

PUBLIC NOTICE

REQUEST FOR PROPOSALS

THE TOWN OF GUTTENBERG IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY is requesting proposals from providers of auto and truck towing services for the Town of Guttenberg for a period from January 31, 2012 to January 30, 2013. Copies of the documents setting forth the scope of services, contract terms and conditions, proposal requirements, criteria for evaluation of proposals, and proposal submission requirements may be obtained from the Municipal Clerk of the Town of Guttenberg by telephoning the Clerk at 201-868-2315 or by visiting his offices at 6808 Park Avenue, Guttenberg, New Jersey, Monday through Friday between the hours of 9:00 a.m. and 4:00 p.m. Proposals will be accepted up to 2:00 p.m. (prevailing time) on January 18, 2012. All necessary documents may be downloaded from the official Guttenberg website, www.guttenbergnj.org

Michael Caliguiro
Town Administrator

REQUEST FOR PROPOSALS

THE TOWN OF GUTTENBERG is accepting Proposals from providers of auto and truck towing services for the Town of Guttenberg for a period from January 31,

2012 to January 30, 2013. Additionally, the approved vendor will be required to comply with all of the provisions of the current Town of Guttenberg Towing Ordinance. The approved vendor must provide the following services and have the following requirements:

TOWING AND STORAGE OF MOTOR VEHICLES

Definitions.

As used in this Request for Proposals, the following terms shall have the meanings indicated:

BASIC TOWING SERVICE - The removal and transportation of an automobile from a highway, street or other public or private road or a parking area to a storage facility, and other services normally incident thereto.

INSIDE BUILDING - A vehicle storage facility that is completely indoors, having one or more openings in the walls, for storage and removal of vehicles and that is secured by a locking device on each opening.

OUTSIDE SECURED - An automobile storage facility that is not indoors and is secured by a fence, wall or other man-made barrier that is at least six feet high and is installed with a passive alarm system or a similar on-site security measure. The facility is to be lighted at night.

OUTSIDE UNSECURED - An automobile storage facility that is not indoors and is not secured by a fence, wall or other man-made barrier, and all other storage facilities not defined above as "inside building" or "outside secured."

STORAGE CHARGES FOR TWENTY-FOUR-HOUR PERIOD - The maximum allowable amount to be charged by a storage facility for a twenty-four-hour period or fraction thereof.

A new twenty-four-hour period begins at 12:01 a.m.

TOW VEHICLE- Only those vehicles equipped with a boom or booms, winches, slings, tilt beds, wheel lifts or under-reach equipment specifically designed by its manufacturer for the removal or transport of motor vehicles.

TOW VEHICLE'S BASE OF SERVICE - The towing operator's principal place of business where the tow vehicle is stationed when not in use.

Official towers to be appointed.

- A. The Director of Public Safety shall appoint persons or companies meeting the criteria set forth in this chapter and engaged in the business or offering the services or a motor vehicle towing, wrecker or storage service, whereby damaged, impounded, disabled, abandoned, immobile or illegally parked motor vehicles are towed or otherwise removed. By use of a tow vehicle, as defined in this chapter. Such persons or companies shall be known as "official towers."
- B. Official towers shall be identified by means of a license which shall be issued as hereinafter provided.

Services to be furnished.

- A. Official towers shall furnish adequate and proper wrecking, towing, storage and emergency repair services to motor vehicles damaged, impounded, disabled, abandoned, immobile or illegally parked within the limits of the town, when requested to do so by an authorized town official.

- B. No official tower shall subcontract any work to be performed pursuant to this chapter without having first obtained prior written approved form the governing body. Any official tower to whom approval to subcontract work has been given shall be responsible for the services performed by the subcontractor and shall remain liable for any violation of this chapter by the subcontractor.

Application process; review; investigation.

- A. Bid submissions specifications for inclusion of the official towers' list shall be made to the Director of Public Safety in the Request for Proposals and submitted to the Town Administrator and shall contain all of the following information:
- (1) The name, residence and business address and telephone number of the owner of the towing company. If the owner is a corporation, the application shall contain the name, residence and business address and telephone number of every stockholder owning more than 10% of the issued stock.
 - (2) Such information as may be required by the Director of Public Safety concerning the personnel, vehicles, equipment and storage facilities of such applicant, as hereinafter provided, showing that the applicant meets the minimum standards of performance.
 - (3) A certificate or certificates of insurance evidencing adequate insurance coverage as hereinafter provided.
 - (4) A fee of \$750 to cover the administrative expenses incurred by the town in

processing the bid submissions.

- (5) The names of addresses of two business references who have known the applicant for at least two years and who can attest to the applicant's experience and performance in the towing, wrecking and storage business.
- (6) The names and addresses of any other public agencies which the applicant has or is contracted with in the last five years.
- (7) A New Jersey Business Registration.

B. Upon receipt of the bid submissions, the Town Administrator shall forward a copy to the Commander of Patrol Operations for his review and approval. The review by the Commander of Patrol Operations shall consist of the following:

- (1) A background check to determine if either the applicant or the applicant's personnel have been convicted of a criminal offense or have had their driver's licenses suspended or revoked within the past year. Conviction of a criminal offense or suspension of a driver's license within the past year shall be a cause for disqualification from inclusion on the official towers' list.
- (2) an inspection of the personnel, vehicles, equipment and storage area proposed to be utilized by the applicant to verify the accuracy of the information contained in the application and to determine compliance with applicable laws and regulations and the standards of performance required by this chapter.
- (3) A check with State Division of Consumer Fraud to determine if the applicant has had complaints filed against it and the findings of such complaints. A

sufficient number of verified findings against the applicant shall be cause for disqualification.

- (4) An investigation and inquiry with any other public agencies which the applicant presently or previously has contracted for towing to determine the applicant's compliance in their rules and regulations. Failure to comply with other agencies may be cause for disqualification.

C. A bidder may be included on the official towers' list by the Director of Public Safety when, from a consideration of the application and from such other information as may otherwise be obtained, the Director finds that all of the following circumstances exist:

- (1) The bidder has not knowingly and with intent to deceive, made any false, misleading or fraudulent statements of material fact in the application or in any other document required pursuant to this chapter.
- (2) The bidder has met the standards in this chapter and has furnished the required hold harmless agreement and certificate (s) of insurance.
- (3) The bid submissions has been reviewed and approved by the Commander of Patrol Operations.
- (4) Neither the bidder nor the bidder's personnel have been convicted of a criminal offense or had their drivers' licenses suspended within the past year. In the discretion of the Director of Public Safety, an applicant may be granted a license pending return, of a criminal record search.

D. The Commander of Patrol Operations shall conduct his review and render a report

to the Director of Public Safety, recommending either approval or denial of the application.

- E. Written notice of the approval or denial of the bid shall be provided to the bidder within seven days of the decision of the Director of Public Safety.

Minimum standards of performance.

To qualify for inclusion on the list of official towers, bidders must meet the following minimum standards:

A. Minimum vehicle requirements.

- (1) Every official tower shall maintain and have available to render services required by this chapter a minimum of three regular tow vehicles, one flatbed vehicles.
- (2) Vehicle classes.
 - (a) Regular tow vehicles must be equipped with a boom or winch assembly mounted on the chassis, a dolly assembly, a tow sling or wheel lift assembly at least 100 feet of either three-eighths inch or seven-sixteenths-inch cable attached to a motor-driven winch.
 - (b) Flatbed vehicles must be equipped with a winch or hydraulically operated bed which slides or tilts to accommodate transporting of vehicles.
- (3) Each bidder shall submit, along with its application, proof of ownership or

lease of the vehicles which will be utilized to provide services pursuant to this chapter.

B. Minimum equipment requirements.

- (1) Every tow vehicle or flatbed vehicle shall have two-way radio capability with a dispatching center on a twenty-four-hour basis.
- (2) Every tow vehicle or flatbed vehicle shall comply with any and all state, federal and local laws, regulations and ordinances pertaining to safety, lighting and towing equipment requirements and shall be subject to inspection by the Police at any time. No changes may be made in said vehicles or equipment unless prior written approval is obtained from the Director of Public Safety.
- (3) Every tow vehicle or flatbed vehicle shall display the official towers' license and shall have the name of the official tower displayed on the vehicle in such a manner and of such lettering as conforms to the provisions of N.J.S.A. 39:4-46.

C. Minimum personnel requirements.

- (1) Official towers shall have available, at all times, to provide the services required by this chapter.
- (2) All persons employed by official towers to provide the services required by this chapter shall meet the following requirements and be subject to the following regulations. They shall:

- (a) Be competent mechanics able to provide minimum road services for disabled vehicles.
- (b) Have a valid driver's license having no restrictions or conditional endorsements other than a condition requiring the wearing of eyeglasses.
- (c) Be mentally alert and present a neat appearance at all times.
- (d) Obey all traffic laws and regulations.
- (e) Be subject to inspection by the and shall be approved by the Commander of Patrol Operations prior to rendering any services pursuant to this chapter.
- (f) Not have been convicted of a crime nor have had their driving privileges suspended or revoked within the past year.

D. Minimum storage requirements.

- (1) Every official tower shall maintain an inside building or outside secured storage area meeting the following requirements:
 - (a) The storage area shall be capable of storing a minimum of 50 passenger vehicles and one tractor and trailer.
 - (b) The location of the storage area shall be either within the limits of the town or at such location outside of the town as to facilitate

reasonable towing distances.

- (c) The storage area shall be fully enclosed by a sturdy fence having a minimum height of six feet, with at least one lockable gate for ingress and egress, and shall be lighted from dusk to dawn.
 - (d) The storage area shall be in an area legally zoned for such use.
 - (e) The storage facility shall be available for towing and to the public 24 hours a day, 365 days per year.
 - (f) The official tower shall have an employee on duty during all hours in which the storage facility is open.
 - (g) The official tower shall not charge a release fee or other charge for releasing vehicles to their owners after normal business hours or on weekends.
 - (h) Each Official Tower shall maintain said storage area exclusively and shall not share said storage area with any other Official Tower of the Town of Guttenberg.
- (2) The official tower shall be responsible for ensuring the proper and safe storage of all vehicles towed pursuant to this chapter. The official tower shall be liable for any damage incurred by such vehicles while in transit to or while stored in the storage areas.

Hold harmless agreement.

Bidders shall agree in writing to assume the defense of and indemnify and hold harmless the town, its elected officials, boards, commissions, officers, employees and agents, from all suits, actions, damages or claims to which the town may be subjected to any kind and nature whatsoever resulting from, caused by, arising out of or as a consequence of the provision of towing, wrecking, storage and/or emergency services provided at the request of the town pursuant to this chapter. Official towers shall enter into a hold harmless agreement prior to being included on the official towers' list.

Insurance.

- A. No person shall be included on the official towers' list unless and until such person has provided to the town a certificate or certificates of insurance evidencing that there is in effect the following insurance coverage:
- (1) Automobile liability insurance in an amount not less than \$1,000,000 combined single limits.
 - (2) Workers' compensation as required by law.
 - (3) Garage keepers liability in an amount not less than \$60,000 per location.
 - (4) Garage liability in an amount not less than \$1,000,000 combined single limit.
 - (5) Sufficient comprehensive general public liability insurance to protect the town from any liability, loss or damages arising out of the activities to be conducted. Such insurance shall be in the minimum amount of \$1,000,000 for each person and \$3,000,000 for each accident.
- B. Policies of insurance shall contain endorsements to provide collision coverage from

vehicles in tow.

- C. Policies of insurance shall be written by insurance companies authorized to do business in the State of New Jersey. Insurance companies shall be acceptable to the town and shall have at least a B+ rating by a recognized rating service.
- D. The Town of Guttenberg shall be named as an additional insured on all policies of insurance provided pursuant to this chapter. All certificates of insurance shall provide that the policies may not be canceled, terminated or coverage decreased without 30 days' written notice to the town.
- E. Policies of insurance required by this chapter shall be maintained in full force and effect at all times. In the event that any coverage is canceled, terminated, interrupted or decreased in amount, the tower shall be removed from the official towers' list until such time as the required coverage is reinstated or replaced.

Towing and storage fee schedule that each official tower must agree to in its proposal.

- A. The fee for towing and storage of vehicles are as follows:

- (1) The following is the fee schedule for towing services:

Four wheel class one vehicle.....\$125.00

Class two vehicle: Trucks, buses.....\$250.00 per hour

Heavy tractor trailers and all other heavy equipment over five tons.

(2) The following is the fee schedule for storage services:

Storage Facility Capacity Fee

Inside building.....\$40.00 per day

Outside secured.....\$30.00 per day

- B. The fees set forth on the schedules contained in of this section for storage fees are the maximum storage charges per twenty-four-hour period.
- C. Storage fees owed to the licensed tower shall be collectible only from the owner of the vehicle.

PROPOSAL SUBMISSIONS:

All persons interested in submitting a proposal for the providing auto and truck repairs shall submit a Proposal. Proposals shall be delivered to the Town Administrator at his office at the Town Hall of Guttenberg, New Jersey located at 6808 Park Avenue, Guttenberg, New Jersey on or about 2:00 p.m. (prevailing time) on January 16, 2012. All persons submitting a Proposal are encouraged to contact Michael Caliguro, Town Administrator, in an effort to personally be advised of the necessary requirements to provide the services requested.

PROPOSAL FORMAT:

- 1. Must include a completed and signed Proposal outlining responses to

conditions raised in services sought.

2. Must include a Certificate of Insurance.
3. Must include copies of relevant licenses necessary to provide said services.
4. Must provide a fee schedule pursuant to Guttenberg Towing Ordinance.
5. New Jersey Business Registration Certificate.

SUBMISSION OF PROPOSALS:

Proposals (original + 2) shall be delivered to the Municipal Clerk at his office located at 6808 Park Avenue, Guttenberg, New Jersey no later than 2:00 p.m. (prevailing time) on January 18, 2012. Same shall be addressed as follow:

Michael Caliguiro, Town Administrator
Town of Guttenberg
6808 Park Avenue
Guttenberg, New Jersey 07093

All proposals shall be submitted in sealed envelopes with the wording:

AUTOMOBILE AND TRUCK TOWING SERVICES

TOWN OF GUTTENBERG

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY :
: SS.
COUNTY OF HUDSON :

I, _____ of the _____
of _____, in the County of _____ and
the State of New Jersey, of full age, being duly sworn according to law on my oath depose and
say that:

I am _____

of the firm of _____
the Professional Service Entity making the submission for the above named Service, and that I
executed the said submission with full authority to do so; that the Professional Service Entity
has not, directly or indirectly, entered into any agreements, participated in any collusion, or
otherwise taken any action in restraint of fair and open competition in connection with the
above named Service; and that all statements contained in said submission and in this affidavit
are true and correct, and made with full knowledge that the Town of Guttenberg relies upon
the truth of the statements contained in said submission and in the statements contained in this
affidavit in awarding the contract for said Service.

I am further warrant that no person or selling agency has been employed or retained to solicit
or secure such contract upon an agreement or understanding for a commission, percentage,
brokerage or contingent fee.

Subscribed and sworn to before me
this _____ day of _____, 200

Notary Public
State of _____
My Commission Expires _____

(Signature or Professional)

(Type or print name of Affiant and Title
under signature)

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 or sex. Except with respect to affectional or sexual orientation, the contractor will take affirmative action to ensure that such applicants are recruited and employed and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates or 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 non-discrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex.

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

The contractor and subcontractor, where applicable, agrees to comply with the 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 and subcontractor agrees to attempt in good faith to employ minority and female workers consistent with the applicable county employment goals established in accordance with N.J.S.A. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.S.A. 17:27-5.2.

The contractor and subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, or sex, and that it will discontinue to use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor and 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.

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

The contractor and its subcontractor shall furnish such reports or other documents to the Division of Contract Compliance & EEO as may be requested by the Division from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Contract Compliance & EEO for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

TOWN OF GUTTENBERG

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 individuals 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 ON THE FOLLOWING STATEMENTS:

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

Name:

Address:

SIGNATURE: _____ DATE: _____

II. No Stockholder or Partner owns 10% of 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: _____