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FEB 16 2006
NINA MITCHELL WELLS
SECRETARY OF STATE

DELRAN SEWERAGE AUTHORITY
RESOLUTION 2006-11

RESOLUTION IMPLEMENTING PAY-TO-PLAY POLICIES AND PROCEDURES

WHEREAS, the Delran Sewerage Authority ("DSA") places the public trust above all else and remains steadfast in its commitment to the highest ethical standards in the conduct of its business on behalf of the taxpayers of the Township of Delran; and

WHEREAS, in furtherance of those standards, the DSA has adopted Resolution 2006-10 on January 24, 2006 which mandates that a competitive quality based, fair and open process be implemented which requires certain professional services contracts be:

1. Publicly advertised in newspapers in sufficient time to give notice in advance of the contract; and
2. Awarded under process that provides for public solicitation of proposals or qualifications; and
3. Awarded and disclosed under criteria established in writing by the DSA prior to the solicitation of proposals or qualifications; and
4. Publicly opened and announced when awarded; and

WHEREAS, the Administrative Director of the DSA and the Authority Solicitor were directed and authorized to take all action necessary to prepare procedures to implement this competitive, quality based, fair and open process with regard to the award of certain professional services contracts; and

WHEREAS, it is the recommendation of the Administrative Director of the DSA and the Authority Solicitor that a flexible process which makes available contracting procedures which meet

the "fair and open" requirements is best suited to meet the unique requirements of the DSA while allowing the DSA to efficiently and effectively conduct business for the benefit of the taxpayers;

NOW, THEREFORE, BE IT RESOLVED that the following professional services contracting procedures for new matters/projects are hereby adopted and approved in order to achieve a competitive, quality based, fair and open process:

1. Professional Services may be awarded by virtue of a combined publicly advertised Request for Qualifications ("RFQ") and Request for Proposals ("RFP") which will be issued as one document for a specified project with all proposals being evaluated; and
2. With issues which have significantly recurring needs for specific types of professional services, the DSA may utilize a publicly advertised RFQ to create a yearly pool of qualified vendors for various types of professional work from which vendor(s) will be selected to solicit proposals for given projects; and
3. Professional services may be awarded through a project specific process involving a publicly advertised RFQ, after which a limited number of best qualified vendors will be identified and proposals will then be solicited therefrom;

NOW, THEREFORE, BE IT RESOLVED that the DSA may select and utilize any of the above designated professional services contracting procedures, subject to consultation with and approval by the Authority Solicitor, in order to ensure that the selected mechanism would best serve the needs of the DSA; and

BE IT FURTHER RESOLVED that the designated professional services contracting procedures selected by the Authority Solicitor must be processed in accordance with the

requirements of public notice, solicitation and award established by Resolution No. 2006-10 adopted January 24, 2006 by the DSA; and

BE IT FURTHER RESOLVED that the following requirements shall also apply to any RFQ and/or RFP processed under the contracting procedures established by this Resolution:

1. A DSA Review Committee shall be established consisting of not less than two (2) persons to prepare, process and evaluate any RFQ and/or RFP issued pursuant to the professional services contracting procedure set forth above; and
2. The Review Committee must prepare, prior to RFP, a written cost estimate in order to allow for proper evaluation of the fee aspect of proposals; and
3. Said Committee shall evaluate the respective qualifications and/or proposals taking into consideration the designated qualification and/or performance criteria, experience, quote its fee, and other relevant factors in making a recommendation of award to the Authority; and
4. The Review Committee may, in its sole discretion, conduct negotiations with qualified vendor(s) after receipt of proposal(s), in order to achieve the best possible contract terms and conditions for the DSA and its taxpayers; and
5. All recommendations by the Review Committee for the award of a professional services contract, if accepted by the Authority Board, must be formally adopted and approved by Resolution in accordance with N.J.S.A. 40A:11-5; and
6. All other policies contained in Appendix F of the Authority Rules and Regulations shall also be employed; and

BE IT FURTHER RESOLVED that nothing contained in this Resolution shall be construed as prohibiting the award of a professional services contract when an emergency exists requiring the immediate performance of services, with such award being made in accordance with applicable law and the rules and regulations of the DSA; and

BE IT FURTHER RESOLVED that the Authority Administrator and the Authority Solicitor are hereby directed to take any and all action necessary to implement the procedures set forth in this Resolution.

EFFECTIVE DATE

This Resolution shall take effect immediately upon passage and execution.

DELRAN SEWERAGE AUTHORITY

GREGORY CARLSON, Chairman

Dated: January 23, 2006

Adopted: January 23, 2006

Attest:

SHEILA PROCIDA, Secretary/
Administrative Director

CERTIFICATION

The undersigned hereby certifies that she is the Secretary of the Delran Sewerage Authority and that the foregoing Resolution is a true copy of a Resolution adopted by the Authority at a meeting held on January 23, 2006

SHEILA PROCIDA, Secretary

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REQUEST FOR QUALIFICATIONS/PROPOSAL FOR PROFESSIONAL OR OTHER EXEMPT SERVICES - POLICY STATEMENT

Purpose:

The following procedures are designed to provide for a fair and open process in awarding professional or other services, exempt from public bidding under N.J.S.A. 40A:1-5, based on qualifications, merit and cost effectiveness through a competitive and open process.

Scope:

Any persons or firms interested in providing professional or other services exempt from public bidding to the Delran Sewerage Authority ("DSA") as defined in the New Jersey Statutes, N.J.S.A. 40A:11-5 of a value exceeding $17,500.00.

General Requirements:

1. Once a need is established for exempt services and after a review of the necessary request for qualifications, a Request for Qualifications/Proposals (RFQ/RFP) for the specific service or contract will be prepared and advertised.

2. Advertising of the RFQ/RFP shall, at a minimum, include the official paper(s) of the DSA and any other sources deemed appropriate by the DSA for the specific professional service at least ten (10) days before the submission deadline. It shall also be posted on the Delran Township official bulletin board at least ten (10) days prior to the submission deadline.

3. The advertisement will include a summary of the specific service or activity and who to contact in the Township to receive a copy of the RFQ/RFP requirements to qualify and proposal form.

4. The RFQ/RFP advertisement will, at a minimum, include:

   A. A description of the professional service needed, including the scope of activities involved.

   B. Contact information to obtain the RFQ/RFP forms.

   C. Submission Deadline, including date and time.

   D. Submission Location shall be to the DSA administrative offices.

   E. Submissions shall be in a sealed envelope.

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5. All parties meeting the minimum requirements of the RFQ/RFP shall have their proposals reviewed by the RFP review committee. The proposal shall include specific information regarding the person proposed for the professional appointment, billing method and rate information, and any other information which the DSA may deem relevant and helpful in making its selection and requests in writing.

6. The RFP review committee appointed by the governing body shall review all qualifying RFPs giving due regard to the criteria set forth in paragraph 9 below. The review committee shall make a non-binding recommendation to the board or body with appointing authority of the professional to be awarded the contract. Actual contract awards shall be by the governing body. The committee prior to making its recommendation may, in its discretion, elect to interview candidates to better determine their ability to meet the selection criteria and discuss their qualifications and scope of the work to be performed.

7. All submissions shall be kept on file during the term of the contract.

8. All submissions shall be a public record as of the date of advertising.

9. The DSA shall award all exempt service contracts or agreements based on qualification, merit, experience, quality of work product, and cost competitiveness. Selection criteria will include:

   A. Names and titles of the individuals who will perform the service and/or activity.

   B. A description of the individuals or firms experience with similar services or projects to requested and the breadth of services offered.

   C. A list of references and record of success.

   D. A description of the individual or firms ability to provide the service or complete the activity in a timely fashion or as required by the Authority.

   E. A fee schedule for the firm, including any retainer if applicable.

10. In the event that compliance with part or all of the requirements of the RFQ/RFP is impracticable or undesirable with regard to a particular contract, the DSA may waive part or all of the requirements as to all candidates by a majority vote of the full DSA Board. The waiver shall set forth specifically the reasons for such waiver.

11. All awards or waivers will be by resolution acted on by the DSA Board at a public session of the governing body convened in accordance with the Open Public Meetings Act.

12. All awards are subject to availability of funds.

13. This policy will include, but not be limited to, al of the listed requirements. The DSA reserves the right to amend or revise its review standards. In the event of such revision or review, all candidates shall be given not less than ten (10) days notice of the additional or revised standard(s) and an additional ten (10) days to demonstrate their compliance with the additional or revised standard.

14. This policy will include, but is not limited to, the following professional appointments provided that the anticipated annual contract value is greater than Seventeen Thousand Five Hundred ($17,500.00) Dollars:

    Authority Attorney
    Authority Engineer
    Authority Auditor
    Authority Bond Counsel

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