

Beachwood Sewerage Authority

1133 Beach Avenue
Beachwood, New Jersey 08722
732-240-2608

**THE BEACHWOOD SEWERAGE AUTHORITY
PUBLIC NOTICE FOR THE SOLICITATION OF PROFESSIONAL SERVICE CONTRACTS FOR THE PERIOD OF
JANUARY 1, 2024 THROUGH DECEMBER 31, 2024**

NOTICE IS HEREBY GIVEN that sealed submissions will be received by the Clerk of the Beachwood Sewerage Authority by **Thursday, December 14, 2023** at the office located at 1133 Beach Avenue, Beachwood New Jersey 08722 for the following Professional Services:

**Auditor
Fee Accountant
Bond Counsel
Engineer**

Submission information is detailed in this notice. **All submission packets (provide six copies) must contain hourly rates and be clearly marked for the Professional Service under consideration.**

All Professional Service contractors are required to comply with the requirements of 52:32-44 (Business Registration of Public Contractors), N.J.S.A. 10:5-1, et seq. and N.J.A.C. 17:27 et seq. (Contract Compliance and Equal Employment Opportunities in Public Contracts).

Submissions by corporations and partnerships shall include a completed disclosure of ownership form (N.J.S.A. 52:25-24.2) and a non-collusion affidavit.

The Beachwood Sewerage Authority reserves the right to reject any and all submissions due to any defects or waive informalities and accept any submissions that in their judgment will be in the best interest of the Authority.

The Beachwood Sewerage Authority shall award the contract or reject any and all submissions at their annual **Re-Organization Meeting to be held on Tuesday February 20, 2024**. All Professional Proposals not awarded will be kept on file and considered for any special project to be addressed in the 2024 Calendar Year.

Keriann Kirchgessner
Authority Bookkeeper

**SPECIFICATIONS FOR PROFESSIONALS
BEACHWOOD SEWERAGE AUTHORITY**

**CONTRACT APPOINTMENTS SHALL BE FROM JANUARY 1, 2024 THROUGH
DECEMBER 31, 2024**

Auditor

The Authority Auditor shall make the annual audit of the Borough financial records for the year ending December 31st, and serve as Borough Auditor for the calendar year under submission, and perform the duties prescribed by law all in accordance with generally accepted auditing standards and the laws and regulations of the State of New Jersey regarding same. The Borough Auditor shall perform such duties and render such services as may from time to time be requested by the Borough Council, the Chief Financial Officer or the Borough Administrator.

Fee Accountant

The Authority Fee Accountant shall prepare the Unaudited Annual Financial Statement, prepare the Annual Debt Statement, assist in preparation of the Annual Budget, attend any Budget meetings as requested and prepare the Financial Statements, related notes and work papers needed by the Borough's Appointed Auditor. The Borough Fee Accountant shall perform such duties and render such services as may from time to time be requested by the Borough Council, the Chief Financial Officer or the Borough Administrator.

Bond Counsel

The Bond Counsel shall be an attorney at law of New Jersey. Bond Counsel performs and provides legal advice with regard to the following activities; the preparation of Bond Ordinances and the review of the adoption proceedings; the preparation and review of public finance resolutions, the preparation and issuance of Bond Anticipation, Special Emergency, and Tax Anticipation Notes; and the preparation and issuance of General Obligation Bonds. In addition Bond Counsel is responsible for the preparation and/or review of any Preliminary Official Statement and Official Statement of the Borough. Bond Counsel is also responsible for the preparation and/or review of any application to the Local Finance Board, and attendance at any related meetings of the Board.

Engineer

The Authority Engineer shall be a New Jersey licensed Professional Engineer. The Authority Engineer shall attend meetings of the Authority and provide general engineering advice as requested from time to time. The Authority Engineer shall further oversee and be responsible for capital projects as approved from time to time by the Authority Council.

Auditor

Request for Professional Services

Requirements

The auditor/firm must have the following:

At least 5 years experience in public sector accounting
A working knowledge of utility budgets, bond financing
Satisfy all other requirements as set forth by New Jersey state law and Borough of Beachwood Municipal Ordinance

Clearly label package as to position under submission:

Package to include:

Peer Review
Description of software used during audit process.
Brief narrative of abilities
3 references
Cost per audit
Itemized list of all other fees and charges
Statement as to whether any of the principals of the firm or the firm itself has been convicted of a crime within the last 5 years
Statement as to whether any of the principals of the firm of the firm itself has received a target letter from a grand jury
Certification as to the truth of the above two statements

Fee Accountant
Request for Professional Services
Requirements

The fee accountant/firm must have the following:

At least 5 years experience in public sector accounting
A working knowledge of utility budgets, bond financing
Satisfy all other requirements as set forth by New Jersey state law and Borough of Beachwood Municipal Ordinance

Clearly label package as to position under submission:

Package to include:

Brief narrative of abilities
3 references
Itemized list of all other fees and charges
Statement as to whether any of the principals of the firm or the firm itself has been convicted of a crime within the last 5 years
Statement as to whether any of the principals of the firm or the firm itself has received a target letter from a grand jury
Certification as to the truth of the above two statements

Beachwood Sewerage Authority

Bond Counsel

Request for Professional Services

Requirements

The attorney must have the following:

At least 10 years experience as a lawyer

At least 5 years experience as bond counsel

Satisfy all other requirements as set forth by New Jersey state law and Borough of Beachwood Municipal Ordinance

Clearly label package as to position under submission:

Package to include:

Resume of attorney and staff attorneys that would be providing legal services.

Brief narrative of abilities

3 references

Cost per hour

Itemized list of all other fees and charges

Statement as to whether any of the principals of the firm or the firm itself has been convicted of a crime within the last 5 years

Statement as to whether any of the principals of the firm or the firm itself has received a target letter from a grand jury

Certification as to the truth of the above two statements

Authority Engineer

Request for Professional Services

Requirements

The engineer/engineering firm must meet the following requirements:

At least ten (10) years experience in municipal engineering.
Licensed as a Professional Engineer and Professional Planner.
Certified Municipal Engineer.
Experience in public bidding and contract administration.
Experience in Land Use Planning and Law.
Knowledge of Municipal Grant Programs.
Knowledge of local, county state and federal regulations.
Experience with Ocean County, NJDOT and NJDEP
Experienced Planning Staff, Master Plan preparation experience, experience with Counsel on Affordable Housing.
Satisfy all other requirements as set forth by New Jersey state law and Borough of Beachwood Municipal Ordinance

Clearly label package as to position under submission:

Proposal package to include:

Previous experience in municipality.
Additional services available.
Location of office serving municipality.
Resume of Engineers providing services.
Brief narrative of abilities
3 references
Cost per hour for Engineer and staff
Cost per meeting attendance.
Itemized list of all other fees and charges
Statement as to whether any of the principals of the firm or the firm itself has been convicted of a crime within the last 5 years
Statement as to whether any of the principals of the firm of the firm itself has received a target letter from a grand jury
Certification as to the truth of the above two statements

Beachwood Sewerage Authority

Schedule "A"

FAIR & OPEN PUBLIC SOLICITATION PROCESS FOR PROFESSIONAL SERVICES

(Pursuant to **N.J.S.A. 19:44A-20.5 et. seq.** and in conformance with the **Municipal Ordinance #2005-26** which was approved by the Governing Body of the Borough of Beachwood December 21st, 2005, and attached herein)

The **standardized submission requirements** shall include:

- (i) Names and roles of individual(s) who will be assigned to perform the tasks and a description of their professional experience with Borough of Beachwood and/or experience with other municipalities and project similar to the matter being advertised.
- (ii) Professional licenses and/or certifications held by the individual(s) to be assigned to the work required.
- (iii) Educational background and experience of the individual(s) to be assigned to the work required.
- (iv) List of Professional References and Records of Success, including addresses and telephone contact number.
- (v) Description of the support staff available to the individual(s) to be assigned.
- (vi) Cost details, including the hourly rates of **ALL** individuals who will, or potentially could, perform services, all other 'charges' for extra services not included in the hourly rates, and, where appropriate, total cost of "not to exceed" amount.

The **selection criteria** to be used in awarding contracts shall include, but not be limited to:

- (i) Qualifications of all individuals who will perform the tasks and the amounts of their respective participation.
- (ii) Experience and reputation in the field.
- (iii) Ability to perform the task(s) in a timely fashion, including staffing and familiarity with the subject matter.
- (iv) Availability of the Professional Service entity personnel, facilities and other resources.
- (v) Professional Service entity financial stability and strength.
- (vi) Cost consideration including, but not limited to, standardized submission requirements, historical costs for similar contracts, expertise involved.
- (vii) Responsiveness to the Public Notice and Specifications; Submission demonstrates a clear understanding of the scope of work related objectives.
- (viii) Compliance with the submission documents.

Pursuant to N.J.S.A. 30A:11-3(b), ..."contracts for professional services pursuant to subparagraph (i) of paragraph (a) subsection (1) of section 5 of P.L. 1971, c.198 (N.J.S.A. 40A:11-5) may be awarded for a period not exceeding twelve (12) consecutive months".

This solicitation is for the length, effective from date of award by resolution of Borough Council **through to completion.**

The award of this contract is based upon funds being encumbered and contingent upon the availability of funds in the appropriate municipal budget.

**BOROUGH OF BEACHWOOD
NON-COLLUSION AFFIDAVIT**

STATE OF NEW JERSEY :
 : ss.
COUNTY OF _____ :

I, _____ of the Municipality of _____
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 _____
Title

of the firm of _____
the bidder making the Proposal for the above named project, and that I executed the said Proposal
with full authority so to do; that said bidder has not, directly or indirectly, entered into an
agreement, participated in any collusion, or otherwise taken any action in restraint of free,
competitive bidding in connection with the above named project; and that all statements contained
in said Proposal and in this affidavit are true and correct, and made with full knowledge that the
Borough of Beachwood relies upon the truth of the statements contained in said Proposal and in
the statements contained in this affidavit in awarding the contract for said project.

Subscribed and sworn to before me

this _____ day of _____, _____

Notary Public, State of _____

My Commission expires _____

Signature

By (Type or Print Name)

BOROUGH OF BEACHWOOD

**STATEMENT OF INDIVIDUAL(S) OWNING 10% OR MORE
OF STOCK OR INTEREST IN THE BIDDER'S BUSINESS ENTITY**

In accordance with N.J.S.A.52:25-24.2, no corporation, partnership, limited partner ship, limited liability corporation, limited liability partnership, subchapter S corporation or sole proprietorship, shall be awarded a contract, unless prior to the receipt of the bid or accompanying the bid of the corporation, partnership, limited partnership, limited liability corporation, limited liability partnership, subchapter S corporation or sole proprietorship, there is submitted to the Borough of Beachwood, a statement setting forth the names and addresses of all stockholders who own ten (10%) percent or more of stock, of any class or of all individual partners who own a ten (10%) or greater interest in the corporation, partnership, limited partnership, limited liability corporation, limited liability partnership, subchapter S corporation or sole proprietorship. If one or more such stockholder or partner is itself a corporation or partnership, the stockholders holding 10% or more of that corporation's stock, or the individual partners owning ten (10%) or greater interest in that partnership, 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, exceeding the 10% ownership criteria established in this act has been listed. This form shall be submitted with the bid whether or not a stockholder or partner owns less than ten (10%) of the business submitting the bid.

Date: _____

LEGAL NAME OF BIDDER:

Check which business entity the bidder is:

- Corporation
- Limited Liability Corporation
- Subchapter S Corporation
- Partnership
- Limited Partnership
- Limited Liability Partnership
- Sole Proprietorship

Complete if the bidder is one of the 3 types of Corporations:

Date Incorporated: _____

Where Incorporated: _____

NOTE: If no Stockholder or partner owns 10% or more of the business submitting the bid, please sign and date this form.

_____/_____
SIGNATURE DATE

BUSINESS ADDRESS

_____/_____/_____/_____
STREET ADDRESS CITY STATE ZIP CODE
_____/_____
TELEPHONE NUMBER FAX NUMBER

Listed below are the names and addresses of all stockholders or individuals who own ten (10) percent or more of its stock of any classes, or who own ten (10) percent or greater interest therein.

NAME	ADDRESS
NAME	ADDRESS
NAME	ADDRESS
NAME	ADDRESS
NAME	ADDRESS

DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

Project Name _____

Bidder Name _____

PART 1: CERTIFICATION

BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX

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

Pursuant to Public Law 2012, c.25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that NEITHER the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of Treasury Chapter 25 list as a person or entity engaging in investment activities in Iran. The Chapter 25 list is found on the Division's website at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Bidders **must** review this list prior to completing the below certification. **Failure to complete the certification will render a bidder's proposal non-responsive.** If the New Jersey Director of the Division of Purchase and Property finds a person or entity to be in violation of law, he/she 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 suspension of the party.

PLEASE CHECK THE APPROPRIATE BOX:

I certify, pursuant to Public Law 2012, c.25, that neither the bidder listed above nor any of the bidder's parents, subsidiaries, or affiliates listed on the N.J. Department of the Treasury's list of entities determined to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c.25 ("Chapter 25 List"). I further certify

that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. I will skip Part 2 and sign and complete the Certification below:
OR

I am unable to certify as above because the bidder and/or one of its parents, subsidiaries, or affiliates is listed on the Department's Chapter 25 List. I will provide a detailed, accurate and precise description of the activities in Part 2 below and sign and complete the Certification below . Failure to provide such 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 a detailed, 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.

PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED ADDITIONAL ROOM, ADD ADDITIONAL PAGES.

Name _____ Relationship to Bidder/Owner _____

Description of Activities _____

Duration of Engagement _____ Anticipated Cessation Date _____

Bidder/Offeror Contact Name _____

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 the State of New Jersey and the Owner of the project are relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the State of New Jersey and the Owner to notify the State of New Jersey and the Owner in writing of any changes to the answers of information contained herein. I acknowledge that I am aware of 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 the State of New Jersey and/or the Owner and that the State and/or the Owner at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): _____ Signature _____

Title: _____ Date _____

ORDINANCE #2005-26

AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY ESTABLISHING A FAIR AND OPEN PROCESS FOR THE AWARD OF PROFESSIONAL SERVICES AGREEMENTS

WHEREAS, professional entities and other business entities are exempt from established New Jersey public bidding laws, specifically under the exception set forth in *N.J.S.A.* 40A:11-5; and

WHEREAS, the Beachwood Borough Council recognize that there is a need for a fair and open process for the awarding of professional service contracts and other contracts that fall under *N.J.S.A.* 40A:11-5, where other contracts and agreements are subject to public bidding, in order to address the concerns of taxpayers regarding political contributions and to engender trust in the process of local government and to ensure that quality public services are received; and

WHEREAS, the State of New Jersey has enacted *N.J.S.A.* 19:44A-20.5, which prohibits any municipality, agency, board, authority or instrumentality thereof from entering into a contract in excess of \$17,500.00 with a business entity that has made a political contribution reportable pursuant to *N.J.S.A.* 19:44A-1 et seq. to any municipal committee of a political party in that municipality, if a member of that political party is serving in an elective public office of that municipality when the contract is awarded, or to any candidate committee of any person serving in an elective public office of that municipality when the contract is awarded, unless said contract is awarded pursuant to a fair and open process; and

WHEREAS, this Ordinance shall apply to those services and contracts not subject to public bidding laws, as described above, beginning January 1, 2006; and

WHEREAS, this Ordinance shall apply to all Municipal appointing authorities, to include the Beachwood Borough Council, Planning Board, and Municipal Utilities Authority.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Beachwood as follows:

SECTION 1. Fair and Open Process for Award of Professional Service Agreements.

- A. *Prohibited Contracts.* Notwithstanding any other provision of the law to the contrary, the Borough or any other board, authority, agency or instrumentality thereof, shall not enter into a contract that is exempt from public bidding under *N.J. S.A.* 40A: 11-5, when

such contract has an anticipated value in excess of \$17,500.00 as determined in advance and certified in writing by the Borough, board, authority, agency or instrumentality thereof, with a business entity, if, during the preceding one-year period, that business entity has made political contributions that are reportable by the recipient under *N.J.S.A. 19:44A-1 et seq.*, to any municipal committee of a political party in the Borough if a member of that political party is serving in an elective public office of the Borough when the contract is awarded or to any candidate committee of any person serving in an elective public office in the Borough when the contract is awarded. This shall not apply to contributions made during 2005 as established by law.

B. Prohibited Contributions. A business entity that has entered into a contract having an anticipated value in excess of \$17,500.00 with the Borough, or any agency, board, authority or instrumentality thereof, shall not make a contribution that is reportable by the recipient under *N.J.S.A. 19:44A-1 et seq.*, during the term of the contract, to any municipal committee of a political party in the Borough if a member of that political party is serving in an elective public office of the Borough when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Borough when the contract is awarded, during the term of the contract.

C. Fair and Open Process.

(1) Contracts that are awarded pursuant to a fair and open process, as set forth herein, shall not be subject to the restrictions and prohibitions in Subsections A and B herein.

(2) Any professional service entity or other business entity providing services to the Borough of Beachwood, without a requirement for public bidding in accordance with *N.J. S.A.. 40A: 11-5*, shall be subject to a fair and open process for selection. That fair and open process is set forth in subsection 3 below, which establishes criteria for the fair and open process for contract

awards.

(3) The fair and open process established by the Borough of Beachwood shall require the following:

(a) The solicitation of proposals for any professional position or service contract or other contract not subject to bidding pursuant to *N.J. S.A. 40A: 11-5*, which shall expire as of December 31 of that calendar year, shall be published and advertised by the municipal appointing authority or its designee either in two official newspapers of the Borough of Beachwood for publication of notices, or on the Borough's website, or both, not later than December 15. The published notice shall set forth the name of the position or contract which is to become open, and set forth the criteria to be considered and materials required to be submitted by the applicant.

(b) Should the applicant be a professional requiring licensure in the State of New Jersey, said applicant shall be licensed for a period not less than five (5) years.

(c) The applicant shall submit a "Certificate of Good Standing" or other similar document evidencing that the professional's license is not presently suspended or revoked.

(d) The applicant shall submit a resume which shall set forth information including, but not limited to, the following (as applicable to a business entity or individual professional):

(A) Full name and business address;

(B) A listing of all post high school education of the applicant;

(C) Dates of licensure in the State of New Jersey and any other State;

(D) A listing of any professional affiliations or memberships in any professional societies or

organizations, with an indication as to any offices held therein;

(E) The number of licensed professionals employed by affiliated with the business entity or the business entity which employs the applicant;

(F) A listing of all special accreditations held by the individual licensed professional or business entity;

(G) A listing of all public entities currently or previously served by the business entity or licensed professional, indicating the dates of service and position held.

(e) The applicant shall submit a compensation proposal, which shall include a flat fee or hourly rate or other proposal, as appropriate.

(4) The Municipal appointing authority shall thereafter publicly select the professional or business entity for the position so advertised which shall thereafter be confirmed or approved as required by law.

(5) The awarded contract shall be published in the official newspaper of the Borough of Beachwood for publication of notices in accordance with N.J.S.A. 40A:11-5. The decision of the Borough of Beachwood as to what constitutes a fair and open process shall be final.

SECTION 2. This Ordinance shall become effective immediately upon final adoption and publication thereof according to law.

SECTION 3. This Ordinance shall supersede any prior inconsistent ordinances.