

**GENERAL INFORMATION AND SPECIFICATIONS FOR VENDORS SUBMITTING
QUALIFICATIONS AND PROPOSALS FOR 2025 CONTRACT FOR POSITION OF
BOND COUNSEL**

- I. **Invitation to Submit Qualifications and Proposal.** The City of North Wildwood is requesting qualifications and proposals from individuals and/or firms for the following contract for the year 2025: Bond Counsel. The qualifications and proposals are being solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.5, *et. seq.*

- II. **Submitting and Delivery of Qualifications and Proposals.** Qualifications and proposals must be submitted on or before December 11, 2024 and may be submitted either by mail or in person by the vendor or his agent. Qualifications and proposals must be enclosed in a sealed envelope and plainly marked “Qualifications and Proposal for 2025 Bond Counsel Contract” and the envelope also shall have plainly marked on it the name and address of the vendor.

- III. **Time and Place for Acceptance of Qualifications and Proposals.** The North Wildwood City Clerk has been designated as the person authorized to receive all qualifications and proposals. All qualifications and proposals must be submitted in sealed envelopes to the City Clerk, City of North Wildwood, 901 Atlantic Avenue, North Wildwood, New Jersey, 08260, either by mail or in person by the vendor or his agent on or prior to December 11, 2024 at 10:00 a.m., prevailing time. The City Clerk will record the date and time of receipt of all proposals on the sealed envelope. No proposal will be received after the time designated for receipt.

- IV. **Contract Description; Qualifications; Proposal.**
 - a. **Contract Description.** Bond Counsel shall perform all of the services customarily performed by Bond Counsel of a City the size of the City of North Wildwood (taking into account its permanent and seasonal population). Such services include, but are not necessarily limited to, the following:
 - i. Counsel will prepare and review all bond ordinances adopted or to be adopted by the governing body.
 - ii. Counsel will assemble a certified record of proceedings to evidence the proper adoption of each bond ordinance in accordance with the provisions of the Local Bond Law and other applicable New Jersey Statutes.
 - iii. When the City determines to issue bonds, Counsel will prepare the necessary resolutions or other operative documents to set up the bond sale. Counsel will seek the advice of the Auditor in connection with the appropriate maturity schedule for the bonds to be sold. Counsel will see to

the printing and the distribution of the preliminary and final official statement. It will arrange for the printing of the notice of sale in the Bond Buyer and will answer inquiries made by the investment community concerning the bond sale. Counsel will attend the bond sale and will render legal advice as necessary concerning the submission of bids for the bonds in accordance with the notice of sale and the requirements of law. After the bond sale, Counsel will prepare the bonds for execution, will prepare and see to the execution of the necessary closing certificates and will establish the time and the place for the delivery of the bonds to the successful bidder. Counsel will attend the closing with the appropriate officials, at which time the bonds will be delivered, payment will be made on the bonds, and Counsel will issue a final approving legal opinion with respect to the validity of the bonds.

- iv. When the City determines to issue bond anticipation notes or tax anticipation notes, Counsel will prepare any necessary resolutions to authorize the sale of such notes and will submit them to the City's Solicitor for review. When the purchaser and the details of the notes have been determined, Bond Counsel will prepare the notes for execution and will prepare the appropriate closing certificates and an approving legal opinion with respect to the notes. Unless requested otherwise, Counsel will forward the notes, closing papers and approving legal opinion to the City's Solicitor for execution and delivery.
 - v. Counsel will provide basic advice with regard to the effect of the federal arbitrage regulations on the issuance of bonds or bond anticipation notes and the investment of the proceeds thereof.
 - vi. Counsel will provide such other services as may be requested from time to time by the City including any referendum or other action relating to the City or the authorization and issuance of a financing instrument by the City.
- b. **Qualifications.** The contractor shall possess all required State of New Jersey licenses or certifications.
 - c. **Proposal.** The resumes or *curricula vitae* of all individuals who will perform services under the contract on behalf of the City of North Wildwood shall be submitted with the vendor's proposal.

The vendor's proposal shall clearly set forth the proposed financial compensation

to be paid to the vendor under the contract.

A PROPOSED CONTRACT SHALL BE SUBMITTED WITH THE VENDOR'S PROPOSAL. THE CITY RESERVES THE RIGHT TO AUTOMATICALLY REJECT ANY PROPOSAL THAT FAILS TO COMPLY WITH THIS REQUIREMENT.

The contract shall include a provision that bars the Bond Counsel from appearing before the North Wildwood Planning Board on behalf of any private clients.

V. Selection Process & Award of Contract. Upon receipt of qualifications and proposals, the City Clerk will transmit copies of each proposal to a review committee that consists of the Council President or his designee, the Mayor or his designee, and the City Administrator. Proposals will be evaluated on the basis of the most advantageous, price and other factors considered. The evaluation will consider:

- a. Experience and reputation of the vendor in the field that is the subject matter of the contract;
- b. Knowledge of the City of North Wildwood, issues that are unique to North Wildwood and the subject matter to be addressed under the contract;
- c. Availability to accommodate any required meetings of the City of North Wildwood or its various departments;
- d. Compensation proposal; and
- e. Other factors as demonstrated to be in the best interest of the City of North Wildwood.

Upon completion of the review process, the review committee shall transmit its findings and recommendations to the City Council which may award the subject contract at the City's annual reorganization meeting on or about January 7, 2025 by resolution.

VI. Obligation of Vendor. At the time of receipt of proposals, each vendor will be presumed to have read and to be thoroughly familiar with the contents of the Notice of Availability of Requests for Qualifications and Proposals that has been posted on the City of North Wildwood website and with the contents of this document. The failure or

omission of any vendor to receive or examine either document shall in no way relieve any vendor from any obligation with respect to the proposal submitted.

VII. Investigation of Qualifications. The City of North Wildwood will make such investigations as it deems necessary to determine the responsibility of the vendor and the vendor shall furnish the City of North Wildwood all such information as may be requested by the City of North Wildwood notwithstanding the fact that the release of such information to the City of North Wildwood may result in the disqualification of the vendor and the proposal submitted. The City of North Wildwood reserves the right to reject any proposal if the evidence submitted by, or the investigation of, the vendor fails to satisfy the City of North Wildwood that such prospective contractor properly is qualified to carry out the obligations of the contract for the work as provided and as described in this document.

VIII. Signing of Proposal Documentation. The qualification and proposal documentation that is submitted by the vendor shall be signed by the individual or on behalf of the entity to be bound by the contract.

IX. New Jersey Business Registration Certificate; Ownership Disclosure Statement; Disclosure of Investment Activities in Iran.

a. **New Jersey Business Registration Certificate.** Business organizations or individuals doing business in New Jersey are required to register with the Department of Treasury, Division of Revenue. Under the provisions of N.J.S.A. 52:32-44b(1), contractors shall provide the City of North Wildwood a copy of their New Jersey Business Registration Certification prior to award of a contract by City Council. Therefore, it is strongly recommended that vendors include with their proposal a copy of their New Jersey Business Registration Certificate at the time that their proposal is submitted to the City.

b. **Ownership Disclosure Statement.** Vendors are required to comply with the requirements of the Public Law, 1975, C.127 N.J.S.A. 34:11-56, 25 et. seq. as amended in Chapter 64 of the Laws of 1974 and P.L. 1977 Ch. 33, N.J.S.A. 52:25-24.2 which requires a statement setting forth the names and addresses of all stockholders in the corporation or partnership who own 10% or more of its stock, of any class, or of all individual partners in the partnership who own 10% or greater interest therein, as the case may be. For the purpose of this requirement, a limited liability company will be deemed a partnership. An Ownership Disclosure Statement is annexed.

c. **Disclosure of Investment Activities in Iran, Russia and Belarus.** Vendors are

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required to comply with the requirements of P.L. 2012, c.25, P.L. 2022, c.3 and N.J.S.A. 40A:11-2.1 which require that any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract with a local contracting unit must complete a certification attesting, under penalty of perjury, that the person or entity, or one of the person or entity's parents, subsidiaries or affiliates is not identified on a list created or maintained by the New Jersey Department of the Treasury as a person or entity engaging in investment activities in Iran, Russia and Belarus. Certifications are annexed.

X. Miscellaneous.

- a. Nothing herein shall be construed as an obligation on the part of the City of North Wildwood to award the subject contract under the fair and open procedures described above and the City of North Wildwood, after review of qualifications and proposals that have been submitted, if deemed to be in the best interests of the City of North Wildwood, specifically reserves the right to award the subject contract by utilizing the non-fair and open procedures that are set forth at N.J.S.A. 19:44A-20.5, *et. seq.*
- b. All contracts awarded by the City of North Wildwood shall be governed by and interpreted in accordance with the laws of the State of New Jersey.
- c. For additional information contact:

Nic Long, City Administrator
North Wildwood City Hall
901 Atlantic Avenue,
North Wildwood, New Jersey, 08260

Telephone: 609-522-2030
Email: nlong@northwildwood.com

XI. Proposal Documents Checklist. Vendors are required to submit all of the following documents:

- _____ Proposal in the form described above.
- _____ Ownership Disclosure Statement
- _____ Disclosure of Investment Activities in Iran, Russia and Belarus
- _____ New Jersey Business Registration Certificate (prior to award of contract)
- _____ Resumes or curricula vitae of all individuals who will perform services under the contract
- _____ Proposed contract

Where a form is provided by the City of North Wildwood with these Specifications, vendors are required to utilize the form supplied and

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substitutions will not be accepted. If more space is needed to complete any form that is supplied than has been provided in the form then extra pages are to be attached to the form for which extra space is needed.

Pursuant to the provisions of N.J.S.A. 52:32-44b(1), vendors shall provide to the City of North Wildwood a copy of their New Jersey Business Registration Certificate to the City prior to award of a contract.

STATEMENT OF OWNERSHIP DISCLOSURE

N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

This statement shall be completed, certified to, and included with all bid and proposal submissions. Failure to submit the required information is cause for automatic rejection of the bid or proposal.

Name of Organization: _____

Organization Address: _____

Part I Check the box that represents the type of business organization:

- Sole Proprietorship (skip Parts II and III, execute certification in Part IV)
- Non-Profit Corporation (skip Parts II and III, execute certification in Part IV)
- For-Profit Corporation (any type) Limited Liability Company (LLC)
- Partnership Limited Partnership Limited Liability Partnership (LLP)
- Other (be specific): _____

Part II

The list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. **(COMPLETE THE LIST BELOW IN THIS SECTION)**

OR

No one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. **(SKIP TO PART IV)**

(Please attach additional sheets if more space is needed):

Name of Individual or Business Entity	Home Address (for Individuals) or Business Address

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Part III DISCLOSURE OF 10% OR GREATER OWNERSHIP IN THE STOCKHOLDERS, PARTNERS OR LLC MEMBERS LISTED IN PART II

If a bidder has a direct or indirect parent entity which is publicly traded, and any person holds a 10 percent or greater beneficial interest in the publicly traded parent entity as of the last annual federal Security and Exchange Commission (SEC) or foreign equivalent filing, ownership disclosure can be met by providing links to the website(s) containing the last annual filing(s) with the federal Securities and Exchange Commission (or foreign equivalent) that contain the name and address of each person holding a 10% or greater beneficial interest in the publicly traded parent entity, along with the relevant page numbers of the filing(s) that contain the information on each such person. **Attach additional sheets if more space is needed.**

Website (URL) containing the last annual SEC (or foreign equivalent) filing	Page #'s

Please list the names and addresses of each stockholder, partner or member owning a 10 percent or greater interest in any corresponding corporation, partnership and/or limited liability company (LLC) listed in Part II **other than for any publicly traded parent entities referenced above.** The disclosure shall be continued until names and addresses of every noncorporate stockholder, and individual partner, and member exceeding the 10 percent ownership criteria established pursuant to N.J.S.A. 52:25-24.2 has been listed. **Attach additional sheets if more space is needed.**

Stockholder/Partner/Member and Corresponding Entity Listed in Part II	Home Address (for Individuals) or Business Address

Part IV Certification

I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the bidder/proposer; that the *City of North Wildwood* is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with the *City of North Wildwood* to notify the *City of North Wildwood* in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the, permitting the *City of North Wildwood* to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print):		Title:	
Signature:		Date:	



CERTIFICATION OF NON-INVOLVEMENT IN PROHIBITED ACTIVITIES IN RUSSIA OR BELARUS

Pursuant to N.J.S.A. 52:32-60.1, et seq. ([L. 2022, c. 3](#)) any person or entity (hereinafter "Vendor") that seeks to enter into or renew a contract with a State agency for the provision of goods or services, or the purchase of bonds or other obligations, must complete the certification below indicating whether or not the Vendor is identified on the Office of Foreign Assets Control (OFAC) Specially Designated Nationals and Blocked Persons list, available here: <https://sanctionssearch.ofac.treas.gov/>. If the Department of the Treasury finds that a Vendor has made a certification in violation of the law, it shall take any action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party.

I, the undersigned, certify that I have read the definition of "Vendor" below, and have reviewed the Office of Foreign Assets Control (OFAC) Specially Designated Nationals and Blocked Persons list, and having done so certify:

(Check the Appropriate Box)

A. That the Vendor is not identified on the [OFAC Specially Designated Nationals and Blocked Persons list on account of activity related to Russia and/or Belarus](#).

OR

B. That I am unable to certify as to "A" above, because the Vendor is identified on the [OFAC Specially Designated Nationals and Blocked Persons list on account of activity related to Russia and/or Belarus](#).

OR

C. That I am unable to certify as to "A" above, because the Vendor is identified on the [OFAC Specially Designated Nationals and Blocked Persons list](#). However, the Vendor is engaged in activity related to Russia and/or Belarus consistent with federal law, regulation, license or exemption. A detailed description of how the Vendor's activity related to Russia and/or Belarus is consistent with federal law is set forth below.

(Attach Additional Sheets If Necessary.)

Signature of Vendor's Authorized Representative

Date

Print Name and Title of Vendor's Authorized Representative

Vendor's FEIN

Vendor's Name

Vendor's Phone Number

Vendor's Address (Street Address)

Vendor's Fax Number

Vendor's Address (City/State/Zip Code)

Vendor's Email Address

ⁱ Vendor means: (1) A natural person, corporation, company, limited partnership, limited liability partnership, limited liability company, business association, sole proprietorship, joint venture, partnership, society, trust, or any other nongovernmental entity, organization, or group; (2) Any governmental entity or instrumentality of a government, including a multilateral development institution, as defined in Section 1701(c)(3) of the International Financial Institutions Act, 22 U.S.C. 262r(c)(3); or (3) Any parent, successor, subunit, direct or indirect subsidiary, or any entity under common ownership or control with, any entity described in paragraph (1) or (2).

STANDARD BID DOCUMENT REFERENCE						
Name of Form	DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN					
Statutory Reference	N.J.S.A. 52:32-55 et seq. N.J.S.A. 40A:11-2.1 N.J.S.A. 18A:18A-49.4					
Applicability		Y/N		Mandatory	Optional	N/A
	LPCL	Y	Goods and Services	X		
	PSCL	Y	Construction			X
Instructions Reference						
Description	P.L. 2012, c.25 prohibits the awarding of State and local public contracts for goods and services with persons or entities engaging in certain investment activities in energy or finance sectors of Iran. Prior to contract award, vendors and contractors must certify that neither they nor any parent entity, subsidiary, or affiliate is listed on the New Jersey Department of the Treasury's list of entities determined to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c. 25 ("Chapter 25 List").					

The Certification form requires the insertion of contracting unit identification information which should be filled in (in italics on the form) prior to its use.

Disclosure of Investment Activities in Iran

Person or Entity

Part 1: Certification

COMPLETE PART 1 BY CHECKING **EITHER BOX.**

Pursuant to Public Law 2012, c. 25, any person or entity that is a successful bidder or proposer, or otherwise proposes to enter into or renew a contract, must complete the certification below to attest, under penalty of perjury, that neither the person or entity, nor any parent entity, subsidiary, or affiliate is identified on the State Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran. The list is found on Treasury's website at www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf.

The Chapter 25 list must be reviewed prior to completing the below certification. If a vendor or contractor is found to be in violation of law, action may be taken as appropriate and as may provided by law, rule or contract, including but not limited to imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party.



I certify, pursuant to Public Law 2012, c. 25, that neither the person or entity listed above, nor any parent entity, subsidiary, or affiliate thereof is listed on the N.J. Department of the Treasury's list of entities determined to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c. 25 ("Chapter 25 List"). I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. I will skip Part 2 and sign and complete the Certification below.

OR



I am unable to certify as above because the person or entity and/or a parent entity, subsidiary, or affiliate thereof is listed on the N.J. Department of the Treasury's Chapter 25 list. I will provide a detailed, accurate and precise description of the activities in Part 2 below sign and complete the Certification below.

Part 2: Additional Information

PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN.

You must provide a detailed, accurate and precise description of the activities of the person or entity, or a parent entity, subsidiary, or affiliate thereof engaging in investment activities in Iran below and, if more space is needed, on additional sheets provided by you.

Part 3: Certification of True and Complete Information

I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments there to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the above-referenced person or entity.

*I acknowledge that the **Name of Contracting Unit** is relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the **Reference to Contracting Unit** to notify the **Reference to Contracting Unit** in writing of any changes to the answers of information contained herein.*

*I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with the **Name of Contracting Unit** and that the **Reference to Contracting Unit** at its option may declare any contract(s) resulting from this certification void and unenforceable.*

Full Name (Print)		Title	
Signature		Date	