

TOWNSHIP OF LYNDHURST

---

January 25, 2017

February 8, 2017--Amendment

**REQUEST FOR QUALIFICATIONS FOR  
ARCHITECTURAL SERVICES**

**Contract Term: Consistent with Project Schedule,  
to wit:  
April 1, 2017 through March 31, 2021 (or until project  
completion whichever is earlier).**

SUBMISSION DEADLINE

2:00 P.M.  
FEBRUARY 15, 2017

ADDRESS ALL SEALED WRITTEN RESPONSES TO:

THE TOWNSHIP OF LYNDURST  
MUNICIPAL CLERK  
ANGELA WHITE  
Lyndhurst Town Hall  
367 Valley Brook Avenue  
Lyndhurst, NJ 07071

A SEPARATE SEALED ENVELOPE SHALL BE  
DELIVERED AT THE SAME PLACE AND TIME TO:  
ATTENTION: TOM CARROLL PURCHASING AGENT

**TOWNSHIP OF LYNDHURST  
NOTICE OF REQUEST FOR  
QUALIFICATIONS, WITH COST  
(PRICING)  
FOR ARCHITECTURAL SERVICES**

Notice is hereby given that the Township of Lyndhurst (the “Township”), 367 Valley Brook Avenue, Lyndhurst, New Jersey 07071, will receive sealed submissions from on February 15, 2017 at 2:00 p.m. in response to its Request for Qualifications for Architectural Services (RFQ), as described below, at which time the submissions will be opened in public:

**ARCHITECTURAL SERVICES**

The RFQ is issued in accordance with a fair and open procurement process in selecting professional services, including architectural services. The RFQ also satisfies the requirements of a fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq. Professional services are exempt from bidding pursuant to N.J.S.A. 40A:11- 5(1)(a)(i).

The RFQ documents may be obtained from the Township Clerk’s Office, 367 Valley Brook Avenue, Lyndhurst, New Jersey 07071 between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, or can be downloaded from the Township’s website.

An original and two (2) copies of the proposals (also referred to as submissions) must be submitted in a sealed envelope, clearly marked on the outside with the word, “Confidential,” and indicate the service(s) for which the RFQ is submitted (e.g., “Response to RFQ for Township Architectural Services”). In addition, Respondents must provide a copy of their submission on a thumb/flash drive in WORD format.

Respondents are required to comply with the requirements of P.L. 1975, c.127 (Affirmative Action Program, Equal Employment Opportunity).

The Township reserves the right to consider submitted RFQ’s for sixty (60) days after receipt, and further reserves the right to reject any and all submissions, waive informalities, and make an award or take any other action as may be in the best interest of the Township, consistent with applicable law.

A transmittal letter covering the details of the proposal and a non-collusion affidavit together with other documentation, including a fee structure, shall be included in all proposals (submissions).

**TOWNSHIP OF LYNDHURST  
REQUEST FOR QUALIFICATIONS FOR ARCHITECTURAL SERVICES**

**GLOSSARY**

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

“Township” – refers to the Township of Lyndhurst .

“Proposal or Response or Submission” – refers to a complete response to this RFQ submitted by a Respondent also known as Architect.

“Respondent” or “Respondents” – refers to the interested professionals who submit a response to the RFQ.

“RFQ” – refers to the Request for Responses for Architectural Services and any amendments or supplements thereto.

## **GENERAL INFORMATION & SUMMARY**

### **ORGANIZATION REQUESTING RESPONSE**

TOWNSHIP OF LYNDHURST  
367 VALLEY BROOK AVENUE  
LYNDHURST, NJ  
07071

### **CONTACT PERSON**

ANGELA WHITE  
MUNICIPAL CLERK  
367 VALLEY BROOK AVENUE  
LYNDURST, NJ  
07071  
(201) 933-4576

### **PURPOSE OF REQUEST**

The Township of Lyndhurst is requesting responses from qualified individuals and firms (“contractor(s)” or “respondent(s)”) to provide Architectural Services to the Township. Responses will be evaluated in accordance with the criteria set forth in this RFQ. One or more individuals/firms may be selected to provide services. The new school building to be constructed is the Lyndhurst Junior High School. This building (or school) shall be built in general accordance with the October 14, 2015 “Other Capital Project Determination” letter from the State of New Jersey, Department of Education, to the Lyndhurst Township School District. This project is a redevelopment project and as such the school district will be transferring title (ownership) of the old Lincoln School, Block 89, Lot 9, to the Township. The Lincoln School still serves as a school, and will continue to serve as a school until the new Junior High School is built and ready for occupancy.

The Township and school district have formally agreed that the just compensation for the transfer of the Lincoln School to the Township for redevelopment purposes is the construction of a new school facility to be located on vacant land at school district owned property at Block 160, Lot 3.01 and Township owned property at Lot 3.05. In addition, a “paper” street known as Sparta Drive (a.k.a. Fourth Street) connected to Page Avenue and, further Block 160, Lot 22 may also be involved in the new Junior High School property.

### **PERIOD OF CONTRACT**

Consistent with Project Schedule which shall be April 1, 2017 through March 31, 2021, or until project completion, which is anticipated to be September 1, 2020, whichever is earlier.

### **CONTRACT FORM**

This RFQ shall be considered a “springing contract” whereby upon acceptance of the proposal by the Lyndhurst Board of Commissioners the terms and conditions of this RFQ, including the submission of prices for services shall be considered a firm engagement. The successful Respondent shall be required to execute the Township’s form of contract, which includes the project scope, indemnification, insurance, termination and project monitoring

provisions. **A complete copy of a sample Township form of contract will be available after February 6, 2017, upon request. Notwithstanding the foregoing the Architect shall agree to all terms and conditions included in the sample agreement. If the terms and conditions are NOT agreed to the Township reserves the unequivocal prerogative to ignore the proposal submitted by the Architect.**

It is also agreed and understood that the acceptance of the payment by the Architect, as Contractor, shall be considered a release in full of all claims against the Township arising out of, or by reason of, the work done and materials furnished under any Contract Awarded.

## **DETAILED REQUIREMENTS OF THE REQUEST FOR QUALIFICATIONS FOR ARCHITECTURAL SERVICES**

**1. TOWNSHIP OF LYNDHURST-** The Township of Lyndhurst is a municipal government entity located in Bergen County. The Township's population is approximately 21,300 and it consists of approximately 4.5 square miles of area. The Township operates under a Walsh Act Commission form of government. The governing body consists of five members elected at large for a four-year term. Each commissioner is responsible for a primary department (Public Safety, Finance, Public Works, Public Affairs, and Parks and Recreation).

**2. NATURE/ SCOPE OF SERVICES-** **The Township of Lyndhurst is requesting qualifications and prices for Architectural Services.** The successful respondent will be required to perform, but not limited to, the following services:

Professional architecture, landscape architecture, building design and site engineering services; including building construction and building/lot design (including parking lot, ingress/egress, learning, office, lavatory, plumbing, culinary (food services) music, auditorium, and ancillary spaces) for the construction of a new Junior High School on the property hereinafter described.<sup>1</sup>

The response/proposal shall include a bid quote/price for:

A. The preparation of complete building plans and renderings, including but not limited to site plan(s), elevations, aerials, etc,

B. The preparation of complete construction documents (of the highest standard), and to be presented to: 1-a professional school Plan Review Committee (PRC) for critique and revision(s) if, and, as necessary<sup>2</sup>; 2-the Finance Commissioner's Junior High School Building Advisory Committee.

C. The preparation of all construction bid documents-pertaining to the construction of a new Junior High School consistent with this document-including but not limited to, the:

- i. Preparation of construction bid specifications, with a special emphasis on the "back-end" documents (including complete school building drawings and plans) for construction work, all {construction} trades, and landscaping;
- ii. Performing all surveys, elevations, colored renderings, building plans, etc. **ALL INCLUSIVE**;
- iii. The design and work orders for ALL demolition and site work—including landscape design;
- iv. The design, specification, and ordering (procurement at the Township's expense) from a qualified manufacturer of to-be installed items<sup>3</sup>, pursuant to construction bids and

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<sup>1</sup> The terms Respondent and "Architect" are meant to be the same and shall be used interchangeably in this RFP.

<sup>2</sup> IN THE EVENT OF CONSTRUCTION/BUILDING DESIGN DESPUTES, THE RULING OF THE PRC SHALL TAKE PRECEDENT OVER THE ARCHITECTURE FIRM, PROVIDED THAT THE PRC DECISION COMPLIES WITH NEW JERSEY BUILDING CODES.

<sup>3</sup> This shall be coordinated with the selected construction contractor.

construction contracts, of all finishing/specialized work {for example, but not limited to, the design and guarantee of the installation of auditorium seating, flooring, science labs, teacher work areas, culinary/kitchen appliances and emoluments, and weight room equipment, special glass etc.}.

D. The presentation, on at least six (6) separate occasions, of the plans and design work progress to the Township Board of Commissioners. This shall be in addition to several, as needed, meetings with the committees identified in Paragraph B hereof.

E. The weekly monitoring of all building/construction/demolition/fit-out work. This will occur upon award by the Township Board of Commissioners of the construction contract, then the Respondent (“Architect”) shall be on site a minimum of one-half day per ten business days; upon the start date of construction (defined as any mobilization/staging of equipment or other common construction event).

THE RESPONDENT (“Architect”) shall ensure (explicitly guarantee) that ALL construction and work shall conform to the Plans prepared and reviewed by the PRC. This requirement is to ensure construction plan compliance.

F. Certification of Project Completion. Prior to receiving the final 10% of the contract price, quoted by the Respondent and agreed to by the Township of Lyndhurst Board of Commissioners, the Respondent (“Architect”) shall” 1-deliver as built drawings, 2-deliver a “before and after” Project picture set, and, 3-certify that all work has been done in accordance with the Project Plans and specifications.

**3. KNOWN DESCRIPTION OF THE NEW SCHOOL BUILDING-** the new Lyndhurst Junior High School has been assigned State Project #2860-N02-16-1000. The Lyndhurst Public School District has 2,098 regular full-time students with an additional 350 special education students, a total of 2,448 students. This is approximately 190 students per grade (somewhat less when special education students are not included). The Lyndhurst Junior High School should be built to house and accommodate 250 students per grade. This is a total of 750 students. Enrollment has remained relatively constant over the past several years. The Township plans to construct the new school building on Matera Field, previously described and located in Block 160. This shall include site work, hard construction, appropriate electrical and computer wiring, including all sub-contractors (inclusive of electrical, plumbing, finishing, masonry, HVAC, elevators (if required) landscaping, and food services and/or culinary outfitting).

**4. DELIVERABLES AND PROJECT TASKS:**

To further define the project scope outlined in Section 2 above, the following are detailed requirements of the Respondent.

**-A signed transmittal letter outlining the architect’s approach to the project is required** to be submitted with the response.

-Preliminary and specific site analysis and planning including ingress/egress identification, recreation facility (the skating rink and ball field location and improvements) this task will be closely coordinated with the special site engineer, CP Engineering;

**1.** Defining project needs, this includes education needs and shall be signed off by the school district;

**2. PROVIDE THREE ALTERNATIVE PROJECT SIZES (BUILDING SIZE).**

A schematic and cost estimates for:

A-a 158,000 SQUARE FOOT BUILDING.

B-a 130,000 SQUARE FOOT BUILDING.

C-a 118,000 SQUARE FOOT BUILDING.

3. Schematic concept development and detailed building construction plans for the 158,000-square foot design unless the Township on or before June 15, 2017 approves one of the smaller project sizes;
4. Preliminary and final design of the school facilities and image development;
5. Cost of construction estimates and project budget projections;
6. Space planning and use of building space including all grades (7-9) and programs, STEM and culinary as examples;
7. Assisting in acquiring government approvals-especially the New Jersey Department of Education final project approvals;
8. Attendance at regular and special meetings of the Township of Lyndhurst Board of Commissioners, if required;
9. Attendance at all other meetings that the Township deems necessary, this includes specific meeting and review requirements of the Township building department;
10. Preparation and/ or review of reports, permits and applications as requested by the Township; and
11. Review of all correspondence referred by the Township, and preparation of correspondence on behalf of the Township, if requested.

**5. STANDARD REQUIREMENTS OF TECHNICAL RESPONSE -**

Respondents shall submit a technical response which contains the following:

- A. of business and, if different, the place (office address) where the services will be The name, or names, of the Respondent(s), the principal place provided. A joint venture or joint response (proposal) by more than one firm is acceptable provided the firms provide a letter of disclosure of the joint venture;
- B. Respondent must have a minimum of five (5) years of experience as a registered Architect and shall have designed a school having a cost of a minimum of \$25,000,000;
- C. The education, qualifications, experience, and training of all principal persons who would be assigned to provide services along with their names and titles. The Respondent MUST be a registered Architect in the State of New Jersey;
- D. A listing of all other engagements where services of the types being proposed were provided in the past five (5) years. This should include other municipal governments, school districts and other levels of government. Contact information for the recipients of the similar services must be provided. The Township may obtain references from any of the parties listed;
- E. A statement that neither the firm nor any individuals assigned to this engagement are disbarred, suspended, or otherwise prohibited from professional practice by any federal, state, or

local agency;

- F. An Affirmative Action Statement (copy of form attached);
- G. A statement that the Respondent will comply with the General Terms and Conditions required by the Township and enter into the Township's Professional Services Contract.
- H. A copy of the Respondent's Business Registration Certificate.

- 6. COST OF SERVICES (RESPONSE)**– Respondents should submit a cost response which would include any proposed fees for the project, the services to be provided for the fees, if services will be provided at a flat rate, if all or any services will be billed through hourly rates and what are the proposed rate(s). The Township does not provide payment for or reimbursement for travel expenses, dining (meals) or photocopying.
- 7. RESPONSE EVALUATION**– The Township will select the most advantageous response based on the evaluation of pertinent factors set forth in this RFQ. Experience in design of exceptional school facilities will be paramount. Capability of meeting the project schedule outlined herein is also a primary factor. The Township will make the award(s) that is in the best interest of the residents and businesses of the Township of Lyndhurst. Each response must satisfy the requirements detailed in this RFQ.

The successful Respondent shall be determined by an evaluation of the total content of the response submitted. The Township reserves the right to:

- a. Not select any of the responses;
- b. Select only portions of a Respondent's response for further consideration;
- c. Award a contract for the contract for the requested services at any time within the calendar year after review of the Qualifications and approval of same by the Township; every response should be valid through this time period.

The Township is not obligated to explain the results of the evaluation process to any Respondent.

- 8. USE OF INFORMATION**– Any specification(s), drawings, sketches, models, samples, data, computer programs, documentation, technical or business information and the like ("Information") furnished or disclosed by the Township to the Respondent in connection with this RFQ shall remain be returned to the Township. When in tangible form, all copies of such information shall be returned to the Township upon request. Unless such information was previously known to the Respondent, free of any obligation to keep it confidential, or has been or is subsequently made public by the Township or a third party, it shall be held in the confidence by the Respondent, shall be used only for the purposes of this RFQ, and may not be used for other purposes except upon such terms and conditions as may be mutually agreed upon writing.
- 9. The Township reserves the right to reject any or all responses, if necessary, or to waive**

**any informalities in the responses, and, unless otherwise specified by the Respondent,** to accept any item, items or services in the responses should it be deemed in the best interest of the Township to do so.

- A. In case of failure by the successful Respondent, the Township of Lyndhurst may procure the articles or services from other sources, deduct the cost of the replacement from money due to the Respondent under the contract and hold the Respondent responsible for any excess cost occasioned thereby.
- B. The Respondent shall maintain sufficient insurance to protect against all claims under Workmen's Compensation, General Liability (a \$2,000,000 coverage minimum), Professional and Automobile Liability.
- C. Each response must be signed by the person authorized to do so.
- D. The contract shall be in effect through March 31, 2021 unless otherwise stated.
- E. Responses may be hand delivered or mailed consistent with the provisions of the legal notice to Respondents. In the case of mailed responses, the Township assumes no responsibility for responses received after the designated date and time and will return late responses unopened. Responses will not be accepted by facsimile or e-mail.
- F. In accordance with Affirmative Action Law, P.L. 1975, c.127 (N.J.A.C. 17:27) with implementation of July 10, 1978, successful Respondents must agree to submit individual employer certifications and numbers or complete Affirmative Action employee information report (form AA-302). Also, during the performance of this contract, the contractor agrees as follows: (a) the contractor or subcontractor where applicable, will not discriminate against any employee because of age, race, creed, color, national origin, ancestry, marital status or 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, sex or handicap. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and section for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notice to be provided by the Public Agency Compliance Officer setting forth provisions of this non-discrimination clause: (b) the contractor or subcontractor, where applicable, will in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, sex or handicap; (c) the contractor or subcontractor, where applicable, will send to each labor 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 worker's representative of the contractor's commitments under this act and shall post copies of the notice; (d) the contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the treasurer pursuant to the P.L. 1975, c.127, as amended and supplemented from time to time.
- G. By submission of the response, the Respondent certifies that the service to be furnished will not infringe upon any valid patent, trademark or copyright and the successful Respondent shall, at its expense, defend any and all actions or suits charging such infringement, and will save the Township harmless in any case of any such infringement.
- H. No Respondent shall influence, or attempt to influence, or cause to be influenced, any

Township officer or employee to use his/her official capacity with the Township in any manner which might tend to impair the objectivity or independence of judgment of said officer or employee.

- I. No Respondent shall cause or influence, or attempt to cause or influence, any Township officer or employee to use his/her official capacity of the Township to secure unwarranted privileges or advantages for the Respondent or any other person.
- J. Should any difference arise between the contracting parties as to the meaning or intent of these instructions or specifications, the Township's Law Department decision shall be final and conclusive.
- K. The Township of Lyndhurst shall not be responsible for any expenditure of monies or other expenses incurred by the Respondent in making its response.
- L. The checklist, affidavits, notices and the like presented at the end of this Request for Qualifications are a part of this Request for Qualifications and shall be completed and submitted as part of this response.

## **10. PROJECT SCHEDULE.**

### **LYNDURST JUNIOR HIGH SCHOOL ARCHITECT PROJECT SCHEDULE**

- 1-Architect's notice to proceed and execution of contract- April 1, 2017 (not later than).
- 2-Analysis of three school size alternatives-June 15, 2017.
- 3-Coordination with the Township Engineer, Neglia Engineering and Special Project Engineer, CP Engineers:
  - These firms will coordinate and be responsible for:
    - Property/site layout, June 15, 2017.
    - Geo-technical and Phase 1-Phase II environmental testing, August 15, 2017.
    - Traffic circulation, August 15, 2017.
    - Back-up cost estimates and logistics (project, topographical considerations, easements, etc.). August 15, 2017.
- 4-Preparation by Architect of construction drawings. October 31, 2017.
- 5-Construction design and drawing process concludes. November 15, 2017.
- 6-Bidding commences for a redeveloper, also known as a general contractor. December 15, 2017.
- 7-Selection of a redeveloper (GC). February 28, 2018.
- 8-Notice to proceed and site set-up. March 31, 2018.
- 9-Construction Commences. June 1, 2018. Architect to monitor construction.
- 10-Construction concludes. May 31, 2020.

- 11. The Lyndhurst High School Project.** On November 8, 2016, the voters of Lyndhurst approved a referendum to bond for \$19,883,807. Included in this sum are improvements to the Lyndhurst High School, in the sum of \$4,335,879. This project has been preliminarily approved by the State of New Jersey Board of Education, State Project #2860-050-16-1000. Upon successful completion of the tasks and scope of project of the Lyndhurst Junior High School project the Architect will be authorized to design and prepare complete construction

plans for this project. The proposal should include a fee for these services.

12. **“Gotcha Provision”**. Each Respondent shall respond to this RFQ literally. If a preposition or detail is omitted, or perceived to be omitted, it shall be the responsibility of the Respondent to be detailed as though the omission did not occur.

## STATUTORY AND OTHER REQUIREMENTS INSURANCE AND INDEMNIFICATION

### INSURANCE REQUIREMENTS

Professional Liability Insurance- A successful applicant must provide the Township at the time of contract with evidence of professional liability insurance coverage in the minimum amount of \$500,000 that shall be maintained in full force during the life of the contract.

### PROOF OF BUSINESS REGISTRATION

N.J.S.A. 52:32-44 requires that each Respondent (Contractor) submit proof of business registration with the bid response. Proof of registration shall be a copy of the Respondent Business Registration Certificate (BRC). A BRC is obtained from the New Jersey Division of Revenue. Information on obtaining a BRC is available on the internet at [www.nj.gov/njbgs](http://www.nj.gov/njbgs) or by phone at (609) 292-1730. N.J.S.A. 52:32-44 imposes the following requirements on Contractors and all subcontractors that **knowingly** provide goods or perform services for a Contractor fulfilling this contract:

- The Contractor shall provide written notice to its subcontractors and suppliers to submit proof of business registration to the Contractor;
- Prior to receipt of final payment from a contracting agency, a Contractor must submit to the contacting agency an accurate list of all subcontractors or attest that none was used;
- During the term of this contract, the Contractor and its affiliates shall collect and remit, and shall notify all subcontractors and their affiliates that they must collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act, (N.J.S.A. 54:32B-1, et seq.) on all sales of tangible personal property delivered into this State.

A Contractor, subcontractor or supplier who fails to provide proof of business registration or provides false business registration information shall be liable to a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration not properly provided or maintained under a contract with a contracting agency. Information on the law and its requirements is available by calling (609) 292-1730.

**MANDATORY AFFIRMATIVE ACTION LANGUAGE**  
**P.L. 1975, C.127 (N.J.A.C. 17:27)**

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, sex, 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, sex, affectional or sexual orientation. 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, sex, affectional or sexual orientation.

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 the regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time and 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 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time or in accordance with a binding determined by the Affirmative Action Office pursuant to N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c 127, as amended and supplemented from time to time.

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, race, 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 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.

The Contractor or Subcontractor agrees to review all procedures relating to transfer, upgrading and layoff to ensure that all such actions are taken without regard to age, race, 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 applicable federal law and applicable Federal court decisions.

The Contractor and its Subcontractors shall furnish such reports or other documents to the Affirmative Action Office 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 Affirmative Action Office for conducting a compliance investigation to Subchapter 10 of the Administrative Code (NAACO 17:27).

**TOWNSHIP OF LYNDHURST**  
**REQUEST FOR QUALIFICATIONS FOR ARCHITECTURAL SERVICES**

**APPENDIX A**  
**REQUEST FOR QUALIFICATIONS CHECKLIST**

THIS CHECKLIST MUST BE COMPLETED AND SUBMITTED WITH YOUR SUBMISSION

**Please initial below next to each item, indicating that your Response includes the required documents. Failure to provide any of the Checklist items with your submission may be cause for rejection of your Response.**

	<u>Respondent's Initials</u>
1. Request for Qualifications Checklist (Appendix A)	_____
2. An original and two (2) signed copies, together with flash drive, of your complete response, including transmittal letter and fee proposal.	_____
3. Authorized signatures on all forms	_____
4. Executed Letter of Transmittal-including fee proposal.	_____
5. Ownership Disclosure Statement (Appendix B)	_____
6. Mandatory EEO Compliance and Contract Language (Appendix C)	_____
7. Non-Collusion Affidavit (Appendix D)	_____
8. Request for References (Appendix E)	_____
9. Certification or letter of disciplinary Sanctions or Professional Negligence (Appendix F)	_____
10. NJ Business Registration Certificate (Appendix G) and current W9	_____

THE UNDERSIGNED HEREBY ACKNOWLEDGES THE ABOVE LISTED REQUIREMENTS.

Name of Respondent: \_\_\_\_\_

By: \_\_\_\_\_  
(Signature of Authorized Representative) (Title)

\_\_\_\_\_  
(Print Name of Authorized Representative)

**TOWNSHIP OF LYNDHURST  
REQUEST FOR QUALIFICATIONS**

**APPENDIX B**

**STATEMENT OF OWNERSHIP  
(OWNERSHIP DISCLOSURE CERTIFICATION)**

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

**This Statement Shall Be Included with  
All Bid and Proposal Submissions**

**Name of Business:** \_\_\_\_\_

**Address of Business:** \_\_\_\_\_

**Name of person completing this form:** \_\_\_\_\_

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

"No corporation, partnership, or limited liability company shall be awarded any contract nor shall any agreement be entered into for the performance of any work or the furnishing of any materials or supplies, unless prior to the receipt of the bid or proposal, or accompanying the bid or proposal of said corporation, said partnership, or said limited liability company there is submitted a statement setting forth the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be.

If one or more such stockholder or partner or member is itself a corporation or partnership or limited liability company, the stockholders holding 10 percent or more of that corporation's stock, or the individual partners owning 10 percent or greater interest in that partnership, or the members owning 10 percent or greater interest in that limited liability company, as the case may be, shall also be listed. The disclosure shall be continued until names and addresses of every noncorporate stockholder, and individual partner, and member, exceeding the 10 percent ownership criteria established in this act, has been listed.

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

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

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

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

**Part I**

**Check the box that represents the type of business organization:**

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

**Part II**

- I certify that the list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be.

**OR**

- I certify that no one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or that no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be.

**Sign and notarize the form below, and, if necessary, complete the list below.**  
(Please attach additional sheets if more space is needed):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

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

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

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

**OR**

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

\_\_\_\_\_  
\_\_\_\_\_

**AND**

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

\_\_\_\_\_  
\_\_\_\_\_

Subscribed and sworn before me this \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

(Notary Public)

My Commission expires:

\_\_\_\_\_  
(Affiant)

\_\_\_\_\_  
(Print name of affiant and title if applicable)

(Corporate Seal if a Corporation)

**TOWNSHIP OF LYNDHURST**  
**REQUEST FOR QUALIFICATIONS FOR ARCHITECTURAL SERVICES**

**APPENDIX C**  
**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY NOTICE**  
**(N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.)**

**GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS**

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

The successful professional service entity shall submit to the Township of Lyndhurst , after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

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

***OR***

- (b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-1.1 et seq.;

***OR***

- (c) A photocopy of a completed Employee Information Report (Form AA302) provided by the Division of Contract Compliance and completed by the vendor in accordance with N.J.A.C. 17:27-1.1 et seq.

**The undersigned professional service entity certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. and agrees to furnish the required forms of evidence.**

**The undersigned professional service entity further understands that his/her submission shall be rejected as non-responsive if said professional service entity fails to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.**

Respondent understands and acknowledges that the attached Exhibit A Mandatory Equal Employment Opportunity Language shall be part of any agreement awarded hereunder.

RESPONDENT: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_ DATE: \_\_\_\_\_

**EXHIBIT A TO APPENDIX C**  
**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE**  
**N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)**  
**N.J.A.C. 17:27**

**GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS**

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will 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.

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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**TOWNSHIP OF LYNDHURST**  
**REQUEST FOR QUALIFICATIONS FOR ARCHITECTURAL SERVICES**

**APPENDIX D**  
**NON-COLLUSION AFFIDAVIT**

STATE OF NEW JERSEY)  
COUNTY OF \_\_\_\_\_) ss.:

I, \_\_\_\_\_, of \_\_\_\_\_, in the \_\_\_\_\_  
, State of \_\_\_\_\_, of full age and being duly sworn according to law on my oath depose and  
say:

1. I am \_\_\_\_\_ (title) of \_\_\_\_\_, the \_\_\_\_\_ Respondent,  
who has submitted a Response to the RFQ in the above matter.
2. I executed the Response with full authority to do so.
3. The Response is genuine, submitted in good faith and not a sham.
4. Neither the Respondent nor any of its employees or agents have, directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive proposing in connection with the above-named RFQ. I further certify that neither the Respondent, nor any of its employees or agents, have directly or indirectly with any other respondent or person colluded to put in a sham bid or refrain from submitting a Response, and have not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference, with any person to fix the prices or to secure any advantage.
5. All statements contained in the Response and in this Affidavit are true and correct and were made with full knowledge that the Township of Lyndhurst relies upon the truth of the statements contained in the Response and the truth of the statements contained in this Affidavit, in awarding any contract under the RFQ. I am aware that I am personally subject to the penalties of perjury, as is the Respondent, if statements made herein are untrue.
6. I further warrant that no person or selling agent has been employed or retained to solicit or secure any contract under an agreement or understanding for a commission, percentage, brokerage or contingent fee. If the Respondent engages bona fide employees or a bona fide established commercial or selling agency to perform any similar related acts, the names are set forth as follows (see N.J.S.A. 52:34-15):

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print name of Affiant/Title)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
A Notary Public of New Jersey  
My Commission Expires:

**TOWNSHIP OF LYNDHURST**  
**REQUEST FOR QUALIFICATIONS FOR ARCHITECTURAL SERVICES**

**APPENDIX E REQUEST FOR REFERENCES**

1. Name \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
Email address \_\_\_\_\_  
Contact Individual \_\_\_\_\_
  
2. Name \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
Email address \_\_\_\_\_  
Contact Individual \_\_\_\_\_
  
3. Name \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
Email address \_\_\_\_\_  
Contact Individual \_\_\_\_\_
  
4. Name \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
E-mail address \_\_\_\_\_  
Contact Individual \_\_\_\_\_
  
5. Name \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
E-mail address \_\_\_\_\_

**TOWNSHIP OF LYNDHURST**  
**REQUEST FOR QUALIFICATIONS FOR ARCHITECTURAL SERVICES**

**APPENDIX F**  
**PROFESSIONAL SERVICE ENTITY INFORMATION FORM**

If the Professional Service Entity is an **INDIVIDUAL**, sign name and give the following information:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Tax Identification No.: \_\_\_\_\_

Fax No.: \_\_\_\_\_ E-Mail address: \_\_\_\_\_

If individual has a TRADE NAME, give such trade name:

Trading As: \_\_\_\_\_ Telephone No.: \_\_\_\_\_

\*\*\*\*\*

If the Professional Service Entity is a **PARTNERSHIP**, give the following information:

Name of Partners: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Federal I.D. No.: \_\_\_\_\_

Fax No.: \_\_\_\_\_ E-Mail address: \_\_\_\_\_

Tax Identification No. \_\_\_\_\_

Signature of authorized agent: \_\_\_\_\_

\*\*\*\*\*

If the Professional Service Entity is **INCORPORATED**, give the following information:

State under whose laws incorporated: \_\_\_\_\_

Location of principal office:

\_\_\_\_\_

Telephone No.: \_\_\_\_\_ Federal I.D. No.: \_\_\_\_\_

Fax No.: \_\_\_\_\_ E-Mail address: \_\_\_\_\_

Name of agent in charge of said office upon whom notice may be legally served:

\_\_\_\_\_

Telephone No.: \_\_\_\_\_ Name of Corporation: \_\_\_\_\_

Signature: \_\_\_\_\_

**TOWNSHIP OF LYNDHURST**  
**REQUEST FOR QUALIFICATIONS FOR ARCHITECTURAL SERVICES**

**APPENDIX G**  
**AFFIDAVIT OF NO DISCIPLINARY SANCTIONS**  
**OR PROFESSIONAL NEGLIGENCE**

I \_\_\_\_\_ of the \_\_\_\_\_ in the County of \_\_\_\_\_ and the State of \_\_\_\_\_ of full age, being duly sworn according to law on my oath depose and say that:

I am \_\_\_\_\_, an officer of the Respondent firm of \_\_\_\_\_ submitting a Response to the RFQ in the above matter, and I executed the said RFQ with full authority to do so; Respondent at the time of making this Response, Respondent is not included on the State of New Jersey, Department of Treasury, Division of Property Management & Construction List of Debarred, Suspended and Disqualified bidders and that all statements contained in the Affidavit are true and correct.

The undersigned further warrants that the professional licenses and/or certifications of those individuals listed in this RFQ are valid and not expired or suspended.

The undersigned further warrants that should the name of the firm making this submission appear on the Treasurer's List of Debarred, Suspended and Disqualified Bidders at any time prior to, and during the life of this contract, including any Guarantee Period, that Respondent shall immediately notify the City. Further, should the professional licenses and/or certification of any individuals listed in the RFQ be suspended or revoked, Respondent shall immediately notify the City.

\_\_\_\_\_  
Name of the Firm (Print or Type)

\_\_\_\_\_  
Signature of Authorized Representative/ Title

\_\_\_\_\_  
(Type or Print Name of Authorized Representative Affiant)

Subscribed and Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
Notary Public of New Jersey

My Commission Expires \_\_\_\_\_, 2 \_\_\_\_\_

**TOWNSHIP OF LYNDHURST**  
**REQUEST FOR QUALIFICATIONS FOR ARCHITECTURAL SERVICES**

**APPENDIX I**  
**NEW JERSEY BUSINESS REGISTRATION REQUIREMENTS**

**Submit a copy of your Business Registration Certificate with your Response**

*All Respondents shall comply with P.L. 2009, C315 in accordance with N.J.S.A. 52:32-44 as amended on January 18, 2010. Respondents will be required to be registered as defined in the law at the time of contract. The Township of Lyndhurst requests that Respondent submit its Business Registration Certificate (BRC) at the time of submittal of its Response to the RFQ. In no event shall a contract be awarded, unless prior thereto, the Township has received the Successful Respondent's BRC.*

*Respondent shall include proof of its own BRC and the BRC of any subcontractors*

*N.J.S.A. 52:32-44 imposes the following requirements on contractors and all subcontractors that knowingly provide goods or perform services for a contractor fulfilling this contract: 1) the contractor shall provide written notice to its subcontractors to submit proof of business registration to the contractor; 2) prior to receipt of final payment from a contracting agency, the contractor must submit to the contracting agency an accurate list of all subcontractors or attest that none was used; 3) during the term of this contract, the contractor and its affiliates shall collect and remit, and shall notify all subcontractors and their affiliates that they must collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act, (N.J.S.A. 54:32B-1 et seq.) on all sales of tangible personal property delivered into this State.*

*A contractor, subcontractor or supplier who fails to provide a BRC or provides false business registration information shall be liable to a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration not properly provided or maintained under a contract with a contracting agency. Information on the law and its requirements is available by calling (609) 292-9292.*

***Registering a business with the New Jersey Department of the Treasury***

*Business organizations or individuals doing business in New Jersey are required to register with the department of the treasury, division of revenue. Registration is free and is a one-time action – there are no fees to register. However, you should update your contact and tax eligibility information as needed. Registration is required to conduct most business with any state, County, municipal, local board of education, charter school, County college, authority, or state college or university. The contracting agency may be required to have a copy of the “proof of registration certificate” submitted as part of a public response or prior to issuing a purchase order.*

**To register:** businesses must complete **form NJ-REG** and submit it to the division of revenue. The form can be filed form online or by mailing a paper form to the division. Online filing is strongly encouraged.

- Register online at <http://www.state.nj.us/treasury/revenue/busregcert.shtml>. Click the “online” link and then select “register for tax and employer purposes.”
- Download the paper form and instructions at [www.state.nj.us/treasury/revenue/revprnt.shtml](http://www.state.nj.us/treasury/revenue/revprnt.shtml).
- Call the division at 609-292-1730 to have a form mailed to you.

Write to the division at: Client Registration Bureau, Po Box 252, Trenton, NJ 08646-252.