, to include hourly rates with explanation of what is included in retainer and what items are billable above the retainer. The Borough will not pay for any travel time.

SECTION 4

INSTRUCTIONS TO RESPONDENTS

4.1 Submission of Qualification Statements.

Respondents must submit one (1) original paper copy and one (1) electronic copy of the entire proposal submission on CD Rom or flash drive in either Microsoft Word or Adobe Acrobat Reader of their Proposal Statements in a sealed envelope clearly marked "RFQ for: "the specific position" you are applying for. If you are applying for multiple positions, please submit a separate RFQ marked for each position to the Designated Contact Person:

Brittany Heun
Borough Clerk
Borough of Caldwell
24 Small Avenue
Caldwell, New Jersey 07006

Qualification Statements must be received by the Borough no later than 12:00 p.m. (NOON) (prevailing time) on Thursday, December 18, 2025, and must be mailed or hand-delivered. Qualification Statements forwarded by facsimile or e-mail **will not** be accepted.

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

SECTION 5

STATUTORY GUIDELINES AND OTHER REQUIREMENTS

Any contract entered into between a Respondent and the Borough of Caldwell must be in accordance with and subject to compliance with the New Jersey Local Public Contracts Law. The contractor must agree to comply with the non-discrimination provision and all other laws and regulations applicable to the performance of services there under. The respondent shall sign and acknowledge such forms and certificates as may be required by this section.

5.1 American with Disabilities Act of 1990 – See Appendix C

Discrimination on the basis of disability in contracting for the delivery of services is prohibited. Respondents are required to read American with Disabilities language that is part of the documents attached hereto and agree that the provisions of Title II of the Act are made part of the contract. The contractor is obligated to comply with the Act and hold the owner harmless.

5.2 Statement of Ownership Disclosure- See Appendix D

No corporation or partnership shall be awarded any contract for the performance of any work or the furnishing of any goods or services, unless, with receipt of the proposal of said corporation or partnership, there is a statement submitted setting forth the names and addresses of all stockholders in the corporation or partnership who own ten (10) percent or greater interest therein. The Respondent shall complete and submit the form of statement that is included in this RFQ.

5.3 Affirmative Action Compliance Requirements - See Appendix E

Respondents shall be required to comply with the provisions of *N.J.S.A.* 10:5-31 and *N.J.A.C.* 17:27 et seq. No firm may be issued a contract unless it complies with these affirmative action provisions. Respondents shall submit to the Borough, after notification of award but prior to execution of the contract, one of the following three documents:

- A. A photocopy of a valid letter that the contractor is operating under an existing Federally approved or sanctioned affirmative action programs (good for one year from the date of the letter); or
- B. A photocopy of a Certificate of Employee Information Report approval, issued in accordance with *N.J.A.C.* 17:27-4; or
- C. A photocopy of an Employee Information Report (Form AA302) provided by the Division and distributed to the public agency to be completed by the contractor, in accordance with *N.J.A.O* 17:27-4.

Respondents' attention is also called to Appendix E of this document which provides additional information concerning these requirements.

APPENDIX A

LETTER OF QUALIFICATION
FOR

(INSERT PROFESSIONAL POSITION BEING SOUGHT)

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

ATTN: Brittany Heun
Municipal Clerk
Borough of Caldwell
24 Smull Avenue
Caldwell, New Jersey 07006

Dear Ms. Heun:

The undersigned have reviewed our Qualification Statement submitted in response to the Request for Qualifications (RFQ) issued by the Borough of Caldwell ("Borough"), dated November 22, 2023 in connection with the Affordable Housing Administrative Agent, Borough Attorney, Borough Auditor, Borough Planner, Borough Prosecutor, Borough Public Defender, Borough Water System Operator, Board of Adjustment Attorney, Board of Adjustment Engineer, Board of Adjustment Planner, Bond Counsel, Financial Advisor, Fixed Asset Inventory, Labor Attorney, Municipal Administrative Consultant, Planning Board Attorney, Planning Board Engineer, Planning Board Planner, Real Estate Appraiser, Rent Board Attorney, Special Legal Counsel 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.)

(Signature of Chief Executive Officer or Partner)

(Signature of Chief Financial Officer)

(Typed name and Title)

(Typed name and Title)

(Type Name of Firm) *

(Type Name of Firm) *

Dated: _____

Dated: _____

APPENDIX B
LETTER OF INTENT

(INSERT PROFESSIONAL POSITION BEING SOUGHT)

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

[Insert date]

ATTN: Brittany Heun
Municipal Clerk
Borough of Caldwell
24 Smull Avenue
Caldwell, New Jersey 07006

Dear Ms. Heun:

The undersigned have reviewed our Qualification Statement submitted in response to the Request for Qualifications (RFQ) issued by the Borough of Caldwell ("Borough"), dated November 13, 2025 in connection with the Affordable Housing Administrative Agent, Borough Attorney, Borough Auditor, Borough Planner, Borough Prosecutor, Borough Public Defender, Borough Water System Operator, Board of Adjustment Attorney, Board of Adjustment Engineer, Board of Adjustment Planner, Bond Counsel, Financial Advisor, Fixed Asset Inventory, Labor Attorney, Municipal Administrative Consultant, Planning Board Attorney, Planning Board Engineer, Planning Board Planner, Real Estate Appraiser, Rent Board Attorney, Special Legal Counsel services.

(Name of Respondent) HEREBY STATES:

1. The Qualification Statement contains accurate, factual and complete information.
2. (Name of 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. (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 proposal 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 Borough.

5. (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 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. (Name of Respondent) acknowledges that any contract executed with respect to the provision of [insert 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 or Partner)

(Typed Name and Title)

(Type Name of Firm)

Date: _____

APPENDIX C

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

The contractor and the _____ of _____, (hereafter "owner") do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") (*42 U.S.C. SJ21 OJ 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 including 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.

(Signature of Chief Executive Officer or Partner)

(Typed Name and Title)

(Type Name of Firm)

Date: _____

Appendix D

STATEMENT OF OWNERSHIP DISCLOSURE

N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

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

Name of Organization: _____

Organization Address: _____

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

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

Part II

- The list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. **(COMPLETE THE LIST BELOW IN THIS SECTION)**

OR

- No one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. **(SKIP TO PART IV)**

(Please attach additional sheets if more space is needed):

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

Part III DISCLOSURE OF 10% OR GREATER OWNERSHIP IN THE STOCKHOLDERS, PARTNERS OR LLC MEMBERS LISTED IN PART II

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

Website (URL) containing the last annual SEC (or foreign equivalent) filing	Page #'s

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

Stockholder/Partner/Member and Corresponding Entity Listed in Part II	Home Address (for Individuals) or Business Address

Part IV Certification

I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the bidder/proposer; that the *<name of contracting unit>* is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with *<type of contracting unit>* to notify the *<type of contracting unit>* in writing of any changes to the information contained herein; 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 am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the, permitting the *<type of contracting unit>* to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print):		Title:	
Signature:		Date:	

APPENDIX E

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 county 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 Division of Purchase & Property, CCAU, EEO Monitoring Program for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

The undersigned vendor certifies that he/she is aware of the commitment to comply with all 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.

COMPANY: _____

SIGNATURE: _____

PRINT NAME: _____

TITLE: _____

DATE: _____

THIS CERTIFICATION (Pages 29 & 30) MUST BE COMPLETED AND SUBMITTED WITH THE PROPOSAL AND SHALL BE CONSIDERED A PART OF THE CONTRACT

APPENDIX F

State of New Jersey Division of Purchase and Property
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

Solicitation Number _____: Bidder / Offeror: _____

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.

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

- 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 the 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 non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.

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

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

EACH BOX WILL PROMPT YOU TO PROVIDE INFORMATION RELATIVE TO THE ABOVE QUESTIONS. PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, CLICK THE "ADD AN ADDITIONAL ACTIVITIES ENTRY" BUTTON.

Name _____ Relationship to Bidder/Offeror _____

Description of Activities _____

Duration of Engagement _____ Anticipated Cessation Date _____

Bidder/Offeror Contact Name _____ Contact Phone Number _____

ADD AN ADDITIONAL ACTIVITIES ENTRY

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

Signature _____

APPENDIX G

STATEMENT OF BIDDER'S EXPERIENCE AND FINANCIAL RESPONSIBILITY

The Bidder shall here furnish summary information relative to the ability and financial resources available for the fulfillment of the Contract if such be awarded to him.

Bidder's Qualifications:

How many years has he or they been engaged in the business?

When organized?

References:

Has it or they ever defaulted on a contract?

If so, what were the circumstances?

List the names of all the officers or managing personnel of the Bidder, noting their positions in the Company or Agency:

Name of Individual/Supervisor who will give personal attention to the Projects:

List any and all public entities which contracted with the bidder for the furnishing of such services, and state the year in which it was provided.

THIS FORM MUST BE COMPLETED AND SUBMITTED WITH THE PROPOSAL AND SHALL BE CONSIDERED A PART OF THE CONTRACT