

TOWNSHIP OF MIDDLE
COUNTY OF CAPE MAY
STATE OF NEW JERSEY

RESOLUTION
572-11

Date: November 21, 2011

Subject: ESTABLISHING: 1. FAIR AND OPEN PROCESS FOR CONTRACTS 2. CRITERIA TO BE CONSIDERED IN AWARDING CONTRACTS; AND 3. POSITIONS FOR WHICH PROPOSALS SHALL BE SOLICITED

Introduced By: Committeemember Doughty Seconded By: Committeemember Lockwood

Vote-Aye: Committeemember Lockwood, Committeemember Doughty, Mayor DeLanzo

Nay:

WHEREAS, N.J.S.A. 19:44A-20.4 et. seq. requires that contracts with a value exceeding \$17,500 be awarded pursuant to a "fair and open" or "non-fair and open" process; and

WHEREAS, the Township Committee feel the best interests of the residents of Middle Township would be best served by the Township requesting proposals and qualifications, and considering and awarding contracts by use of a Fair and Open process; and

WHEREAS, the Township Committee desires to establish the Fair and Open Process; and

WHEREAS, the Township Committee desires to establish the criteria for the consideration of proposals and qualifications, and the award of Contracts submitted in accordance with the Fair and Open Process; and

WHEREAS, the Township Committee desires to establish the positions which for the year 2011 shall be subject to the Fair and Open Process and also where stated below additional criteria for certain position; and

WHEREAS, the Township Committee has decided to go beyond what is required by the state statute and to submit all professional services contracts to the Fair and Open process, even those that are below the \$17,500.00 threshold;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that:

1. THE FAIR AND OPEN PROCESS

A. The Township Committee of the Township of Middle has determined that the following procedure constitutes a fair and open process and shall be the manner in which requests for proposals and qualifications are sought, accepted, and awarded:

1. A request for proposals and qualifications shall be publicly advertised on the Township of Middle's internet website beginning on November 22, 2011 and continuing on the website through December 6, 2011.
2. The Township shall accept proposals until 1:00 o'clock on December 6, 2011.
3. Proposals shall be in a sealed envelope addressed to:
Kimberly Krauss
Township Clerk - Township of Middle
33 Mechanic Street
Cape May Court House, NJ 08210
The envelope shall also state the name of the person or entity submitting the proposal and the position for which the proposal is submitted.
4. The envelope shall contain one original and two copies of the proposal.
5. The proposal shall include (**this is mandatory**) at a minimum, a statement of the following:
 - A. Qualifications and Experience of person or entity specifically with regard to the position sought
 - B. Scope of Services proposed to be provided
 - C. Contact Information, including name, address, phone number, email address
 - D. Fee Proposal including a "Not To Exceed" Amount
 - E. Office Staffing Plan and Resources
 - F. Location of Office from which services shall be provided
 - G. References

- H. Potential Conflicts
- I. The Applicant should provide a proposal which includes a statement of licensing, others in his/her office who will provide services, a fee schedule which lists names, titles and fees for each person and for each of these services, and any other information deemed of importance by the Applicant.

- 6. On December 6, 2011 at 1:00pm, the Township Clerk or representative shall open each of the proposals and shall announce the proposals received by name, and a short summary of the proposal and qualifications.
- 7. The proposals shall be submitted to Township Committee for consideration at its reorganization meeting at which time Township Committee may award a contract by approving a resolution, or, it may choose to award at the next regularly scheduled Township Committee meeting. If a majority votes to seek interviews, interviews may be held between Township Committee and the person or entity that submitted proposals. Township Committee may send proposals to Township Board's or Agency's for consideration and approval as is appropriate.

2. CRITERIA BY WHICH REQUESTS FOR PROPOSALS AND QUALIFICATIONS SHALL BE EVALUATED

- A. The Township of Middle hereby discloses in writing that all of the submissions in response to the Request for Proposals and Qualifications submitted through the fair and open process described above, will be evaluated by the Township Committee of the Township of Middle and awarded or rejected on the basis of the following criteria. Proposals will be evaluated by the Township Committee of the Township of Middle on the basis of the most advantageous, price and other factors considered. The evaluation will consider:
 - 1. Experience and reputation in the field
 - 2. Knowledge of the Township of Middle and the subject matter to be addressed under the contract
 - 3. Availability to accommodate any required meetings of the agency
 - 4. Compensation proposal
 - 5. Other factors if demonstrated to be in the best interest of the Township of Middle
- B. The following criteria, found under the competitive contracting rules at N.J.A.C. 5:34-4.2, if determined to be of assistance, may also be considered by Township Committee. These criteria are not intended to be limiting or all-inclusive, and they may be adapted or supplemented in order to meet the Township Committee's needs. No criteria will unfairly or illegally discriminate or exclude otherwise capable vendors.

I. Technical criteria:

- a. Proposed methodology:
 - i. Does the vendor's proposal demonstrate a clear understanding of the scope of work and related objectives?
 - ii. Is the vendor's proposal complete and responsive to the specific RFP requirements?
 - iii. Has the past performance of the vendor's proposed methodology been documented?
 - iv. Does the vendor's proposal use innovative technology and techniques?
 - v. Are sound environmental practices such as recycling, energy efficiency, and waste reduction used?

II. Management criteria:

- a. Project management:
 - i. How well does the proposed scheduling timeline meet the agency's needs?
 - ii. Is there a project management plan?
- b. History and experience in performing the work:
 - i. Does the vendor document a record of reliability of timely delivery and on-time and on-budget implementation?
 - ii. Does the vendor demonstrate a track record of service as evidenced by on-time, on-budget, and contract compliance performance?
 - iii. Does the vendor document industry or program experience?
 - iv. Does the vendor have a record of moral integrity?

- c. Availability of personnel, facilities, equipment and other resources:
 - i. To what extent does the vendor rely on in-house resources vs. contracted resources?
 - ii. Are the availability of in-house and contract resources documented?
 - d. Qualification and experience of personnel:
 - i. Documentation of experience in performing similar work by employees and when appropriate, sub-contractors?
 - ii. Does the vendor make use of business capabilities or initiatives that involve women, the disadvantaged, small and/or minority owned business establishments?
 - iii. Does the vendor demonstrate cultural sensitivity in hiring and training staff?
- III. Cost criteria:
- a. Cost of goods to be provided or services to be performed:
 - i. Relative cost: How does the cost compare to other similar proposals?
 - ii. Full explanation: Is the price and its component charges, fees, etc., adequately explained or documented?
 - b. Assurances of performance:
 - i. If required, are suitable bonds, warranties, or guarantees provided?
 - ii. Does the proposal include quality control and assurance programs?
 - c. Vendor's financial stability and strength:
 - i. Does the vendor have sufficient financial resources to meet its obligations?

III. REQUEST FOR PROPOSALS AND QUALIFICATIONS ARE SOUGHT FOR THE FOLLOWING POSITIONS

A. Municipal Solicitor - Legal Advisor to the Township Committee and Administrative Staff. Includes all litigation, draft and review ordinances, resolutions, and any and all other matters regarding the Township's legal issues. Also solicitor to Cable Television Advisory Board, Economic Development Council, and Sewer and Water Department. Township Committee meets twice a month in the evening; there are frequent daytime meetings. Cable Advisory Board meets quarterly. The Solicitor is required to be in Township Hall at least one day a week to meet with department heads and employees. The Solicitor is expected to be immediately available to Township Committee members and the Administrator; at least one full time staff member is to be assigned to do Township work. Minimum qualifications are at least five years experience in some governmental capacity.

B. Labor Solicitor - Legal Advisor to the Township Committee and Administrative Staff on labor law issues, including civil service issues, disciplinary matters, hiring and firing of employees, and negotiating contracts.

C. Municipal Auditor - The auditor performs annual audit of Township Finances, assists with preparation of annual budget, and is always immediately available to discuss compliance with the Township Administrator and CFO.

D. Municipal Prosecutor - Prosecutes in the Township's municipal Court. Court meets every Thursday and any special session as set forth by the Municipal Court Administrator.

E. Municipal Public Defender - Represents defendants who qualify for public defender in municipal court. Court meets every Thursday and any special session as set forth by the Municipal Court Administrator.

F. Zoning Board of Adjustment Solicitor - Attorney representing the Zoning Board of Adjustment. The Zoning Board meets one evening a month.

G. Planning Board Solicitor - Attorney representing the Planning Board. The Planning Board meets two evenings a month.

H. Rent Leveling Board Solicitor - Attorney represents the Rent Leveling Board. The Rent Leveling Board meets quarterly.

I. Hearing Officer - Attorney sitting as a hearing officer on employee disciplinary matters.

J. Economic Development and Grant Administrator Consultants - provide administrative services for economic development board, home rehabilitation program for low income homeowners, evaluation services for loan program to businesses, and assist in applications for grants involving the same.

K. Grant Application and Housing Rehabilitation Consultant - completes applications and makes efforts to obtain grants particularly Housing Rehabilitation Grants.

L. Grant, Utility, and Legislative Consultant - completes grant applications and advises Township Committee on utility and legislative issues impacting the Township.

M. Bond Counsel - Legal Advisor to the Township Committee and Administrative Staff on issues regarding bond financing. Includes compliance with any and all necessary laws, state and federal, in the marketing and selling of the Township's bonds of any sort, including bond anticipation notes. Minimum qualifications are at least five years experience in the municipal bonding field, and that the person have the demonstrated experience and capacity for marketing and selling municipal bonds.

N. COAH Counsel – Legal advisor to the Township's Committee and Administrative Staff on issues regarding its obligations mandated by The Council on Affordable Housing and assorted state statutes and regulations. Minimum qualifications are at least five years experience in the COAH field.

O. Municipal Engineer - The Municipal Engineer must be a Professional Engineer in the State of New Jersey, and have experience in Municipal Engineering. It is preferable that the Municipal Engineer also be a Professional Planner. Other skills and licenses are also considered.

The Municipal Engineer is to be the Principal Engineer for the Township. He is to advise Township Committee on all Engineering matters. He is to provide services on specific projects as the Principal Engineer, Project Engineer, Professional Planner, Project Technician, Environmental Specialist, Drafts Person, AutoCadd Technician, Administrative Assistant, Clerical (other than overhead functions), Inspector (Level One), Inspector (Level Two), and other engineering services as is necessary.

The Municipal Engineer is also to be available to all Township Staff under the direction of the Municipal Administrator, and to make him or herself regularly available in Township Hall.

The Applicant should provide a proposal which includes a statement of licensing, others in his or her office who will provide services, a fee schedule for each of these services, and any other information deemed of importance by the Applicant. As provided by N.J.S.A. 40A:9-140 term of office for this position shall be for a three (3) years. Proposals provided shall include a break-down "not to exceed amount" for each year of said term.

P. Communications Consultant (Various Telecommunications Projects) - Qualified consulting firm to assist with various telecommunications projects during the calendar year 2012, such as consultation on phone system and any problems associated with it; existing telecommunications projects with the Department of Public Safety ; with potential new infrastructure projects, and repairs or improvements to existing infrastructure. Applicant must have sufficient engineering staff to provide services on emergency basis, including weekend and night availability. Applicant must be familiar with Township systems, or substantial equivalents.

Q. Risk Management Consultant – The consultant shall assist the Municipality in identifying its insurable exposures and to recommend professional methods to reduce, assume, or transfer the risk loss. Shall assist the Municipality in understanding and selecting the various coverage's available from the Atlantic County Municipal Joint Insurance Fund, review with the Municipality any additional coverage's that the Consultant feels should be carried but are not available from the Fund and subject to the Municipality's authorization place such coverage outside the fund. Shall further assist in the preparation of applications, statements of values and similar documents requested by the Fund, review the municipalities' assessment as prepared by the Fund and assist the municipalities' preparation of its annual insurance budget. Review the loss and engineering reports and generally assist the safety committee in its loss containment objectives. Assist where needed in the settlement of claims, with the understanding that the scope of the Consultant's involvement does not include the work normally done by a public adjuster. And any other services as required

R. Planning Consultant - Provide professional planning services and advise the Township Committee, Planning and Zoning Boards, on the master plan, housing plan, zoning and land use matters, plan endorsement, environmental studies, and other related planning services that may be deemed necessary to the Township.

S. Municipal Sewer Consultant – The Municipal Sewer Engineer must be a Professional Engineer in the State of New Jersey, and have experience in Municipal Engineering, including sewer projects.

- The Municipal Consultant is to advise the sewer department, and the Township Committee, on all sewer matters except those otherwise awarded by specific project contracts including Wastewater Management Planning, Operation and Maintenance of existing sewer collection systems, Annual Flow and budget Projections.
- Review of Developer Connection Applications.
- Inspection of Public Sewer Extensions.
- Specific Sewer Expansion Projects.
- Municipal Sewer Consultant shall be familiar with the Township's sewer infrastructure and with the County and State policies that relate to the Township's operation of the Sanitary Sewer System.
- The Municipal Consultant is to provide services on specific projects and services as necessary, including Principal Engineer, Project Engineer, Project Technician, Environmental Specialist, Drafts Person, AutoCadd Technician, Administrative Assistant, Clerical (other than overhead

functions), Inspector (Level One), Inspector (Level Two) and other engineering servicers as is necessary.

- The Municipal Sewer Engineer is also to be available to all Township Staff under the direction of the Municipal Administrator and the Sewer Utility Supervisor/Department Head, and to make himself/herself regularly available to those people.

T. IT PROFESSIONAL - Under direction of Middle Township, the IT Professional would repair, service, and maintain computer system equipment and related peripheral devices and does related work as required. The examples of work are for illustrative purposes and all duties required for the job may not be listed.

- Diagnoses, troubleshoots, and repairs microprocessor systems, related peripheral devices, and telecommunications hardware including digital controllers.
- Diagnoses, troubleshoots, and repairs telecommunications hardware attached to minicomputers and/or mainframe computer based systems including key systems, communication controllers, circuit and board components, printers, modems, cables, terminals, connectors, and disk drives.
- Diagnoses, troubleshoots, and effects repairs on all personal computers and communications and peripheral equipment including memory boards, disk controllers, monitors, personal computer tape devices, hard disks, floppy disks, power supplies, electronic switches, multiplexers, modems, digital controllers, terminals, printers, cables, and connectors.
- Assembles and/or configures and tests microprocessors, minicomputers, and/or mainframe computer based systems according to user and/or application requirements, and tests prior to their release to field locations for installation.
- Repairs electronic analog or digital computers and peripheral equipment, following schematics, diagrams, and handbook instructions.
- Inserts test programs and data in computer, and monitors processing from maintenance or operator's control panel, comparing system performance and output to predetermined standards to analyze cause of machine error or stoppage.
- Operates or observes computer and peripheral equipment during system and trouble localization tests to locate defective circuits and isolate faulty units.
- Tests suspect circuits, modules, and components using oscilloscope and other instruments to diagnose defects.
- Solders faulty connections and adjusts, repairs, or replaces defective electronic, electromechanical, or mechanical components according to service manuals, schematics, and diagrams.
- Performs preventive maintenance duties such as cleaning unit, mass replacing of transistors, tubes, or electronic components, and testing circuitry by simulating extreme operating conditions to locate and replace marginal components.
- Checks new devices and/or systems for compliance with controller specifications.
- Prepares regular, accurate, and informative reports relative to the operation and maintenance of microprocessor, minicomputer, and/or mainframe computer based systems and telecommunications hardware.
- Instructs others in the proper field operation of assigned systems.
- Maintains a library of manufacturers' catalogues, operating instructions, and repair manuals for all equipment and provides updates with latest vendor technical newsletter releases as required.
- Reviews trouble data reports of equipment failures, completes analysis of failure, and effects repairs as required.
- Prepares schematic wiring diagrams of auxiliary controller circuitry for special controller sequences and campus wiring configuration for either voice or data applications including local area networks.
- Troubleshoots telecommunications lines including in-house cable, lease lines, and digital circuits for all remote or local terminals and telecommunications hardware including those peripheral devices attached to a microprocessor, minicomputer, and/or mainframe computer based systems.
- Prepares paperwork to order new parts, supplies, and equipment as required.
- Determines whether sources of difficulty are hardware or software related and refers software problems to the appropriate area of responsibility.
- Fabricates all types of computer cable for field or central sites as required.
- May install all communication and peripheral computer equipment, lay cables and hook up electrical connections.
- Will be required to learn to utilize various types of electronic and/or manual recording and computerized information systems used by the agency, office, or related units.

*See Business Administrator for further information regarding computer servers and work stations.**

I, Kimberly Krauss, Township Clerk of the Township of Middle, Cape May County, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Committee at a meeting of said Middle Township Committee, held on November 15, 2010 and said Resolution was adopted by not less than a two-thirds vote of the members of the Township Committee.

Witness my hand and seal of
the Township of Middle, this
15th day of November, 2010

Kimberly Krauss, Township Clerk