

**BOROUGH OF SOMERDALE
COUNTY OF CAMDEN
STATE OF NEW JERSEY**

BANKING SERVICES SOLICITATION

FAIR & OPEN PUBLIC SOLICITATION PROCESS

SUBMISSION DATE: December 12, 2017

PUBLIC NOTICE

INFORMATION FOR BANKING ENTITIES

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
(EXHIBIT A)

BUSINESS REGISTRATION OF CONTRACTORS
WITH GOVERNMENTAL AGENCIES

STANDARDIZED SUBMISSION REQUIREMENTS

CHECK LIST

SUBMISSION DOCUMENTS

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BOROUGH OF SOMERDALE

PUBLIC NOTICE
FOR THE SOLICITATION OF BANKING SERVICES
FOR THE PERIOD OF March 1, 2018 to February 28, 2021

NOTICE IS HEREBY GIVEN that sealed submissions will be received by the Borough Administrator, or designated representative, for the Borough of Somerdale, County of Camden, State of New Jersey on Tuesday, December 12, 2017, 11:30 AM. prevailing time, in the Court Room, Somerdale Borough Hall, 105 Kennedy Blvd., Somerdale, NJ 08083 then publicly opened and read aloud for Banking Services. The Borough of Somerdale is seeking proposals from financial institutions to provide the Borough with primary banking services.

Standardized submission requirements and selection criteria are on file and available in the Municipal Clerk's Office.

Submission packages may be obtained at the Purchasing Office, (856) 783-6320 extensions 1600 during regular business hours, 8:30AM to 4:30PM, Monday through Friday, excluding holidays and are also available on our website: **www.Somerdale-nj.com**.

All financial service contractors are required to comply with the requirements of N.J.S.A. 52:32-44 (Business Registration Certificate), N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. (Contract Compliance and Equal Employment Opportunities in Public Contracts).

Submissions by Corporations and Partnerships shall include a completed Disclosure of Ownership form (N.J.S.A. 52:25-24.2) and shall include a completed Non-Collusion Affidavit.

The Borough Council reserves the right to reject any or all submissions due to any defects or waive informalities and accept any submissions that in their judgment will be in the best interest of the Borough. The Borough Council shall award the contract or reject all submissions no later than 60 days from receipt of same.

Dated: November 28, 2017

BOROUGH OF SOMERDALE
SOLICITATION OF BANKING SERVICES
FOR THE PERIOD OF March 1, 2018 to February 28, 2021

DESCRIPTION

I. Background

Borough of Somerdale is seeking proposals from financial institutions to provide primary banking services.

The Borough of Somerdale anticipates awarding the services for one year in January 2018 effective March 1, 2018 through February 28, 2021. The Borough of Somerdale reserves the right to renew these services for two (2) additional one (1) year time periods. The fees/formulas/services indicated in this proposal are those which will be in effect for the duration of the contract. The financial institution certifies that any fees or formulas for affixing the rate of interest or providing services will remain in effect for the duration of the contract.

Nothing herein is intended to exclude any responsible financial institution in any way restrain or restrict competition. On the contrary, all responsible financial institutions are encouraged to submit proposals.

All proposals submitted shall be binding for ninety (90) calendar days following the above due date.

Proposals received by the Borough of Somerdale after the time specified will not be considered.

All information required by this Solicitation for Proposals must be supplied to constitute a valid proposal.

The Chief Financial Officer will review and evaluate all proposals submitted in response to the Solicitation for Proposals. Based on the results of this evaluation, the Chief Financial Officer will negotiate terms of the banking agreement with the highest rated proposer, then make a recommendation to the Governing Body for award of the contract.

II. Terms of the Banking Agreement:

A. The effective date of the agreement is anticipated to be **March 1, 2018**

B. Proposals will be accepted from parties which:

1. Have the capacity to provide services with an experienced professional staff.
2. Are fully qualified as a "Public Depository" pursuant to NJSA 17:9-41, or otherwise known as the Governmental Unit Protection Act. *Please submit a copy.*

3. The Borough requires all banking institutions submitting a proposal to have a satisfactory rating by Federal examiners under the Federal Community Reinvestment Act (CRA). *Please submit a copy of the most recent rating.*
- C. The Borough is not liable for any costs incurred in the preparation of proposals.
 - D. The Borough reserves the right to conduct personal interviews or require oral presentations of any or all proposers prior to selection. The Borough will not be liable for any costs incurred by the proposer in connection with such interviews. (i.e. travel, accommodations, etc).
 - E. By submitting a proposal, the proposer certifies that they have fully read and understands the Solicitation of Proposals and have full knowledge of the scope, nature, quantity and quality of the work to be performed.
 - F. The proposer shall furnish such additional information as the Borough of Somerdale may reasonably require. The Borough reserves the right to make investigations of the qualifications of the proposer, as it deems appropriate.
 - G. The Borough reserves the right to reject any/or all proposals or to informally negotiate certain points of the final agreement with a qualified proposer. The Borough reserves the right to split the relationship among different financial institutions if such would provide the Borough an overall cost savings. The Borough reserves the right to waive minor irregularities in the procedures. The Borough further reserves the right to seek new proposals when such a procedure is in its best interest. The Borough shall not be obligated to provide reasons for the rejection of any proposal.
 - H. The Borough does not guarantee any minimum or maximum volume activities or balances. All vendors are to indicate unit prices for all services. Failure to submit all information requested will be considered non-responsive and may be disqualified.
 - I. Services and pricing must be guaranteed and locked in for a minimum of three (3) years.

III. Evaluation of Proposals:

The contract will be awarded to the institution that best meets the needs of the Borough. The following criteria will be used but not limited to for the evaluation of this proposal:

- A. Responsiveness of the proposal related to the scope of the work.
- B. Ability, capacity and skill of the financial institution to perform the services on a timely basis.
- C. Response to client references.
- D. Experience of the financial institution in establishing and maintaining similar accounts.

- E. Physical proximity of the Borough municipal building to banking location in town.
- F. Net earnings potential.
- G. The reputation, stability, and longevity of the institution.
- H. The quality, availability, and adaptability of the services to the particular need required.

IV. Required Services for Responding Financial Institutions:

General

The banking services detailed in this section are to be performed for the Borough of Somerdale. The Borough reserves the right to terminate such contract by giving ninety (90) days advance written notice.

It is the intent of the Borough to have one single banking institution provide all of the general banking service needs of the Borough (except for services such as escrow accounts, investments, short and long term loans, lease financing, etc. which will be negotiated separately).

The award of banking services and credit/debit payment services may be made to more than one institution. This may be done in the event that one institution does not meet the requirements or has not bid all of the items listed, or in the event that using more than one institution will result in a cost savings to the Borough.

The Borough expects the following accounts to be linked together to aggregate earnings credits, against which charges will be deducted:

1. Current Fund
2. Investment Account
3. Prescription Drug Account
4. Payroll Account
5. Dog Trust
6. SFD Penalty Fund
7. Trust Other Fund
8. Recycling Trust
9. Unemployment Trust
10. Recreation Trust
11. MLETA Trust
12. TTL Trust
13. Police Off Duty Trust
14. Escrow
 - a. With multiple, variable sub accounts
15. COAH Trust
16. General Capital Account

17. Sewer Utility Account
18. Clerk's Account
19. Code Enforcement Account
20. Fire Prevention Account
21. Police Account
22. Municipal Court Account
23. Municipal Court Bail Account

The following accounts will stand-alone and earn interest individually:

1. Police MLETA
2. Unemployment Trust
3. Municipal Court
4. Municipal Court Bail
5. Sewer Utility

The total property tax levy for calendar year 2017 is \$13,319,730.69. All tax collections and other receipts are deposited into the Current Fund Account.

The Current Fund Operating Budget for 2017 is \$6,516,097.21.

The Sewer Utility Operating Budget for 2017 is \$867,201.92.

The Borough issues approximately 1,500 checks annually from 23 checking accounts. Check stock shall be provided by the bank at **no cost** to the Borough as follows:

The following accounts will require a 3 check per page checkbook:

1. Municipal Court Account
2. TTL Trust

The following accounts will require a 1 check per page checkbook:

1. Municipal Court Bail
2. Clerk Remittance
3. Police Remittance
4. Code Enforcement
5. Payroll

The balance of the accounts requires check stock with one check per page in 8.5 x 11" format suitable for computer generated checks.

Payroll

The Borough currently uses CASA for their payroll, which is processed semi-monthly. The annual cost for 2016 was approximately \$4,350.00. The cost associated with CASA is not part of the Borough Budget but rather a cost absorbed by the financial institution which has the payroll account. CASA will send their

bill to the Borough for approval. The Borough will then forward the approved bill to the bank for further payment to CASA.

Approximately 350 payroll checks are issued annually. There are approximately 1,700 direct deposit transactions annually.

The Borough requires the successful banking institution to coordinate with CASA to obtain the Borough's direct deposit information in the required ACH format.

The financial institution will also provide Borough employee-banking services.

Deposit

The successful banking institution will provide triplicate deposit slips, deposit bags and endorsement stamps for each department to the Borough at **no cost** to the Borough.

On-Line Banking

As part of on-line banking, the successful banking institution must have the capability of providing for wire transfers, stop payments, ACH transfers, account transfers, monthly statement retrieval, detail of account activities, check detail look-up capabilities including ability to print copy (front and back) of cancelled checks and detail of State of New Jersey direct deposits. The Borough currently has access to all bank accounts on-line.

Wire transfers

The successful banking institution must have the capability to originate incoming and outgoing wire transfers.

Account Statements

The successful banking institution will maintain the various Borough accounts, providing monthly statements along with all cancelled checks no later than the 1st day of the following month. The statement cut-off date for all accounts shall be the last day of the month. All accounts will receive monthly statements regardless of activity.

Positive Pay services are needed for the Payroll Account.

Interest on all accounts will be credited directly to operating accounts so designated.

The Borough expects the financial institution to provide at least next business bank day availability for checks being deposited in the Borough accounts.

The successful banking institution will provide monthly account analyses to include bank earnings credit, itemized fees, and interest earned to be credited to the Borough.

Transition

The responder will assist in the setup and transfer of accounts.

Anticipated Services

The Borough anticipates instituting enhanced banking services including, but not limited to acceptance of credit cards, online payments, Rapid Deposit and/or internal check processing. Responder is encouraged to, but not required to quote on any and all enhanced services they currently offer. Any service enhancement contracted after the terms of this agreement shall be separately negotiated.

Record Keeping

The successful banking institution will be required to retain all records for 7 years.

V. RFP Response Forms:

1. The cost proposals submitted to the Borough must be all inclusive. Compensating balance levels, reserve requirements, etc. should be addressed. All services not mentioned or general services incidental to the operations of accounts maintained by the Borough and not addressed are expected to be provided at no cost.
2. In order to simplify and standardize all proposals, attached as Proposal Sheet "A" is a "Monthly Activity Form" in the form of an account analysis, which must be used when submitting your proposal. The fees should be presented on a unit cost basis. Assume the activity estimates referred to throughout this document to be a reasonable estimate of activity to be experienced. The rate quoted per item by the proposer will be considered fixed, regardless of activity deviation. The Borough does not guarantee any minimum or maximum volume of activity.
3. A completed Proposal Sheet "B" must be submitted with your proposal. The Borough requests that all questions be answered and all information provided.

VI. Questions and Additional Information:

1. Any questions relative to interpretation of specifications or the RFP process should be submitted in writing no later than Monday, Monday, January 8, 2018 to the Chief Financial Officer of the Borough:

Kevin Foley, Chief Financial Officer
105 Kennedy Blvd.
Somerdale, NJ 08083

2. Questions and responses will be posted on the Borough of Somerdale website: **www.Somerdale-nj.com**

3. BOROUGH OF SOMERDALE

INFORMATION FOR PROFESSIONAL SERVICES (BANKING SERVICES) ENTITIES (FAIR & OPEN PUBLIC SOLICITATION PROCESS)

1B.1 RECEIPT AND OPENING OF SUBMISSIONS

1B.1.1 OWNER AND PROJECT

The Borough of Somerdale, Camden County, New Jersey (hereinafter called the "OWNER") invites submissions for the service(s) mentioned in the Public Notice for Solicitation.

1B.1.2 TIME AND PLACE OF SUBMISSION OPENINGS

Borough Administrator and/or his designated representative will receive submissions at the time and place mentioned in the Public Notice for Solicitation, and at such time and place will be publicly opened and read aloud.

1B.1.3 SUBMISSIONS NOT IN COMPLIANCE

The OWNER may waive any informality or reject any and/or all submissions.

1B.1.4 WITHDRAWING SUBMISSIONS

Submissions forwarded to the Chief Financial Officer and/or his designated representative before the time of opening of submissions may be withdrawn upon written application of the professional services entity who shall be required to produce evidence showing that they are or they represent the principal or principals involved in the submission. Submissions may not be withdrawn within twenty-four (24) hours of the stipulated time of opening of submissions. Once submissions have been opened, they must remain firm for a period of sixty (60) days.

1B.2 EVALUATION OF SUBMISSIONS

The contract will be awarded to the institution that best meets the needs of the Borough of Somerdale. The following criteria will be used but not limited to for the evaluation of the submissions. The selection will be based upon a review of the submissions and the ability to deliver the services to the Borough in the most cost efficient manner:

1B.2.1 Responsiveness of the proposal related to the scope of work.

1B.2.2 Ability, capacity and skill of the financial institution to perform the services on a timely basis.

1B.2.3 Response to client references.

1B.2.4 Experience of the financial institution in establishing and maintaining similar accounts.

1B.2.5 Physical proximity of banking location to the Borough Municipal Building.

There must be a bank branch within 4 miles of Borough Offices.

1B.2.6 Net earnings potential.

1B.2.7 The reputation, stability and longevity of the institution.

1B.2.8 The quality, availability and adaptability of the services to the particular need required.

1B.3 PREPARATION OF SUBMISSIONS

1B.3.1 COMPLETION OF SUBMISSIONS

Each submission must be provided on a Standardized Submission Form as supplied in the submission package and signed by the professional services entity or principal thereof and shall contain the name, address, and telephone number of the professional Services entity. All prices and amounts must be written in ink or preferably typewritten. Each signatory to the submission must initial all erasures or corrections. *Each submission shall be contained in a sealed envelope addressed to the Borough Clerk, Borough of Somerdale, 105 Kennedy Blvd., Somerdale, N.J. 08083. The submissions is to be clearly marked "Sealed Submission Enclosed" and must be delivered at the place and time required or mailed so as to be received prior to the opening time set in the advertisement. Submissions received after the hour herein named or in unsealed envelopes shall not be considered.*

One (1) original and two (2) copies of submission (an electronic copy may also be included in addition to hard copies) are to be included in your sealed envelope.

The Borough will not be responsible for submissions forwarded through the U.S. Mail or any delivery service if lost in transit at any time before submission opening, or if hand-delivered to incorrect location.

The submission shall be accompanied by (1) a Non-Collusion Affidavit, (2) a Disclosure of Ownership Form, (3) an Insurance Requirement Acknowledgement Form, (4) a Mandatory Equal Employment Opportunity Notice Acknowledgement, (5) a copy of the applicable Business Registration Certificate, (6) a Banking Institution Information Form, (7) Qualifications Submission, (8) Acknowledgement of Corrections, Additions or Deletions Form, (9) Proof of Public Depository, (10) Federal Community Reinvestment Act – CRA (Submit Copy), (11) Schedule A and (12) Schedule B. All forms listed above, (#1 through #12) shall be completed in their entirety.

1B.3.2 ERRORS IN SUBMISSIONS

If applicable, in the event there is a discrepancy between the unit prices and the extended totals, the unit prices shall govern or if between the correct sums of the extended totals and the total submission submitted, the correct sum shall govern. Amounts written in words shall govern over the amounts written in numerals.

1B.4 TIME FOR AWARD OF CONTRACT

The Borough of Somerdale shall enter into an agreement or reject all submissions within such time as may be specified in the invitation for submission, but in no case more than 60 days, except that the submissions of any professional services entities who consent thereto may, at the request of the contracting unit, be held for consideration for such longer period as may be agreed.

1B.5 MODIFICATIONS OF SUBMISSIONS

Any professional services entity may modify his submission by mail, courier or hand delivery at any time prior to the scheduled closing time for receipt of submissions. The Borough of Somerdale, prior to the closing time, must receive such communication. The communication should not reveal the submission price but should provide the addition to or subtraction from or other modification so that the Borough of Somerdale will not know the final price(s) or term(s) until the sealed submission is opened.

1B.6 REJECTION OF SUBMISSIONS

1B.6.1 MULTIPLE SUBMISSIONS NOT ALLOWED

More than one submission from an individual, a firm or partnership, a corporation or association of principals under the same or different names shall not be considered.

1B.6.2 UNBALANCED SUBMISSIONS

Submissions, which are obviously unbalanced, may be rejected at the option of the Borough.

1B.6.3 RIGHT TO REJECT SUBMISSIONS

The right is reserved to reject any or all submissions in whole or in part if not in compliance with the standardized submission requirements.

1B.6.4 METHOD OF AWARD OF SUBMISSIONS

The right is reserved by the Borough of Somerdale to award submissions on a *“service by service” basis, “per project” basis, in part or in whole* as determined by the Borough.

1B.6.5 RIGHT TO WAIVE INFORMALITIES RESERVED

The Borough expressly reserves the right to waive any informality in any submission, and to accept the submission, which in the Borough's judgment serves its best interests.

1B.7 PROFESSIONAL SERVICES ENTITY REFERRED TO LAWS

The attention of the professional services entity is especially directed to the provisions of Federal, State, County and Local Government statutes and regulations that may apply to the work.

1B.8 TRANSITIONAL PERIOD

In the event that a new contract has not been awarded prior to the contract expiration date, it shall be incumbent upon the professional services entity to continue the contract under the same terms and conditions until a new contract(s) can be completely operational. At no time shall this transition period extend more than ninety (90) days beyond the expiration date of the contract.

1B.9 FACSIMILE DOCUMENTS PROVIDED IN A SUBMISSION

Under no circumstances, on submission documents requiring authorized signatures, will the Borough accept documents provided through facsimile machines.

1B.10 CONTRACT COMPLIANCE AND EQUAL EMPLOYMENT OPPORTUNITY IN PUBLIC CONTRACTS

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

1B.11 GENERAL REQUIREMENTS/INFORMATION

The professional services entity shall guarantee any or all material and services supplied under these specifications. Defective or inferior items shall be replaced at the expense of the professional services entity.

It is understood by the professional services entity that this submission is provided on the basis of standardized submission requirements prepared by BOROUGH OF SOMERDALE and the fact that any professional services entity is not familiar with these standardized submission requirements or conditions will not be accepted as an excuse.

1B.12 CANCELLATION OF CONTRACT/AGREEMENT

Borough of Somerdale reserves the right to cancel any contract entered into upon ninety (90) days advance written notice.

EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

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

GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS

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, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting 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, gender identity or expression, disability, nationality or sex.

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

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

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with 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, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality 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 targeted 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, race, creed, color, national origin, ancestry, marital status, affection or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302 (electronically provided by the Division and distributed to the public agency through the Division's website at www.state.nj.us/treasury/contract_compliance)

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the office 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 Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

BUSINESS REGISTRATION CERTIFICATE
ATTENTION ALL PROFESSIONAL SERVICE ENTITIES

Effective September 1, 2004, all business organizations that do business with a local contracting agency (i.e. Borough of Somerdale) are required to be registered with the State of New Jersey, Department of Treasury, Division of Revenue, and provide proof of that registration to the contracting agency before the contracting agency may enter into a contract with the business.

A “Business Organization” means an individual, partnership, association, joint stock company, trust, corporation or other legal business entity or successor thereof.

The law provides that: A copy of the Business Registration Certificate issued by the NJ Department of Treasury, Division of Revenue shall be made available prior to the implementation of the contract.

Further information may be obtained by visiting the following web site at the State of New Jersey.

Goods & Services Contracts (including purchase orders):

N.J.S.A. 52:32-44 imposes the following requirements on contractors and all subcontractors that **knowingly** provide goods or perform services for a contractor fulfilling this contract:

- 1) The contractor shall provide written notice to its subcontractors and suppliers to submit proof of business registration to the contractor;
- 2) Prior to receipt of final payment from a contracting agency, a contractor must submit to the contracting agency an accurate list of all subcontractors or attest that none were used;
- 3) During the term of this contract, the contractor and its affiliates shall collect and remit, and shall notify all subcontractors and their affiliates, that they must collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act, (N.J.S.A. 54:32B-1 et seq.) on all sales of tangible personal property delivered into this State.

A contractor, subcontractor or supplier who fails to provide proof of business registration or provides false business registration information shall be liable to a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration not properly provided or maintained under a contract with a contracting agency.

BOROUGH OF SOMERDALE

AMERICANS WITH DISABILITIES ACT OF 1990 **EQUAL OPPORTUNITY FOR INDIVIDUALS WITH DISABILITY**

The CONTRACTOR and the BOROUGH OF SOMERDALE (herein referred to as the Borough) do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") (42 U.S.C. S12101 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 thereto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the BOROUGH pursuant to this contract, the CONTRACTOR agrees that the performance shall be in strict compliance with the Act. In the event 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 BOROUGH in any action or administrative proceeding commenced pursuant to this Act. The CONTRACTOR shall indemnify, protect, and save harmless the BOROUGH, 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 BOROUGH'S grievance procedure, the CONTRACTOR agrees to abide by any decision of the BOROUGH, which is rendered pursuant to, said grievance procedure. If any action or administrative proceeding results in an award of damages against the BOROUGH or if the BOROUGH 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 BOROUGH 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 BOROUGH or any of its agents, servants, and employees, the BOROUGH shall expeditiously forward or have forwarded to the CONTRACTOR every demand, complaint, notice, summons, pleading, or other process received by the BOROUGH or its representatives.

It is expressly agreed and understood that any approval by the BOROUGH 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 BOROUGH pursuant to this paragraph.

It is further agreed and understood that the BOROUGH 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 BOROUGH from taking any other actions available to it under any other provisions of this Agreement or otherwise at law.

BOROUGH OF SOMERDALE

CHECKLIST

The following items, as indicated below (X), shall be provided with the receipt of sealed submissions:

- 1. Non-Collusion Affidavit X
- 2. Disclosure of Ownership Form (a list may be attached)..... X
- 3. Insurance Requirement Acknowledgement Form X
- 4. Mandatory Equal Employment Opportunity Notice Acknowledgement X
- 5. Copy of your ***Business Registration Certificate*** as issued by the State of New Jersey,
Department of Treasury, Division of Revenue X
- 6. Banking Institution Information Form..... X
- 7. Qualifications Submission..... X
- 8. Acknowledgement of Corrections, Additions or Deletions Form X
- 9. Proof of Public Depository – Governmental Unit Protection Act (Submit Copy)..... X
- 10. Federal Community Reinvestment Act – CRA (Submit Copy of most recent rating)..... X
- 11. Schedule A..... X
- 12. Schedule B..... X

Reminder

**Please submit one (1) original and two (2) additional sets of the sealed submission.
An electronic copy may be included (optional).**

BOROUGH OF SOMERDALE

DISCLOSURE OF OWNERSHIP FORM

N.J.S.A. 52:25-24.2 reads in part that “no corporation or partnership shall be awarded any contract by the State, County, Municipality or School District, or any subsidiary or agency thereof, unless prior to the receipt of the submission of the corporation or partnership, there is provided to the public contracting unit a statement setting forth the names and addresses of all individual who own 10% or more of the stock or interest in the corporation or partnership”.

1. If the professional service entity is a *partnership*, then the statement shall set forth the names and addresses of all partners who own a 10% or greater interest in the partnership.
2. If the professional service entity is a *corporation*, then the statement shall set forth the names and addresses of all stockholders in the corporation who own 10% or more of its stock of any class.
3. If a corporation owns all or part of the stock of the corporation or partnership providing the submission, then the statement shall include a list of the stockholders who own 10% or more of the stock of any class of that corporation.
4. If the professional service entity is other than a corporation or partnership, the contractor shall indicate the form of corporate ownership as listed below.

COMPLETE ONE OF THE FOLLOWING STATEMENTS:

I. Stockholders or Partners owning 10% or more of the company providing the submission:

NAME:

ADDRESS:

SIGNATURE: _____ DATE: _____

II. No Stockholder or Partner owns 10% or more of the company providing this submission:

SIGNATURE: _____ DATE: _____

III. Submission is being provided by an individual who operates as a sole proprietorship:

SIGNATURE: _____ DATE: _____

IV. Submission is being provided by a corporation or partnership that operates as a (check one of the following):

_____ Limited Partnership

_____ Limited Liability Corporation

_____ Limited Liability Partnership

_____ Subchapter S Corporation

SIGNATURE: _____ DATE: _____

BOROUGH OF SOMERDALE

INSURANCE REQUIREMENTS AND ACKNOWLEDGEMENT FORM

Certificate(s) of Insurance shall be filed with the Borough's Clerk's Office upon approval by the Borough Council.

The minimum amount of insurance to be carried by the Financial Institution shall be as follows:

PROFESSIONAL LIABILITY INSURANCE

Limits shall be a minimum of \$1,000,000.00 for each claim and \$1,000,000.00 aggregate each policy period.

Acknowledgement of Insurance Requirement:

(Signature) _____ (Date)

(Printed Name and Title)

BOROUGH OF SOMERDALE

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY NOTICE

(N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.)

GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS

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

The successful professional service entity shall submit to the Borough of Somerdale, 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 vendor 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. 17:27-1.1 et seq.

OR

(c) A photocopy of an Employee Information Report (Form AA302) provided by the Division of Contract Compliance and distributed to the Borough of Somerdale to be completed by the vendor in accordance with N.J.A.C. 17:27-1.1 et seq.

The successful professional service entity may obtain the Employee Information Report (AA302) from the Borough of Somerdale during normal business hours.

The successful professional service entities must submit the white and canary copies of the AA302 (Employee Information Report) to the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (Division). The pink *Public Agency* copy is submitted to the Borough of Somerdale, and the gold *Vendor* copy is retained by the professional service entity.

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

The undersigned professional service entity further understands that his/her submission shall be rejected as non-responsive if said professional service entity fails to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.

COMPANY:

SIGNATURE: _____ PRINT NAME: _____

TITLE: _____ DATE: _____

BOROUGH OF SOMERDALE

BANKING INSTITUTION INFORMATION FORM

Please provide the following information:

State under whose laws incorporated:

Location of principal office:

Telephone No.: _____ Federal I.D. No.: _____

Fax No.: _____ E-Mail: _____

Name of agent in charge of said office upon who notice may be legally served:

Telephone No.: _____ Name of Corporation: _____

Signature: _____ By: _____

Title: _____ Address: _____

BOROUGH OF SOMERDALE

SUBMISSION FORM

(Additional sheets may be used but please use item number)

1B.2.2 Ability, capacity and skill of the financial institution to perform the services on a timely basis:

1B.2.3 Client references (minimum of three) with contact name & phone number:

1B.2.4 Experience of the financial institution in establishing and maintaining similar accounts:

1B.2. Physical proximity of banking location to the Borough Municipal Building:

1B.2.6 Net earnings potential:

1B.2.7 Reputation, stability and longevity of the institution:

1B.2.8 Quality, availability and adaptability of the services to the particular need required:

Bank _____ Date: _____

Authorized Representative (Print): _____

Signature: _____ Title: _____

Telephone #: _____ Fax #: _____

BOROUGH OF SOMERDALE

ACKNOWLEDGEMENT OF CORRECTIONS, ADDITIONS AND DELETIONS FORM

I, _____

of the firm _____

hereby acknowledge that any corrections, additions and/or deletions
have been initialed and dated in this Submission Package.

(Signature)

(Type or Print name of affiant and Title, under signature)

(Date)

PROPOSAL SHEET A

**Borough of Somerdale
PROPOSAL SHEET A**

MONTHLY ACTIVITY FORM

Date: _____

Bank: _____

Contact: _____

Address: _____

Phone: _____

Fax: _____

***This form must
be completed
and submitted
with your
proposal.***

Please indicate all costs and the interest rate effective for the period ending July 2017.

You may expand the form to include items listed which the Borough did not identify, but which you think should be listed, whether it is a chargeable item or not. Monthly volumes are estimated.

| Item | Monthly Volume | Unit Cost | Annual Total |
|--|-------------------|--------------|--------------|
| ACCOUNT BASIC SERVICES: | | | |
| Account Maintenance | 23 | | - |
| Checks Paid | 155 | | - |
| Deposits Made | 200 | | - |
| DDA Stop payment | 0 | | - |
| Checks Deposited | 1,200 | | - |
| Checks Deposited - Non - Local | 0 | | - |
| Deposit Corrections | 0 | | - |
| Encoding Surcharge | 0 | | - |
| Return Deposit Item - Charge Back | 2 | | - |
| Check Order Charges (Cost per 200) | 1 | | - |
| Deposit Slips-Triplicate (Cost per 200) | 1 | | - |
| Overdraft Charges (Per Item) | 1 | | - |
| Electronic And Other Debits (ACH) Corp Transition | 0 | | - |
| Electronic And Other Credits (ACH) Corp Transition | 0 | | - |
| Currency/Coin Deposit/\$100 | 0 | | - |
| DDA Statements | 0 | | - |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

| | |
|---|----------------|
| Average Ledger Balance**** | \$2,297,558.00 |
| Average Float | \$0.00 |
| Average Collected Balance | \$2,297,558.00 |
| Required Reserve Balance | |
| Compensating Balances available for earnings credit | |
| Excess Investable Balance | |
| Interest Rate on Excess Balance as of 7/1/10** | . |
| \$ Amount of Interest Earned | |

Charges for all Other Services as Required

| |
|--|
| |
| |

Earnings Credit Rate for Balance Compensation as of 07/1/10**

* Attach additional sheets if required and detail other charges.

** Indicate method of determining the interest rate and ECR and describe benchmarks.

*** No History

****It is the intent of the Borough of Somerdale to have one single banking institution provide all of the general banking service needs of the Borough. Investments, short and long term loans, lease financing, etc. which will be negotiated as needed. This amount represents all monies available except escrow (Including investments) on average per month.

Additional Sheet If Required

PROPOSAL SHEET B

Borough of Somerdale
PROPOSAL SHEET B

Date: _____

Bank: _____

Contact: _____

Address: _____

Phone: _____

Fax: _____

***This form must
be completed
and submitted
with your
proposal.***

Please respond to the following questions:

A) The proposer must denote transaction cut off for deposits to be considered received that day and not carried forward to the next day. Indicate cut off time at branches and the following institution's main office.

B) The Borough requires a bank office in a convenient location within four miles of the Somerdale Borough Hall where it can transact business. State the location of the branch where the Township would transact their business and the number of branches within a four mile radius of the Borough.

C) List the number of branches in the Organization, State and County.

D) State in detail your method of compensation to maintain proposed interest rates i.e. compensating balances, expected volumes and/or balance levels etc.... Do not state "no fees". Please provide formulas to support your method of compensation.

E) If volumes or balance levels change as stated in this RFP, will this impact interest rate or fees proposed in your response I.e. minimum balance requirement, penalties for falling below a minimum balance? If so, explain how.
Example: Activity is the same however balances drop by \$500,000.

F) Please state how interest is calculated and the interest rate formula.

G) Please include a rate history page for the past 12 months from June 1, 2016 through May 31, 2017, providing rates as of month's end, at a minimum.

H) Please provide a listing of comparable government client references, within this area, which are presently using the institutions professional services. Include their name, address, telephone number, contact person and years of services.

- I) The vendor shall provide a list of contact personnel within the bank who are qualified to provide information and assistance in the following areas on a daily basis.
- Relationship Manager
 - Customer Service Support
 - Cash Management
 - Municipal Credit Merchant Services

J) The Borough is interested in any new technologies and/or products that would benefit and improve on any efficiency in our day-to-day operations.

K) Indicate the institution's background in providing primary banking services to municipal units of government, in general, and specifically, to municipalities the size of Somerdale Borough.

L) Please provide your understanding of the scope of the service to be performed.

M) Please provide as an attachment at the end of the proposal financial reports for the previous year as well as any other material that may be helpful in reviewing the proposal.

N) Attach additional sheets if required.

**Borough of Somerdale
Camden County, New Jersey**

**Banking Services Solicitation
September 2010**

PROPOSER'S WARRANTY

The person signing the proposal warrants that:

- 1) He or she is an officer of the organization.

- 2) He or she has been specifically authorized to offer a proposal in full compliance with all requirements and conditions as set forth in the RFP.

The undersigned, upon acceptance, agrees to furnish services as stated in Banking Services Solicitation dated September 2010

Name of your organization: _____

Address: _____

Telephone Number: _____ Fax Number: _____

Signature of Authorized Representative: _____

Print Name of Authorized Representative: _____

SEALED SUBMISSION LABEL FOR PROPOSAL

PLEASE CUT OUT THE LABEL BELOW AND TAPE TO FRONT OF SEALED SUBMISSION

*******DO NOT OPEN*******

IMPORTANT-SEALED SUBMISSION ENCLOSED

FINANCIAL INSTITUTION'S NAME & ADDRESS:

**TO: BOROUGH CLERK
BOROUGH OF SOMERDALE
105 KENNEDY BLVD.
SOMERDALE, NJ 08083**

BANKING SERVICES