



**Township of Neptune**  
Township Clerk's Office  
25 Neptune Blvd.  
Neptune, NJ 07753  
(732) 988-5200  
[Clerk@neptunetownship.org](mailto:Clerk@neptunetownship.org)

# Position Requirements

**January 1, 2026- December 31, 2026**

## **Special Counsel**

### **Introduction**

Pursuant to the Fair and Open Process established by N.J.S.A. 19:44A-1, et seq., the Township seeks proposals in response to this Requests for Proposals ("RFP") from law firms licensed to practice law in the State of New Jersey that wish to serve as **Special Counsel** to the Township of Neptune, as directed by the Township. The successful firm must have significant experience in representing New Jersey public entities in a variety of areas of consultation and litigation in State and Federal Courts, administrative forums and arbitration.

**The successful Individual/ Firm will provide the Township with legal guidance relating to, but not necessarily limited to:**

- Attendance at any Regular Meetings, Workshop Meetings, Executive Sessions and Special Meetings of the Township Committee, as requested by the Township Attorney, Township Committee or Administration:
  - Including phone conferences with members of the Township Committee, the Township Mayor and Administration.
- Represent the Township in litigation assigned by the Township Attorney and Township Administrator in the State of New Jersey (State or Federal Courts and / or administrative forums or Arbitration Hearings) and in any and all other proceedings wherein the attorney's professional services may be required and wherein the Township is a party, or its rights or interests are involved.
  - This shall include but not be limited to all court appearances, all work associated with any litigation, including initiating suit or defending any suit, as duly authorized by the Township Committee, and any and all other activities to properly represent the Township of Neptune in assigned matters.
- Keeping the Township Committee and Administration advised of the character and progress of assigned legal proceedings, claims and other matters handled by the Attorney, and keeping a record of all such proceedings in connection with same, for and on behalf of the Township or in which the Township is interested.
- In any assigned matter, investigating the facts and ascertaining the legal position of the Township concerning any accident, claim or liability, and the Attorney shall in said case promptly do what may be required for the protection of the interests of the Township, as directed by the Township Committee.



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# Position Requirements

## Special Counsel

**January 1, 2026- December 31, 2026**

- Legal research and/or advisory opinions as needed.
- Research and draft ordinances and/or resolutions, as assigned.
- Review and/or draft contracts, bid specifications and legal notices, as assigned.
- Conduct programs on specified legal issues for appropriate elected officials and/or Township employees upon request by the Township Committee.
- Notify the Township of changes in applicable law or state regulations, as well as Court decisions, that impact the operation of the Township, in matters assigned to the Attorney.
- Any other matters as directed by the Township Attorney, Township Committee and Township Administrator.

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### **Award of Contract:**

The award of the contract for the position of **Special Counsel** is contingent upon the Township's certification of available funds in accordance with applicable law.

The contracting unit shall award the contract or reject all submissions within such time as may be specified in the invitation for submission, but in no case more than sixty (60) days, except that the submissions of any professional services entities who consent thereto may, at the request of the contracting unit, be held for consideration for such longer period as may be agreed.



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# Request for Proposals Professional Services 2026

## **TOWNSHIP OF NEPTUNE NOTICE OF SOLICITATION OF PROPOSALS FOR PROFESSIONAL SERVICES**

**PLEASE TAKE NOTICE** that the Township of Neptune is accepting proposals the following Professional Services Contracts with the Township of Neptune for the 2026 calendar year:

|                                                     |                                                    |
|-----------------------------------------------------|----------------------------------------------------|
| <b>Affordable Housing Administrator</b>             | <b>Insurance Broker</b>                            |
| <b>Alternate Prosecutor</b>                         | <b>Interim Certified Municipal Finance Officer</b> |
| <b>Alternate Public Defender</b>                    | <b>Labor Attorney</b>                              |
| <b>Assistant Township Attorney</b>                  | <b>Planning Board Attorney</b>                     |
| <b>Auditor</b>                                      | <b>Planning Board Engineer</b>                     |
| <b>Board of Adjustment Attorney</b>                 | <b>Planning Board Planner</b>                      |
| <b>Board of Adjustment Engineer</b>                 | <b>Prosecutor</b>                                  |
| <b>Bond Counsel</b>                                 | <b>Public Defender</b>                             |
| <b>CADD Services</b>                                | <b>Public Relations and Marketing Consultant</b>   |
| <b>Economic Development Committee Architect</b>     | <b>Redevelopment Attorney</b>                      |
| <b>Engineering Services</b>                         | <b>Rent Leveling Board Attorney</b>                |
| <b>Environmental Engineering Services</b>           | <b>Risk Management Consultant</b>                  |
| <b>Environmental Shade Tree Commission Attorney</b> | <b>Special Counsel</b>                             |
| <b>Financial Advisor</b>                            | <b>Township Attorney</b>                           |
| <b>Historic Preservation Commission Attorney</b>    | <b>Township Engineer</b>                           |

The Township and other Township Boards identified above seek to award contracts for the above listed professional services referenced positions through a fair and open process for the year 2026.

All proposals shall be submitted to William Bray, Neptune Township Clerk, 25 Neptune Blvd. Neptune, NJ 07753, **no later than December 1, 2025, by 4:00PM.**

Proposals are being solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq and N.J.S.A 40A:11-4.3,4.4& 4.5. A copy of the proposal document may be obtained at the Office of the Neptune Township Clerk, 25 Neptune Blvd. Neptune, NJ 07753 or requested through e-mail to [wbray@neptunetownship.org](mailto:wbray@neptunetownship.org).

William Bray, RMC, CMR  
Municipal Clerk



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# Proposal Submission Requirements

## 2026 PROFESSIONAL SERVICES PROPOSAL SUBMISSION REQUIREMENTS

The Township of Neptune is soliciting Qualifications and Proposals  
for the provision of various Professional Service Contracts,  
specifically for the following services:

**Affordable Housing Administrator**  
**Alternate Prosecutor**

**Alternate Public Defender**  
**Assistant Township Attorney**  
**Auditor**

**Board of Adjustment Attorney**  
**Board of Adjustment Engineer**  
**Bond Counsel**  
**CADD Services**

**Economic Development Committee Architect**  
**Engineering Services**  
**Environmental Engineering Services**  
**Environmental Shade Tree Commission Attorney**  
**Financial Advisor**  
**Historic Preservation Commission Attorney**

**Insurance Broker**  
**Interim Certified Municipal Finance  
Officer**

**Labor Attorney**  
**Planning Board Attorney**  
**Planning Board Engineer**  
**Planning Board Planner**  
**Prosecutor**  
**Public Defender**  
**Public Relations and Marketing  
Consultant**

**Redevelopment Attorney**  
**Rent Leveling Board Attorney**  
**Risk Management Consultant**  
**Special Counsel**  
**Township Attorney**  
**Township Engineer**

The successful respondent(s) shall be selected by the Governing Body based upon the proposal determined to be most advantageous to the Township, price and other factors considered. In making this determination, the Governing Body will give substantial weight to the respondent's demonstrated ability to perform the required services and the reasonableness of the proposed compensation:

- Proposed fee schedule on an Hourly Basis and a Monthly Flat fee (if applicable).
- Qualifications, experience and reputation in the field by the firm and its personnel.
- Knowledge of the subject matter
- Availability to attend all required meetings
- Availability of personnel, facilities, equipment and other resources to provide such services.
- Any other factors demonstrated to be in the best interests of the Township of Neptune.



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# Proposal Submission Requirements

## 2026 PROFESSIONAL SERVICES PROPOSAL SUBMISSION REQUIREMENTS

Given these factors, all proposals shall include, **at a minimum**, the following information and documentation in the **Township Prescribed Format**:

1. **Two (2) fully executed draft Professional Services Contracts** between the applicant and the Township of Neptune, or its Planning or Zoning Board (if applicable).
  - Each draft contract **shall include the aggregate "Not to Exceed" amount** for the term of the contract, for Township review and potential execution.
  - This contract may be subject to change based on the review by the Township and its professionals.
2. A proposed fee schedule for the 2026 calendar year, including a total "Not to Exceed" amount for the twelve (12)-month term:
  - The schedule shall outline either a flat monthly fee and/or hourly rates for all staff who may be assigned to perform services under this contract.
  - The proposal shall also identify any additional costs not included in the flat monthly fee or hourly rates, such as mileage, postage, or photocopying. (See Fee Schedule Form)
3. Names, titles, and roles of all individuals who will perform services under the proposed contract, including a narrative by each individual describing their experience with tasks similar to those being proposed.
4. A narrative describing the firm's experience in performing tasks related to those outlined in this RFP.
5. A list of references for the firm and the individuals identified in item #3, including postal and e-mail addresses and telephone numbers.
  - References should include verifiable records of past successes in relevant areas.
6. A detailed description of the firm's ability to meet the needs of the Township in a timely and effective manner, including staffing patterns and levels, familiarity with issues facing municipal government, and the location/business address of the firm and key staff listed in Item #3.
7. Any additional information not covered in Items 1 through 6 that demonstrates the ability of the firm, its partners, key staff, employees, or other agents to responsibly meet the anticipated and specific needs of the Township of Neptune.



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# General Instructions

## 2026 PROFESSIONAL SERVICES General Instructions

### Background Information (to be considered when responding to this solicitation):

The Township of Neptune is located in Monmouth County, New Jersey.

The projected population of the 8.84 Square Mile municipality is approximately 28,000. There are 250 full time employees dispersed through twenty-two departments. Neptune Township has two (2) fire districts. The Township Committee meets on the second and fourth Monday of the month at 6:00PM and conducts special meetings when necessary.

### Neptune Township Committee/ Board Meeting Dates *(Subject to change):*

- The Neptune Township Committee meets on the Second (2<sup>nd</sup>) and Fourth (4<sup>th</sup>) Monday of the Month at 6:00PM and conducts Special Meetings when necessary.
- The Township Planning Board meets on the Fourth (4<sup>th</sup>) Wednesday of the Month at 7:00PM.
- The Board of Adjustment meets on the First (1<sup>st</sup>) Wednesday of the Month at 7:30PM.
- The Rent Leveling Board meets on the First (1<sup>st</sup>) Thursday of the Month at 6:00PM
- The Historic Preservation Commission meets on the Second (2<sup>nd</sup>) Tuesday of the Month at 7:00PM

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### General Instructions

One (1) original and one (1) copy of the proposal package, along with one (1) electronic version (on disk, flash drive, or similar media), must be submitted to the Township no later than 4:00 PM on December 1, 2025, at the following address:

#### Office of the Township Clerk

Attn: William Bray  
25 Neptune Blvd.  
Neptune, NJ 07753

- Proposals **must be sealed and clearly labeled** on the **exterior of the envelope** with the **position for which the proposal is being submitted**.
- A **separate proposal package is required for each position**. (*Do not submit one package or form for multiple positions.*)

**Note: Digital versions of proposals cannot be submitted via e-mail. Submission via e-mail will result in disqualification.**



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## Required Proposal Documents Checklist

Please Initial Each  
Required Entry &  
Submit Completed  
Item

### Document Submission Requirement(s)

Construction Projects (N.J.S.A. 52:34-15)/

Goods and Services (Not Required by Law)

|                          |                                                                                     |       |
|--------------------------|-------------------------------------------------------------------------------------|-------|
| <input type="checkbox"/> | <b>Professional Service Contract (Draft):</b> <i>(Must Provide Two (2) Copies)</i>  | _____ |
| <input type="checkbox"/> | <b>Proposal Form:</b> <i>(Refer to Page #7)</i>                                     | _____ |
| <input type="checkbox"/> | <b>Statement of Ownership Certification:</b> <i>(Refer to Page #14)</i>             | _____ |
| <input type="checkbox"/> | <b>Acknowledgement of Receipt of Addenda:</b> <i>(Refer to Page #13)</i>            | _____ |
| <input type="checkbox"/> | <b>Non-Collusion Affidavit:</b> <i>(Refer to Page #12)</i>                          | _____ |
| <input type="checkbox"/> | <b>Disclosure of Investment Activities in Iran:</b> <i>(Refer to Page #19)</i>      | _____ |
| <input type="checkbox"/> | <b>Proof of Business Registration:</b> <i>(Refer to Page #20)</i>                   | _____ |
| <input type="checkbox"/> | <b>Mandatory Affirmative Action Language:</b> <i>(Refer to Page #15)</i>            | _____ |
| <input type="checkbox"/> | <b>Americans with Disabilities Act of 1990 Language:</b> <i>(Refer to Page #16)</i> | _____ |
| <input type="checkbox"/> | <b>References</b>                                                                   | _____ |
| <input type="checkbox"/> | <b>All Documents set forth in the Solicitation/ Completed Checklist</b>             | _____ |

Acknowledged by:

On Behalf of (Name and Title of Authorized Agent):

\_\_\_\_\_  
Name of Company of Respondent/ Proposer

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Authorized Agent



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## Proposal Form

RFP's will be Received by the **Township Clerk** of the

### 2026 Various Professional Services

(Project)

#### (Position Applied For)

Township of Neptune at the  
Neptune Municipal Building  
25 Neptune Blvd  
Neptune, NJ 07753 by:

**December 1, 2025**

(RFP Submission Deadline)

**4:00 PM**

(Deadline Time for RFP Submission)

Please submit **ONE (1)** Original and **ONE (1)** Digital Copy of your Proposal  
to the Township Clerk's Office.

**Company or Firm Name:**

\_\_\_\_\_

**Name and Title of Authorized Agent:**

\_\_\_\_\_

**Business Address of Proposer:**

Address

P.O. Box

Town

Address

Zip Code

**Phone Number:**

\_\_\_\_\_

**E-mail Address:**

\_\_\_\_\_

**Contract Award Amount:** *(Total  
Value of the Contract/ Not to  
Exceed Amount)*

\$ \_\_\_\_\_

**Description of Services**  
*(Included in Monthly Flat  
Fee):*

\_\_\_\_\_

**Hourly Rate** *(More detailed rates  
on Fee Schedule):*

\_\_\_\_\_

**Monthly Flat Fee** *(If  
Applicable):*

\_\_\_\_\_





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## Qualification Proposal Form

# 2026 PROFESSIONAL SERVICES WITHIN THE TOWNSHIP

The undersigned declares that he/she has carefully examined and fully understands the Information for Applicants, Specifications and other documents herein referred to and agrees to furnish and deliver all materials and to perform all work in accordance with the contract documents for the 2026 Professional Services within the Township.

**Applicant's Name:** \_\_\_\_\_

**Authorized Signature:** \_\_\_\_\_

**Print Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_

**Fax:** \_\_\_\_\_

**E-mail Address:** \_\_\_\_\_



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## Fee Schedule

# 2026 PROFESSIONAL SERVICES FEE SCHEDULE

**Name of Firm:** \_\_\_\_\_

**Professional  
Service to be  
Provided:** \_\_\_\_\_

**Professional Title or Role**

**Hourly Rate**

|       |           |
|-------|-----------|
| _____ | _____ /hr |
| _____ | _____ /hr |
| _____ | _____ /hr |
| _____ | _____ /hr |
| _____ | _____ /hr |
| _____ | _____ /hr |
| _____ | _____ /hr |

**Additional Costs:**

**Reason**

**Fee**

|       |       |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

*Please use additional sheets if necessary.*



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## **Key Personnel Information**

(Information on Individuals  
Assigned to Perform Tasks)

# **2026 PROFESSIONAL SERVICES KEY PERSONNEL INFORMATION**

**Include information for each individual anticipated to perform services under this proposal.**

**Name of Company:** \_\_\_\_\_

**Name of Individual:** \_\_\_\_\_

**Title of Individual:** \_\_\_\_\_

**Years of Experience:** \_\_\_\_\_

**Area(s) of Expertise/ Specialization:** \_\_\_\_\_

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**Previous Municipal/ Government Work:** \_\_\_\_\_

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## **Supporting Proposal Narratives (Required)**

# **2026 PROFESSIONAL SERVICES SUPPORTING PROPOSAL NARRATIVES (REQUIRED)**

**Attach separate pages for each item listed below. Clearly print the name of the proposing firm at the top of every page to ensure proper identification if pages are separated:**

- ☐ A narrative on the experience of the firm in matters facing municipal government especially those of similar size and form of that of the Township of Neptune.
- ☐ A list of all references for the firm including postal and e-mail addresses and telephone numbers.
- ☐ A narrative of successes in applicable related areas including references for these verifiable successes.
- ☐ A narrative detailing the firm's ability to timely meet the needs of the Township. You should include, but not limited the narrative to, a description of staffing patterns/levels including the combination of experience between the staff anticipated to work on issues under this proposal. The narrative should describe the geographical location of the firm and its key employees as it relates to responsiveness to Township and its needs.
- ☐ An optional narrative can be supplied as a summary or "catch all" for information that has not been included in other areas of your proposal.



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## **Affidavit of Non-Collusion**

### **N.J.S.A. 52:34-15**

**State of New Jersey**

**County of Monmouth**

**Owner:** Township of Neptune

**Project:** 2026 Various Professional Services

The undersigned, of full age, being duly sworn according to law on my oath depose and say: that I am of the firm making the Bid, that I executed the Bid with full authority to do so; that Bidder has not, directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the Work; and that all statements contained in the Bid and in this affidavit are true and correct and made with full knowledge that Owner relies upon the truth of the statements contained in the Bid and in the statements contained in this affidavit in an award of a contract of the Work.

I further warrant that no person or selling agency has been employed or retained to solicit or secure a contract upon an agreement or understanding for a commission, percentage, or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by Bidder in accordance with N.J.S.A. 52:34-15.

**Company/ Firm Name of Proposer or Respondent:** \_\_\_\_\_

**On Behalf of (Name of Authorized Agent):** \_\_\_\_\_  
Print Name

**Title of Authorized Agent:** \_\_\_\_\_

**Signature of Authorized Agent:** \_\_\_\_\_

**Date:** \_\_\_\_\_



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**Acknowledgement of  
Receipt of Addenda**  
N.J.S.A. 40A:11-23c. 1, 2, & 3

**2026 PROFESSIONAL SERVICES**  
**ACKNOWLEDGEMENT OF  
RECEIPT OF ADDENDA**

The undersigned Firm/ Company hereby acknowledges receipt of the following Addenda:

| <u>Addendum Number</u> | <u>Dated</u> | <u>Acknowledge Receipt<br/>(Initial)</u> |
|------------------------|--------------|------------------------------------------|
| <hr/>                  | <hr/>        | <hr/>                                    |
| <hr/>                  | <hr/>        | <hr/>                                    |
| <hr/>                  | <hr/>        | <hr/>                                    |
| <hr/>                  | <hr/>        | <hr/>                                    |
| <hr/>                  | <hr/>        | <hr/>                                    |

☐

No Addenda were Received

**On Behalf of (Company or Firm Name):**

---

**Name of Authorized Agent:**

---

Print Name

**Title of Authorized Agent:**

---

**Signature of Authorized Agent:**

---

**Date:**

---



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**Statement of Ownership**  
N.J.S.A. 52:25-24.2 (P.L. 1977, c.33)

**2026 PROFESSIONAL SERVICES  
STATEMENT OF OWNERSHIP**

**Company/ Firm Name:** \_\_\_\_\_

Select the applicable box:

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

**OR**

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

Select the box that represents the type of Business Organization:

☐ **Partnership**

☐ **Corporation**

☐ **Sole Proprietorship**

☐ **Limited Partnership**

☐ **Limited Liability Corporation**

☐ **Limited Liability Partnership**

☐ **Subchapter S Corporation**

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

| <u>Name</u> | <u>Street Address</u> | <u>Town</u> | <u>State</u> | <u>Zip code</u> |
|-------------|-----------------------|-------------|--------------|-----------------|
| _____       | _____                 | _____       | _____        | _____           |
| _____       | _____                 | _____       | _____        | _____           |
| _____       | _____                 | _____       | _____        | _____           |
| _____       | _____                 | _____       | _____        | _____           |
| _____       | _____                 | _____       | _____        | _____           |

Sworn and subscribed before me this \_\_\_\_\_

day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_  
Print Name & Title of Affiant

\_\_\_\_\_  
Affiant Signature

\_\_\_\_\_  
Corporate Seal



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**Affirmative Action**  
N.J.S.A. 10:5-31 and  
N.J.A.C. 17:27-1 et seq

## **2026 PROFESSIONAL SERVICES AFFIRMATIVE ACTION LANGUAGE**

This form is a summary of the successful individual/firm'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 individual and/ or firm shall submit to the public agency, after notification of award but prior to execution of this contract, one of the following three (3) documents as forms of evidence:

- 1) 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**

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

**OR**

- 3) 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.C. 17:27-4.

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

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 that 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 Name of Bidder:**

---

**Name of Authorized Agent:**

---

**Title of Authorized Agent:**

---

**Signature of Authorized Agent:**

---

**Date:**

---





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**Mandatory Affirmative Action Language**  
**Equal Employment Opportunity Language**  
**Goods, Professional Service and General Service**  
**Contracts**  
**(Exhibit A)**  
*N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127), N.J.A.C. 17:27*

**MANDATORY AFFIRMATIVE ACTION LANGUAGE**  
**EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE**

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 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, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. 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 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, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act 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 employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to 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, labor unions, that it does not discriminate on the basis of age, 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.



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## **Mandatory Affirmative Action Language Equal Employment Opportunity Language**

Goods, Professional Service and General Service  
Contracts

*N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127), N.J.A.C. 17:27*

### **Exhibit A**

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 applicable 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, 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

The contractor and its subcontractors shall furnish such reports or other documents to the Div. of Contract Compliance & EEO 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 Div. of Contract Compliance & EEO for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**



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## **Mandatory Language Americans with Disabilities Act of 1990**

**Title II of the Americans with Disabilities Act of 1990  
42 U.S.C. §12101 et seq.**

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

The contractor and the **Township of Neptune** (hereafter "owner") do hereby agree that the provisions of Title II of the Americans With Disabilities Act of 1990 (the "Act") (42 U.S.C. §12101 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 thereto, 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 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.

**On Behalf of Company Name of Bidder:**

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**Name of Authorized Agent:**

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**Title of Authorized Agent:**

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**Signature of Authorized Agent:**

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**Date**

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## **Disclosure of Investment Activities in Iran Public Law 2012, c. 25**

Pursuant to Public law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that the person or entity, or one of the person or entity's parents, subsidiaries, or affiliates, is not identified on a list created and maintained by the Department of the Treasury as a person or entity engaging in investment activities in Iran. If the Director finds a person or entity to be in violation of the principles which are the subject of 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 person or entity.

**I certify, pursuant to Public Law 2012, c.25, that the person or entity listed below 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 to the Division of Purchase 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, 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.

**Name:** \_\_\_\_\_ **Relationship to Bidder/ Offeror:** \_\_\_\_\_

**Description of Activities:** \_\_\_\_\_

**Duration of Engagement:** \_\_\_\_\_ **Anticipated Cessation Date:** \_\_\_\_\_

**Bidder/ Offeror Contact Name:** \_\_\_\_\_ **Contact Phone Number:** \_\_\_\_\_

**Certification:** I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the above referenced person or entity. I acknowledge that Neptune Township is relying on the information contained herein and hereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the Township to notify the Township in writing of any changes to the answers 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 Neptune Township, Monmouth County, New Jersey and that the Neptune Township at its option may declare any contract(s) resulting from this certification void and unenforceable.

**Company Name of Bidder:** \_\_\_\_\_

**Name of Authorized Agent:** \_\_\_\_\_

**Title of Authorized Agent:** \_\_\_\_\_

**Signature of Authorized Agent:** \_\_\_\_\_

**Date:** \_\_\_\_\_



## Township of Neptune

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## Business Registration Certificate

N.J.S.A. 52:32-44 (P.L. 2004, C.57)

A Business Registration Certificate serves two purposes:

- **For public contracting, as proof of valid business registration with the New Jersey Division of Revenue.** All contractors and subcontractors must provide this documentation when seeking to do business with the State of New Jersey, and other public agencies in this state. Proof of registration is also required for licensure with the Casino Control Commission.
- **To comply with Chapter 85, P.L. 2006, defined under N.J.S.A. 54A:7-1.2.** You must use the Business Registration Certificate if you are an unincorporated construction contractor performing work in NJ or you are a registered unincorporated contractor requesting proof of certification.

If you are a registered vendor but have not received the Business Registration Certificate in the mail, you may [obtain a certificate online](#).

Please note that this certificate is not required by all businesses in New Jersey, but only those doing business with the public sector and with the casino service industry.

You may check the [online registration inquiry](#) to determine if the business is already registered. If you have not registered but are required to have this certificate, you will need to complete Form NJ-REG.

Representatives of the Division's Client Registration activity are available to assist in the registration process by calling 609.292.9292.

### Filing Form NJ-REG

In most cases, you may [submit Form NJ-REG online](#). Exceptions and additional requirements include:

- Any business including an out-of-state business with a presence or nexus in New Jersey, operating as a **corporation, limited partnership, limited liability company or limited liability partnership** must first obtain legal authority to operate in this State prior to submitting Form NJ-REG. Generally, this is accomplished by filing a [Certificate of Incorporation](#) or Formation with the Division. You may wish to review information concerning [getting registered](#) to assist with this process.
- **Out-of-state businesses** that believe they do not have state tax nexus will file a [paperform NJ-REG](#) in order to obtain a Business Registration Certificate. Business entities that file form NJ-REG only will be subject to a nexus review, initiated and conducted by the Division of Taxation.
- **Individuals or Unincorporated Construction Contractors** with no business tax or employer obligations may register using [Form Reg-A](#) instead of Form NJ-REG in order to obtain the Business Registration Certificate. Individuals who have created and are operating as a business entity (e.g. LLC) may not use Form REG-A.
- **Non-profit organizations** although required to register for tax purposes are not subject to the proof of registration requirement when contracting with public agencies in this state.

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[Clerk@neptunetownship.org](mailto:Clerk@neptunetownship.org)**Business Registration Certificate****N.J.S.A. 52:32-44 (P.L. 2004, C.57)****Public Contracts**

When seeking a public contract, an affirmative action report (Form AA-302) will also be required.

The Certificate of Registration may not be used as evidence of compliance with the affirmative action requirements and submitted in lieu of Form AA-302. Both forms will be required.

The Division of Contract Compliance and Equal Employment Opportunity in Public Contracts provides guidelines for awarded public contracts. In addition, answers to [frequently asked questions](#) are provided by the Division of Local Government.

While designed for local government contracting, the FAQ page contains guidance that it is applicable to most New Jersey government procurement activities.

- [Registering for Tax Purposes](#)
- [Instructions for Contracting with Local Government, Colleges and Universities, County Colleges and Boards of Education](#)
- [Guidelines and Regulations for Awarded Public Contracts](#)
- [Affirmative Action Employee Information Report \(Form AA-302\)](#)
- [Local Finance Notices for Registering and Obtaining Proof of Registration](#)

(Information taken from State of New Jersey, Department of Treasury, Division of Revenue and Enterprise Services. <http://www.state.nj.us/treasury/revenue/busregcert.shtml>)



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**Disclosure of Contributions to ELEC**  
**N.J.S.A. 19:44A-20.27**  
**(P.L. 2005, c. 271, S.3)**  
**(Forms to be provided by ELEC)**

Starting in January 2007, all business entities are advised of their responsibility to file an annual disclosure statement of political contributions with the New Jersey Election Law Enforcement Commission (ELEC) pursuant to N.J.S.A. 19:44A-20.27; if they receive contracts in excess of \$50,000 from public entities in a calendar year.

Business entities are responsible for determining if filing is necessary.

Additional information on this requirement is available from ELEC at 888-313-3532 or at [www.elec.state.nj.us](http://www.elec.state.nj.us).

**Note: There is not a submission requirement for this item, this is a notification of required responsibilities for chosen vendor.**



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## Requirements for Successful Vendors

**If the firm is successful, the following procedures will be implemented for each contract/job that the consultant is awarded within the Township:**

- Each job for which services are requested will be based upon an estimate from the professional consultant.
- Based upon the estimate and/or proposal a Purchase Order will be issued for which services are required prior to commencement of work.
- The Purchase Order number shall be referenced on all jobs and on all billing.
- If for any reason, the professional consultant believes that there are additional services that will be required to complete the job, the obligation is on the part of the professional to notify the Township of the potential additional services and costs for same prior to expending any costs beyond the original purchase order.
- No additional work shall commence or prior to authorization and issuance of an additional Purchase Order or amendment to original Purchase Order.
- All work will be assigned by the Governing Body or the Business Administrator; self-directed actions or tasks are restricted.
- Jobs that are billed on an hourly basis will be paid on the hourly basis up to the total value of the purchase order.
- Professional Consultants are to provide monthly billing for all work completed in the month prior that provides the name of the person, title of person, hours spent, hourly rate and a description of work. If no work has been completed no bill shall be presented.
- The Township of Neptune will not pay invoices that have a cumulative amount of work for numerous months; billing shall be on a monthly basis.
- The Township of Neptune based on the availability of funds shall pay consultants for work that has been completed in the prior month at the next available meeting, provided that the Purchase Order is in place and the funds have not been exceeded.
- Unless a specific Purchase Order is issued, consultations with staff members, members of the Board or the Governing body under one hour shall not be billable to the Township.
- The Township of Neptune shall not be charged and will not pay interest on any invoices.
- The proposal document submitted in response to the RFP will be attached as part of the contract documents to be executed with the Township of Neptune.