

City of Orange Township Request for Proposals from Business Organizations or Firms Interested in Providing Animal Shelter Services and Emergency Animal Control Services for the City of Orange Township

Introduction

CITY OF ORANGE TOWNSHIP FACTS AND FIGURES – The City of Orange Township is a municipal governmental entity. The City was incorporated in 1860 and operates pursuant to N.J.S.A.40A 11:61-1 et seq. The legislative responsibilities of the City of Orange are vested in the elected seven-member City Council. The Governing body sets policy, adopts the operating and capital budgets for the City, enacts ordinances and sets the direction of how the City of Orange will provide government services. The Mayor is the City's Chief Executive Officer and carries out the policies adopted by the Governing Body. The City's population is approximately 32,000 and it consists of approximately 2.2 square miles of area. The City employs approximately 400 people and is led by a City Administrator. It owns administration buildings, courthouse buildings, and parks and recreation facilities. It provides significant and diverse services to its residents, including those in the senior, disabled, veterans and other communities.

Pursuant to the Fair and Open Process described under N.J.S.A. 19:44A-I, et seq., the City of Orange seeks Requests for Proposals ("RFP") for Animal Control Shelter Services and Emergency Animal Control Services for a one year period with two one year renewal terms at the discretion of the City. The Animal Control Program's mission is to enforce City and State codes, rules and regulations and to investigate animal neglect and cruelty cases.

All candidates are required to comply with N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. as amended. The successful contractor will provide the City with a Scope of Services related, but not necessarily limited to:

The contractor shall provide:

- Shelter services 24 hours per day/seven (7) days a week.
- Emergency Animal Control Services when Municipality ACO unavailable.
- Response time within one (1) hour time during normal business hours. Unless deemed an emergency response time for calls received after hours within four (4) hours. Emergency service is defined as the care of injured, trapped, sick, and animals whose lives are endangered or pose a danger to humans.
- Maintain adequate, sanitary and secure kennel facilities (including isolation cages for sick or diseased animals) to house and care for stray and impounded animals for the mandatory hold periods.
- Provide animal cruelty investigative services.
- Contractor shall adhere to the Best Practices in Municipal Animal Control in accordance with the State of New Jersey Department of Health.
- Provide the Health Officer with monthly service reports regarding at a minimum intake and disposition of animals.

Medical Emergencies:

- The Contractor will ensure that licensed veterinarian coverage is available to cover medical emergencies (7) days a week during business hours. Contractual arrangements are in place for after hour emergencies with a local veterinary hospital at no charge to the town.
- With permission from the City Health Officer, owners may quarantine their own animals.
- Dead, owned and stray animals including wildlife on public property will be removed and disposed of in a professional, dependable, and timely manner at no additional charge when covering for the Municipal ACO.

- I. The successful candidate shall be required to comply with the following insurance requirements:

- A. The Contractor shall be required to carry full insurance including comprehensive general liability; workman's compensation insurance; which shall cover all operations of the Contractor, its employees, agents and servants hereunder, and; motor vehicle and equipment used by the Contractor in connection with the Contractor's operations under the Contract; Contractor shall provide professional liability (errors& omissions) insurance for claims arising from any negligent performance of contractors' services pursuant to the agreement in the amount of \$1,000,000 per claim. Said insurance, by endorsement, shall fully protect the City of Orange Township from liability.
- B. Certificates naming the City of Orange as an additional named insured, and evidencing such insurance coverage, shall be filed with the City of Orange Township prior to the commencement of operations hereunder by the Contractor.

The following Certificates of Insurance must be furnished:

- 1) Worker's Compensation - Statutory
 - 2) Comprehensive General Liability:
 - a. Minimum limits: \$1,000,000.00;
Combined Single Limit Coverage to include:
 - Premise / Operations; Independent Contractors;
Product / Completed Operations;
 - Contractual; Personal Injury;
 - Broad Form Property Damage;
 - City of Orange as additional insured.
 - b. Comprehensive General Liability must be maintained for at least one year after completion of the contract and its acceptance by the City of Orange.
 - 3) Professional Liability Insurance (Errors and Omissions)
 - a. Contractor shall provide professional liability (errors & omissions) insurance for claims arising from any negligent performance of contractors' services pursuant to the agreement in the amount of \$1,000,000 per claim.
- C. Each candidate shall submit proof of business registration certificate with the New Jersey Division of Taxation (P.L. 2004, C.S7) with its proposal.
 - D. The Certificate of Insurance shall designate the City of Orange Township as an additional insured and shall contain a thirty (30) day notice of cancellation whereby the City of Orange will be provided with a written notification of cancellation. Said insurance must be paid for a minimum of six (6) months into the contract period at the time of the contract.
 - E. Each candidate must ensure compliance with the Mandatory Equal Employment Opportunity Language in accordance with N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17-27 et seq.
 - F. Each candidate must submit evidence of appropriate affirmative action compliance.

It is understood and agreed that the Contractor is an independent Contractor and not an employee of the City of Orange Township.

The Contractor agrees to indemnify and hold harmless the City of Orange Township and all of its officers, agents and employees of and from any and all liability for damages for injury to person and property, including death and against and from all suits and actions and all costs, damages and change of whatsoever kind of nature, including attorneys' fees to which the City of Orange Township maybe put for or on account of any injury or alleged injury to person, including death, or property, resulting from the performance of the Contractor's operations under this Contract, or by or in consequence of any neglect or omission on the part of the Contractor in the performance of operations under the Contract, whether such operations, or in the absence thereof, be by the Contractor or anyone directly or indirectly employed by the Contractor.

The Contractor shall hold the City of Orange Township harmless for damages to the Contractor's Equipment utilized during the term of this Contract. Programs of self-insurance are not acceptable.

Professional Information and Qualifications

Copies of the standardized submission requirements and selection criteria are on file and available from the Office of the City Administrator. Each interested candidate shall submit the following information:

1. Animal Control Officer's current license issued by the State of New Jersey;
2. Name of firm or individual;
3. Address of principal place of business and all other offices and corresponding telephone and fax numbers for all individuals assigned to perform the services;
4. Description of owner's education, experience, qualifications, number of years with the firm and a description of their experience with projects similar to those described above
5. Certificate of Occupancy and two years of Health Inspection reports.
6. At least four (4) references, two (2) of which must have knowledge of service to public entities;
7. The organization's ability to provide the services in a timely fashion (including staffing, familiarity and location of key staff);
8. Cost details, including rates and fees, broken down into specific services to be provided, a flat fee or fee schedule, the names of each of the individuals who will perform the services and the time estimates for each individual, all expenses, and where appropriate, total cost of "not to exceed" amount; and
9. Any other information, which the interested organization deems relevant.
10. Statement of corporate ownership (c.52:25-24.2)

Cost Analysis

Submitters should submit a cost analysis if services will be provided at a flat rate, if all or any services will be billed through hourly rates and what are the established rate(s).

Submission Evaluation

The City will select the most advantageous submissions based on all of the evaluation factors set forth at the end of this RFP. The City will make the award(s) that is in the best interest of the City. Each submission must satisfy the objectives and requirements detailed in this RFP. The successful submitter shall be determined by an evaluation of the total contents of the Proposals submitted. The City reserves the right to:

- a) Not select any of the submissions;
- b) Select only portions of a particular submitter's Proposals for further consideration; (However, submitters may specify portions of the Proposal submission they consider "bundled".)
- c) Award a contract for the requested services at any time within 90 days of the selection of the most advantageous proposal; every submission should be valid through this time period.

Submission Requirements

Sealed Proposals (original and two copies) RFPs will be publicly opened and read aloud by the Purchasing Agent in the City of Orange, City Hall Council Chambers, 29 North Day Street, Orange, NJ at 11:00 a.m. on Tuesday, February 8, 2022.

Proposals forward by facsimile or email transmissions will not be accepted. The City shall not be responsible for the loss, non-delivery, or physical condition of Proposal sent by mail or courier service.

The City shall not be obligated to explain the results of the evaluation process to any submitter.

The City may require submitters to demonstrate any services described in their submission prior to award.

1. Standard Requirements of Technical Proposals – Submitters should submit technical Proposal which contain the following:
 - a) An affirmative action statement
 - b) A completed Non Collusion Affidavit
 - c) A statement that the submitter will comply with the General Terms and Conditions required by the City and enter into the City’s Professional Services Contract;
 - d) A copy of the proposer’s Business Registration certificate;
 - e) A completed Partnership Disclosure Statement.
 - f) A signed Mandatory Equal Employment Opportunity Language Exhibit A and a current Employee Information report

Selection Criteria

The selection criteria used in awarding a contract or agreement for the services as described herein shall include:

1. Qualifications of the individuals who will perform the tasks and the degree of their respective participation;
2. Experience and references;
3. Ability to perform the task in a timely fashion, including staffing and familiarity with the subject matter; and
4. Cost competitiveness.

Submission Limitations

This RFP is not intended to be an offer, order or contract and should not be regarded as such, nor shall any obligation or liability be imposed on the City by issuance of this RFP. The City reserves the right at the City’s sole discretion to refuse any proposal submitted.

Use of Information

Any specifications, drawings, sketches, models, samples, data, computer programs, documentation, technical or business information and the like (“Information”) furnished or disclosed by the City to the submitter in connection with this RFP shall remain the property of the City. When in tangible form, all copies of such information shall be returned to the City upon request. Unless such information was previously known to the submitter, free of any obligation to keep it confidential, or has been or is subsequently made public by the City or a third party, it shall be held in confidence by the submitter, shall be used only for the purposes of this RFP, and may not be used for other purposes except upon such terms and conditions as may be mutually agreed upon in writing.

General Terms and Conditions

- A. The City reserves the right to reject any or all submissions, if necessary, or to waive any informalities in the submissions, and, unless otherwise specified by the submitter, to accept any item, items or services in the submissions should it be deemed in the best interest of the City to do so.
- B. In case of failure by the successful submitter, the City of Orange Township may procure the articles or services from other sources, deduct the cost of the replacement from money due to the submitter under the contract and hold the submitter responsible for any excess cost occasioned thereby.
- C. The submitter shall maintain sufficient insurance to protect against all claims under Workmen’s Compensation, General, Professional and Automobile Liability. The submitter shall also maintain Errors & Omissions insurance.
- D. The contract shall be in effect through (to be determined), unless otherwise stated.
- E. Sealed submissions may be hand delivered or mailed consistent with the provisions of the legal notice to submissions. In the case of mailed submissions, the City assumes no responsibility for submissions received after the designated date and time and will return late submissions unopened. Submissions will not be accepted by facsimile or e-mail.

- F. In accordance with Affirmative Action Law, P.L. 1975, c.127 (N.J.A.C. 17:27) with implementation of July 10, 1978, successful submitters must agree to submit individual employer certifications and number or complete Affirmative Action employee information report (form AA-302). Also, during the performance of this contract, the contractor agrees as follows: (a) the contractor or subcontractor where applicable, will not discriminate against any employee because of age, race, creed, color, national origin, ancestry, marital status or sexual orientation. The contractor will take affirmative action to ensure that such applicants are recruited and employed and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, sex or handicap, Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and section for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notice 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, sex or handicap; (c) the contractor or subcontractor, where applicable, will send to each labor Orange or representative or works with which it has a collective bargaining agreement or other contract or understand, a notice, to be provided by the agency contracting officer advising the labor City of Orange Township or worker's representative of the contractor's commitments under this act and shall post copies of the notice; (d) the contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the treasurer pursuant to the P.L. 1975, c.127, as amended and supplemented from time to time.
- G. By submission of Proposals, the submitter certifies that the service to be furnished will not infringe upon any valid patent, trademark or copyright and the successful submitter shall, at its expense, defend any and all actions or suits charging such infringement, and will save the City harmless in any case of any such infringement.
- H. No submitter shall influence, or attempt to influence, or cause to be influenced, any City officer or employee to use his/her official capacity in any manner which might tend to impair the objectivity or independence of judgment of said officer or employee.
- I. No submitter shall cause or influence, or attempt to cause or influence, any City officer or employee to use his/her capacity to secure unwarranted privileges or advantages for the submitter or any other person.
- J. Should any difference arise between the contracting parties as to the meaning or intent of these instructions or specifications, the City's Law Department decision shall be final and conclusive.
- K. The City of Orange Township shall not be responsible for any expenditure of monies or other expenses incurred by the proposer in making its submission.

The checklist, affidavits, notices and the like presented at the end of this Request for Proposals are a part of this Request for Proposals and shall be completed and submitted as part of this submission to the City of Orange Township.

Bid Document Checklist

Required
By owner

Submission Requirement

Initial each
required entry
and if required
sign and submit
the item

<input type="checkbox"/> *	Three original packages and one CD, with signed Proposals	
<input type="checkbox"/> *	Owner/Stockholder Disclosure Certification	
<input type="checkbox"/> *	Pay to Play Disclosure	
<input type="checkbox"/> *	Non-Collusion Affidavit	
<input type="checkbox"/> *	RFP Proposal Form, Initialed	
<input type="checkbox"/> *	Receipt Of Addendum	
<input type="checkbox"/> *	Affirmative Action Language, Signed	
	Mandatory Equal Employment Opportunity Language	
<input type="checkbox"/> *	Americans with Disabilities Act of 1990 Language	
<input type="checkbox"/> *	References & Status of Present Contracts	
<input type="checkbox"/>	Prevailing Wage	
<input type="checkbox"/> *	Business Registration Certificate (Before Award of Bid)	
<input type="checkbox"/> *	Disclosure of Investment Activities in Iran	
<input type="checkbox"/>	Equipment Certification	
<input type="checkbox"/>	Bid Guarantee (with Power of Attorney for full amount of <i>Bid</i> Bond)	
<input type="checkbox"/>	Public Works Contractor Certificate	
<input type="checkbox"/>	Consent of Surety (with Power of Attorney for full amount of Bid Price)	
<input type="checkbox"/> *	Letters of Intent and Proposal	

STATEMENT OF OWNERSHIP
(OWNERSHIP DISCLOSURE CERTIFICATION)

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 Included with All Bid and
Proposal Submissions**

Name of Business: _____

Address of Business: _____

Name of person completing this form: _____

N.J.S.A. 52:25-24.2:

"No corporation, partnership, or limited liability company shall be awarded any contract nor shall any agreement be entered into for the performance of any work or the furnishing of any materials or supplies, unless prior to the receipt of the bid or proposal, or accompanying the bid or proposal of said corporation, said partnership, or said limited liability company there is submitted a statement setting forth 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.

If one or more such stockholder or partner or member is itself a corporation or partnership or limited liability company, the stockholders holding 10 percent or more of that corporation's stock, or the individual partners owning 10 percent or greater interest in that partnership, or the members owning 10 percent or greater interest in that limited liability company, as the case may be, shall also be listed. 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 in this act, has been listed.

To comply with this section, a bidder with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 percent or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest."

The Attorney General has advised that the provisions of N.J.S.A. 52:25-24.2, which refer to corporations and partnerships, apply to limited partnerships, limited liability partnerships, and Subchapter S corporations.

This Ownership Disclosure Certification form shall be completed, signed and notarized.

Failure of the bidder/proposer to submit the required information is cause for automatic rejection of the bid or proposal

Part I

Check the box that represents the type of business organization:

- Sole Proprietorship (skip Parts II and III, sign and notarize at the end)
- Non-Profit Corporation (skip Parts II and III, sign and notarize at the end)
- Partnership Limited Partnership Limited Liability Partnership
- Limited Liability Company
- For-profit Corporation (including Subchapters C and S or Professional Corporation)
- Other (be specific):

Part II

- I certify that 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.

OR

- I certify that 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 that no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be.

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

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

Part III- Any Direct or Indirect Parent Entity Which is Publicly Traded:

"To comply with this section, a bidder with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 percent or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest."

- Pages attached with name and address of each publicly traded entity as well as the name and address of each person that holds a 10 percent or greater beneficial interest.

OR

- Submit here the links to the Websites (URLs) containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent.

AND

- Submit here the relevant page numbers of the filings containing the information on each person holding a 10 percent or greater beneficial interest.

Subscribed and sworn before me this ____ day of _____, 20____.

(Notary Public)

My Commission expires:

(Affiant)

(Print name of affiant and title if applicable)

(Corporate Seal if a Corporation)

This Statement *MUST BE INCLUDED* with RFP Submissions

OWNER DISCLOSURE SECTION

Name of Business _____

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

OR

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

OR

I certify that there are no stockholders

Check the box that represents the type of business organization:

Partnership

Corporation

Sole Proprietorship

Limited Partnership

Limited Liability Corporation

Limited Liability Partnership

Subchapter S Corporation Other (describe) _____

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

Stockholders:

Name:

Name:

Home Address:

Home Address:

Name:

Name:

Home Address:

Home Address:

Subscribed and sworn before me
this ___ day of _____, 20

(Affiant)

(Notary Public)

(Print name & title of affiant)

My Commission expires:

(Corporate Seal)

Seal)

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY
COUNTY OF ESSEX

SS:

I AM _____

OF THE FIRM OF _____

UPON MY OATH, I DEPOSE AND SAY:

- I. THAT I EXECUTED THE SAID SUBMISSION WITH FULL AUTHORITY SO TO DO;
2. THAT THIS RESPONDENT HAS NOT, DIRECTLY OR INDIRECTLY ENTERED INTO ANY AGREEMENT, PARTICIPATED IN ANY COLLUSION, OR OTHERWISE TAKEN ANY ACTION IN RESTRAINT OF FAIR AND OPEN COMPETITION IN CONNECTION WITH THIS ENGAGEMENT;
3. THAT ALL STATEMENTS CONTAINED IN SAID SUBMISSION AND IN THIS AFFIDAVIT ARE TRUE AND CORRECT, AND MADE WITH FULL KNOWLEDGE THAT THE CITY OF PLAINFIELD RELIES UPON THE TRUTH OF THE STATEMENTS CONTAINED IN SAID SUBMISSION AND IN THE STATEMENTS CONTAINED IN THIS AFFIDAVIT IN AWARDED THE CONTRACT FOR THE SAID ENGAGEMENT; AND
4. THAT NO PERSON OR SELLING AGENCY HAS BEEN EMPLOYED TO SOLICIT OR SECURE THIS ENGAGEMENT AGREEMENT OR UNDERSTANDING FOR A COMMISSION, PERCENTAGE, BROKERAGE OR CONTINGENT FEE, EXCEPT BONA FIDE EMPLOYEES OR BONA FIDE ESTABLISHED COMMERCIAL SELLING AGENCIES OF THE RESPONDENT.
(N.J.S.A.52: 34-25)

SUBSCRIBED AND SWORN TO
BEFORE ME THIS _____ DAY
OF _____ 20_____.

(Type or Print Name of Affiant under Signature)

NOTARY PUBLIC OF

MY COMMISSION EXPIRES: _____, 20_____.

RFP PROPOSAL FORM

(Contract Title and Bid Number, if applicable (Description of goods/services being bid))

The undersigned proposes to furnish and deliver the above goods/services pursuant to the bid Specification and made part hereof:

Amount in words

\$

Amount in numbers

Company Name

Federal I.D#

or Social Security #

Address

Signature of Authorized Agent

Type or Print Name

Title: _____

Telephone Number

Date

Fax Number

E-mail Address

CITY OF ORANGE TOWNSHIP

ACKNOWLEDGMENT OF RECEIPT OF ADDENDUM

The undersigned Bidder hereby acknowledges receipt of the following Addendum:

ADDENDUM NUMBER	DATE	<u>ACKNOWLEDGE RECEIPT</u>
------------------------	-------------	-----------------------------------

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

No addendum were received:

Acknowledged for: _____
(Name of Bidder)

By: _____ (Signature of Authorized Representative)

Name: _____ (Print or Type)

Title: _____

Date: _____

**AFFIRMATIVE ACTION COMPLIANCE NOTICE N.J.S.A.10:5-31 and N.J.A.C.17:27
GOODS AND SERVICES CONTRACTS (INCLUDING PROFESSIONAL SERVICES)**

This form is a summary of the successful bidder's requirement to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et seq.

The successful bidder shall submit to the public agency, after notification of award but prior to Execution of this contract, one of the following three documents as forms of evidence:

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

OR

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

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 contractor in accordance with N.J.A.C. 17:27-4;

The successful vendor may obtain the Affirmative Action Employee Information Report (AA302) from the contracting unit during normal business hour.

The successful vendor (s) must submit the copies of the AA302 Report to the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (Division). The Public Agency copy is submitted to the public agency, and the vendor copy is retained by the vendor.

The undersigned vendor certifies that he/she is aware of the commitment to comply with the Requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27.1 et seq. and agrees to furnish the required forms of evidence.

The undersigned vendor further understands the his/her bid shall be rejected as non-responsive If said contractor fails to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et seq.

COMPANY: _____

SIGNATURE: _____

PRINT NAME: _____

TITLE: _____

DATE: _____

(REVISED 4/10)

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 et seq.

GOODS, GENERAL SERVICES, AND PROFESSIONAL SERVICES 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, affection-al 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, up-grading, 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.

EXHIBIT A (Cont.)

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, col-or, 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; or

Employee Information Report Form AA-302 (electronically provided by the Division and distributed to the public agency through the Division's website at:
http://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 N.J.A.C. 17:27-1.1 et seq.

COMPANY: _____

SIGNATURE: _____

PRINT NAME: _____

TITLE: _____

DATE: _____

APPENDIX A
AMERICANS WITH DISABILITIES ACT OF 1990
Equal opportunity for individuals with Disability

The contractor and the City of Orange Township, (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. SJ 21 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 incurred in connection therewith. In any and all complaints brought pursuant to the owner's grievance procedure, the contractor agrees to abide by any decision of the owner which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the owner, or if the owner incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the contractor shall satisfy and discharge the same at its own expense.

The owner shall, as soon as practicable after a claim has been made against it, *give* written notice thereof to the contractor along with full and complete particulars of the claim, if any action or administrative proceeding is brought against the owner or any of its agents, servants, and employee, 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.

BID DOCUMENT REFERENCE

Name of Form:	BUSINESS REGISTRATION CERTIFICATE
Statutory Reference:	N.J.S.A. 52:32-44 (P.L. 2004, c.57)
Instructions Reference	Statutory and Other requirements VII-D
Description:	Contractor must provide State Division of Revenue issued Business Registration Certificate with the bid submission.

Detailed information on this requirement is found in Division of Local Government Services Local Finance Notices 2004-17 (8/6/04), 2004-24 (11/1/04), 2005-12 (4/27/05) and on the Division web site at www.nj.gov/dca/lgs/lpcl. These resources and a Frequently Asked Questions resource should be consulted when question arise.



State of New Jersey

DEPARTMENT OF THE TREASURY
DIVISION OF PURCHASE AND PROPERTY
OFFICE OF THE DIRECTOR
33 WEST STATE STREET
P. O. BOX 039
TRENTON, NEW JERSEY 08625-0039
<https://www.njstart.gov>
Telephone (609) 292-4886 / Facsimile (609) 984-2575

CHRIS CHRISTIE
Governor

FORD M. SCUDDER
State Treasurer

KIM GUADAGNO
Lt. Governor

MAURICE A. GRIFFIN
Acting Director

The following list represents entities determined, based on credible information available to the public, to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c. 25 (“Chapter 25”):

1.	Bank Markazi Iran (Central Bank of Iran)
2.	Bank Mellat
3.	Bank Melli Iran
4.	Bank Tejarat
5.	National Iranian Tanker Company (NITC)
6.	Amona
7.	Bank Saderat PLC
8.	Bank Sepah
9.	Belaz
10.	Belneftekhim (Belarusneft)
11.	China International United Petroleum & Chemicals Co., Ltd. (Unipecc)
12.	China National Offshore Oil Corporation (CNOOC)
13.	China National Petroleum Corporation (CNPC)
14.	China National United Oil Corporation (ChinaOil)
15.	China Petroleum & Chemical Corporation (Sinopec)
16.	China Precision Machinery Import-Export Corp. (CPMIEC)
17.	Grimley Smith Associates

18.	Indian Oil Corporation
19.	Kingdram PLC
20.	Maire Tecnimont SpA
21.	Naftiran Intertrade Company (NICO)
22.	Oil and Natural Gas Corporation (ONGC)
23.	Oil India Limited
24.	Persia International Bank
25.	PetroChina Company, Ltd.
26.	Petroleos de Venezuela (PDVSA Petróleo, SA)
27.	Sameh Afzar Tajak Co. (SATCO)
28.	Shandong Fin CNC Machine Company, Ltd.
29.	Sinohydro
30.	SKS Ventures
31.	Som Petrol AS
32.	Zhuhai Zhenrong Company

List Date: August 1, 2017



**STATE OF NEW JERSEY
DEPARTMENT OF THE TREASURY
DIVISION OF PURCHASE AND PROPERTY**

**33 WEST STATE STREET, P.O. BOX 230
TRENTON, NEW JERSEY 08625-0230**

DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN FORM

BID SOLICITATION #: _____ VENDOR/BIDDER: _____

PART 1

CERTIFICATION

VENDOR/BIDDER MUST COMPLETE PART 1 BY CHECKING ONE OF THE BOXES

FAILURE TO CHECK ONE OF THE BOXES WILL RENDER THE PROPOSAL NON-RESPONSIVE

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that neither the person nor entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of the Treasury's Chapter 25 list as a person or entity engaged in investment activities in Iran. The Chapter 25 list is found on the Division's website at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Vendors/Bidders must review this list prior to completing the below certification. Failure to complete the certification will render a Vendor's/Bidder's proposal non-responsive. If the Director of the Division of Purchase and Property finds a person or entity to be in violation of the law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party.

CHECK THE APPROPRIATE BOX

A. I certify, pursuant to Public Law 2012, c. 25, that neither the Vendor/Bidder listed above nor any of its parents, subsidiaries, or affiliates is listed on the N.J. Department of the Treasury's list of entities determined to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c. 25 ("Chapter 25 List"). Disregard Part 2 and complete and sign the Certification below.

OR

B. I am unable to certify as above because the Vendor/Bidder and/or one or more of its parents, subsidiaries, or affiliates is listed on the Department's Chapter 25 list. I will provide a detailed, accurate and precise description of the activities in Part 2 below and sign and complete the Certification below. Failure to provide such information 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 ADDITIONAL INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN

If you checked Box "B" above, provide a detailed, accurate and precise description of the activities of the Vendor/Bidder, or one of its parents, subsidiaries or affiliates, engaged in the investment activities in Iran by completing the boxes below.

ENTITY NAME: _____
 RELATIONSHIP TO VENDOR/BIDDER: _____
 DESCRIPTION OF ACTIVITIES: _____
 DURATION OF ENGAGEMENT: _____
 ANTICIPATED CESSATION DATE: _____
 VENDOR/BIDDER CONTACT NAME: _____
 VENDOR/BIDDER CONTACT PHONE No.: _____

Attach Additional Sheets If Necessary.

CERTIFICATION

I, the undersigned, certify that I am authorized to execute this certification on behalf of the Vendor/Bidder, that the foregoing information and any attachments hereto, to the best of my knowledge are true and complete. I acknowledge that the State of New Jersey is relying on the information contained herein, and that the Vendor/Bidder is under a continuing obligation from the date of this certification through the completion of any contract(s) with the State to notify the State 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. If I do so, I will be subject to criminal prosecution under the law, and it will constitute a material breach of my agreement(s) with the State, permitting the State to declare any contract(s) resulting from this certification void and unenforceable.

Signature

Date

Print Name and Title

APPENDIX A
LETTER OF
INTENT

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

[Insert date]

City of Orange Township
Attention: Adrian Mapp
Purchasing Agent
29 North Day Street
Orange, New Jersey 07050

Dear Mr. Mapp,

The undersigned, as Respondent, has (have) submitted the attached Proposal Statement in response to a Request for Proposals (RFP), issued by the City of Orange Township returnable December 21, 2021 in connection with the City's need for Animal Shelter and Emergency Animal Control Services.

(Name of Respondent) hereby states:

1. The Proposal 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 City'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 Proposal 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 Proposal Statement as Principals are named herein and that no person other than those herein mentioned has any participation in this Proposal 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 City.
5. (Name of Respondent) declares that this Proposal Statement is made without connection with any other person, firm or parties who has submitted a Proposal 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 City may modify, amend, suspend and /or terminate the procurement process (in its sole judgment). In any case, the City shall not 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 RFP for “Animal Services” must comply with all applicable affirmative action and similar law. 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)

Dated: _____

(Type Name of Firm)*

*If a joint venture, partnership or other formal organization is submitting a Proposal Statement, each participant shall execute this Letter of Intent.

APPENDIX B

LETTER OF PROPOSAL

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

City of Orange Township
Attention: Adrian Mapp, QPA, Director of Finance
29 North Day Street
Orange, New Jersey 07050

Dear Mr. Mapp,

The undersigned have reviewed our Proposal Statement submitted in response to the Request for Proposals (RFP) issued by the City of Orange Township, returnable December 21, 2021 in connection with the City's need for Animal Shelter Services and Emergency Animal Control Services.

We affirm that the contents of our Proposal Statement (which Proposal Statement is incorporated herein by reference) are accurate, factual and complete to the best of our knowledge and belief and that the Proposal 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 space provided below. If a joint venture, the appropriate officers of each company shall sign).

(Signature of Chief Executive Officer)

(Signature of Chief Financial Officer)

(Typed Name and Title)

(Typed Name and Title)