

# TOWNSHIP OF MULLICA

RFP NR. 2019-02

## Animal Control Services

### **NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN that sealed proposals will be received by the Township Clerk, for the Township of Mullica, County of Atlantic, State of New Jersey on Friday March 29<sup>th</sup>, 2019 at 10:00 am prevailing time at the Mullica Township Municipal Building, 4528 White Horse Pike, Elwood, NJ at which time and place proposals will be opened and read in public for:

#### *Animal Control Services*

Specifications and other proposal information may be obtained at the Mullica Township Municipal Building during regular business hours, 9:00 am to 4:30pm. Specifications are also available on the Township's website: [www.mullicatownship.org](http://www.mullicatownship.org).

BIDDERS are required to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27 et seq.

Kimberly Johnson, RMC  
Website Publication date: March 6, 2019

## Instructions To Bidders

### I. SUBMISSION OF PROPOSALS

- A. Sealed proposals shall be received by the contracting unit, hereinafter referred to as “owner,” in accordance with public advertisement as required by law, with a copy of said notice being attached hereto and made a part of these specifications.
- B. Sealed proposals will be received by the Township Clerk until Friday, March 29th, 2019 at 10:00 am at the Township Municipal Building, 4528 White Horse Pike, Elwood as stated in the Notice to BIDDERS, and at such time and place will be publicly opened and read aloud.
- C. The proposal shall be submitted in a sealed envelope: (1) addressed to the owner, (2) bearing the name and address of the bidder written on the face of the envelope, and (3) clearly marked "PROPOSAL" with the contract title and/or proposal # being proposal.
- D. It is the bidder’s responsibility that proposals are presented to the owner at the time and at the place designated. Proposals may be hand delivered or mailed; however, the owner disclaims any responsibility for proposals forwarded by regular or overnight mail. If the proposal is sent by express mail service, the designation in subsection C, above, must also appear on the outside of the express mail envelope. Proposals received after the designated time and date will be returned unopened.
- E. Sealed proposals forwarded to the owner before the time of opening of proposals may be withdrawn upon written application of the bidder who shall be required to produce evidence showing that the individual is or represents the principal or principals involved in the proposal. Once proposals have been opened, they shall remain firm for a period of sixty (60) calendar days.
- F. All prices and amounts must be written in ink or preferably machine-printed. Proposals containing any conditions, omissions, unexplained erasures or alterations, items not called for in the proposal form, attachment of additive information not required by the specifications, or irregularities of any kind, may be rejected by the owner. Any changes, whiteouts, strikeouts, etc. in the proposal must be initialed in ink by the person signing the proposal.
- G. Each proposal form must give the full business address, business phone, fax, e-mail if available, the contact person of the bidder, and be signed by an authorized representative as follows:
- Proposals by partnerships must furnish the full name of all partners and must be signed in the partnership name by one of the members of the partnership or by an authorized representative, followed by the signature and designation of the person signing.
  - Proposals by corporations must be signed in the legal name of the corporation, followed by the name of the State in which incorporated and must contain the signature and designation of the president, secretary or other person authorized to bind the corporation in the matter.
  - Proposals by sole-proprietorship shall be signed by the proprietor.
  - When requested, satisfactory evidence of the authority of the officer signing shall be furnished.
- H. Bidder should be aware of the following statutes that represent “Truth in Contracting” laws:
- N.J.S.A. 2C:21-34, et seq. governs false claims and representations by BIDDERS. It is a serious crime for the bidder to knowingly submit a false claim and/or knowingly make material misrepresentation.
  - N.J.S.A. 2C:27-10 provides that a person commits a crime if said person offers a benefit to a public servant for an official act performed or to be performed by a public servant, which is a violation of official duty.
  - N.J.S.A. 2C:27-11 provides that a bidder commits a crime if said person, directly or indirectly, confers or agrees to confer any benefit not allowed by law to a public servant.
  - bidder should consult the statutes or legal counsel for further information.
- I. The “Contractor” shall provide at its own cost and expense proof of the following insurance to the Municipality’:
- a. Worker's Compensation Insurance: Statutory coverage and limits in compliance with the Workers’ Compensation Law of the State of New Jersey.

- b. General Liability Insurance shall be provided with a minimum combined single limit of liability per occurrence for bodily injury and property damage of one million (\$1,000,000) dollars with a minimum annual aggregate of two million (\$2,000,000) dollars. **The Township of Mullica shall be named as "Additional Insured"**.
- c. Automotive Liability Insurance with a minimum combined single limit of liability per accident of one million (\$1,000,000) dollars for bodily injury and property damage. This insurance must include coverage for owned, hired, and non-owned automobiles.
- d. Failure by the "Contractor" to supply such written evidence of required insurance and to maintain same for the duration of this contract shall result in default under the contract. The insurance companies for the above coverages must be licensed by the State of New Jersey and acceptable to the "Municipality". The "Contractor" shall take no action to cancel or materially change any of the insurance required under this Contract without the "Municipality's" prior approval. The maintenance of insurance under this section shall not relieve the "Contractor" of any liability greater than the limits of the applicable insurance coverage.
- e. Certificate of Insurance for those policies required above shall be submitted with the contract. Failure by the "Contractor" to supply such written evidence of required insurance and to maintain same for the duration of this contract shall result in default under the contract. The maintenance of insurance under this section shall not relieve the "contractor" of any liability greater than the limits of the applicable insurance coverage. Self-insured contractors shall submit an affidavit attesting to their self-insured coverage and shall name the owner as an additional insured.

J. Contract shall indemnify, save harmless and defend the Municipality, its elected and appointed officials, its employees, agents, volunteers and others working on behalf of the Municipality, from and against any and all claims, losses, costs, attorney's fees, damages or injury including death and/or property loss, expense claims or demands arising out of or caused or alleged to have been caused in any manner by a defect in any equipment or materials supplied under this Contract or by the performance of any work under this Contract, including all suits or actions of every kind or description brought against the Municipality, either individually or jointly with Contractor for or on account of any damage or injury to any person or persons or property, caused or occasioned or alleged to have been caused by, or on account of, the performance of any work pursuant to or in connection with this Contract, or through any negligence or alleged negligence in guarding the work or through any act, omission or fault or alleged act, omission or fault or alleged act, omission or fault of the Contractor, its employees, Subcontractors or agents or others under the Contractor's Contract.

**K. PROOF OF BUSINESS REGISTRATION:** N.J.S.A. 52:32 N.J.S.A. 52:32-44 requires that each bidder (contractor) submit proof of business registration with the proposal. Proof of registration shall be a copy of the bidder's 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:

- 1) The contractor shall provide written notice to its subcontractors and suppliers to submit proof of business registration to the contractor;
- 2) 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;
- 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 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) 292-9292.

## **SPECIFICATIONS FOR ANIMAL CONTROL SERVICES**

**Contract Year:        May 1, 2019 through April 30, 2021**

The successful contractor would agree to provide the following services to the Township of Mullica for a monthly service fee of \$\_\_\_\_\_.

1.        Removal of stray and licensed animals found running at large from the municipality. When dog's owner is not known, the dog will be taken to Atlantic County Animal Shelter in Pleasantville.
2.        Removal of dead, stray animals, including wildlife from residential and/or township properties. Removal of dead deer from roadways is not included in the scope of this proposal.
3.        Provide for the control of stray cats upon a request from a resident or the municipality.
4.        Provide for a random patrol (in marked patrol units) of the municipality to remove animals running at large.
5.        Provide a twenty-four (24) hour emergency service for threatening or injured animals. (Biting, attacking animal, suspected rabid animal, animal struck by vehicle, which is still alive.) The Township will be responsible for the cost of euthanizing the animal if the owner of an injured animal is unknown.
6.        Provide services for possible rabid wildlife trapped at a residence.
7.        Provide decapitation of suspected rabid animals and deliver said animals for rabies testing.
8.        Provide assistance to the Atlantic County Health Department with the quarantine of biting animals.
9.        The contractor will investigate domestic animal complaints and, issue warnings for violations of the Township's animal control ordinances.
10.      The contractor shall be available to accept calls and pick up animals on a non-emergency basis during normal business hours 9:00 a.m. to 4:30 p.m. Monday through Friday. During periods of inclement weather when temperatures drop below freezing, it may be occasionally necessary to pick up an animal from the Police Department in the evening or on weekends.

11. Provide a telephone line so that residences may report animal complaints. **24 hour contact** number must be provided to Mullica Township Police Department for emergency services.

Phone Number \_\_\_\_\_

12. Provide general comprehensive liability insurance insuring the Township against any and all liability or claims. The insurance company shall be authorized to do business in the State of New Jersey and shall name the Township as an additional named insured. (Attach certificate of insurance.)
13. Provide a list of vehicles and equipment to be used in conjunction with services provided. (Attach)
14. Provide copies of Animal Control Officer's certification from the N.J. Department of Health.
15. Provide monthly annual reports to the Township Clerk's Office.
16. The contractor shall comply with the Affirmative Action Laws of the State of New Jersey in compliance with P.L. 1975, Chapter 127.

The successful contractor would agree to provide the following services to residents of Mullica Township for the fee listed.

17. Provide euthanasia for old and sick privately owned animals. \$\_\_\_\_\_
18. Provide the removal of privately owned dead animals. \$\_\_\_\_\_
19. Provide pick up of privately owned animals. \$\_\_\_\_\_

If you need further explanation of any of the above specifications, contact the Township Clerk at (609) 561-0064.

\_\_\_\_\_  
Animal Control Officer

\_\_\_\_\_  
Date

**STOCKHOLDER DISCLOSURE FORM**

The name and addresses of all partners, officers of parties interested in the foregoing proposal are as follows: (please type or print)

| <u>Full Name</u> | <u>Title of Office Held</u><br><u>If Bidder is a Corp.</u> | <u>Address</u> |
|------------------|--|----------------|
|------------------|--|----------------|

The undersigned Bidder hereby designates the address stated below as its business address and as the place to which all notices and letters may be delivered or mailed.

Name of Bidder

Attest or Witness:

By:

\_\_\_\_\_

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

Business address of Bidder: \_\_\_\_\_

Telephone Number of Contact: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Vendor Person for All Contacts: \_\_\_\_\_

Corporation of the State of: \_\_\_\_\_

(Please strike out designations, which do not apply.)

The above named Bidder is a        Partnership    or    Individual.

**AFFIRMATIVE ACTION DATA FOR PROCUREMENT AND SERVICE**  
**CONTRACTORS**

P.L. 1975, c. 127

( ) Check the Appropriate Box

( ) Fifty (50) or more employees in the entire firm or corporation

( ) Fewer than fifty (50) employees in the entire firm or corporation

**50 OR MORE EMPLOYEES**

Employee Information Reports (Form AA302) must be completed and returned to the Township of Mullica within seven (7) days after receipt of notification of intent to award contract or receipt of contract, whichever is sooner. An affirmation action plan approved by the Federal Government or the New Jersey Affirmative Action Office is an acceptable alternative. In space provided below indicate whether your firm has met any of the requirements listed above. Indicate the number of the N.J. Affirmative Action Certificate of Approval in the spaces provide.

**FEWER THAN 50 EMPLOYEES**

Vendors of fewer than fifty (50) employees are required to complete an Affidavit of Affirmative Action. If during the term of the contract the firm's work force increases to fifty (50) or more employees, the public agency shall be notified. At this time an Employee Information Report (Form AA302) must be completed and returned to the Township of Mullica.

Indicate in the applicable boxes below whether you have any criteria for compliance with the New Jersey Affirmative Action Regulations.

**Firms of Fifty or More Employees**

\_\_\_\_\_ A Federal Certificate of approval has been received  
(Proof of this will be required at time of award)

\_\_\_\_\_ A N.J. Affirmative Action Certificate of Approval has been received,  
the number is \_\_\_\_\_ (proof of this will be required at time of award.)



I certify that the above information is correct to the best of my knowledge.

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

Signature \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

**AFFIRMATIVE ACTION AFFIDAVIT**

I, Hereby Certify: \_\_\_\_\_

Has submitted a proposal for

\_\_\_\_\_

On this \_\_\_\_ day of \_\_\_\_\_, 2019, and

In compliance with Public Law 1975, Chapter 127, as described in these specifications.

\_\_\_\_\_  
(Authorized signature)

\_\_\_\_\_  
(Title)

Subscribed and Sworn Before Me \_\_\_\_\_,

On \_\_\_\_\_, 2019

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

(Seal)



**NON COLLUSION AFFIDAVIT**

State of New Jersey:

SS

County of \_\_\_\_\_

**ANIMAL CONTROL OFFICER / MULLICA TOWNSHIP**

I, \_\_\_\_\_ of the City of \_\_\_\_\_ in the County of \_\_\_\_\_ and the 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 submitting the sealed proposal for the above named project, and that I executed the said sealed proposal with full authority so to do; that said Bidder had not, directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any named project; and that all statements contained in said sealed proposal and in this affidavit are true and correct, and made with full knowledge that the Township of Mullica relies upon the truth of the statements contained in said sealed proposal and in the statements contained in this affidavit in awarding the contract for the said project.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee except bona fide employees or bona fide established commercial or selling agencies maintained by \_\_\_\_\_ (N.J.S.A. 52:34-15).

(Name of person or firm submitting the Proposal)  
(Type or Print name of affiant)

Sworn and subscribed before me this  
\_\_\_\_\_ day of \_\_\_\_\_ 2019

\_\_\_\_\_

Notary Public of New Jersey  
My commission expires \_\_\_\_\_,

(Seal)

CONTRACT AGREEMENT

THIS AGREEMENT, made this \_\_\_\_\_ by and between Mullica Township, P.O. Box 317, Elwood, NJ 08217, a body corporate and politic, existing under and by virtue of the Laws of the State of New Jersey, hereinafter referred to as the TOWNSHIP, party of the first part,

A  
N  
D

\_\_\_\_\_ a Corporation, with its principal office at \_\_\_\_\_ hereinafter called the CONTRACTOR, party of the second part.

WITNESSETH:

That the CONTRACTOR, for and in consideration of the payments made to it by the TOWNSHIP, at the time and in the manner hereinafter set forth does hereby agree to provide furnish and deliver Animal Control Services; Contract Number RFP 2019-02, in strict accordance with the specification attached hereto and made a part hereof, and in accord with proposal of the CONTRACTOR, a copy of which is also attached hereto and made a part hereof and as submitted to the TOWNSHIP and awarded to the CONTRACTOR.

The Notice to Bidders, Instructions to Bidders, Technical Specifications, Forms and Instruction, General Conditions, if any Supplemental Conditions, if any, are all incorporated by reference and comprise the contract documents.

The Bond annexed hereto and which is executed coincident with the execution of this contract and obligations imposed upon the CONTRACTOR by this contract shall be obligations in addition to all other terms, covenants and conditions of said Bond to the same effect as though they had been incorporated in said Bond.

In consideration of the faithful performance of this contract, and its covenants and agreements entered into in the furnishing and delivering of service as herein provided, and the acceptance thereof by the TOWNSHIP, the TOWNSHIP does hereby agree to pay to the CONTRACTOR, in accordance with the payment schedule established in the specification and upon presentation of a verified voucher, the total sum not to exceed \$ \_\_\_\_\_.

IN WITNESS WHEREOF the parties have caused these presents to be signed by their duly authorized officers and sealed with their seals, the day and year first above written.

OWNER/MUNICIPALITY:  
The Township of Mullica

CONTRACTOR:

By: \_\_\_\_\_  
Kimberly Johnson, Township Clerk

\_\_\_\_\_

Attest: \_\_\_\_\_