

**CITY OF BAYONNE
REQUEST FOR PROPOSALS:**

**REVALUATION OF ALL REAL PROPERTY
LOCATED IN THE CITY OF BAYONNE**

**SUBMISSION DEADLINE:
10:00 A.M. prevailing time
November 15, 2018**

**ADDRESS ALL PROPOSALS TO:
John F. Coffey II, Esq.
Law Director
630 Avenue C – Room 15
Bayonne, New Jersey 07002**

PFP Dated Oct 11, 2018

To be published Online on or about October 12, 2018

SECTION 1: GENERAL INFORMATION & SUMMARY

1.1 Organization Requesting Proposal

City of Bayonne`
Department of Administration/Office of the Business Administrator
City Hall
630 Avenue C
Bayonne, NJ 07002

1.2 Contact Person

John F. Coffey II, Esq.
Law Director
630 Avenue C – Room 15
Bayonne, New Jersey 07002
Office: (201) 858-6094
Fax: (201) 858- 6092

1.3 Procurement Process

This contract will be awarded using the competitive contracting provision of the Local Public Contracts Law (N.J.S.A 40A:11-4.1 *et seq.*) which is considered a “fair and open” process under the "New Jersey Local Unit Pay-to-Play" Law, N.J.S.A. 19:44A-20.4 *et seq.*

Proposals will be evaluated in accordance with the criteria set forth in this Request for Proposals (RFP). The governing body will approve a resolution awarding a contract to the successful Respondent for a sum not to exceed a specified amount.

1.4 Contract Form

If selected to provide services, it is agreed and understood that the successful Respondent shall be bound by the requirements and terms contained in this RFP with regard to services performed, payments, indemnification, insurance, termination and applicable licensing provisions.

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It is also agreed and understood that, after a contract is awarded and entered into, the acceptance of the final payment by the successful Respondent 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.

1.5 Submission deadline

Sealed proposals must be received in the City Law Department, 630 Avenue C, 1st Floor, Room 15, Bayonne, NJ 07002 on or before **10:00 A.M.** prevailing time on **November 15, 2018**. Proposals will not be accepted by facsimile transmission or e-mail. The City’s Law Director and/or his or her designated representative will receive submissions up to the submission deadline.

The City reserves the right to extend the submission deadline at any time prior to opening of the sealed submissions, to reject all submissions without the need for cause or prior notice, to reject particular submissions due to defects in mandatory items, to waive non-mandatory items and to accept any submissions that in its judgment is in the best interest of the City.

1.6 Opening of proposals

Proposals shall be opened in public at **10:30 A.M.** prevailing time on **November 15, 2018** in the City Council Chambers located on the first floor of 630 Avenue C, Bayonne, NJ.

1.7 Definitions

The following definitions shall apply to and are used in this Request for Proposal (RFP):

"City" or "Owner" - refers to the City of Bayonne.

"RFP" - refers to this Request for Proposals, including any amendments thereof or supplements thereto.

"Firm", "Respondent" or "Respondents" - refers to the interested firm(s) submitting a Proposal.

"Competitive Contracting" - refers to the process by which proposals are evaluated and contracts awarded, pursuant to N.J.S.A. 40A:11-4.1 *et seq.*

"Revaluation Firm" - refers to the interested firm(s) submitting a Proposal.

"Proposal" - refers to Revaluation Firms’ responses to this RFP.

"Contracts" or "Procurement contracts" - refers to contracts awarded and/or purchase orders issued by the City for construction services, professional services (as defined by N.J.S.A 40A:11-5 (1) (a) (i)), or goods/commodities.

"MBE" - refers to minority-owned business enterprises.

"WBE" - refers to women-owned business enterprises.

“LBE” - refers to locally-owned (i.e., Bayonne) business enterprises.

“Unbundling” - refers to the practice of making small purchases in a manner that will advance the goals of programs for MBE/WBE/LBE.

1.8 Submission address

All proposals should be sent to:

John F. Coffey II, Esq.
Law Director
630 Avenue C – Room 15
Bayonne, New Jersey 07002
Office: (201) 858-6094
Fax: (201) 858- 6092

SECTION 2: INTRODUCTION AND GENERAL INFORMATION

2.1 Introduction and Purpose

The City of Bayonne is seeking proposals from qualified Revaluation Firms for services as described herein.

The Municipal Council of the City of Bayonne is conducting a competitive contracting process pursuant to the Local Public Contract Law (N.J.S.A. 40A:11-4.1 et seq.) which is considered a “fair and open” process under the “New Jersey Local Unit Pay-to-Play” Law, N.J.S.A. 19:44A-20.4 et seq. to receive sealed proposals from qualified and experienced Revaluation Firms for performing a Revaluation of all Real Property situated within the City of Bayonne, County of Hudson, State of New Jersey, so that said Revaluation will be effective in the 2020 tax year.

The City of Bayonne utilizes Micro-System’s Tax Assessor’s MOD-IV and CAMA programs. All proposals shall be made based on utilizing these programs for the native input, electronic storage, tracking, calculation and delivery of MOD-IV and CAMA data and the linking of related photos.

No conversion of CAMA data will be accepted and no exceptions to this requirement will be permitted unless explicitly allowed by this proposal, such as the supplemental use of Marshall and Swift for calculating commercial cost approach and the preparation and transmittal of summaries, progress reports and other items to the City Tax Assessor in Excel format as provided herein.

Any G.I.S. work should be submitted to the City of Bayonne in an ESRI shape file (.SHP) projected into the NAD83 New Jersey State Plane Coordinate System. No exceptions to this requirement will be permitted.

2.2 Competitive Contracting

This contract will be awarded using the competitive contracting provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-4.1 et seq.) which is considered a “fair and open” process under the "New Jersey Local Unit Pay-to-Play" Law, N.J.S.A. 19:44A-20.4 et seq.

The City has structured a procurement process that seeks to obtain the desired services, while establishing a competitive environment to assure that each person and/or firm is provided an equal opportunity to submit a proposal in response to the RFP. Proposals will be evaluated in accordance with the criteria set forth in Section 6 of this RFP, which will be applied in the same manner to each proposal received.

2.3 Revaluation Committee

Proposals will be reviewed and evaluated by a committee which may include the City Council President, City Purchasing Agent, Tax Assessor, Deputy Tax Assessor, Law Director, the Chief Financial Officer and the City Business Administrator or a designee familiar with the need for the services provided under this RFP who may, in the Mayor’s sole discretion, be appointed by the Mayor to serve in place of the Business Administrator or any of those officials named above individuals who are unavailable or unable to serve. The proposals will be reviewed to determine if the Respondent has met the professional, administrative and subject area requirements described in this RFP. Pursuant to N.J.A.C. 5:34-4.3, moreover, “the names of the individuals who serve as committee members shall not be publicly disclosed until the evaluation report is presented to the governing body.”

Continued on Next Page.

2.4 Procurement Schedule

The steps involved in the process and the anticipated completion dates are set forth in the Procurement Schedule below. The City reserves the right to, among other things, amend, modify or alter the Procurement

Schedule upon notice to all potential Respondents.

<u>Activity</u>	<u>Date</u>
1. City Council approval of resolution authorizing use of Competitive Contracting for this project	July 18, 2018
2. Issuance of Request for Proposals dated Oct 11, 2018	On or about October 12, 2018
3. Receipt of Proposals	November 15, 2018
4. Completion of evaluation of Proposals	December 10, 2018
5. Award of contract	December 19, 2018
6. Contract sent to Director, Division of Taxation and Hudson County Board of Taxation	December 20, 2018
7. Revaluation Contract approved by Director	January 22, 2019
8. Revaluation begins	January 28, 2019
9. Notices of new values sent to taxpayers	November 10, 2019
10. Informal hearings with taxpayers commence	November 18, 2019
11. New assessed values applied	January 10, 2020

2.5 Addenda or Amendments to RFP

During the period provided for the preparation of responses to the RFP, the City may issue addenda, amendments or answers to written inquiries. Those addenda will be noticed by the City and will constitute a part of the RFP. All responses to the RFP shall be prepared with full consideration of the addenda issued prior to the proposal submission date.

All communications concerning this RFP or the RFP process shall be directed to the City Law Director, in writing, via facsimile, or via e-mail. Responses to all questions will be forwarded as addenda to all prospective respondents who have provided accurate and current contact information (mailing address, fax number, e-mail address) to the Law Director.

Subsequent to issuance of this RFP, the City (through the issuance of addenda to all persons and/or firms that have received a copy of the RFP) may modify, supplement or amend the provisions of this RFP in order to respond to inquiries received from prospective Respondents or as otherwise deemed necessary or appropriate by (and in the sole judgment of) the City.

2.6 Rights of the City

The City reserves, holds and may exercise, at its sole discretion, the following rights and options with regard to this RFP and the procurement process in accordance with the provisions of applicable law:

- To conduct investigations of any or all of the Respondents, as the City deems necessary or convenient, to clarify the information provided as part of the Proposal and to request additional information to support the information included in any Proposal.
- To suspend or terminate the procurement process described in this RFP at any time (in its sole discretion.) If terminated, the City may determine to commence a new procurement process or exercise any other rights provided under applicable law without any obligation to the Respondents.

2.7 Cost of Proposal Preparation

Each Proposal and all information required to be submitted pursuant to the RFP shall be prepared at the sole cost and expense of the Respondent. There shall be no claims whatsoever against the City, its officers, officials or employees for reimbursement for the payment of costs or expenses incurred in the preparation of the Proposal or other information required by the RFP.

2.8 Proposal evaluation.

Proposals will be evaluated/ranked based on technical expertise, management skills, prior experience and cost related criteria established by the Revaluation Committee. The firm whose proposal is ranked highest among those proposals submitted will be selected for the project.

2.9 Written Proposal

A prospective Revaluation Firm must submit a written proposal in a format specified by the City. The required format is detailed in Section 3.

2.10 Equal Employment Opportunity/Affirmative Action, Business Registration Certificate Requirements and other Required Forms.

Section 8 of this document contains required administrative forms which must accompany all proposals. Exclusion of any required form is grounds for rejection of proposals.

Consultant is required to comply with requirements of P.L. 1975, c. 127, the Law Against Discrimination and with N.J.A.C 17:27-1.1 et seq., and N.J.S.A. 10:5-31, the Affirmative Action Rules.

A party responding to this RFP must indicate what type of business organization it is, e.g., corporation, partnership, sole proprietorship, or non-profit organization. If a party is a subsidiary or direct or indirect affiliate of any other organization, it must indicate in its proposal the name of the related organization and the relationship. If a party responding to this RFP is a corporation it shall list the names of those stockholders holding 10% or more of the outstanding stock.

2.11 Disposition of RFP

Upon submission of a Proposal in response to this RFP, the Respondent acknowledges and consents to the following conditions relative to the submission and review and consideration of its Proposal:

- All Proposals shall become the property of the City and will not be returned.
- All Proposals will become public information at the appropriate time, as determined by the City (in the exercise of its sole discretion) in accordance with law.

2.12 Softcopy version of RFP

Prospective Respondents who have obtained printed copies of this RFP and who have provided accurate and current contact information (mailing address, fax number, e-mail address) to the Law Director, may request a softcopy version of this RFP. Softcopy versions will be provided as a PDF file only.

SECTION 3: WRITTEN PROPOSAL FORMAT

Proposals must address all information requested in this RFP. Proposals which, in the judgment of the City, fail to meet the requirements of the RFP or which are in any way conditional, incomplete, obscure, contain additions or deletions from requested information, or contain errors may be rejected.

3.1 Mandatory content

Each proposal submitted must contain the fifteen (16) sections described below:

- Title Page
- Table of Contents
- Required Forms with Original Signatures
- Executive Summary
- Background
- Scope
- Objectives
- Project Approach
- Project Organization
- Project Work Plan (including project organization, critical success factors and risks)
- Key Dates & Deliverables
- The City of Bayonne Responsibilities
- Staffing
- Assumptions
- Timing & Fees
- Appendices/Other

The information requested by the sectional format described above is further defined below.

3.2 Title Page

The Proposal should include a title page (which identifies the project), the Respondent's firm name and address, as well as the name of the Respondent's primary contact, his or her title and address, telephone number, fax number and email address.

3.3 Table of Contents

The Respondent's Proposal should include a Table of Contents listing the titles and page numbers for each major topic and sub-topic contained in the proposal.

3.4 Required Forms with Original Signatures

In addition to the other items herein, the Respondent MUST provide executed copies of the checklist and forms required in Section 8 of this RFP with original signatures by an authorized representative.

3.5 Executive Summary

This section should include a summary of the key points and highlights of the Respondent's response and should discuss the pricing contained in the Proposal.

3.6 Background

In this section of the proposal, the Respondent should review their understanding of the business drivers behind the City of Bayonne strategy.

3.7 Scope

In this section of the proposal, the Respondent should state what it believes to be the scope of the intended strategy within the City of Bayonne as expressed by the City in Section 4 of this RFP. If there are any gaps between what the Respondent believes should be the proper scope of the solution given all information known at the time of this RFP, the Respondent should clearly state these gaps in this section and clearly mark these concerns as such.

3.8 Objectives

In this section of the Proposal, the Respondent should state what it believes to be primary objectives for each element of the plan. Respondents may choose to offer suggestions to the City of Bayonne on how objectives for this type and size of a phased project should be measured throughout the life of the implementation in order to ensure success in delivery of every business priority.

3.9 Project Approach

A general discussion of the approach the Respondent is proposing should be contained in this section. This should include detail of all assumptions being made to accomplish the desired approach. A discussion of the high level tasks and key milestones should be described in this section and tie directly, or be referenced directly, to deliverables in the work plan. Additionally, Respondents should highlight

any risks it deems to be significant enough in nature, which could result in any priority specification within the project that would not be delivered on time and on budget.

3.10 Project Organization

The Respondent should detail in this section the organizational structure it believes necessary to accomplish each phase of the project within the desired timeframe and budget. Each phase's organization should consider both Respondent's and the City of Bayonne's resources. Support and utilization of Minority and Women Owned Business Enterprises, not consistent with the City of Bayonne's policies, shall be described.

Minimum qualifications for each role should be identified. In addition, the time commitment (both percentage and number of hours) for each resource, based on the priorities defined for in the Business Requirements, should be clearly stated.

3.11 Project Work Plan

In addition to providing a high-level project work plan, this section should describe each of the proposed phases, activities and tasks that the City of Bayonne should execute to achieve success. In addition to the tasks, it is assumed that the Respondent will identify the resources needed to complete the associated task, and that the resource identified will have been included in the project organizational structure. All assumptions that were made to complete the project plan should be documented in this section.

The work plan should present a picture of key activities, milestones, key dates, etc. necessary to deliver this project. The City of Bayonne realizes that each Respondent brings its own methodology and work plan.

3.12 Conflict of Interest

The Firm shall state and describe any potential conflict of interest or appearance of impropriety relating to other clients of the firm, or directors or employees of the City, that could be created by providing services to the City.

Indicate what procedures will be followed to detect and notify the City and to resolve said conflicts of interest.

Indicate any pending litigation and/or regulatory action by any oversight body or entity that could have an adverse material impact on the firm's ability to serve the City.

Indicate if the firm has ever had a prior contract with any governmental entity terminated for any reason, and provide an explanation for same.

Indicate that there is no commissioner and/or employee of the Hudson County Board of Taxation, and no Assessor, Elected Official, Director or Statutory Officer of the City of Bayonne who has any interest whatsoever -- directly or indirectly -- as an officer, stockholder, employee or any other capacity in the Firm.

The Firm, its' parent company and/or subsidiaries, if any, shall not be permitted to represent any property owner and/or taxpayer filing a tax appeal with respect to the revaluation completed by the Firm.

3.13 Key Dates & Deliverables

This section should present a summary of key dates, milestones and associated deliverables found in the work plan. A description of what the City of Bayonne should expect to see and/or receive on the associated date should be described and/or presented as examples. **The City expects a final deliverable on or before January 10, 2020.**

3.14 Bayonne Responsibilities

In this section, the Respondent should clearly describe any assumptions relating to the responsibilities and/or commitments the Respondent is expecting of the City of Bayonne throughout the life of this project, other than described in the following:

A. Tax Maps

- a. Up-to-date tax map that has been reviewed, certified and determined suitable for revaluation use by the Property Administration Local Property Branch.

B. Official Records

- a. A copy of the state approved electronic file (Tax List) of current property records for all properties currently listed upon the tax records of the City. This file shall include the block, lot, additional lots, owner's name and address, property location and property classification.
- b. Official records (e.g. SR1-A records, abstract of deeds) as may be available within the assessor's office (with the understanding that such records, particularly deeds, are incomplete or unavailable at the municipal level), and such other information required to assist the Firm to determine the full fair value of the real property to be valued. Existing property record cards are deemed not to be official records and

cannot be used by the Firm. The Firm has the responsibility to field inspect all properties.

- C. Letters of Introduction to facilitate the Firm's access to properties for inspection and data collection purposes.
- D. The mailing addresses of all property owners in the municipality to enable the Firm to maintain a current mailing list. Informational letters mailed by the Firm to property owners usually require the signature of the City Tax Assessor.

3.15 Staffing

A discussion of the project team that will be utilized should be contained in this section. The City of Bayonne requests that, as part of the discussion here, the Respondent state exactly the role the proposed Respondent team member will assume on each phase and detail the qualifications for the role that the team member possesses.

3.16 Assumptions

In this section, Respondents should state any assumptions being made relating to any part of the proposal or project strategy.

3.17 Fees and Timing of Payment

The Checklist and Required Forms in Section 8 of this RFP include Schedule A, a Cost and Fees summary, which includes: a lump sum proposal to perform the scope of revaluation services specified in Section 4 of this RFP for all of the locally assessable line items (exempt or not) reflected in the Ratable Base Overview contained in section 4.2 of the scope of services, as well as an amount per line item for each class of individual line items as may, upon further review, be added to or subtracted from the number of locally assessable line items listed in section 4.2 of this RFP. The primary basis for cost comparison among Respondents shall be lump sum amount to provide the specified scope of revaluation services for the locally assessable line items listed in section 4.2, not the additional per line item cost or credit for changes to those numbers. Further, should the additional per line item cost or credit exhibit a wide variation from the overall average cost per line item, the bid may be rejected as unbalanced.

Respondents should be sure to include all expenses associated with delivery of the services specified, in addition to professional fees. **It is important to note that, pursuant to N.J.S.A 40A:5-16, the City is prohibited from paying for goods or services before they have been provided.**

Therefore, any proposals which specify payment upon contract signing will be deemed unresponsive and rejected. The City will not make incremental payments amounting to more than the value of the pro-rata share of the project being completed and will, in any event, withhold 10% of the contract amount due until receipt of final deliverables acceptable to the City, If the proposal does not include a section on timing of payment, the City will assume that the Respondent will accept a lump sum payment following acceptance of final deliverable.

3.18 Appendices/Other

In addition, this section may include individual qualifications, references and resumes.

Any proposed “out-of-scope” services not covered in other sections should be included here. A description of the personnel likely to be involved and the resources brought to bear (including supplemental costs and/or hourly rates) must be provided.

Finally, if Respondent believes that other materials are necessary (such as promotional literature, white papers, etc.) it should provide them in a separate document clearly labeled “Additional Materials”.

SECTION 4: SCOPE OF SERVICES

4.1 General Requirements

The Firm agrees to prepare and execute a complete revaluation of all properties within the boundaries of the City of Bayonne as illustrated on the Property Classification Schedule below for use of the City Tax Assessor in accordance with the approved contract and the associated contract documents, all of which are annexed hereto and which form a part of the approved contract to be completed no later than December 31, 2019, utilizing a valuation date of October 1, 2019, so as to be fully effective for the 2020 Tax Year.

The Firm agrees to provide services necessary to classify and appraise each parcel of real estate and each real property improvement which lies within the boundaries of the City of Bayonne at its fair market value according to N.J.S.A. 54:4-1 et seq.

The Firm agrees that the General Coefficient of Deviation shall be less than fifteen percent (15%) the subsequent year after the revaluation is completed. In the event that the General Coefficient of Deviation exceeds the criteria as outlined in N.J.A.C. 18:12A-1.14(i) the year after the revaluation is completed, said Firm shall revalue/reassess including the re-inspection (interior and exterior) any and all

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property necessary to achieve a General Coefficient of Deviation of less than fifteen percent (15%) as a part of the contract price specified herein.

The Firm shall acquaint the City Tax Assessor and staff in the use of procedures, standards and records used for making each property appraisal in order that the assessing office will be in a position to check the work as it progresses and apply the same methods, standards and procedures to new or altered properties in subsequent assessment years. A complete catalog of valuation methodology shall be provided to the City Tax Assessor outlining the methods, guidelines and procedures utilized during the revaluation process.

Work shall be required to commence within thirty (30) days of the effective date of awarding this contract which, Respondent acknowledges, is subject to approval by the Division of Taxation and appropriate funding.

The Firm shall meet all of the standards and provisions for revaluation specified in N.J.A.C. 18:12-4.8, 4.9, 4.10 and 4.11.

The revaluation requested under these specifications requires the Firm to adhere to all applicable requirements of the Uniform Standards of Professional Appraisal Practice (USPAP), in particular Standard 6, entitled “Mass Appraisal, Development & Reporting.”

4.2 An Overview of Bayonne’s Ratable Base

Bayonne is a peninsula city with a diverse community of 11.08 square miles (5.80 of it is land and 5.27 of it is water) and is located in Hudson County. It is composed of close to 14,000 taxable line items, with approximately 11,200 residential properties and 1,550 commercial and mixed use properties as well as medical facilities, a cruise port, a container port, a private golf course and waterfront industrial facilities with piers. Bayonne is also home to exempt properties including, governmental, religious, educational, charitable and other exempt uses as well as residential, commercial and mixed use properties subject to long and short term tax exemptions.

As of July 1, 2018, the MOD-IV database indicates the breakdown of properties as follows:

Property Class #	Property Classification	# of Line Items
1	Vacant Land	452
2	Residential	11,195
4A	Commercial	1,091
4B	Industrial	95
4C	Apartment	349
5A	Class 1 Railroad	22

5B	Class 2 Railroad	29
6A	Telephone/Telegraph Eq.	1
15A	Public School Property	18
15B	Other School Property	11
15C	Public Property	390
15D	Church & Charitable Property	104
15E	Cemetery & Graveyard	1
15F	Other Exempt	183

4.3 Property Classes Defined

Of the 410 Class 1 properties, approximately twenty (20) line items consist of the land portion of short- and long-term tax-exempt properties. Property taxes paid on these parcels are credited against the owner’s payment in lieu of taxes (PILOT).

Bayonne’s Class 2 residential neighborhoods include approximately 3,600 one-family houses, 5,400 two-family houses, 800 three-family houses and 700 four-family houses.

Class 4 properties include several strip malls, banks, gas stations, neighborhood shopping districts, over 350 apartment buildings, professional and medical offices, a hospital complex, a medical center and a private golf course. There are approximately 100 industrial properties located throughout the City, with one industrial park containing warehouses and distribution centers.

Class 15 or tax-exempt properties include commuter transportation stations, municipal facilities, public and private primary and secondary schools and related facilities, churches and related community facilities and residences for clergy, charitable and exempt organization headquarters and exempt residential properties. Of the total properties included in Class 15F line item count reflected herein, approximately 20 properties consist of the improvement portion of tax-exempt properties within the City of Bayonne, which may expand to 30 or more by the time this revaluation is implemented.

The last revaluation of all real property in the City was placed on the tax list for the 1991 tax year.

For the last several years, the number of sales, coefficient of deviation and Director’s Equalization Ratio have been as follows:

Tax Year	Director’s Ratio	Coefficient of Deviation	Number of Sales
2019	34.13		
2018	36.88	19.78	633*
2017	39.94	20.56	1,087
2016	41.84	21.98	1,021
2015	41.81	24.06	904
2014	44.01	19.28	682

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2013	43.92	21.78	734
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* Includes sales from 01/01/18 through 09/20/18 only

4.4 Three Approaches To Value

The Firm agrees to appraise all properties using the three approaches to value (sales comparison, cost and income) where applicable.

For the appraisal of residential properties, the most recent edition of the Real Property Appraisal Manual for New Jersey Assessors shall be utilized as a basis in the application of the cost approach to the value for residential property. Residential schedules shall contain all variations from the base in order to price all types of wall construction, roofs, floors, heating, air-conditioning, plumbing, fireplaces, interior finish, finished attics, dormers, finished basements, built-ins, multi-family homes, decks, patios, porches, carports, driveways and garages. The schedules shall show prices for various sizes as well as types and grades of construction.

The Firm shall collect, analyze and create data for all residential fair market sales that occurred during the three years prior to the revaluation date in order to develop the market data approach. If collected and/or organized in a program or format other than Microsoft Excel, the resultant data shall be shared with and made available to the City Tax Assessor's office in the form of Excel Spreadsheet.

For ALL Class 4 properties and ALL Class 15 properties (other than 1 or 2 family residential homes which shall, as noted above, be assessed in accordance with the most recent edition of the Tax Appraisers Manual uses), each property record card shall include all information used at estimating the assessed value for the property. Including but not limited to applicable documents and information, a Marshall Swift Cost Sheet, sales comparison valuation grid, a complete description of use(s), building and site improvement sketch/measurements (including ceiling heights), and income approach to value (outlining income and expenses) shall be required. This approach shall also apply to all Exempt Properties.

If the Cost Approach is applicable, the Marshall Swift Valuation Service shall be utilized for estimating the value. In addition, the Firm shall supply a valid copy and one (1) year subscription of the Marshall Swift Commercial Estimator Software program to the City Tax Assessor for his or her use.

The Firm shall collect and analyze the local and regional market as necessary to analyze all commercial, industrial, and apartment market rates, rentals and expenses in order to estimate supportable indication(s) of value. In addition, all sales that occurred during the three (3) years prior to the

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revaluation date shall be analyzed to develop all the necessary valuation approaches to value as of the applicable assessing date.

The identification of market trends is important and a paired sales analysis is to be used to determine and document such trends. Analysis shall include unit values based on the type of property being analyzed, i.e. apartments - \$/unit, industrial and office buildings - \$/square foot.

The Sale Data, Paired Sale and Market trend analysis described above shall be provided to the City Tax Assessor in a Microsoft Excel format.

All properties that are income or are potential income-producing properties shall have a written report outlining the factors used to develop the income approach method to valuation. The Firm shall prepare and request a timely statement of Income and Expenses (Chapter 91), under the municipality's letterhead, on any income-producing properties by certified mail, return receipt requested, in full compliance with N.J.S.A. 54:4-34 to be issued under the City Tax Assessor's signature. Preparation and mailing costs for these requests shall be at the Firm's expense and included in the revaluation bid price. The firm shall be responsible to indemnify and hold the City of Bayonne harmless for any failure by the Firm to comply with the statutory requirements for this process. Also, the Firm shall prepare an Excel spreadsheet of the income and expense data returned outlining the income and expense data for use by the City Tax Assessor's office.

In the case where no income and expense data was returned or made available in response to the above mailing, the Firm must estimate same and make and submit these estimates in the form of an Excel spreadsheet to the City Tax Assessor for review and approval prior to setting a final value for each property.

The Firm shall analyze all income and expense statements received and investigate lease and rentals for the purpose of establishing economic rents and gross rent multipliers, when applicable.

Capitalization rates to be used in conjunction with the income approach to value must be obtained from the market, documented, with the methodology, assumptions and data to be provided to and discussed with the City Tax Assessor prior to estimating the final values on all Class 4 properties.

Site improvements such as lighting and paving are to be identified, enumerated and valued as accessory items as necessary.

Depreciation factors shall be determined through market studies and shall be substantiated by written documentation. Physical, functional, and economic depreciation and/or appreciation observed by an appraiser must be recorded separately on the data file and explained in writing for each property when applicable. The final net condition is to be reflected in any calculations.

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The Firm shall as part of this revaluation, identify and value for assessment purposes all billboards located within the City of Bayonne in accordance with Chapter 42, Public Laws of 2004.

As with the appraisal of other real property for local property tax purposes, the three (3) accepted approaches to value (income, sales comparison, and replacement cost less depreciation) are applicable to the valuation of billboard structures and shall be considered and utilized in determining their taxable value in conjunction with this revaluation project. Photographs of all Billboards are to be taken in compliance with Section 4.7 of this document entitled “Photograph Requirements.”

The Firm shall as part of this revaluation, identify and value for assessment purposes all Cellular Antenna towers or building mounted antenna located within the City of Bayonne on the property which they are located.

The Firm shall send out Further Statements under the Municipality’s letterhead and City Tax Assessor’s signature to all Exempt Properties (Class 15A, 15B, 15C, 15D, 15E and 15F). The Firm shall request the Further Statement information by certified mail, return receipt requested. Mailing costs for these statements shall be at the Firm’s expense. The Firm shall also prepare a separate list of tax exempt properties indicating the full value of such property utilizing the three (3) approaches for value and a sketch of the improvements as if taxable.

The Firm shall be responsible for valuation of all new construction, additions and alterations up to and including October 1, 2019. If a building is under construction at the time of the field investigation, a notation of “P” for partial assessment shall be placed on the computerized (Microsystems MOV-IV) program in order that it can be retrieved in an expeditious manner for further review. Prior to finalization of values, a field review shall be made of these incomplete property improvements. Upon review, if the construction is substantially completed for its intended use, the value shall be determined as if it were complete. Should construction remain incomplete, the Firm shall consult with the City Tax Assessor to determine the procedure the Firm will apply to update the partial valuation as of the assessment date,

The Firm shall provide the City Tax Assessor with an Excel Spreadsheet for his or her review including the following: a description of the added assessment, the Block, Lot, Qualifier, Property Location, a description of the added assessment, the dollar amount of the added assessment and number of months pro-rated for his or her records. Once the added assessment has been reviewed and approved by the City Tax Assessor, the Firm shall be responsible for inputting said data into the MOD-IV tax record program in a timely manner as prescribed by the Hudson County Board of Taxation.

In connection with the partial assessments noted above, the Firm shall be responsible for providing the City Tax Assessor with an Excel Spreadsheet outlining all new and existing Partial Assessments and the percentage complete including a description of same.

The Municipality shall provide access to any and all building permits and certificates of occupancy necessary for the purpose of adhering to the added assessment law.

4.5 Neighborhood Delineations/VCS.

At the commencement of the project, the Firm shall tour (physically drive) the entire municipality with the City Tax Assessor and any representatives he or she shall delegate to prepare a neighborhood/VCS map (value control sector) in order to define homogeneous areas, traffic, streets, flood prone areas and any other pertinent valuation data which may affect the fair and equitable valuation of the Municipality. A map compatible with the GIS / parcel map of the City of Bayonne shall be created by the Firm to include the boundaries for each Neighborhood/VCS delineated by the Firm and to include land use zones, the boundaries for each neighborhood control sector and any FEMA flood zones that exist throughout the municipality.

The Neighborhood/VCS map shall be completed and transmitted to the Assessor and any questions or concerns raised by him or her shall be answered and or corrected no later than 30 days thereafter.

A framed (24"x36") color copy of the approved Neighborhood map as well as a digital shape file compatible with the City of Bayonne digital tax map GIS layers shall be provided to the City Tax Assessor for his or her use. The map shall also be posted on the Firm's web site as well as the municipality's web site for interested parties to view. All costs, charges and fees associated with the aforementioned Neighborhood/VCS map requirements are the direct responsibility of the Firm and are to be included as part of the bid price.

4.6 Land Value Maps

Following the formulation of land valuations, a land value map shall be prepared for the City Tax Assessor's review. The land value map shall indicate all unit values and the underlying data, including zoning, used to derive unit values.

4.7 Photograph Requirements

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The revaluation of all properties are to, where possible, include interior and exterior color digital photos of the property as follows:

1. A minimum of two (2) color digital photos, front and rear of each parcel/line item of real property located in the City of Bayonne. If access to the rear of the property is restricted, front and side color digital photos of the property are required. In the case of billboards, a photo of the front (advertisement surface) of each billboard and identifying number must be taken. Photos of cell towers or installations shall be sufficient to identify the number of installations at each site.
2. Interior photos of properties where access is provided to inspectors to include kitchens, bathrooms, and finished basement and attic areas sufficient to identify the attributes and characteristics relevant to uniform assessment.
3. In the case where there are multiple structures located on a property a sufficient number of pictures shall be taken to allow the City Tax Assessor to view the complex completely.
4. Where properties have off street parking area(s) the exterior photos must include or be supplemented to provide a delineation of same.
5. The Firm shall take additional digital color photos necessary to substantiate and identify a significant or unique valuation attribute, characteristic or feature that exists on a property that has a substantial positive or negative influence on the valuation of said property including accessory buildings. Said photographs shall be properly and correctly identified.
6. One photograph of vacant parcels will be required.

All said pictures shall be properly and correctly identified by their corresponding block, lot, and qualifier (if applicable) and photo number compatible with access by the Microsystem MOD-IV program used by the City of Bayonne. The digital color photos must be transferred from the digital camera's memory card to Microsystem's City Tax Assessor's MOD-IV and CAMA programs.

4.8 Property Record Cards

The Firm shall include real property identification material to be entered on property record cards for all classes of property, including but not limited to the following:

- a. A scaled sketch of the exterior building dimensions.
- b. Identification of differing building components with corresponding measurements.
- c. Entries relating to the specific valuation of each lot and building, including year built and effective age, building class, an assessment of overall condition based on a scale ranging from

excellent to poor, net condition based on the appropriate depreciation table, front foot value, zoning, rental and income/expense data and all other information pertaining to the valuation of property.

1. The total room count, as well as the room count per unit for each dwelling, including multi-unit condos, shall appear on individual property record cards.
 2. The last sale, where available in MOD-IV, shall appear on individual property record cards.
 3. All value relevant information currently carried in the “Notes” section of the property record card file shall be carried forward to all new records.
- d. Multiple buildings on the same lot shall have individual property record cards with the same content and format identified in a. through c. inclusive.
- e. Multi-unit condominiums shall have master files along with standard property record cards. Each unit within the condominium shall be listed and described by such factors as age, total square footage, room count, heat type, and general notations regarding porches and garages on the property record card. The format for the property data for multi-unit condominiums in the Master File shall be jointly approved by the Firm and the City of Bayonne.
- f. All properties shall include a scaled sketch of the exterior building dimensions of buildings or structures located on such property as well as clear notations of off street parking available at each such property.
- g. All properties shall include notation of land values and cost conversion factors utilized for the revaluation.
- h. All class 2 residential properties shall include delineation and population of the Computer Assisted Mass Appraisal (“CAMA”) data fields available in the Microsystems Mod-IV program utilized by the City of Bayonne, including, but not limited to living, basement, attic, finished, unfinished, heated and air conditioned area, bathroom and kitchen count, type and condition, room count and type, as well as the type and amount of available off street parking.

4.9 Field Inspection Card

Each property shall have a field inspection card which shall be based on data gathered during the field inspection phase of the revaluation.

An exact replica of the proposed field inspection card shall be submitted with this proposal for review by the City Tax Assessor to ensure that all required terms, standard data elements and identification codes are included.

- a. The field inspection card shall identify the individual making the inspection and set forth the date when the interior inspection was completed. Additionally, the date of each attempt of an interior inspection shall be noted on the card.
- b. The signature of the individual present at the time of the interior inspection shall appear on the property record card along with a notation identifying the source of the information on the property (i.e. owner, tenant, agent, estimated, refused).
- c. In cases where inspection is denied and/or refused, the field inspection card shall be duly noted with the reason, if one is stated and/or given.
- d. In cases where the interior of the dwelling is estimated, the field inspection card shall clearly note that it is an estimate and the reason clearly stated for the estimate.
- e. It is the intent of the City that data collection is spread throughout the different wards/sections of the City. Prior to the commencement of property inspections on all improved property (Class 2, 4 and 15) the City Tax Assessor and the Firm shall develop general data collection guidelines which shall, at a minimum, achieve the requirements set forth in this agreement. These mutually agreed upon data collection guidelines will be reviewed and discussed with each data collector so there is a consistency and uniformity in the collection of physical data, building classes, story height, design/model, and effective ages.

4.10 Property Inspection Procedures

Field inspections are anticipated to commence in late January 2019 and shall be completed on or about August 31, 2019. The procedures outlined for field inspections incorporate State mandated requirements and local tax assessment preferences and the requirements of this agreement. The data collection process is a critical part of the revaluation process. This RFP requires the inspection and verification of **100%** of the exteriors and no less than **95%** of the interiors of all properties within the City of Bayonne. Unless prohibited by a property owner and noted accordingly, all field inspectors are required as part of this RFP to view each room in a property to ensure the greatest accuracy and public confidence in the collection of field data. Failure to do so is a violation of this RFP and may result in the field inspector being removed from the project.

All field personnel, building enumerators, and “listers” shall have received at least one hundred and fifty (150) hours of in-service training pertaining to their particular phase of work, prior to their participation in the Bayonne revaluation. Whenever possible, qualified local residents should be considered for these positions.

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Prior to beginning field inspections, all field personnel will be required to meet with the City Tax Assessor to go over the specific data and value elements that are to be collected. Exterior elements shall include but not be limited to all CAMA fields in the Microsystems database and shall also reference whether the structure is attached to another dwelling on one or both sides and the amount and type of off street vehicle parking. The City Tax Assessor's office shall schedule meetings at mutually agreeable times for this purpose. Attendance by all personnel performing field inspections in the revaluation shall be mandatory at one of these meetings. The City Tax Assessor may also require bi-weekly meetings with management and/or field inspectors throughout the revaluation process.

Prior to the commencement of field inspections, a schedule will be set up for the entire municipality which outlines the plan for inspections. This will be done jointly by the Firm and the City Tax Assessor and will include neighborhood and personnel assignments. The purpose of this requirement is to permit the City Tax Assessor to have an overview of the progression of the inspections.

Public notice will be given of the field inspection schedule. This notice will be made through the City of Bayonne's local newspapers and through informational bulletins posted in City Hall and the municipal and Firm's web site as well as the municipality's local cable TV channel if applicable. The publicly posted schedule for inspections shall, subject to any additional security measures as may be determined by the City, set forth the proposed time table and locations for inspections throughout the City of Bayonne and shall provide accurate photos to confirm the identity of the Firm's inspectors who may be assigned which shall match the inspectors current appearance and the photo on their company issued ID. The confirming photos of inspectors shall be available on the website throughout all inspection activities. The web site(s) and cable TV announcements shall be updated monthly by the Firm. Any cost(s) associated with this requirement are the sole responsibility of the Firm.

Prior to the commencement of field inspections, notice of initial inspection shall be mailed to individual property owners, by neighborhood or other systematic method, advising owners that field inspectors will be in their neighborhood at given dates and advising of security measures for identifying and providing accurate photos to confirm the identity of inspectors who may be assigned to their neighborhood which shall match the inspectors current appearance and the photo on their company issued ID. Absent explicit approval by the City Tax Assessor for any exceptions, initial inspections will be attempted within two weeks of this notice.

All residential structures are to be measured with a measuring tape. No measuring sticks will be permitted to be used. A measuring wheel may be used for on-site improvements (parking lots) and large Class 4 buildings.

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A careful inspection of each property shall be made between 9:00AM and 7:00PM on Mondays through Saturdays. **No less than three (3) attempts shall be made to gain entry to each property.**

- a) If successful entry has not been made after the first attempt, a calling card shall be left at the property, (in a conspicuous place and not in any mailbox) indicating a date and approximate time (AM/PM) when a second attempt to gain entry will be made by the inspector.
- b) The calling card shall include a local telephone number to permit the owner to contact the Firm to make inspection arrangements. The type and design of said card is subject to the City Tax Assessor's approval. The date and time of a second inspection shall be substantially different from that of the original inspection (not same day, etc.).
- c) If entry is not possible at the second attempt, a written notice shall be left, in a conspicuous place, advising that the field inspector has attempted two visits and request the owner/occupant to telephone a given number to arrange for an interior inspection and to inform the taxpayer that the assessment will be estimated as required unless a mutually convenient arrangement is made for an interior inspection of the property. The exact language shall be reviewed and approved by the City Tax Assessor prior to release.
- d) In cases where no entry is possible after three (3) attempts or an owner/occupant refuses to either set a mutually convenient appointment or allow entry to the premises, the Firm shall assess that particular property at its highest reasonable value using professional appraisal methods and data available.

The City Tax Assessor shall be provided with a monthly list of each failure to gain entry to a property and the reasons for same. Upon the completion of the inspection phase of the revaluation project the Firm shall provide the City Tax Assessor with a separate listing of all properties in block and lot order of those properties where estimates were prepared. Additionally, the percentage of successful interior inspections completed by the Firm shall be provided to the City Tax Assessor in accordance with this contract.

Each property data field inspector shall record the name or code of the person making the inspection and the date of the inspection as well as the printed name and signature of the occupant verifying that an interior inspection has been conducted. The signature of the party present at the time of inspection shall be requested and signed on the notice calling card.

In no case shall a field inspector attempt to enter or make an interior inspection where only a minor is present. The property owner or other responsible adult must be present at the time of any interior inspection(s). If the field inspector has doubts he should leave a card and/or arrange to inspect the interior

when a responsible adult is present. This restriction will be strictly enforced and any violation will be just cause for the City Tax Assessor to request that the employee be removed from the project.

The Firm shall notify the City Tax Assessor of all properties discovered not to be on the current year's tax list. Notification of discovered properties shall include the data referenced in section 4.4 herein and be in a timely manner to permit the City Tax Assessor adequate time to place an Added and Omitted Assessment on the property.

The City Tax Assessor, his or her designee, or a representative of the Hudson County Board of Taxation may make random spot checks throughout the City of Bayonne to verify that inspections are being conducted in the appropriate manner.

The City Tax Assessor, his or her designee or a representative of the Hudson County Board of Taxation may accompany Firm employees at any time during field inspections.

Properties which may be altered by building permits subsequent to field review but prior to October 1, 2019 shall require an Excel spreadsheet and shall be field reviewed by the Firm and provided to the City Tax Assessor prior to finalization of value.

A final (100%) drive-by visual field inspection is required and a review of all land and buildings be made upon completion of field and office computations by the Firm's Project Manager to insure accuracy of all data recorded on a hard copy of the computer data files. The purpose of this review will be to account for and adjust for factors which may have a direct bearing on the market value of properties as well as to ensure a property's equitable relationship to surrounding properties. This review shall be accomplished by the Project Manager along with the City Tax Assessor.

4.11 Progress and Control

The progress and control of the revaluation shall be closely coordinated by the Firm and City Tax Assessor. The proposed TIMELINE shall serve as a guide to the major activities relating to the revaluation. Every attempt shall be made between both the Firm and the City Tax Assessor to adhere to the timeline schedule.

- a. The Firm shall commence work within thirty (30) days after the approval of the contract by the Director of the Division of Taxation.

- b. All work shall be completed according to the contract and the specifications for the Revaluation as of October 1, 2019, with the following exceptions: taxpayer reviews, final changes, and defense of appeal requirements.
- c. The Firm shall not be responsible for delays caused by strikes, war, catastrophes, or acts of God, which might stop or delay the progress of the work.
- d. Within thirty (30) days of the approval of the contract, the project manager for the Revaluation will meet with the City Tax Assessor to establish the schedule for the Plan of Work/Revaluation Status Report (POW/RSR) in accordance with N.J.A.C. 18:12A-1.14(d).
- e. A written progress report shall be submitted by the Firm to the City Tax Assessor one week prior to the end of each month. The progress reports shall indicate the current status of work and compare the progress of work completed with the plan and schedule to be established. (Where the progress of the Firm's work is not in accordance with the Plan of Work, the Firm shall provide written explanation of the reason for the delay to the City Tax Assessor.)
- f. The progress report shall serve as the basis for proportional payments by the municipality. A payment schedule will be established upon the awarding of the contract. The payment schedule shall be consistent with work completed and reported in the POW/RSR reports and shall be mutually agreed upon by the Firm and the municipality. In no event shall the Firm bill more than ninety (90) percent of the total contract price until full completion and performance of the contract, except the requirement of the defense of tax appeals.
- g. The Firm shall perform the work in accordance with the plan and schedule that will be determined by the City Tax Assessor and the Firm within thirty (30) days of receipt of the Director's approval of the executed contract.

4.12 Special Reports

At the request of the City Tax Assessor, the Firm shall prepare other special reports not specifically enumerated elsewhere in the specifications as necessary to determine fair values without additional cost to the City of Bayonne. These may include, but may not be limited to, studies of values by neighborhood, general sales reports for specified periods of time, and studies which compare pre-revaluation values to new proposed values.

- a. The Firm shall have the capability of generating reports based on sales prices, ratios, property type, property class, gross living area, room count, age of dwelling, lot size, zoning, and neighborhood. NO EXCEPTION TO THIS REQUIREMENT SHALL BE PERMITTED.

- b. The Firm shall have the capability of generating reports by neighborhood that compare sales prices to new proposed assessments and that present the ratios for each property in the report. Based on this information, the Firm shall have the ability to develop Ratio and Coefficient of Deviation studies by neighborhood (valuation sectors) and on a City-wide basis. NO EXCEPTION TO THIS REQUIREMENT SHALL BE PERMITTED.

4.13 Notice of Assessments

The Firm, at its expense, will mail a written notice, in a form approved by the City Tax Assessor, indicating the new appraised value of the property and advising the taxpayer of their right to attend an **individual informal review**.

In the interest of providing the Public a convenient location to review and discuss their new Assessment, the City will provide meeting locations.

Notice of assessment may include individual comparative assessments and comparative estimated tax changes. The form of the Notice of Assessment will be at the sole discretion of the City Tax Assessor. Such notice may, in the sole discretion of the City Tax Assessor, include a statement about the average increase in the Assessed Value of assessments or other statement that addresses the general concern the public may have about the change in assessment or resultant tax impact.

At the discretion of the Assessor and/or the Firm, the notice may also contain additional information regarding hearings and telephone consultations.

Mailing of the Notices of Assessment will commence, on or about November 10, 2019.

An anticipated four (4) weeks of hearings will be allocated to this phase of the Revaluation. Hearings will commence on or about November 18, 2019 and end on or about December 13, 2019. If the hearings cannot reasonably be accommodated within the anticipated 4 week period, the Assessor may extend the hearing timetable for an additional week.

4.14 Requirements of the Firm During Assessment Review

The following performance standards will be required from the Firm during hearings:

From the time the notices of new assessments begin to be mailed, no less than four (4) telephone lines with sufficient staff to answer all calls will be available at a local number to receive calls from the

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general public. Telephone line accessibility will be from 9:00 a.m. to 4:30 p.m., Monday through Friday, local business time, legal City holidays excluded.

Hearings will be held during normal business hours three (3) days a week, one (1) evening per week, and (1) Saturday every second week. The schedule for hearings will be mutually agreed upon by the City Tax Assessor and the Firm.

In advance of hearings, the Firm will prepare usable/non-usable sales reports in a format mutually agreed upon by the Firm and the City Tax Assessor to be used at hearings to discuss comparable sales. Sufficient copies of the sales reports will be available at the hearings. An additional copy is to be provided to the City Tax Assessor. Note: The purpose of this requirement is to enable each interviewer to discuss the specific property characteristics associated with each sale. The information provided on the sales reports will form the basis of the application of the sales comparison approach.

From the day that hearings commence, the Firm will have the capability of providing up to four (4) employees from the Firm to hold interviews with property owners and to answer phones. This requirement may, in the sole discretion and approval of the City Tax Assessor, be reduced based on the number of property owners requesting an in-person or telephone interview. Note: The purpose of this requirement is to assure that sufficient staffing is provided both by phone and at hearings so that the taxpayers have ample opportunity to review their assessments.

The Firm will allocate its personnel resources in the manner which allows the maximum number of interviews. During the taxpayer review phase, telephone lines may be reduced to a minimum of two (2) to achieve this objective, provided that the City Tax Assessor, in his or her sole discretion, approves the reallocation of personnel from phone to interview duty.

The Project Manager will be present at the time(s) of all interview appointments.

The Project Manager will be required to submit his/her cell phone number to the City Tax Assessor and to provide an alternative contact person with authority to make decisions for the firm and his or her Cell phone number for the City Tax Assessor to contact should the Project Manager fail to be responsive. ALL such calls must be responded to as soon as possible but in no event later than the next business day.

Owners of Class 4A, 4B, or 4C commercial property will be assigned to an interview with either the project manager or other employee with similar knowledge about commercial real estate valuation.

A written record will be kept by each employee of the Firm for each interview conducted. The format of that record will be pre-approved by the City Tax Assessor.

In cases where the property has not been inspected, except for a refusal, every attempt will be made to inspect the property before any conclusions about value adjustments are reached, as a result of the interview. It is suggested that during interviews an additional member of the Firm be designated to inspect estimated/refusal properties on an as needed or requested basis.

All revisions by the Firm resulting from the assessment reviews will be made with the review and consent of the City Tax Assessor.

Each taxpayer who attends an interview will be informed in writing by the Firm of the results of their assessment review within three weeks of the conclusion of all reviews.

4.15 Deliverables

In addition to the VCS maps, data and spreadsheets noted above, once the revaluation has been completed by the Firm, the Firm must transmit the results of their work to the City of Bayonne Tax Assessor in acceptable form and under proper conditions. This will include, but not be limited to, the following:

1. PROPERTY RECORD CARDS AND SUPPORTING DATA.

The Firm will provide “hard” copies of the Property Record Cards supporting its value on heavyweight stock (30 lb. or better). All cards will include sketches of the buildings or structures on the property as well as other relevant computer assisted mass appraisal (“CAMA”) and inspection information, cost and/or income data used to arrive at the assessment shown there. The firm will, as noted above, also provide / populate this data into the City’s Mod-IV Assessment and CAMA program and the Marshall and Swift computer program for those properties valued using the Marshall and Swift to arrive at a cost approach so that the data may be accessed, retrieved, utilized and printed by the City Tax Assessor’s Office as well as the Firm..

The Firm shall also provide field notes from the data collection associated with each property in their original form, whether in written or electronic format. If kept in electronic format, the Firm must provide appropriate computer software to access said field notes with the ability to print the notes associated with any particular property on demand.

2. DIGITAL PHOTOGRAPHS

The Firm will provide all photographs specified in Section 4.7 above in a jpeg format having a minimum color resolution of 640 X 480 Pixels, named and indexed in a manner compatible with access by and through the City’s current Microsystems Computer Assisted Mass Appraisal and Mod-IV program which allows for up to 99 photographs per line item.

The Firm shall be responsible for the integration of these photographs with the City's current MOD-IV program and must assure that they can be accessed directly through that program.

In addition, any supplemental computer program or application that can be provided by the Firm to the City to facilitate ongoing and future updates to the aforesaid photographs and the ease of use of any such program or application would be considered as an additional factor in the awarding of this proposal.

4.16 Defense of Tax Appeals

The Firm shall be responsible, at the Firm's sole cost and expense, for providing qualified expert witnesses, documentation and testimony to explain and defend the assessment arrived at by the Firm in the Hudson County Board of Taxation and/or the Tax Court of New Jersey for any property valued by the Firm in the Tax Year that the revaluation becomes effective or in the next Tax Year thereafter (as it is anticipated that, due to filing deadlines and billing cycles, many taxpayers may not challenge the assessment in the tax year that the Firm's value first becomes effective). Qualified Expert witnesses will include an approved expert from the Firm who is knowledgeable about the property or properties under appeal, the manner in which the data was collected and explanation of the import of the relevant documents, methods and procedures used to arrive at the assessment.

The firm's obligation with respect to this requirement includes appeals initiated in the County Tax Board or State Tax Court until the issuance of a final non-appealable judgment is reached for the Tax Year under appeal. In avoidance of doubt, this provision requires the respondent firm to defend the valuation provided by the firm in the tax year of revaluation and the year thereafter (presumably the 2020 and 2021 Tax Years) until such time as a final non-appealable judgment is reached for the tax year under appeal. This shall include appeal initiated at the County Tax Board and/or the State Tax Court, as well matters initiated at the County Board that are later appealed to the State Tax Court following a County Board Judgment or other disposition.

10% of the total contract amount shall be withheld until all obligations of the Firm to defend appeals under this provision have been satisfied. Further, should the firm fail to provide qualified knowledgeable experts to provide the defense required hereunder, the Firm shall be responsible to the City for any costs, expenses and damages arising from such failure.

4.16 Miscellaneous Requirement

EXTRA LINE CHARGES BY REVALUATION FIRM: **With its proposal, the Firm will include the additional amount to be added to or deleted from its lump sum proposal for locally assessable line items NOT INCLUDED in Section 4.2 of these specifications.** The additional charges will be presented as an amount per line item for each property type. Please note however, that these additions or deletions are expected to be marginal when compared to the total lump sum amount and the primary basis for cost comparison among respondents shall be lump sum amount to provide the specified scope of revaluation services for the locally assessable line items listed in section 4.2, not the additional per line item cost or credit for changes to those numbers. Further, should the additional per line item cost or credit exhibit a wide variation from the overall average cost per line item, the bid may be rejected as unbalanced.

The Firm shall include with its proposal a list of municipalities where a revaluation or reassessment was completed within the last five (5) years. The list should clearly distinguish between revaluation and reassessment programs.

Should the City of Bayonne request an interview with the Firm, the individual designated as the Project Manager shall also attend.

SECTION 5: PROPOSAL SUBMISSION REQUIREMENTS

To be responsive, Proposals must provide all requested information, and must be in strict conformance with the instructions set forth herein. Proposals and all related information must be bound, and signed and acknowledged by the Respondent.

5.1 Number of copies

Respondents must submit one (1) signed hard copy original, (9) hard copies and one digital (PDF) copy of their proposal. Please note that the City will not be responsible for electronic files which cannot be opened and that this may be grounds for rejection.

5.2 Proposal format

To facilitate a timely and comprehensive evaluation of all submitted Proposals, it is essential that all Respondents adhere to the required response format. The City of Bayonne requires a standard format for all Proposals submitted to ensure that clear, concise and complete statements are available from each Respondent in response to requirements. The required format is detailed in Section 3.

The City of Bayonne is not under any obligation to search for clarification through additional or unformatted information submitted as a supplement to the formatted response. Where a proposal contains conflicting information, the City of Bayonne, at its sole option, may either request clarification or consider the information unresponsive.

5.3 Proposal length

The exact presentation and layout format of Proposals is up to the discretion of the Respondent.

5.4 Submission deadline

Proposals must be received by the City Law Director no later than **10:00 A.M.** prevailing time on **November 15th, 2018.**

SECTION 6: PROPOSAL EVALUATION

The City's objective in soliciting Proposals is to enable it to select a Respondent that will provide high quality and cost effective services to the citizens of Bayonne. The City will consider Proposals only from Respondents that, in the City's sole judgment, have demonstrated the capability and willingness to provide high quality services to the citizens of the City in the manner described in this RFP.

6.1 Evaluation Methodology

The following shall be used as criteria for the evaluating proposals under the Competitive Contracting process:

1. Technical and Management Criteria: (45 Points)

(a) Proposed methodology and experience: (35 Points)

- 1) Completeness & responsiveness to the scope, specifications and general requirements of this RFP.
- 2) Timeline and plan of work (methodology) that demonstrates a clear understanding of the scope of work and related objectives.
- 3) Documentation of past performance of vendor's proposed methodology in cities with 13,000 or more line items and a mix of residential, commercial and industrial properties.
- 4) The demonstrated ability of having successfully completed a recent revaluation project(s) with similar valuation characteristics, traits and demographics to that of the City of Bayonne.
- 5) Documentation of record of accomplishment of service as evidenced by on time, on budget, and contract compliance performance.
- 6) Description and type of quality control and assurance programs for the accurate collection of field data.
- 7) Integration and Updating of Property Photographs.

(b) Public Relations: (10 Points)

- 1) The description, nature and extent of a vendor's public relations program pre-revaluation, ongoing and post-revaluation. Include sample(s) of recent work, preferably from cities similar to Bayonne in density and diversity of property types.
- 2) The description, nature and extent of a vendor's informal taxpayers' hearing process.

2. Cost Criteria: (35 Points)

(a) Cost of services to be provided: (35 Points)

- 1) **Cost proposal to be completed. See Appendix A-1.** The primary basis for cost comparison among respondents shall be lump sum amount to provide the specified scope of revaluation services for the locally assessable line items listed in section 4.2, not the additional per line item cost or credit for changes to those numbers. Further, should the additional per line item cost or credit exhibit a wide variation from the overall average cost per line item, the bid may be rejected as unbalanced.
- 2) Relative cost: How does the cost compare to other similarly scored proposals.
- 3) Full explanation: Is the price and its component charges, fees, etc. adequately explained or documented.

3. Resources and assurances: (20 Points) These are in addition to the mandatory bid bond and consent of surety required of the Firm.

- (a) Availability of personnel, facilities, equipment and other resources and liabilities: (20 Points)
 - 1) The ability to demonstrate the capacity to successfully complete the revaluation of the City on time for the 2020 tax year.
 - 2) Vendor's current workload.
 - 3) The availability of existing qualified, trained & competent in-house field personnel currently available to start the City's Revaluation. Please attach resumes.
 - 4) The amount of actual documented experience utilizing the Microsystems CAMA & Imaging software.
 - 5) The number of Certified Tax Assessors (CTA's) on staff.
 - 6) The number of Certified General Real Estate Appraisers (SCGREA) on staff.
 - 7) The number of Certified Residential Real Estate Appraisers (SCRREA) on staff.
 - 8) Qualifications of staff.
 - 9) Identify and describe each of the Vendor's principles/owners/shareholders role and availability in the revaluation of the City of Bayonne.
 - 10) In addition to the required (mandatory) performance bond and consent of surety, a statement as to the firm's having sufficient financial resources to meet its obligations.
 - 11) Listing of current (pending), past (within the last 7 years) and threatened litigation and/or alternate dispute resolution matters arising from a reassessment or revaluation contract along with the name of the governmental entity or entities involved as parties and the year in which it was initiated and ended or resolved (if applicable).

6.2 Final evaluation and report of committee

Based on the written response, each evaluator will rank the Respondents. The Respondent whose proposal is ranked highest among the proposals submitted will be selected for the project.

The Committee will prepare a report listing the names of all Revaluation Firms that have submitted proposals, summarizing each proposal, ranking Revaluation Firms in order of evaluation, and recommending the selection of a Revaluation Firm, indicating the reasons why the Revaluation Firm was selected and detailing the terms, conditions, scope of services, fees and other matters to be incorporated into the contract.

6.3 Contract award

A contract will be awarded pursuant to N.J.S.A 40A:11-4.1 et seq. and N.J.A.C 5:34-4.1 et seq. (Competitive Contracting Law and Regulations). The Municipal Council will vote to accept the proposal of a Revaluation Firm within sixty (60) days of the receipt of proposals, except that the proposals of any Revaluation Firm who consents thereto, may, at the request of the City, be held for consideration for such longer period as may be agreed.

SECTION 7: GENERAL TERMS AND CONDITIONS

The following are general terms and conditions which may or may not be explained elsewhere in this RFP.

7.1 City's right to reject

The City reserves the right to reject any or all Proposals, if necessary, or to waive any informalities in the Proposals, and, unless otherwise specified by the Respondent, to accept any item, items or services in the Proposal should it be deemed in the best interest of the City.

7.2 Original/Authorized signatures

Each proposal and all required forms must be signed in ink by a person authorized to do so and/or notarized as indicated.

7.3 Delivery of proposals

Proposals may be hand delivered or mailed consistent with the provisions of the legal notice to Respondents. In the case of mailed Proposals, the City assumes no responsibility for Proposals received after the designated date and time and will return late Proposals unopened. Proposals will not be accepted by facsimile.

7.4 Equal Employment Opportunity/Affirmative Action requirements

Revaluation Firms are required to comply with the provisions of N.J.S.A. 10:5-31 and N.J.A.C. 17:27, et seq. No firm may be issued a contract unless it complies with these affirmative action provisions. The Mandatory Equal Employment Opportunity/Affirmative Action Language for Goods, Professional Services and General Service Contracts, Exhibit A summarizes the full required regulatory text.

Goods and Services (including professional services) Revaluation Firms/contractors 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:

- a. A photo copy of a valid letter that the contractor 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. 17:27-4; or
- c. A photocopy of an Employee Information Report (Form AA302) provided by the Division and distributed to the public agency to be completed by the contractor, in accordance with N.J.A.C. 17:27-4.

The Revaluation Firm's attention is also called to Section 8 of this document which contains the required information and forms. For information on EEO/AA requirements and forms only, please contact:

Donna Russo, Esq.
Law Department
630 Avenue C – Room 15
Bayonne, New Jersey 07002
Office: (201) 858-6094
Fax: (201) 858- 6092

7.5 Business Registration Certificate

P.L. 2004, c. 57 (Chapter 57) amends and supplements the business registration provisions of N.J.S.A. 52:32-44 which impose certain requirements upon a business competing for or entering into a contract with a local contracting agency whose contracting activities are subject to the requirements of the Local Public Contracts Law (N.J.S.A. 40A:11-2).

City of Bayonne NJ Revaluation – Request for Proposals – Return Date November 15, 2018

Revaluation Firms are required to comply with the requirements of P.L. 2004, c. 57 (Chapter 57) which include submitting a copy of their Business Registration Certificate (BRC), issued by the NJ Department of the Treasury. For more information on obtaining a BRC, see Section 8.

7.6 Clarification of RFP

Should any difference arise as to the meaning or intent of this RFP, the City Law Director’s decision shall be final and conclusive.

7.7 Indemnification

The Respondent, if awarded the contract, agrees to protect, defend and save harmless the City against damage for payment for the use of any patented material process, article or device that may enter into the manufacture, construction or form a part of the work covered by either order or contract, and further agrees to indemnify and save harmless the City from suits or actions of every nature and description brought against it for, or on account of, any injuries or damages received or sustained by any party or parties by, or from, any of the acts of the contractor, its servants or agents.

7.8 Guarantee, Surety and Indemnification

The firm shall provide the following coverages to the municipality to assure that the municipality will be adequately protected and saved harmless from any lawsuit, litigation, or demand of claim arising out of this revaluation contract.

GUARANTEE: Each Firm submitting a proposal in response to this RFP is required to furnish a “bid” guarantee, in the form of a bid bond from a surety company authorized to do business in the State of New Jersey, a certified check or a cashier’s check, payable to the City of Bayonne, in the amount of ten (10%) percent of the total proposal, up to a maximum of \$20,000. Failure to include said guarantee will be considered a fatal defect that shall render the proposal unresponsive in accordance with applicable law.

CONSENT OF SURETY: Each Firm submitting a proposal in response to this RFP is required to furnish a Consent of Surety from a surety company, stating that the surety company shall provide the Firm with a performance bond for one-hundred (100%) of the proposal amount to ensure the faithful performance of all provisions relating to this revaluation project. The surety company must be licensed to conduct such business in the State of New Jersey and have an “A” or better rating from A.M. Best Company or be included on the New Jersey Department of Banking and Insurance’s List of Surety Companies approved to provide performance bonds on Public Works in excess of \$850,000. Failure to include said consent of surety will be considered a fatal defect that shall render the proposal unresponsive in accordance with applicable law.

7.9 Reliance, Damages and Termination

The City will be relying on the Firm selected to perform in accordance with the contract provisions and reserves its rights to full recovery for any actual and consequential damages, including, but not limited to, the indemnification noted above and the other costs required to cover any lack of performance by the Firm. The City also reserves the right to cancel the contract by providing sixty (60) days written notice to the Revaluation Firm, with the City being responsible in such case to pay for the value of work conducted by the Firm in accordance with the contract up to the termination date.

SECTION 8: REQUIRED ADMINISTRATIVE FORMS

As noted in Section 3, please place the checklist and the required forms which follow below at the front of your proposal after the table of contents to facilitate bid review.

Section 8 is continued on Next Page.

SUBMISSION CERTIFICATION

BAYONNE CITY WIDE REVALAUATION REQEEST FOR PROPOSALS

NAME OF RESPONDENT _____

CHECKLIST. The following MANDATORY items, as indicated below, have been provided with the receipt of sealed submissions:

1	Submission Certification Form – with any referenced attachments and original signature.	
2	RFP Submission Materials as set out in Section 3 of the RFP.	
3	Submission Certification (from Section 8 of the RFP) fully executed by authorized representative.	
4	Statement of Project Costs (From Section 8 of RFP) with written lumps sum amount and schedule of supplemental fees and additional cost (if any).	
5	Non-Collusion Affidavit (from Section 8 of RFP) – duly executed.	
6	Public Disclosure Information Form (From Section 8 of RFP) – duly executed.	
7	Copy of the Firms Business Registration Certificate as issued by the State of New Jersey (Instructions for which are enclosed in Section 8 as a courtesy).	
8	Signed acknowledgements (In Section 8 of the RFP) of duty to comply with:	
	A. Mandatory Equal Opportunity and Affirmative Action Laws	
	B. Americans with Disabilities Act of 1990	
	C. Affirmative Action Compliance Notice (with proof of compliance to be provided prior to execution of any contract).	

Continue on Next Page:

Please provide the name and address of Submitting Firm, Individual or Entity:

Please provide the name, title and contact information (Address, Phone, Fax and Email) for the Primary Contact Person designated by the submitting firm with respect to this submission:

NOTE: In responding to the following questions you may attach additional sheets as necessary and refer to these or other attachments that provide the answering information. Please be sure to CLEARLY reference all additional sheets or relevant attachments under the appropriate question or area. Material not clearly referenced will not be considered and may be cause for rejection of this submission.

1. Is your firm willing and able to perform the full scope of services set forth in the Request for Proposals Notice of Solicitation for Professional Services and the Solicitation Package for the above Professional Service / Title?
2. If the answer to question is other than “Yes”, then please attach a full detailed explanation of any exceptions, clarifications or limitations to the ALTERNATE scope of services that your firm is willing and able to provide and any associated costs with the understanding that great weight will be given to those firms who provide a lump sum figure to perform the full scope of services specified in the RFP.
3. (OPTIONAL) EXTENDING TERM OF OFFER. All submissions must be held open for 60 days following opening on the due date and then accepted or rejected unless a submitting party agrees to hold its offer open. Does your firm wish to hold your offer open for a longer period (up to one year maximum)?

If yes, state the maximum length of time for which the offer made herein can be accepted by the Client/Owner.

CERTIFICATION BY SUBMITTING RESPONDENT:

In completing and submitting submission certification form the submitting firm or entity (“Firm” or “Respondent”) acknowledges and certifies that it has received and read the following materials:

- The Notice of Solicitation / Request for Proposals (“RFP”) to perform a City Wide Revaluation for the City of Bayonne dated October 11, 2018 and published on the City Website on or about October 12, 2018 together with any subsequent addendum(s) published or provided prior to this submission.
- The “General Instructions, Submission and Selection Criteria” of the City of Bayonne – understanding that in the event of a conflict between the instruction, provisions and selection criteria therein and those specified in the RFP that the provisions of the RFP shall control.
- The “General Contract Requirements and Addendums A, B & C” understanding that in the event of a conflict between those requirements and those of this RFP that the provisions of the RFP shall control and that the 12 month contract period provided in those general requirements shall not apply.

I certify that I am an authorized representative of the responding firm or business named below and offer on behalf of the firm to provide the services set forth herein in accordance with this submission form and the terms of the solicitation and submission materials noted above. I further certify that the information contained in and attached to this submission is true to the best of my knowledge and belief, with the understanding that it will be relied upon as such by the City of Bayonne, and that if any of this information is willfully false, I am subject to punishment.

_____ Date:
Firm Name (Print or Type):

BY:

Signature of Authorized Representative

Print Name and Title

Telephone #: _____ Fax #: _____

E-Mail _____

**APPENDIX A-1
CITY OF BAYONNE
REVALUATION PROJECT COSTS**

LUMP SUM FEE FOR THE FIRM TO PERFORM THE SCOPE OF REVALUATION SERVICES SPECIFIED IN THE RFP WITH RESPECT TO ALL OF THE LOCALLY ASSESSABLE LINE ITEMS APPEARING IN SECTION 4.2 OF THIS RFP: \$ _____

Written Lump-Sum Amount _____

Schedule of Supplement Fees (And/Or Credits) Per Line Item to be Added To or Subtracted From the above stated Lump Sum Cost For Any Line Items As May Ultimately Be Found To Exceed Or Be Fewer Than Those Appearing In Section 4.2 of this RFP:

VACANT LAND	\$ _____	PER PARCEL
RESIDENTIAL (4 FAMILY OR LESS)	\$ _____	PER PARCEL
COMMERCIAL	\$ _____	PER PARCEL
INDUSTRIAL	\$ _____	PER PARCEL
APARTMENTS	\$ _____	PER PARCEL
EXEMPT PUBLIC SCHOOL	\$ _____	PER PARCEL
EXEMPT OTHER SCHOOL	\$ _____	PER PARCEL
EXEMPT PUBLIC PROPERTY	\$ _____	PER PARCEL
EXEMPT CHARITABLE	\$ _____	PER PARCEL
EXEMPT CEMETERIES	\$ _____	PER PARCEL
EXEMPT MISCELLANEOUS	\$ _____	PER PARCEL
LONG-TERM ABATED PROPERTIES	\$ _____	PER PARCEL

PLEASE ADD PAGE(S) FOR ADDITIONAL COSTS AND HOURLY RATES FOR PERSONNEL AND SERVICES (IF ANY) OFFERED WHICH ARE BEYOND THE SCOPE OF SERVICES DEFINED IN THE RFP

NON COLLUSION AFFIDAVIT

STATE OF NEW JERSEY

CITY OF BAYONNE ss:

I certify that I am _____

of the firm of _____

the Respondent making the proposal for the above named project, and that I executed the said proposal with full authority so to do; that said Respondent has not, directly or indirectly entered into any 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 City of Bayonne 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.

I further warrant that no person or selling agency has been employed 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.52:34-25)

(Signature of Respondent) _____

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 .

(NOTE: THIS FORM MUST BE COMPLETED, NOTARIZED AND RETURNED WITH THIS PROPOSAL).

PUBLIC DISCLOSURE INFORMATION (Page 1 of 2)

Chapter 33 of the Public Laws of 1977 provides that no Corporation or Partnership shall be awarded any State, City, Municipal or Schools District contracts for the performance of any work or the furnishing of any materials or supplies, unless prior to the receipt of the bid or accompanying the bid of said corporation or partnership there is submitted a public disclosure information statement. The statement shall set forth the names and addresses of all stockholders in the corporation or partnership who own ten percent (10%) or more of its stock of any class, or of all individual partners in the partnership who own a ten percent (10%) or greater interest therein.

CORPORATION OR PARTNERSHIP NAME:

STOCKHOLDERS OR PARTNERS:

Name	Address	% owned

PUBLIC DISCLOSURE INFORMATION (Page 2 of 2)

CORPORATION OR PARTNERSHIP NAME:

The undersigned being duly sworn certifies that I am a duly authorized representative of the above named Corporation or Partnership and that the PUBLIC DISCLOSURE INFORMATION FROM herein fully discloses and sets forth the names and addresses of all stockholders in the corporation or partnership who own ten percent (10%) or more of its stock of any class, or of all individual partners in the partnership who own a ten percent (10%) or greater interest therein

SIGNATURE : _____

TITLE: _____

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 .

(NOTE: THIS FORM MUST BE COMPLETED, NOTARIZED AND RETURNED WITH THIS PROPOSAL).

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

N.J.S.A. 10:5-31 and N.J.A.C. 17:27

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 Firm 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 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 Firm 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. 17:27-4.2, 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 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 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 and its subcontractors shall furnish such reports or other documents to the Division of Contract Compliance & 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 et seq.

The undersigned Revaluation Firm certifies that he/she received, read, and is aware of the commitment to comply with: N.J.S.A. 10:5-31 and N.J.A.C. 17:27

Revaluation Firm Name: _____

Representative's Name/Title (Print): _____

Representative's Signature: _____

Name of Company: _____

Tel. No.: _____ **Date:** _____

AMERICANS WITH DISABILITIES ACT OF 1990

Equal Opportunity for Individuals with Disability

The contractor and the City of Bayonne, (hereafter "owner") do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") (*42 U.S.C. 12101 et seq.*), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant there unto, are made a part of this contract.

In providing any aid, benefit, or service on behalf of the owner pursuant to this contract, the contractor agrees that the performance shall be in strict compliance with the Act.

In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the owner in any action or administrative proceeding commenced pursuant to this Act.

The contractor shall indemnify, protect, and save harmless the owner, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation.

The contractor shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the owner's grievance procedure, the contractor agrees to abide by any decision of the owner which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the owner, or if the owner incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the contractor shall satisfy and discharge the same at its own expense.

The owner shall, as soon as practicable after a claim has been made against it, give written notice thereof to the contractor along with full and complete particulars of the claim. If any action or administrative proceeding is brought against the owner or any of its agents, servants, and employees, the owner shall expeditiously forward or have forwarded to the contractor every demand, complaint, notice, summons, pleading, or other process received by the owner or its representatives.

It is expressly agreed and understood that any approval by the owner of the services provided by the contractor pursuant to this contract will not relieve the contractor of the obligation to comply with the Act and to defend, indemnify, protect, and save harmless the owner pursuant to this paragraph.

It is further agreed and understood that the owner assumes no obligation to indemnify or save harmless the contractor, its agents, servants, employees and subcontractors for any claim which may arise out of their performance of this Agreement.

Furthermore, the contractor expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the contractor's obligations assumed in this Agreement, nor shall they be construed to relieve the contractor from any liability, nor preclude the owner from taking any other actions available to it under any other provisions of the Agreement or otherwise at law.

Revaluation Firm Name: _____

Representative's Name/Title (Print): _____

Representative's Signature: _____

Name of Company: _____

Tel. No.: _____ **Date:** _____.

AFFIRMATIVE ACTION COMPLIANCE NOTICE

N.J.S.A. 10:5-31 and N.J.A.C. 17:27

**GOODS AND SERVICES CONTRACTS
(INCLUDING PROFESSIONAL SERVICES)**

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

The successful bidder shall submit to the public agency, 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 contractor 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. 17:27-4;

OR

(c) A photocopy of an Employee Information Report (Form AA302) provided by the Division and distributed to the public agency to be completed by the contractor in accordance with N.J.A.C. 17:27-4.

The successful Revaluation Firm may obtain the Affirmative Action Employee Information Report (AA302) from the contracting unit during normal business hours.

The successful Revaluation Firm(s) must submit the copies of the AA302 Report to the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (Division). The Public Agency copy is submitted to the public agency, and the Revaluation Firm copy is retained by the Revaluation Firm.

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

The undersigned Revaluation Firm further understands that his/her bid shall be rejected as non-responsive if said contractor fails to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27.

COMPANY: _____

SIGNATURE: _____


DATE: _____

PRINT NAME: _____ TITLE: _____

AFFIRMATIVE ACTION COMPLIANCE (SAMPLE DOCUMENTS)

Revaluation Firm must submit one of the following 3 documents:

- Letter of Federal Affirmative Action Plan Approval
- Certificate of Employee Information Report
- Employee Information Report Form AA302 (submitted to NJ State Dept of Treasury)

U.S. Department of Labor	Employment Standards Administration Office of Federal Contract Compliance Program	
	Newark Area Office 134 Evergreen Place, Fourth Floor East Orange, NJ 07018	
February 27, 19__	Reply to the attention of:	
President		
Dear		
Our recent compliance review of your establishment's equal employment opportunity policies and practices was completed on February 27, 19__.		
We found no apparent deficiencies or violations of Executive Order 11246, as amended. Section 503 of the Rehabilitation Act of 1973 or of 38 USC 2012 (the Vietnam Era Veterans' Readjustment Assistance Act). Accordingly, your establishment is deemed to be in compliance with these laws based on the material reviewed.		
The Office of Federal Contract Compliance Progress sincerely appreciated the cooperation and courtesies extended by you and your staff during the conduct of the compliance review.		
Sincerely,		
Area Office Director		

INSTRUCTIONS FOR COMPLETING THE EMPLOYEE INFORMATION REPORT (FORM AA302)

IMPORTANT:

Read the following instructions carefully before completing the form. Print or type all information.

Failure to properly complete the entire form may delay issuance of your certificate.

If you have a current certificate of employee information report, do not complete this form.

Send copy of current certificate to the public agency. Do not complete this form for construction contract awards.

ITEM 1 - Enter the Federal Identification Number assigned by the Internal Revenue Service, or if a Federal Employer Identification Number has been applied for, or if your business is such that you have not or will not receive a Federal Employer Identification Number, enter the Social Security Number of the owner or of one partner, in the case of a partnership.

ITEM 2 - Check the box appropriate to your TYPE OF BUSINESS. If you are engaged in more than one type of business check the predominate one. If you are a manufacturer deriving more than 50% of your receipts from your own retail outlets, check "Retail".

ITEM 3 - Enter the total "number" of employees in the entire company, including part-time employees. This number shall include all facilities in the entire firm or corporation.

ITEM 4 - Enter the name by which the company is identified. If there is more than one company name, enter the predominant one.

ITEM 5 - Enter the physical location of the company. Include City, County, State and Zip Code.

ITEM 6 - Enter the name of any parent or affiliated company including the City, County, State and Zip Code. If there is none, so indicate by entering "None" or N/A.

ITEM 7 - Check the box appropriate to your type of company establishment. "Single-establishment Employer" shall include an employer whose business is conducted at only one physical location. "Multi-establishment Employer" shall include an employer whose business is conducted at more than one location.

ITEM 8 - If “Multi-establishment” was entered in item 8, enter the number of establishments within the State of New Jersey.

ITEM 9 - Enter the total number of employees at the establishment being awarded the contract.

ITEM 10 - Enter the name of the Public Agency awarding the contract. Include City, County, State and Zip Code.

ITEM 11 - Enter the appropriate figures on all lines and in all columns.

THIS SHALL ONLY INCLUDE EMPLOYMENT DATA FROM THE FACILITY THAT IS BEING AWARDED THE CONTRACT.

DO NOT list the same employee in more than one job category.

DO NOT attach an EEO-1 Report.

Racial/Ethnic Groups will be defined:

Black: Not of Hispanic origin. Persons having origin in any of the Black racial groups of Africa.

Hispanic: Persons of Mexican, Puerto Rican, Cuban, or Central or South American or other Spanish culture or origin, regardless of race.

American Indian or Alaskan Native: Persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

Asian or Pacific Islander: Persons having origin in any of the original peoples of the Far East, Southeast Asia, the Indian Sub-continent or the Pacific Islands. This area includes for example, China, Japan, Korea, the Philippine Islands and Samoa.

Non-Minority: Any Persons not identified in any of the aforementioned Racial/Ethnic Groups.

ITEM 12 - Check the appropriate box. If the race or ethnic group information was not obtained by 1 or 2, specify by what other means this was done in 3.

ITEM 13 - Enter the dates of the payroll period used to prepare the employment data presented in Item 12.

ITEM 14 - If this is the first time an Employee Information Report has been submitted for this company, check block “Yes”.

ITEM 15 - If the answer to Item 15 is “No”, enter the date when the last Employee Information Report was submitted by this company.

ITEM 16 - Print or type the name of the person completing the form. Include the signature, title and date.

ITEM 17 - Enter the physical location where the form is being completed. Include City, State, Zip Code and Phone Number.

TYPE OR PRINT IN SHARP BALL POINT PEN

The Revaluation Firm is to complete the employee information report form (AA302) and retain copy for the Revaluation Firm’s own files. The respondent is to submit a copy to the public agency awarding the contract and forward a copy to:

NJ Department of the Treasury

Division of Contract Compliance & Equal Employment Opportunity

P.O. Box 209

Trenton, New Jersey 08625-0209 Telephone No. (609) 292-5475

Form: http://nj.gov/treasury/contract_compliance/pdf/aa302.pdf

Instructions: http://nj.gov/treasury/contract_compliance/pdf/aa302ins.pdf

Note that the sample form shown on the following page is for illustrative purposes only and should not be submitted. Use the state website links above to obtain the actual form.

If you have any questions on EEO/AA forms and/or requirements, please contact:

Donna Russo, Esq.
Law Department
630 Avenue C – Room 15
Bayonne NJ 07002
Tel. #201-858-6094
Fax# 201-858-6092

STATE OF NEW JERSEY
Division of Contract Compliance & Equal Employment Opportunity

EMPLOYEE INFORMATION REPORT

For Instructions on completing the form, go to: http://www.state.nj.us/treasury/contract_compliance/pdf/aa302ins.pdf

SECTION A - COMPANY IDENTIFICATION

1. FID. NO. OR SOCIAL SECURITY	2. TYPE OF BUSINESS <input type="checkbox"/> 1. MFG <input type="checkbox"/> 2. SERVICE <input type="checkbox"/> 3. WHOLESALE <input type="checkbox"/> 4. RETAIL <input type="checkbox"/> 5. OTHER	3. TOTAL NO. EMPLOYEES IN THE ENTIRE COMPANY
4. COMPANY NAME		
5. STREET	CITY	COUNTY STATE ZIP CODE
6. NAME OF PARENT OR AFFILIATED COMPANY (IF NONE, SO INDICATE)		CITY STATE ZIP CODE
7. CHECK ONE: IS THE COMPANY: <input type="checkbox"/> SINGLE-ESTABLISHMENT EMPLOYER <input type="checkbox"/> MULTI-ESTABLISHMENT EMPLOYER		
8. IF MULTI-ESTABLISHMENT EMPLOYER, STATE THE NUMBER OF ESTABLISHMENTS IN NJ		
9. TOTAL NUMBER OF EMPLOYEES AT ESTABLISHMENT WHICH HAS BEEN AWARDED THE CONTRACT		
10. PUBLIC AGENCY AWARDED CONTRACT		CITY COUNTY STATE ZIP CODE

Official Use Only	DATE RECEIVED	INAUG. DATE	ASSIGNED CERTIFICATION NUMBER

SECTION B - EMPLOYMENT DATA

11. Report all permanent, temporary and part-time employees ON YOUR OWN PAYROLL. Enter the appropriate figures on all lines and in all columns. Where there are no employees in a particular category, enter a zero. Include ALL employees, not just those in minority/non-minority categories, in columns 1, 2, & 3. DO NOT SUBMIT AN EEO-1 REPORT.

JOB CATEGORIES	ALL EMPLOYEES			PERMANENT MINORITY/NON-MINORITY EMPLOYEE BREAKDOWN										
	COL. 1 TOTAL (Cols. 2 & 3)	COL. 2 MALE	COL. 3 FEMALE	***** MALE *****					***** FEMALE *****					
				BLACK	HISPANIC	AMER. INDIAN	ASIAN	NON MIN.	BLACK	HISPANIC	AMER. INDIAN	ASIAN	NON MIN.	
Officials/ Managers														
Professionals														
Technicians														
Sales Workers														
Office & Clerical														
Craftworkers (Skilled)														
Operatives (Semi-skilled)														
Laborers (Unskilled)														
Service Workers														
TOTAL														
Total employment From previous Report (if any)														
Temporary & Part-Time Employees	The data below shall NOT be included in the figures for the appropriate categories above.													

12. HOW WAS INFORMATION AS TO RACE OR ETHNIC GROUP IN SECTION B OBTAINED? <input type="checkbox"/> 1. Visual Survey <input type="checkbox"/> 2. Employment Record <input type="checkbox"/> 3. Other (Specify)	14. IS THIS THE FIRST Employee Information Report Submitted? 1. YES <input type="checkbox"/> 2. NO <input type="checkbox"/>	15. IF NO, DATE LAST REPORT SUBMITTED MO. DAY YEAR
13. DATES OF PAYROLL PERIOD USED From: _____ To: _____		

SECTION C - SIGNATURE AND IDENTIFICATION

16. NAME OF PERSON COMPLETING FORM (Print or Type)	SIGNATURE	TITLE	DATE MO. DAY YEAR
17. ADDRESS NO. & STREET	CITY	COUNTY STATE ZIP CODE	PHONE (AREA CODE, NO. EXTENSION)

Refer to <http://www.state.nj.us/treasury/revenue/busregcert.htm>)

P.L. 2004, c. 57 (N.J.S.A. 52:32-44)

MANDATORY BUSINESS REGISTRATION LANGUAGE

Non Construction Contracts

P.L. 2004, c. 57 (Chapter 57) amends and supplements the business registration provisions of N.J.S.A. 52:32-44 which impose certain requirements upon a business competing for, or entering into a contract with a local contracting agency whose contracting activities are subject to the requirements of the Local Public Contracts Law (N.J.S.A. 40A:11-2).

“New Jersey Business Registration Requirements”

The contractor shall provide written notice to its subcontractors of the responsibility to submit proof of business registration to the contractor.

Before final payment on the contract is made by the contracting agency, the contractor shall submit an accurate list and the proof of business registration of each subcontractor or supplier used in the fulfillment of the contract, or shall attest that no subcontractors were used.

For the term of the contract, the contractor and each of its affiliates and a subcontractor and each of its affiliates [N.J.S.A. 52:32-44(g)(3)] shall collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act on all sales of tangible personal property delivered into this State, regardless of whether the tangible personal property is intended for a contract with a contracting agency.



A business organization that fails to provide a copy of a business registration as required pursuant to section of P.L.2001, c.134 (C.52:32-44 et al.) or subsection e. or f. seq.) of P.L.1977, c.110 (C.5:12-92), or that provides false business registration information under the requirements of either of those sections, shall be liable for a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration copy not properly provided under a contract with a contracting firm.”

