THE TOWNSHIP OF LYNDHURST

REQUEST FOR QUALIFICATIONS

The Township of Lyndhurst is soliciting Qualification Statements from interested persons and/or firms for the provision of the professional service listed below. Through a Request for Qualification ("RFQ") process, persons and/or firms interested in assisting the Township with the provision of such service must prepare and submit a Qualification Statement in accordance with the procedure and schedule in the RFQs. The Township will review Qualification Statements only from those firms that submit a Qualification Statement which includes all the information required to be included as described (in the sole judgment of the Township). The Township intends to qualify (a) persons and/or firm that (a) possess the professional, financial and administrative capabilities to provide the proposed service, and (b) agree and meet the terms and conditions determined by the Township that provide the greatest benefit to the taxpayers of Lyndhurst.

The selection of Qualified Respondents is not subject to the provisions of the Local Public Contracts Law, *N.J.S.A. 40A:11-1, et seq*. The selection is subject to the "New Jersey Local Unit Pay-to-Play Law, *N.J.S.A. 19:44A-20.4, et seq*., however. The Township has structured a procurement process that seeks to obtain the desired results, while establishing a competitive process, to assure that each person and/or firm is provided an equal opportunity to submit a Qualification Statement in response to the RFQ. The factors to be considered by the Township include, but are not limited to: (i) experience and reputation in the profession; (ii) knowledge of the subject matter to be addressed under contract; (iii) availability to accommodate any required meetings of the Township or Township agency; (iv) any other factors demonstrated to be in the best interest of the Township.

Instruction and Qualification documents may be picked up at the Office of the Township Clerk, 367 Valley Brook Avenue, Lyndhurst, New Jersey 07071 or downloaded from the municipal website www.lyndhurstnj.org. Completed Qualification Statements must be submitted to, and be received by, Mrs. Helen Polito, Township Clerk, 367 Valley Brook Avenue, Lyndhurst, New Jersey 07071 on or before 10:00 a.m. on Thursday, December 3, 2009. Respondents are instructed to label the outside of the envelope or package to the effect that the enclosure consists of a Qualification Statement in response to this request for the professional service. Qualification Statements will not be accepted by facsimile transmission or email. The responses will be opened after 10:00 a.m. on Thursday, December 3, 2009 in the Office of the Township Clerk.

The professional service for which the Township seeks Qualification Statements is:

RISK MANAGEMENT CONSULTANT

The instructions for Qualification Statements are filed in the office of Mrs. Helen Polito, Township Clerk, 367 Valley Brook Avenue, Lyndhurst, New Jersey 07071, and may be inspected by prospective Respondents during regular business hours.

Completed Qualification Statements must be submitted in the manner designated above, must be enclosed in sealed envelopes bearing the name and address of the Respondent, and the name of the service on the outside, addressed to the Township of Lyndhurst.

BY ORDER OF THE MAYOR AND BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LYNDHURST.

Helen Polito, RMC, Township Clerk

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

REQUEST FOR QUALIFICATIONS

FOR THE PROVISION OF THE FOLLOWING

PROFESSIONAL SERVICES FOR 2010:

RISK MANAGEMENT CONSULTANT

ISSUE DATE: November 23, 2009

DUE DATE: December 3, 2009

Issued by:

Township of Lyndhurst

GLOSSARY

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

"Township" – refers to the Township of Lyndhurst.

"Qualification Statement" – refers to the complete responses to this RFQ submitted by the Respondents.

"Qualified Respondent" – refers to those Respondents who (in the sole judgment of the Township) have satisfied the qualification criteria set forth in this RFQ.

"RFQ" – refers to this Request for Qualifications, including any amendments thereof or supplements thereto.

"Respondent" or "Respondents" – refers to the interested firms that submit a Qualification Statement.

SECTION 1

INTRODUCTION AND GENERAL INFORMATION

1.1 Introduction and Purpose.

The Township is soliciting Qualification Statements from interested persons and/or firms for the provision of municipal professional service, as described herein. Through a Request for Qualification process described herein, persons and/or firms interested in assisting the Township with the provision of such services must prepare and submit a Qualification Statement in accordance with the procedure and schedule in this RFQ. The Township will review Qualification Statements only from those firms that submit a Qualification Statement which includes all the information required to be included as described herein (in the sole judgment of the Township). The Township intends to qualify persons and/or firms that (a) possess the professional, financial and administrative capabilities to provide the proposed services, and (b) will agree to work under the compensation terms and conditions determined by the Township to provide the greatest benefit to the taxpayers of Lyndhurst.

1.2 Procurement Process and Schedule.

The selection of Qualified Respondents is not subject to the provisions of the Local Public Contracts Law, *N.J.S.A. 40A:11-1, et seq*. The selection is subject to the "New Jersey Local Unit Pay-to-Play" Law, *N.J.S.A. 19:44A-20.4, et seq.*, however. The Township has structured a procurement process that seeks to obtain the desired results described above, while establishing a competitive process to assure that persons and/or firms are provided an equal opportunity to submit a Qualification Statement in response to the RFQ. Qualification Statements will be evaluated in accordance with the criteria set forth in Section 2 of this RFQ, which will be applied in the same manner to each Qualification Statement received.

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

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

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

Designated Contact Person:

Mrs. Helen Polito
Township Clerk
367 Valley Brook Avenue
Lyndhurst, NJ 07071

Qualification Statements must be submitted to, and be received by, the Township, via mail or hand delivery, by 10:00 a.m. on December 3, 2009. Qualification Statements will not be accepted by facsimile transmission or email.

Subsequent to issuance of the RFQ, the Township (through the issuance of addenda to all firms that have received a copy of the RFQ) may modify, supplement, or amend the provisions of this RFQ in order to respond to inquiries received from prospective Respondents or as otherwise deemed necessary or appropriate by (and in the sole judgment of) the Township.

TABLE 1

ANTICIPATED PROCUREMENT SCHEDULE

	ACTIVITY	DATE
1.	Receipt of Qualification Statements	12/03/09
2.	Opening of Qualification Statements	12/03/09
3.	Appointment of Professional Consultant	Within 60 days of receipt of Qualification Statements

Section 1.3. Conditions Applicable to RFQ.

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

- This document is an RFQ and does not constitute an RFP.
- This RFQ does not commit the Township to issue an RFP.
- All costs incurred by the Respondent in connection with responding to this RFQ shall be borne solely by the Respondent.
- The Township reserves the right (in its sole judgment) to reject for any reason any and all responses and components thereof and to eliminate any and all Respondents responding to this RFQ from further consideration for this procurement.

- The Township reserves the right (in its sole judgment) to reject any Respondent that submits incomplete responses to this RFQ, or a Qualification Statement that is not responsive to the requirements of this RFQ.

- The Township reserves the right, without prior notice, to supplement, amend, or otherwise modify this RFQ, or otherwise request additional information.

- All Qualification Statements shall become the property of the Township and will not be returned.

- The Township may request Respondents to send representatives to the Township for interviews.

- Any and all Qualification Statements not received by the Township by 10:00 a.m. on December 3, 2009 will be rejected.

- Neither the Township, nor its respective staff, consultants, or advisors (including but not limited to the Review Committee) shall be liable for any claims or damages resulting from the solicitation or preparation of the Qualification Statement, nor will there be any reimbursement to Respondents for the cost of preparing and submitting a Qualification Statement or for participating in this procurement process.

Section 1.4. <u>Rights of Township</u>.

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

- To determine that any Qualification Statement received complies or fails to comply with the terms of this RFQ.

- To supplement, amend, or otherwise modify the RFQ through issuance of addenda to all prospective Respondents who have received a copy of this RFQ.

- To waive any technical nonconformance with the terms of this RFQ.

- To change or alter the schedule for any events called for in this RFQ upon the issuance of notice to all prospective Respondents who have received a copy of the RFQ.

- To conduct investigations of any or all of the Respondents, as the Township deems necessary of convenient, to clarify the information provided as part of the Qualification Statement and to request additional information to support the information included in any Qualification Statement.

- To suspend or terminate the procurement process described in this RFQ at any time (in its sole discretion). If terminated, the Township may determine to commence a new procurement process or exercise any other rights provided under applicable law without any obligation to the Respondents.

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

1.5 Addenda or Amendments to RFQ.

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

1.6 Cost of Proposal Preparation.

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

1.7 Proposal Format.

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

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

SECTION 2

SCOPE OF SERVICES

It is the intent of the Township to solicit Qualified Statements from Respondents who would act as a Risk Management Consultant for the Township. Respondents would provide services involving professional Risk Management and insurance advice and services as required by the by laws of the South Bergen Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance funds. Firms or persons responding to this RFQ must be able to demonstrate that they will have the continuing capabilities to perform these services.

SECTION 3

SUBMISSION REQUIREMENTS

Section 3.1 General Requirements.

The Qualification Statement submitted by the Respondent must meet or exceed the professional, administrative, and financial qualifications set forth in this Section 3 and shall incorporate the information requested below. Respondents are encouraged to be clear, factual, and concise in their presentation of information.

Section 3.2 Administrative Information Requirements.

The Respondent shall, as part of its Qualification Statement, provide the following information:

1. A description of qualifications (not to exceed three (3) pages) to which a resume (not to exceed two (2) pages) may be attached.

2. An executed Letter of Qualification (See Appendix A to this RFQ).

3. An executed Letter of Intent (See Appendix B).

Section 3.3 Description of Qualifications in Response to RFQ.

A. As indicated above, Respondent shall submit a description of its qualifications in providing the type of services sought in the RFQ, which shall not exceed three (3) pages. A resume, which shall not exceed two (2) pages, may be attached to the description. The description shall include the following information:

1. Experience, which should include a statement of the Respondent's knowledge of the Township and availability to attend required meetings.

2. Professional licenses.

3. Any judgments within the last three (3) years in which Respondent has been adjudicated liable for professional malpractice. If there are any such judgments, please explain.

4. Whether the business organization is now or has been involved in any bankruptcy or reorganization proceedings in the last 10 years. If so, please explain.

5. Describe the services that Respondent would perform directly.

6. Describe those portions of the Respondent's services, if any, that are subcontracted out. Identify all subcontractors the Respondent anticipates using in connection with this project.

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

SECTION 4

INSTRUCTIONS TO RESPONDENTS

4.1 Submission of Qualification Statements.

Respondents must submit an original and five (5) copies of their Qualification Statement to the Designated Contact Person:

Mrs. Helen Polito
Township Clerk
367 Valley Brook Avenue
Lyndhurst, NJ 07071

Qualification Statements must be received by the Township no later than 10:00 a.m. on December 4, 2008, and must be mailed or hand delivered. Qualification Statements forwarded by facsimile or email will not be accepted.

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

SECTION 5

EVALUATION

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

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

1. Experience and reputation in the field;

2. Knowledge of the Township and the subject matter addressed under the contract;

3. Availability to accommodate the required meetings of the Township; and

4. Other factors demonstrated to be in the best interest of the Township.

APPENDIX A

LETTER OF QUALIFICATION

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

[insert date]

Mrs. Helen Polito
Township Clerk
367 Valley Brook Avenue
Lyndhurst, NJ 07071

Dear Mrs. Polito:

The undersigned have reviewed our Qualification Statement submitted in response to the Request for Qualifications (RFQ) issued by the Township of Lyndhurst ("Township"), dated December 3, 2009, in connection with the Township's need for (professional service).

We affirm that the contents of our Qualification Statement (which Qualification Statement is incorporated herein by reference) are accurate, factual, and complete to the best of our knowledge and belief and that the Qualification Statement is submitted in good faith upon express understanding that any false statement may result in the disqualification of (Name of Respondent).

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

_____	_____
(Signature of Chief Executive Officer)	(Signature of Chief Financial Officer)
_____	_____
(Typed Name and Title)	(Typed Name and Title)
_____	_____
(Type Name of Firm)*	(Type Name of Firm)*
Dated: _____	Dated: _____

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

APPENDIX B

LETTER OF INTENT

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

[insert date]

Mrs. Helen Polito
Township Clerk
367 Valley Brook Avenue
Lyndhurst, NJ 07071

Dear Mrs. Polito:

The undersigned, as Respondent, has (have) submitted the attached Qualification Statement in response to a Request for Qualifications ("RFQ"), issued by the Township of Lyndhurst ("Township"), dated December 3, 2009, in connection with the Township's need for (professional service).

(Name of Respondent) HEREBY STATES:

1. The Qualification Statement contains accurate, factual, and complete information.

2. (Name of Respondent) agrees (agree) to participate in good faith in the procurement process as described in the RFQ and to adhere to the Township's procurement schedule.

3. (Name of Respondent) acknowledges (acknowledge) that all costs incurred by it (them) in connection with the preparation and submission of the Qualification Statement and any proposal prepared and submitted in response to the RFP, or any negotiation which results therefrom shall be borne exclusively by the Respondent.

4. (Name of Respondent) hereby declares (declare) that the only persons participating in this Qualification Statement as principals are named herein and that no person other than those herein mentioned has any participation in this Qualification Statement or in any contract to be entered into with respect thereto. Additional persons may subsequently be included as participating principals, but only if acceptable to the Township. (Name of Respondent) declares that this Qualification Statement is made without connection with any other person, firm, or parties who have submitted a Qualification Statement, except as expressly set forth below, and that it has been prepared and has been submitted in good faith and without collusion or fraud.

5. (Name of Respondent) acknowledges and agrees that the Township may modify, amend, suspend and/or terminate the procurement process (in its sole judgment). In any case, the Township shall not have any liability to the Respondent for any costs incurred by the Respondent with respect to the procurement activities described in this RFQ.

6. (Name of Respondent) acknowledges and agrees that any contract executed with respect to the provision of (professional service) must comply with all applicable affirmative action and similar laws. Respondent hereby agrees to take such actions as are required in order to comply with such applicable laws.

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

_____
(Signature of Chief Executive Officer)

_____
(Typed Name and Title)

_____
(Type Name of Firm)*

Dated: _____

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

EXHIBIT A

N.J.S.A. 10:5-31, et seq., N.J.A.C. 17:27

MANDATORY AFRIRMATIVE ACTION LANGUAGE
GOODS, 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 or sex. Except with respect to affectional 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, affectional or sexual orientation 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, 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 attempt in good faith to employ minority and female workers consistent with the applicable county employment goals prescribed by N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Affirmative Action Office pursuant to N.J.A.C. 17:27-5.2 promulgated by the Division, pursuant to N.J.A.C. 17:27-5-2.

The contractor or subcontractor agrees to inform in writing appropriate recruitment agencies in the area, including 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, sex, affectional or sexual orientation 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 principals 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, sex, affectional or sexual orientation, and conform with the applicable employment goals, consistent with the statutes and court decisions of the State of New Jersey and as established by 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 Division of Contract Compliance & EEO as may be requested by the Division 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 Contract Compliance & EEO for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code (N.J.A.C. 17:27).

_____
Signature of Contractor

_____
Business Name