

Town of West New York
Hudson County, NJ
Notice for R.F.P.
(Request for Proposal)

Request for Proposals will be received by the **Town Clerk** of the Town of West New York, in the County of Hudson, New Jersey, at the **Town Clerk's Office** in the Municipal Building, 428-60th Street, West New York, N.J. on **Tuesday, May 19, 2009 at 10:00 a.m.** for the following, in accordance with the Request for Proposals now on file in the office of the Town Clerk, Municipal Building, 428-60th Street, West New York, N.J., where same may be obtained during office hours from 9:00 a.m. to 4:00 p.m.:

Web Design/Consultant Services

All RFPs shall be submitted in sealed envelopes addressed to the Town Clerk of West New York, the envelope shall have marked conspicuously on its face on the top right-hand side in letters not less than one inch the word **“Request for Proposals”** followed immediately below those words in letters not less than one half inch high: **“Request for Proposals for “Web Design/Consultant Services” for the Town of West New York”** and underneath that **“To be received on the 19th day of May, 2009 at 10:00 a.m.”** Proposals will **not** be accepted by **facsimile transmission or e-mail.**

Requests for Proposals are available in the Office of the Town Clerk, 428 – 60th Street, West New York, NJ (telephone no. 201-295-5090; fax no. 201-861-2576). Proposals shall be submitted on the forms provided and shall be in accordance with the specifications contained in the Request for Proposals.

The Town intends to award any contract for these services pursuant to N.J.S.A. 40A:11-5.

If RFPs are to be accepted by mail or courier, the RFPs must be placed in an outer envelope, which on the top right-hand side shall clearly designate in the same manner as set forth above, the same size and information. The inner envelope shall have specifically placed in the center the same information as set forth above and on the bottom left-hand side the name and address of the Respondent.

Proposals are being solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.5 et seq. Responders are required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 and all other requirements set forth in the Request for Proposal.

Respondents must submit an original and three (3) copies of their Proposal to the designated contact person or designee:

Carmela Riccio, Town Clerk
West New York Municipal Building
428 – 60th Street (Room 2)
West New York, NJ 07093

The Town of West New York reserves the right to reject any or all Proposals, to waive any informalities or to accept a Proposal which, in its judgment, best serves the interest of the Town.

Dated: May 7, 2009

By Order of the Municipal Administrator of the Town of
West New York

Carmela Riccio, RMC
Town Clerk

TOWN OF WEST NEW YORK

REQUEST FOR PROPOSALS

WEB DESIGN CONSULTANT SERVICES – WEB DESIGN CONSULTANT

Qualification Period – May 20, 2009- May 19, 2010

SUBMISSION DEADLINE

10:00 A.M. May 19, 2009

ADDRESS ALL PROPOSALS TO:

Ms. Carmela Riccie,
West New York Town Clerk
Municipal Building
428 60th Street
West New York, New Jersey 07093

**All proposals must indicate on the outside envelope:
RFP: WEB DESIGN CONSULTANT**

GENERAL INFORMATION & SUMMARY

ORGANIZATION REQUESTING PROPOSAL

Town of West New York
Municipal Building
428 60th Street
West New York, NJ 07093

CONTACT PERSON

Ms. Carmela Riccie,
West New York Town Clerk
Municipal Building
428 60th Street
West New York, New Jersey 07093

PURPOSE OF REQUEST

The Town of West New York (Town) is requesting proposals from qualified individuals to provide the services of Web Design Consultant. Proposals will be evaluated in accordance with the criteria set forth in this Request for Proposals (RFP). One or more individuals/firms may be selected to provide all or part of the requested services, or no one may be selected. If a Respondent is selected, the governing body will approve a resolution awarding a contract to the Respondent based on a rate of compensation to be set by the Governing Body not to exceed an amount specified in the resolution without further action by the Governing Body.

PERIOD OF QUALIFICATION

May 20, 2009 through May 19, 2010.

CONTRACT FORM

If selected to provide services, the successful Respondent shall be required to execute a form contract, which includes indemnification, insurance, termination and licensing provisions.

It must also be agreed and understood that the acceptance by the respondent of the final payment shall be considered a release in full of all claims against the Town of West New York arising out of, or by reason of, the work done and materials furnished under a Contract.

CONTRACT PERIOD

A contract for Web Design Consultant services may be issued for any term during the Qualification Period (e.g. a contract from March through April 2010, or February 2010 through

February 2011) at the discretion of the Governing Body.

GLOSSARY

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

"Proposal"- refers to the complete responses to this RFP submitted by the Respondents.

"Qualified Respondent" - refers to those Respondents who (in the sole judgment of the Town) have satisfied the qualification criteria set forth in this RFP.

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

"Respondent" or "Respondents" - refers to the interested persons and/or firm(s) that submit a Proposal.

"Town" – refers to the Town of West New York

SECTION 1

INTRODUCTION AND GENERAL INFORMATION

1.1. Introduction and Purpose.

The Town is soliciting Proposals from interested persons and/or firms for the provision of Services as more particularly described herein. Through a RFP process described herein, persons and/or firms interested in assisting the Town of West New York with the provision of such services must prepare and submit a Proposal in accordance with the procedure and schedule in this RFP. The Town will review Proposals only from those persons and/or firms that submit a Proposal which includes all information required to be included as described herein (in the sole judgment of the Town).

The Town intends to qualify person(s) and/or firm(s) that:

- a. possess the professional, financial and administrative capabilities to provide the proposed services; and
- b. will agree to work under the compensation terms and conditions determined by the Town to provide the greatest benefit to the taxpayers of West New York.

1.2. Procurement Process and Schedule.

The selection of Qualified Respondents is not subject to the Local Public Contracts Law, N.J.S.A. 40A: 11-1 et seq, as the services sought are “professional services” and/or “extraordinary unspecifiable services” as defined therein. The selection is subject to the “New Jersey Local Unit Pay-to-Play” Law, N.J.S.A. 19:44A-20.5 et seq. The Town has structured a fair and open procurement process in accordance with N.J.S.A. 19:44A-20.5 et seq.* that seeks to obtain the desired results described above, while establishing a competitive process 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 5 of this RFP, which will be applied in the same manner to each Proposal received.

Proposals will be reviewed and evaluated by the Town and its legal and/or financial advisors (collectively, the “Review Team”). The Proposals will be reviewed to determine if the Respondent has met the minimum professional, administrative and financial areas described in this RFP. Under no circumstances will a member of the Review Team review responses to a RFP for which they or their firm has submitted a response. Based upon the totality of the information contained in the Proposal, including information about the reputation and experience of each Respondent, the Town will determine which Respondents are qualified (professionally, administratively and financially) to provide the services. Each Respondent that meets (in the sole judgment of the Town) the requirements of this RFP will be designated as a Qualified Respondent and will be given the opportunity to participate in the selection process determined by the Town.

The RFP process commences with the issuance of this RFP. The steps involved in the process and the anticipated completion dates are set forth in Table 1, Procurement Schedule. The Town reserves the right to, among other things, amend, modify or alter the Procurement Schedule upon notice to all potential Respondents.

All communications concerning this RFP or the RFP process shall be directed to the Town’s **Designated Contact Person**, in writing.

Proposals must be submitted to, and be received by the Town Clerk, via mail or hand delivery, by **10:00 a.m. prevailing time on May 19, 2009**. Proposals shall be opened in public in the Town Clerk’s Office located at 428 60th Street, Town of West New York, New Jersey.

All RFPs shall be submitted in sealed envelopes addressed to the Town Clerk of West New York, the envelope shall have marked conspicuously on its face on the top right-hand side in letters not less than one inch the word “**Request for Proposals**” followed immediately below those words in letters not less than one half inch high: “**Request for Qualification for (insert whichever title you are submitting a response)**” and underneath that “**To be received on the May 19, 2009 at 10:00 a.m.**” **Proposals will not be accepted by facsimile transmission or e-mail.**

If RFP responses are to be accepted by mail or courier, the RFP responses must be placed in an outer envelope, which on the top right-hand side shall clearly designate in the same manner as set forth above, the same size and information. The inner envelope shall have specifically placed in the center the same information as set forth above and on the bottom left-hand side the name

and address of the Respondent.

The burden is upon the Respondent to comply specifically with the directions in this “Notice for Request for Proposals”. The Respondents are put on notice that because of precautions resulting from terrorist’s threats, packages may be opened if directed to the wrong office of the Town.

Any RFP response not delivered in the manner shall be declared void unless the deviation is deemed to be a minor technical violation.

Subsequent to issuance of this RFP, the Town (through the issuance of addenda though postings on the Town’s website, www.westnewyorknj.org) 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 Town.

* Qualified Respondents are advised that a for-profit business entity that has received \$50,000 or more through government contracts in a calendar year, must file an annual disclosure statement on political contributions with the New Jersey Election Law Commission pursuant to P.L. 20005 c. 271 by March 30. It is the Qualified Respondent’s responsibility to determine if filing is necessary. Additional information on this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us.

**TABLE 1
ANTICIPATED PROCUREMENT SCHEDULE**

ACTIVITY	DATE
1. Issuance of Request for Proposals	May 7, 2009
2. Receipt of Proposals	May 19, 2009
3. Completion of Evaluation of Proposals	May 19-20, 2008
4. Designation of Qualified Respondents	May 20, 2009

1.3 Conditions Applicable to 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:

1. This RFP does not commit the Town to issue a contract or agreement to follow any other procurement or process for obtaining services.
2. All costs incurred by the Respondent in connection with responding to this RFP shall be borne solely by the Respondent.
3. To change or alter the schedule for any events called for in this RFP (upon the issuance

of notice to all prospective Respondents, if prior to the date set for receipt of proposals who are known to have received a copy of this RFP).

4. The Town reserves the right (in its sole judgment) to reject any Respondent that submits incomplete responses to this RFP, or a Proposal that is not responsive to the requirements of this RFP.
5. The Town reserves the right, without prior notice, to supplement, amend, or otherwise modify this RFP, or otherwise request additional information.
6. All Proposals shall become the property of the Town and will not be returned.
7. All Proposals will be made available to the public at the appropriate time, as determined by the Town (in the exercise of its sole discretion) in accordance with law.
8. The Town may request Respondents to send representatives to the Town for interviews.
9. Any and all Proposals not received by the Town by 10:00 a.m. prevailing time on May 19, 2009 will be rejected.
10. Neither the Town nor its officers, officials or employees shall be liable for any claims or damages resulting from the solicitation or preparation of the Proposal, nor will there be any reimbursement to Respondents for the cost of preparing and submitting a Proposal or for participating in this procurement process.

1.4. Rights of Town.

The Town 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:

1. To determine that any Proposal received complies or fails to comply with the terms of this RFP.
2. To supplement, amend or otherwise modify the RFP through the issuance of addenda through postings on the Town's website, www.westnewyorknj.org.
3. To waive any technical non-conformance with the terms of this RFP.
4. To change or alter the schedule for any events called for in this RFP upon the issuance of notice to all prospective Respondents who are known to have received a copy of this RFP.
5. To conduct investigations of any or all of the Respondents, as the Town 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.
6. To suspend or terminate the procurement process described in this RFP at any time (in its sole discretion.) If terminated, the Town may determine to commence a new procurement process or exercise any other rights provided under applicable law without any obligation to the Respondents.
7. A response to this RFP is not considered to be a binding "bid". This RFP does not guarantee that a contract for Services - Web Design Consultant will be issued, or any set amount of

compensation or limit on compensation if such a contract is issued. The Town of West New York disclaims any obligation to issue a contract pursuant to any compensation request contained in any Proposal, even if a contract is issued in response to such Proposal.

8. The Town shall be under no obligation to complete all or any portion of the procurement process described in this RFP.

1.5 Addenda or Amendments to RFP.

During the period provided for the preparation of responses to the RFP, the Town may issue addenda, amendments or answers to written inquiries. Those addenda will be noticed by the Town 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.

1.6 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 Town, 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.

1.7 Proposal Format.

Proposals must cover all information requested in this RFP. Proposals which in the judgment of the Town 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.

SECTION 2

SCOPE OF SERVICES

It is the intent of the Town to solicit Proposals from Respondents that have expertise in the provision of web design consulting services, and services ancillary thereto. Firms and/or persons responding to this RFP shall be able to demonstrate that they will have the continuing capabilities to perform these services.

SECTION 3

SUBMISSION REQUIREMENTS

3.1 General Requirements.

The Proposal submitted by the Respondent must meet or exceed the professional, administrative and financial qualifications set forth in this Section 3 and shall incorporate the information requested below.

In addition to the information required as described below, a Respondent may submit supplemental information that it feels may be useful in evaluating its Proposal. Respondents are encouraged to be clear, factual, and concise in their presentation of information.

3.2 Administrative Information Requirements.

The Respondent shall, as part of its Proposal, provide the following information:

1. An executive summary (not to exceed two (2) pages) of the information contained in all the other parts of the Proposal.
2. An executed Letter of Qualification.
3. Name, address and telephone number of the Respondent submitting a Proposal pursuant to this RFP, and the name of the key contact person.
4. A description of the business organization (i.e., corporation, partnership, joint venture, etc.) of each Respondent, its ownership and its organizational structure.
 - a. Provide the names and business addresses of all Principals of the Respondent submitting the Proposal. For purposes of this RFP, "Principals" means persons possessing an ownership interest in the Respondent. If the Respondent is a corporation, "Principals" shall include each investor who has any operational control over the Respondent, and every stockholder having an ownership interest of 10% or more in the firm.
 - b. If a Respondent is a partially owned or a fully-owned subsidiary of another firm, identify the parent company and describe the nature and extent of the parents' approval rights over the activities of the Respondent submitting a Proposal. Describe the approval process.
 - c. If the Respondent is a partnership or a joint venture or similar organization, provide comparable information as required in (b) above for each member of the partnership, joint venture or similar organization.
 - d. A statement that the Respondent has complied with all applicable affirmative action (or similar) requirements with respect to its business activities, together with evidence of such compliance.
5. The number of years Respondent has been in business under the present name.
6. The number of years Respondent has been under the current management.

7. Any judgments within the last three (3) years in which Respondent has been adjudicated liable for professional malpractice or breach of contract. If yes, please explain.
8. Whether the Respondent is now or has been involved in any bankruptcy or re-organization proceedings in the last ten (10) years. If yes, please explain.
9. Confirm appropriate federal and state licenses to perform activities.
10. Describe those portions of the Respondent's services, if any, that the Respondent presently anticipates subcontracting out to a subcontractor if awarded a contract for Professional Planning Services. (A subcontractor means any business organization that is not a contractor that **knowingly** provides goods or performs services for a contractor or another subcontractor in the fulfillment of a contract issued by a contracting agency where the cost of the subcontractors work exceeds 15% of the contracting unit's bid threshold. Please note that **if** you identify any subcontractors in your Proposal you must provide a copy of a Business Registration Certificate for such subcontractor; we are **not** asking you to identify subcontractors at this time) (See Item H. attached hereto).
11. An executed letter of intent.

3.3 Professional Information Requirements.

1. Respondent shall submit a description of its overall experience in providing the type of services sought in the RFP. At a minimum, the following information on past experience should be included as appropriate to the RFP:
 - a. Description and scope of work by Respondent.
 - b. Name, address and contact information of reference to the RFP.
 - c. Explanation of perceived relevance of the experience to the RFP.
2. Brief description of Respondent's relevant clients, including a listing of all municipal government or other public entity clients, during the last three (3) years.
3. Resumes of key employees, and an indication of which employees would be directly working with the Town, including an identification of the person who will be designated to be the lead engineer under any contract awarded for professional engineering services.
4. A narrative statement of the Respondent's understanding of the Town's needs and goals.
5. List all immediate relatives of Principal(s) of Respondent who are Town employees or elected officials of the Town. For purposes of the above, "immediate relative" means a spouse, parent, stepparent, brother, sister, child, stepchild, direct-line aunt or uncle, grandparent, grandchild and in-laws.
6. Limits of Malpractice/liability insurance coverage and name of insurance carrier.
7. A listing of all other engagements where services of the type proposed were provided in the past five (5) years. This should include other municipal governments and other levels of

government, including the Town of West New York. Contact information for the recipients of the similar services must be provided. The Town may obtain references from any of the parties listed.

8. Demonstration of ability with appropriate personnel or other arrangements to perform the required tasks in a timely fashion, including the attendance at meetings, as necessary.
9. A listing of all professional organization memberships.
10. Demonstration of ability to properly form the services of web design consultant.
11. Respondents must list all cases where they have been adverse to the Town or in which they sued the Town or in which they represented a client that sued the Town which were filed within the last five calendar years.
12. A listing of all employment positions with the Town, its Boards, Agencies and subordinate entities, including both salaried positions and/or professional service or other contracts of Respondent, stating the period of time and position held.

3.4 Cost Proposal

1. Respondent **must** include a detailed cost and services proposal for the provision of public relations services, including a proposed annual not-to-exceed amount.

(Please note that selection will not be based upon the proposal having the lowest price, but rather, the Proposal that is most advantageous to the Town, in its sole judgment, price and other factors considered. Any cost proposal submitted shall not be considered to be a binding “bid”.

This RFP does not guarantee that: (1) a contract for services will be issued; (2) any set amount of compensation or limit on compensation if such a contract is issued.

The Town of West New York disclaims any obligation to issue a contract pursuant to any compensation request contained in any Proposal, even if a contract is issued in response to such Proposal. The Town expressly reserves the right to negotiate any contract price, if a contract is to be issued pursuant to this RFP.)

SECTION 4

INSTRUCTIONS TO RESPONDENTS

4.1. Submission of Proposals.

Respondents must submit an original and three (3) copies of their Proposal to the Designated Contact Person:

Proposals must be received by the Town no later than 10:00 a.m. prevailing time on May 19, 2009, and must be mailed or hand-delivered. Proposals forwarded by facsimile or e-mail will not be accepted.

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.

SECTION 5

EVALUATION

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

Proposals will be evaluated by the Town and Qualified Respondents will be selected based on the evaluation factors set forth below:

1. Experience and reputation in the field;
2. Knowledge of the Town and the subject matter of the pertinent contract;
3. Availability to accommodate the required meetings of the Town ;
4. Experience in the areas of law described in Section 2 of this RFP;
5. Pertinent government experience; and
6. Other factors demonstrated to be in the best interests of the Town .

Each Proposal must satisfy the objectives and requirements detailed in this RFP. The Town will select the most advantageous Proposals based on all of the evaluation factors set forth in this RFP.

Each Proposal must satisfy the objectives and requirements detailed in this RFP. Successful Respondents shall be determined by an evaluation of the total content of the Proposal submitted. The Town reserves the right to:

1. not select any of the Proposals;
2. award a contract for the requested services at any time within the qualification period;
3. award one or more contracts to qualified respondents for all or any part or parts of the services, (in any manner provided for under the Local Public Contracts Law, N.J.S.A. 40A: 11-1 et seq. or other law) such that more than one respondent may be engaged for the entire scope of work, multiple respondents may be engaged for various portions of the needed work, and any respondent may be obligated to work with others in connection with the provision of the requested services.

Every Proposal should be valid through the entire qualification period.

The Town shall not be obligated to explain the results of the evaluation process to any Respondent.

SECTION 6

GENERAL TERMS AND CONDITIONS

1. The Town 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 Town to do so.
2. Each Proposal must be signed by the person authorized to do so.
3. Proposals may be hand delivered or mailed consistent with the provisions of the legal notice to Respondents. In the case of mailed Proposals, the Town 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 or e-mail.
4. No Respondent shall influence, or attempt to influence, or cause to be influenced, any Town officer or employee to use his/her official capacity in any manner which might tend to impair the objectivity or independence of judgment of said officer or employee.
5. No Respondent shall cause or influence, or attempt to cause or influence, any Town officer or employee to use his/her official capacity to secure unwarranted privileges or advantages for the respondents or any other person.
6. Should any difference arise between the contracting parties as to the meaning or intent of these instructions or specifications, the Town Attorney's decision shall be final and conclusive.
7. The Town shall not be responsible for any expenditure of monies or other expenses incurred by the Respondent in making its proposal.

END OF GENERAL INSTRUCTIONS

TOWN OF WEST NEW YORK

VENDOR: _____

RESPONDENT'S CHECKLIST

Item	Respondent Initials	AA/EEO Review
A. Non-Collusion Affidavit properly notarized		
B. Public Disclosure Statement		
C. Mandatory Affirmative Action Language		
D. Americans with Disabilities Act		
E. Affirmative Action Compliance Notice		
F. MWBE Questionnaire (2 copies)		
G. Form AA302 - Employee Information Report (Note: See Affirmative Action Compliance Notice, Item E).		
H. Business Registration Certificate		
I. Original signature(s) on all required forms.		

APPENDIX A

LETTER OF QUALIFICATION

(To be Typed on Respondent’s Letterhead. NO MODIFICATIONS MAY BE MADE TO THIS LETTER)

Town Clerk Carmela Riccie
Municipal Building
428-60th Street (Room #2)
West New York, New Jersey 07093

Dear Mrs. Riccie:

The undersigned have reviewed our Proposal submitted in response to the Request for Proposals (RFP) issued by the Town of West New York (“Town”), dated *(Insert Date)* in connection with the Town’s ’s need for Services – Web Design Consultant.

We affirm that the contents of our Proposal (which Proposal is incorporated herein by reference) are accurate, factual and complete to the best of our knowledge and belief and that the Proposal is submitted in good faith upon express understanding that any false statement may result in the disqualification of *(Insert Name of Respondent)*

Chief Executive Officer

Chief Financial Officer

Dated: _____

Dated: _____

Respondent shall sign and complete the spaces as provided above. If a joint venture, partnership or other formal organization is submitting a Proposal, each participant must execute this Letter of Qualification

APPENDIX B

LETTER OF INTENT

STATE OF NEW JERSEY
TOWN OF WEST NEW YORK ss:

I _____ certify that I am the _____

of the firm of _____, the Respondent

submitting a proposal in response to a Request for same from the Town in regards to Services – Web Design Consultant.. I further Certify that:

1. I executed said Proposal with full authority so to do; and
2. All statements contained in the Submission and in this affidavit are accurate, factual and complete, and made with full knowledge that the Town of West New York is relying upon the truth of the statements contained in the Submission and the statements contained in this affidavit in evaluating Respondent’s Qualifications; and
3. 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 through participation with any other person, firm or party; and
4. Respondent agrees to participate in good faith in the procurement process as described in the RFP and to adhere to the Town’s procurement schedule;
5. Respondent acknowledges that all costs incurred by it in connection with the preparation and submission of the Proposal and any proposal prepared and submitted in response to the RFP, or any negotiation which results therefrom, shall be borne exclusively by the Respondent. In no event shall the Town have any liability to Respondent for any costs incurred by the Respondent for the Proposal.
6. Respondent acknowledges and agrees that the Town may modify, amend, suspend and/or terminate the procurement process in its sole judgment.
7. Respondent is aware that any contract executed with respect to the services referred to in the RFP must comply with the applicable affirmative action and similar laws, and agrees to take such actions as may be required to comply with such applicable laws in the event that a contract is formed.

(Signature of Respondent) _____

SUBSCRIBED AND SWORN TO
BEFORE ME THIS _____ DAY OF 20_____

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