

CITY OF PLAINFIELD

REQUEST FOR QUALIFICATIONS FOR FINANCIAL ADVISORY SERVICES

CITY OF PLAINFIELD

Contract Term

January 1, 2013 through December 31, 2013

SUBMISSION DEADLINE

January 23, 2013
11:00 AM

ADDRESS ALL QUALIFICATION TO:

PURCHASING DIVISION
CITY HALL, 515 WATCHUNG AVENUE
PLAINFIELD, NEW JERSEY 07060

ATTN: CindyLea K. Weber
RPPO, QPA

GENERAL INFORMATION & SUMMARY

ORGANIZATION REQUESTING QUALIFICATIONS

CITY OF PLAINFIELD
515 WATCHUNG AVENUE
PLAINFIELD, NEW JERSEY 07060

CONTACT PERSON

CINDYLEA K. WEBER,
PURCHASING DIVISION
CITY HALL
515 WATCHUNG AVENUE
PLAINFIELD, NEW JERSEY 07060
(908) 226-2568

PURPOSE OF REQUEST

The City of Plainfield is requesting proposals from qualified individuals and firms to provide Financial Advisory Services of a specialized nature to the City. Submissions will be evaluated in accordance with the criteria set forth in this RFQ. One or more individuals/firms may be selected to provide services.

PERIOD OF CONTRACT

January 1, 2013 through December 31, 2013

CONTRACT FORM

The successful submitters shall be required to execute the City's form contract, which includes the indemnification, insurance, termination and licensing provisions. A complete copy of a draft City form contract is available upon request.

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

**DETAILED REQUIREMENTS OF THE
REQUEST FOR QUALIFICATIONS FOR FINANCIAL ADVISORY SERVICES**

1. **CITY OF PLAINFIELD FACTS AND FIGURES** – The City of Plainfield is a municipal governmental entity. The City was incorporated in 1869 and operates pursuant to N.J.S.A. 40A:61-1 et. seq.

The City’s population is approximately 47,800 and it consists of approximately 6 square miles of area. The City employs approximately 500 people in about 12 departments and agencies. It owns administration buildings, courthouse buildings, and parks and recreation facilities.

The City’s operating budget is approximately \$64,000,000. It provides significant and diverse services to its residents, including those in the senior, disabled, veterans and other communities.

2. **NATURE/ SCOPE OF SERVICES** – The City of Plainfield is requesting submissions from qualified individuals and firms to provide Financial Advisory Services.

1. Assist City staff on matters regarding analysis of proposed capital projects and capital expenditure budgets.
2. Review professional reports and feasibility studies to insure financing issues have been adequately addressed.
3. Develop cash flow models to project the effects of various financing strategies for proposed projects or programs.
4. Review and evaluate innovative financing and/or investment.
5. Assist the City staff regarding the City’s credit rating for both upgrading and/or maintaining the current credit ratings.
6. Assist City staff regarding the issuance of debt and preparation of official statements and evaluation of submissions.

3. **STANDARD REQUIREMENTS OF TECHNICAL QUALIFICATIONS** - Submitters should submit technical qualifications which contain the following:

- a. The name of the submitter, the principal place of business and, if different, the place where the services will be provided with designated professional and support staff.
- b. The education, qualifications, experience and reputation in the field, and training of all senior bankers who would be assigned to provide services along with their names and titles.
- c. A listing of all other engagements where services of the types being proposed were provided by the assigned banker in the past five (5) years. This should include other City governments and other levels of government. Contact information for at least three

recipients of the similar services must be provided. The City may obtain references from any of the parties listed.

- d. A description of all other areas of Financial Advisory services of the submitter.
- e. Provide examples of cost saving measures realized by your clients based upon your recommendations.
- f. Statement that neither the firm nor any individuals assigned to this engagement are suspended, or otherwise prohibited from professional practice by any federal, state, or local agency.
- g. Availability to accommodate any required meetings as may be required by the City of Plainfield
- h. Other factors if demonstrated to be in the best interest of the City of Plainfield.
- i. An Affirmative Action Statement
- j. A completed Non-Collusion Affidavit
- k. A statement that the submitter will comply with the General Terms and Conditions required by the City and enter into the City's standard Professional Services Contract.
- l. A copy of the submitter's Business Registration Certificate.
- m. A completed Partnership Disclosure Statement

4. **COST ANALYSIS** - Submitters should submit a cost analysis which would include any proposed retainer, the services to be provided for the retainer, if services will be provided at a flat rate, if all or any services will be billed through hourly rates and what are the established rate(s). The City does not provide payment for or reimbursement for travel expenses.

5. **SUBMISSION EVALUATION** – The City will select the most advantageous submission based on all of the evaluation factors set forth at the end of this RFQ. The City will make the award(s) that is in the best interest of the City.

Each submission must satisfy the objectives and requirements detailed in this RFQ. The successful submitter shall be determined by an evaluation of the total content of the qualifications submitted. The City reserves the right to:

- a. Not select any of the submissions;
- b. Select only portions of a particular submitter's qualifications for further consideration; (However, submitters may specify portions of the qualification submission that they consider "bundled".)
- c. Award a contract for the requested services at any time within 60 days of the selection

of the most advantageous submission; every submission should be valid through this time period.

The City shall not be obligated to explain the results of the evaluation process to any submitter.

The City may require submitters to demonstrate any services described in their submission prior to award.

6. **SUBMISSION LIMITATIONS** – This RFQ is not intended to be an offer, order or contract and should not be regarded as such, nor shall any obligation or liability be imposed on the City by issuance of this RFQ. The City reserves the right at the City’s sole discretion to refuse any submission.
7. **USE OF INFORMATION** - Any specifications, drawings, sketches, models, samples, data, computer programs, documentation, technical or business information and the like (“Information”) furnished or disclosed by the City to the submitter in connection with this RFQ shall remain the property of the City. When in tangible form, all copies of such information shall be returned to the City upon request. Unless such information was previously known to the submitter, free of any obligation to keep it confidential, or has been or is subsequently made public by the City or a third party, it shall be held in confidence by the submitter, 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 in writing.
8. **GENERAL TERMS AND CONDITIONS** –
 - a. The City reserves the right to reject any or all submissions, if necessary, or to waive any informalities in the submissions, and, unless otherwise specified by the submitter, to accept any item, items or services in the submissions should it be deemed in the best interest of the City to do so.
 - b. In case of failure by the successful submitter, the City of Plainfield may procure the articles or services from other sources, deduct the cost of the replacement from money due to the submitter under the contract and hold the submitter responsible for any excess cost occasioned thereby.
 - c. The submitter shall maintain sufficient insurance to protect against all claims under Workmen's Compensation, General, Professional and Automobile Liability.
 - d. Each submission must be signed by the person authorized to do so.
 - e. The contract shall be in effect through December 31, 2013, unless otherwise stated.
 - f. Submissions may be hand delivered or mailed consistent with the provisions of the legal notice to submitters. In the case of mailed submissions, the City assumes no responsibility for submissions received after the designated date and time and will return late submissions unopened. Submissions will not be accepted by facsimile or e-mail.

- g. In accordance with Affirmative Action Law, P.L. 1975, c.127 (N.J.A.C. 17:27) with implementation of July 10, 1978, successful submitters must agree to submit individual employer certifications and number 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.
- h. By submission of qualifications, the submitter certifies that the service to be furnished will not infringe upon any valid patent, trademark or copyright and the successful submitter shall, at its expense, defend any and all actions or suits charging such infringement, and will save the City harmless in any case of any such infringement.
- i. No submitter shall influence, or attempt to influence, or cause to be influenced, any City officer or employee to use his/her official capacity in any manner which might tend to impair the objectivity or independence of judgment of said officer or employee.
- j. No submitter shall cause or influence, or attempt to cause or influence, any City officer or employee to use his/her official capacity to secure unwarranted privileges or advantages for the submitter or any other person.
- k. Should any difference arise between the contracting parties as to the meaning or intent of these instructions or specifications, the City Law Department's decision shall be final and conclusive.
- l. The City of Plainfield shall not be responsible for any expenditure of monies or other expenses incurred by the submitter in making its proposal.

- m. 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 submission.

**END OF GENERAL INSTRUCTIONS
BASIS OF AWARD**
(To be completed by City evaluation committee)

EVALUATION FACTORS

- A. Relevance and Extent of Qualifications, Experience, Reputation and Training of Personnel to be assigned (20 Points)
- B. Knowledge of the City of Plainfield and the subject matter to be addressed under this engagement (20 Points)
- C. Relevance and Extent of Similar Engagements performed (20 Points)
- D. Technical Qualifications contains all required information (20 Points)
- E. Reasonableness of Cost Proposal (20 Points)

REQUEST FOR QUALIFICATIONS CHECKLIST

THIS CHECKLIST MUST BE COMPLETED AND SUBMITTED WITH YOUR QUALIFICATION PACKAGE:

Please initial below, indicating that your proposal includes the itemized document.

INITIAL BELOW

- A. An original and one (1 CD) with copies of your complete qualifications. _____
- B. Non-Collusion Affidavit properly notarized _____
- C. Authorized signatures on all forms. _____
- D. Business Registration Certificate(s) _____
- E. Affirmative Action Statement _____
- F. Owner's Disclosure Political Contribution _____

**THE UNDERSIGNED HEREBY ACKNOWLEDGES
THE ABOVE LISTED REQUIREMENTS.**

NAME OF SUBMITTER:

Person, Firm or Corporation

BY: (NAME) (TITLE)

EXHIBIT A
N.J.S.A. 10:5-31 and N.J.A.C. 17:27
MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
Goods, Professional Services and General Service Contracts
(Mandatory Affirmative Action Language)

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

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex. Except with respect to affectional or sexual orientation, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting for the provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable City employment goals established in accordance with N.J.A.C. 17:27-5.2 or a binding determination of the applicable City 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 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.

Exhibit A (Continued)

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 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 Division of Contract Compliance and EEO as may be requested by the Division from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Contract Compliance & EEO for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY
COUNTY OF _____

ss:

I AM _____

OF THE FIRM OF _____

UPON MY OATH, I DEPOSE AND SAY:

1. THAT I EXECUTED THE SAID PROPOSAL WITH FULL AUTHORITY SO TO DO;
2. THAT THIS SUBMITTER HAS NOT, DIRECTLY OR INDIRECTLY ENTERED INTO ANY AGREEMENT, PARTICIPATED IN ANY COLLUSION, OR OTHERWISE TAKEN ANY ACTION IN RESTRAINT OF FAIR AND OPEN COMPETITION IN CONNECTION WITH THIS ENGAGEMENT;
3. THAT ALL STATEMENTS CONTAINED IN SAID PROPOSAL AND IN THIS AFFIDAVIT ARE TRUE AND CORRECT, AND MADE WITH FULL KNOWLEDGE THAT THE CITY OF PLAINFIELD RELIES UPON THE TRUTH OF THE STATEMENTS CONTAINED IN SAID PROPOSAL AND IN THE STATEMENTS CONTAINED IN THIS AFFIDAVIT IN AWARDED THE CONTRACT FOR THE SAID ENGAGEMENT; AND
4. THAT NO PERSON OR SELLING AGENCY HAS BEEN EMPLOYED TO SOLICIT OR SECURE THIS ENGAGEMENT AGREEMENT OR UNDERSTANDING FOR A COMMISSION, PERCENTAGE, BROKERAGE OR CONTINGENT FEE, EXCEPT BONA FIDE EMPLOYEES OR BONA FIDE ESTABLISHED COMMERCIAL SELLING AGENCIES OF THE SUBMITTER. (N.J.S.A.52: 34-25)

SUBSCRIBED AND SWORN TO
BEFORE ME THIS _____ DAY
OF _____ 20.

(Type or Print Name of Affiant under Signature)

NOTARY PUBLIC OF

MY COMMISSION EXPIRES: _____, 20_____.

APPENDIX A

LETTER OF QUALIFICATION

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

[insert date]

City of Plainfield
Attention: CindyLea K. Weber
515 Watchung Avenue
Plainfield, New Jersey 07061

Dear Ms. Weber

The undersigned have reviewed our Qualification Statement submitted in response to the Request for Qualifications (RFQ) issued by the City of Plainfield ("City"), returnable January 23, 2013 in connection with the City's need for Financial Advisor Services.

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

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

(Signature of Chief Executive Officer)

Signature of Chief Financial Officer)

(Typed Name and Title)

(Typed Name and Title)

(Type Name of Firm)*

(Type Name of Firm)*

Dated: _____

Dated: _____

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

APPENDIX B

LETTER OF INTENT

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

[insert date]

City of Plainfield
Attention: CindyLea K. Weber, Purchasing Division
515 Watchung Avenue
Plainfield, New Jersey 07061

Dear Ms. Weber

The undersigned, as Respondent, has (have) submitted the attached Qualification Statement in response to a Request for Qualifications (RFQ), issued by the City of Plainfield ("City"), returnable January 23, 2013 in connection with the City's need for Financial Advisor Services.

(Name of Respondent) hereby states:

1. The Qualification Statement contains accurate, factual and complete information.
2. (Name of Respondent) agrees (agrees) to participate in good faith in the procurement process as described in the RFQ and to adhere to the City's procurement schedule.
3. (Name of Respondent) acknowledges (acknowledge) that all costs incurred by it (them) in connection with the preparation and submission of the Qualification Statement and any proposal prepared and submitted in response to the RFQ, or any negotiation which results therefrom shall be borne exclusively by the Respondent.
4. (Name of Respondent) hereby declares (declare) that the only persons participating in this Qualification Statement as Principals are named herein and that no person other than those herein mentioned has any participation in this Qualification Statement or in any contract to be entered into with respect thereto. Additional persons may subsequently be included as participating Principals, but only if acceptable to the City.
5. (Name of Respondent) declares that this Qualification Statement is made without connection with any other person, firm or parties who has submitted a Qualification Statement, except as expressly set forth below and that it has been prepared and has been submitted in good faith and without collusion or fraud.
6. (Name of Respondent) acknowledges and agrees that the City may modify, amend, suspend and/or terminate the procurement process (in its sole judgment). In any case, the City shall not have any liability to the Respondent for any costs incurred by the Respondent with respect to the procurement activities described in this RFQ.

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

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

(Signature of Chief Executive Officer)

(Typed Name and Title)

(Type Name of Firm)*

Dated: _____

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

POLITICAL CONTRIBUTION DISCLOSURE SECTION

(The following section must be completed)



I hereby attest that the undersigned business entity, its subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution of money, or pledge of contribution, including in kind to:

1. A campaign committee of a City candidate or holder of public office in excess of \$300, each;
2. Any Municipal party committee in excess of \$300 or County party committee in excess of \$500;
3. Any political action committee (PAC) that regularly engages in the support of municipal or county elections and/or municipal or county parties, in excess of \$500;
4. Any group of individuals (principals, partners, and officers) that are defined as the professional business entity, including an individual's spouse and any child living at home, may not in the aggregate contribute in excess of \$2,500 to all Plainfield municipal candidates and office holders, and all Municipal or County political parties and PAC's, as described above;

Pursuant to the Municipal Code of the City of Plainfield, Chapter 2, Article 10, Section 19(a), in the one (1) year period preceding the award of the contract that would, affect its eligibility to perform this contract, nor will it make a contribution of money, or pledge of contribution, including in kind, during the term of the contract to any campaign committee of a City of Plainfield candidate or holder of public office, political party committee in the City of Plainfield and/or County of Union, and any political action committee (PAC) that regularly engages in the support of municipal and/or county elections and/or municipal or county parties.

OR

III hereby attest that the undersigned business entity, its subsidiaries, assigns or principals controlling in excess of 10% of the company has made reportable political contributions (more than \$300 per election cycle) over the 12 months prior to submission to the committees of the government entities listed below:

Contributor Name	Recipient Name	Date	Dollar Amount
			\$

OWNER DISCLOSURE

This Statement *MUST BE INCLUDED* with RFQ Submissions

OWNER DISCLOSURE SECTION

Name of Business _____

I certify that the list below contains the names and home addresses of all stockholders holding 10% or more of the issued and outstanding stock of the undersigned.

OR

I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

OR

I certify that there are no stockholders

Check the box that represents the type of business organization:

Partnership
Proprietorship

Corporation

Sole

Limited Partnership
Liability Partnership

Limited Liability Corporation

Limited

Subchapter S Corporation Other (describe) _____

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

Stockholders:

Name:

Home Address:

Name:

Home Address:

Name:

Home Address:

—

Name:

Home Address:

—

Subscribed and sworn before me
this ___ day of _____, 20

(Notary Public)

My Commission expires:

(Affiant)

(Print name & title of affiant)

(Corporate Seal)

