

**BOROUGH OF HIGHLANDS**

42 Shore Drive  
Highlands NJ 07732

**Notice of Solicitation for Requests for Proposals  
Special Counsel Services for Super Storm Sandy  
For FEMA and Insurance Issues**

**Responses Due: Prior to 10am. prevailing time on October 22, 2014**

**RFP Release Date: October 11, 2014**

**RFP Opening: Borough of Highlands Municipal Building Annex 42 Shore Drive Highlands NJ 07732**

**Governing Body Action Date: October 22, 2014 Meeting**

**Anticipated Contract Execution and Project Initiation: October 23, 2014**

Notice is hereby given that pursuant to the provisions of N.J.S.A. 19:44A-20.5 et seq. (New Jersey Pay to Play Law), the Borough of Highlands, County of Monmouth and State of New Jersey is seeking Requests for Proposals for **Special Counsel Services for Super Storm Sandy for FEMA and Insurance Issues** to be provided to the Borough of Highlands, beginning approximately October 23, 2014.

The successful proposer will perform, among others, the following services:

- Provide legal counseling regarding insurance and FEMA regulations regarding application and appeal process and general grant management advice
- Provide legal and other advice to disaster recovery team as appropriate and participate in meetings
- Prepare draft correspondence to State and FEMA as necessary
- Review eligibility issues, and work with Borough to develop justifications for presentation to FEMA and the State
- Attend meetings with Borough, State and FEMA to negotiate individual Project Worksheets as needed
- Work with Borough to resolve disputes that may arise
- Prepare legal strategy for and write and prosecute appeals

All RFPs must be received by the Borough Clerk no later than 10:00 a.m. October 22, 2014 at which time they will be publicly opened, and recorded in the Borough of Highlands, at the Municipal Building 42 Shore Drive, Highlands NJ 07732. The RFPs will then be forwarded to the Borough Administrator for review and recommendation to the Borough Council.

All questions concerning this notice must be addressed to Timothy Hill, Borough Administrator, via email at [thill@highlandsborough.org](mailto:thill@highlandsborough.org).

**The RFP must be in a sealed envelope, clearly marked on the outside as  
“Proposal for 2014 Special Counsel Services for Super Storm Sandy.”**

**The RFP must be delivered no later than 10:00 a.m. on October 22, 2014 to:**

**Borough of Highlands  
Municipal Clerk Office  
42 Shore Drive  
Highlands, NJ 07732**

The Borough Administrator will evaluate proposals submitted on the basis of the most advantageous, price, experience, ability to perform and complete services, and other factors considered. The evaluation will consider:

1. Experience and reputation in the field.
2. Knowledge of the Borough of Highlands and the subject matter to be addressed under the contract.
3. Availability to accommodate any required meetings.
4. Compensation proposals
5. Other factors if demonstrated to be in the best interest of the Borough of Highlands.

As part of the review process, the Borough Administrator may ask selected candidates to provide a formal presentation to the Administrator and Council for consideration.

6. Success rate with FEMA and Insurance issues related to hurricane disasters

Note that the Borough of Highlands has the right to reject any and all proposals in part or in their entirety.

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**Request for Proposal**  
**Special Counsel Services for Super Storm Sandy for FEMA and Insurance Issues**

1. The Service Provider will be responsible for providing services to the Borough in connection with performing the following tasks:

Accumulation of details on any loss claim the Borough may have resulting from any eligible loss sustained in Superstorm Sandy that may be payable by FEMA.

Meeting with Borough officials (elected, appointed or retained by the Borough) in discovering, aggregating and quantifying all of the Borough's losses resulting from Superstorm Sandy, and detailing all categories of losses that the Borough may have sustained as a result of the damages caused by Superstorm Sandy, and that are recoverable by the Borough from FEMA.

2. The Service Provider will provide the Borough of Highlands with services designed to help maximize FEMA funding and expedite the process. The following bullets present the services that are expected:

- Provide legal counseling regarding insurance and FEMA regulations regarding application and appeal process and general grant management advice
- Provide legal and other advice to disaster recovery team as appropriate and participate in meetings
- Prepare draft correspondence to State and FEMA as necessary
- Review eligibility issues, and work with Borough to develop justifications for presentation to FEMA and the State
- Attend meetings with Borough, State and FEMA to negotiate individual Project Worksheets as needed
- Work with Borough to resolve disputes that may arise
- Prepare legal strategy for and write and prosecute appeals

Staffing

An assigned individuals will serve as the point of contact and perform the tasks outlined above, taking direction from Borough's designee. Other retained consulting staff may provide support as required.

**Note: Complete and submit only the loose (*unbound*) copy of this Proposal below.**

**BIDDERS SHOULD ALSO PROVIDE ANY OTHER INFORMATION IN NARRATIVE FORM AND THEY WISH TO SUBMIT FOR CONSIDERATION.**

## **PROPOSAL**

**BY**

**BIDDER'S NAME:** \_\_\_\_\_

**BIDDER'S ADDRESS:** \_\_\_\_\_

\_\_\_\_\_

**TELEPHONE NO.** \_\_\_\_\_ **FAX NUMBER** \_\_\_\_\_

**E-MAIL ADDRESS (optional)** \_\_\_\_\_

**FEDERAL TAX I.D. NO.** \_\_\_\_\_

**(SS NUMBER FOR SOLE**

**PROPRIETOR)**

**TO**

**OWNER'S NAME:** BOROUGH OF HIGHLANDS

**OWNER'S ADDRESS:** 42 SHORE DRIVE HIGHLANDS NJ 07732

**FOR**

**PROJECT NAME:** **SPECIAL SERVICES FOR SUPER STORM SANDY**

\_\_\_\_\_

The UNDERSIGNED, as BIDDER, declares 1) that the only persons or parties interested in this proposal as principals are named herein; 2) that this proposal is in all respects fair and without collusion or fraud; 3) that no officer or employee of the OWNER is directly or indirectly interested in this bid or the work of this contract or in any portions of the profits thereof; 4) that the BIDDER has carefully examined and accepts the proposed Forms of Contracts and the Information for Bidders, Notice to Contractors, General Conditions, and Specifications Special Provisions; 5) that the BIDDER or a representative has made an inspection of the site and is familiar with the proposed work; 6) and that the BIDDER proposes and agrees that if this proposal is accepted, the BIDDER will contract with the above-named OWNER, in the form of contract hereto annexed, to provide the necessary machinery, tools, apparatus, and other means of construction, and to furnish all the materials, equipment and labor specified in the contract in the manner and time therein specified, according to the requirements of the Engineer as therein set forth, and 7) that the BIDDER will take in full payment therefor the prices set forth in this Proposal.

(Pursuant to NJSA 40A:11 – 23.2)

The undersigned BIDDER declares that the required documents, as noted below, have been completed, reviewed and/or executed by the BIDDER and are submitted as part of this proposal.

<u>DOCUMENT REQUIRED</u>	<u>DESCRIPTION OF DOCUMENT</u>	<u>BIDDER'S INITIALS</u>
Failure to submit any of the following documents with the Proposal will mandate rejection of the bid.		
<input checked="" type="checkbox"/>	Notice, Revision or Addenda Receipt Acknowledgement Form	_____
<input checked="" type="checkbox"/>	Form of Proposal, completed & signed by appropriate authorized representatives of BIDDER.	_____
<input checked="" type="checkbox"/>	A Statement (disclosure) of Ownership pursuant to NJSA 52:25-24.2.	_____
<input type="checkbox"/>	A Bid Guarantee (bid bond or equivalent) pursuant to NJSA 40A:11-21.	_____
<input type="checkbox"/>	A surety company certificate (Consent of Surety) pursuant to NJSA 40A:11-22.	_____
<input type="checkbox"/>	A Listing of Subcontractors pursuant to NJSA 40A:11-16.	_____
<input checked="" type="checkbox"/>	A copy of New Jersey Business Registration Certificate	_____
<input checked="" type="checkbox"/>	A Non-Collusion Affidavit.	_____
<input type="checkbox"/>	Evidence of Registration for the bidder pursuant to NJSA 34:11-56.48, et seq. (Public Works Contractor's Registration Act)	_____
<input type="checkbox"/>	Bidder's Buy American Certification pursuant to the American Recovery and Reinvestment Act of 2009.	_____
<input checked="" type="checkbox"/>	A Statement of Experience & Qualifications on the forms provided.	_____
<input checked="" type="checkbox"/>	Disclosure of Investment Activities in Iran	_____

**NOTICE, REVISION OR ADDENDA**  
**RECEIPT ACKNOWLEDGEMENT FORM**

(Pursuant To Public Law 1999, Chapter 39)

Bidder's  
Initials

[ ] No revisions and/or Addenda were received.

\_\_\_\_\_

The BIDDER acknowledges receipt of the below listed revisions and/or addenda:

<u>Notice, Revision or Addendum No.</u>	<u>Date</u>	<u>Title or Description</u>	<u>Bidder's Initials</u>
_____	<u>  /  /  </u>	_____ _____ _____	_____
_____	<u>  /  /  </u>	_____ _____ _____	_____
_____	<u>  /  /  </u>	_____ _____ _____	_____
_____	<u>  /  /  </u>	_____ _____ _____	_____
_____	<u>  /  /  </u>	_____ _____ _____	_____

**DISCLOSURE OF OWNERSHIP**  
**(If bidder is a Sole Proprietorship check**  
here ( ) and do not complete this statement)

The UNDERSIGNED, as bidder, in accordance with N.J.S.A. 52:25-24.2 (P.L. 1977, Chapter 33), declares and submits this Statement of Ownership.

Bidder is a Corporation ( ) Partnership ( ) Joint Venture ( )

These are all shareholders or partners owning 10% or more of the stock or interest in the bidding corporation or partnership.

Full Name of Individual (Stockholder)(Partner)	Address of Individual (Stockholder)(Partner)	Share(%) Owned
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
Portion owned by minority owners (less than 10%) not listed		_____
TOTAL		100%

\_\_\_\_\_  
Print or Type Name and Title of Affiant  
Authorized Representative of Bidder

Subscribed and Sworn Before  
Me this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

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

\_\_\_\_\_  
(Notary Public)

(Corporate Seal)  
If Applicable

My Commission Expires:

**Notes:**

1. Attach additional sheets in this format, if necessary.
2. The terms Corporation and Partnership encompass all forms, including, but not limited to Limited Partnerships, Limited Liability Corporations or Partnerships and Subchapter S Corporations.
3. If a corporation or partnership is shown as a greater than 10% owner, attach similar breakdown of ("its") individual owners.
4. For a Joint Venture, provide a Disclosure in this format for each participant.

**NON-COLLUSION AFFIDAVIT**

STATE OF NEW JERSEY :

: SS.

COUNTY OF :

I, \_\_\_\_\_, of the \_\_\_\_\_ of \_\_\_\_\_

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

I am \_\_\_\_\_ 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 OWNER relies upon the truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract for the said project.

\_\_\_\_\_  
BY: \_\_\_\_\_

Subscribed and sworn to

before me this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_

Notary Public of New Jersey

My Commission Expires: \_\_\_\_\_.

Attach additional signature sheets in similar form, if necessary.

**STATE OF NEW JERSEY – DIVISION OF PURCHASE AND PROPERTY  
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN**

Quote Number: \_\_\_\_\_ Bidder/ Offeror: \_\_\_\_\_

**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's 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 Director finds a person or entity to be in violation of law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the 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 is 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 or more 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.

**EACH BOX WILL PROMPT YOU TO PROVIDE INFORMATION RELATIVE TO THE ABOVE QUESTIONS. PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, CLICK THE "ADD AN ADDITIONAL ACTIVITIES ENTRY" BUTTON.**

Name _____	Relationship to Bidder/Offeror _____
Description of Activities _____ _____	
Duration of Engagement _____	Anticipated Cessation Date _____
Bidder/Offeror Contact Name _____	Contact Phone Number _____

**ADD AN ADDITIONAL ACTIVITIES ENTRY**

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 is 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 to notify the State in writing of any changes to the answers of information contained herein. I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with the State of New Jersey and that the State at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): \_\_\_\_\_ Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_