

REQUEST FOR QUALIFICATIONS
FOR THE PROVISION OF GENERAL REAL ESTATE APPRAISER SERVICES

DUE DATE: May 4, 2012 (10 A.M.)

Issued by: Town of Kearny

NOTE: The Town of Kearny will consider proposals only from firms that have demonstrated the capability and willingness to provide high quality services in the manner described in this Request for Qualifications.

DEFINITIONS

The following definitions shall apply to and are used in this Request for Qualifications:

“Town” - refers to the Town of Kearny.

“Qualification Statement” – refers to the complete responses to this RFQ 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 RFQ.

“RFQ” – refers to this Request for Qualifications, including any amendments thereof or supplements thereto.

“Respondent” or “Respondents” – refers to the interested person or firm(s) that submit a Qualification Statement.

SECTION 1

INTRODUCTION AND GENERAL INFORMATION

1.1. Introduction and Purpose.

The Town is soliciting Qualification Statements from interested persons and/or firms for the provision of general real estate appraisal services (including consultant services), as more particularly described herein. Persons and/or firms interested in assisting the Town with the provision of such services must prepare and submit a Qualification Statement in accordance with this RFQ. The Town will review Qualification Statements only from those firms that submit a Qualification Statement which includes all the information required to be included as described herein. The Town intends to qualify person(s) and/or firm(s) that (a) possesses 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 Town's taxpayers.

1.2. Procurement Process and Schedule.

The selection of Qualified Respondents is not subject to the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. However, the selection is subject to the “New Jersey Local Unit Pay-to-Play” Law, N.J.S.A. 19:44A-20.4 et seq. The Town has structured a procurement process 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 Qualification Statement in response to the RFQ, which will be evaluated in accordance with the criteria set forth in Section 5 of this RFQ and which will be applied in the same manner to each Qualification Statement received.

Qualification Statements will be reviewed and evaluated by the Town to determine if the Respondent has met the minimum professional, administrative and financial criteria described in this RFQ. Based upon the totality of the information contained in the Qualification Statement,

including information about the reputation and experience of each Respondent, the Town will (in its sole judgment) determine which Respondents are qualified (from professional, administrative and financial standpoints). Each Respondent that meets the requirements of the RFQ (in the sole judgment of the Town) will be designated as a Qualified Respondent and will be subject to a selection process determined by the Town.

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

Designated Contact Person:

Ms. Patricia Carpenter, Town Clerk
Town of Kearny - Town Hall
402 Kearny Avenue
Kearny, NJ 07032

Qualification Statements must be submitted to, and be received by, the Town Clerk, via courier service or in person, by 10:00 a.m. Prevailing Time on May 4, 2012. The Town takes no responsibility for the loss, non-delivery or physical condition of the Qualification Statements so sent. Qualification Statements will not be accepted by facsimile transmission or e-mail. The Qualification Statements will be publicly opened and read by the Town Clerk at Town Hall, 402 Kearny Avenue, Kearny, New Jersey on May 4, 2012 at 10:00 a.m. Prevailing Time.

Subsequent to issuance of this RFQ, the Town (through the issuance of addenda to this RFQ) may modify, supplement or amend the provisions of this RFQ 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.

1.3. Conditions Applicable to RFQ.

Upon submission of a Qualification Statement in response to this RFQ, the Respondent acknowledges and consents to the following conditions relative to the submission, review and consideration of its Qualification Statement.

- This document is an RFQ and does not constitute an RFP.
- This RFQ does not commit the Town to issue an RFP nor to engage the services of any Qualified Respondent.
- All costs incurred by the Respondent in connection with responding to this RFQ shall be borne solely by the Respondent.
- The Town reserves the right (in its sole judgment) to reject for any reason any and all responses and components thereof and to eliminate any and all Respondents responding to this RFQ from further consideration for this procurement.
- The Town reserves the right (in its sole judgment) to reject any Respondent that submits incomplete responses to this RFQ, or a Qualification Statement that is not responsive to the requirements of this RFQ.

- The Town reserves the right, without prior notice, to supplement, amend, withdraw, or otherwise modify this RFQ, or otherwise request additional information.
- All Qualification Statements shall become the property of the Town and will not be returned.
- All Qualification Statements will be made available to the public at the appropriate time, as determined by the Town (in its sole discretion) in accordance with law.
- The Town may request Respondents to send representatives to the Town for interviews.
- Neither the Town, nor their respective staffs, consultants or advisors shall be liable for any claims or damages resulting from the solicitation or preparation of the Qualification Statement, nor will there be any reimbursement to Respondents for the cost of preparing and submitting a Qualification Statement 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 RFQ and the procurement process in accordance with the provisions of applicable law:

- To determine that any Qualification Statements received complies or fails to comply with the terms of this RFQ.
- To supplement, amend or otherwise modify the RFQ through issuance of addenda to all prospective Respondents who have received a copy of this RFQ.
- To waive any technical non-conformance with the terms of this RFQ.
- To change or alter the schedule for any events called for in this RFQ upon the issuance of notice to all prospective Respondents who have received a copy of this RFQ.
- 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 Qualification Statement and to request additional information to support the information included in any Qualification Statement.
- To suspend or terminate the procurement process described in this RFQ 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. The Town shall be under no obligation to complete all or any portion of the procurement process described in this RFQ.

1.5. Addenda or Amendments to RFQ.

During the period provided for the preparation of responses to the RFQ, 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 RFQ. All responses to the RFQ shall be prepared with full consideration of the addenda issued prior to the Qualification Statement submission date.

1.6. Cost of Qualification Statement Preparation.

Each Qualification Statement and all information required to be submitted pursuant to the RFQ shall be prepared at the sole cost and expense of the Respondent. There shall be no claims whatsoever against the Town, its staff or consultants for reimbursement for the payment of costs or expenses incurred in the preparation of the Qualification Statement or other information required by the RFQ.

1.7. Qualification Statement Format.

Responses should cover all information requested in this RFQ.

Responses which in the judgment of the Town fail to meet the requirements of the RFQ or which are in any way conditional, incomplete, obscure, contain additions or deletions from requested information, or contain errors may be rejected.

1.8. No Subcontracting of Services.

The services performed under this RFQ shall be performed by the Qualified Respondent with whom the Town selects as a General Real Estate Appraiser. No Qualified Respondent shall subcontract to any other person and/or firm the services to be provided herein.

SECTION 2

SCOPE OF SERVICES

It is the intent of the Town to solicit Qualification Statements from Respondents that have expertise in providing specialized real estate appraisal services (including consultant services) for the position of General Real Estate Appraiser. Firms and/or persons responding to this RFQ shall be able to demonstrate that they will have the continuing capabilities to perform these services.

The Town requires the services of an appraiser to represent the Town in real estate tax appeal cases before the County Tax Board and/or Tax Court. In addition, from time to time the Town may authorize the acquisition, sale, condemnation, lease, transfer, exchange and/or creation of all or part of an interest in real property of any kind, including but not limited to residential, mixed use, non-residential, commercial, industrial, vacant and publicly owned in accordance with the laws of the State of New Jersey. In furtherance of same, the Town shall require expert services for the appraisal and valuation of said interests in real property. In order to achieve these objectives, the General Real Estate Appraiser must be able to render expert services through education, knowledge, experience and expertise.

The General Real Estate Appraiser must be a Certified General Real Estate Appraiser licensed by the State of New Jersey and be able to render the following services, and in addition, any other services that are necessary and customary to complete the intent of these types of transactions.

1. Provide real estate tax valuation and consulting in connection with property tax appeals.
2. If requested by the Town at such time that the Town determines to acquire, sell, condemn, lease, transfer, exchange and/or create any interest in real property, the General Real Estate Appraiser shall perform and provide a certified appraisal and/or market valuation of said interest in real property.
3. Provide basic advice on an “as needed” basis concerning the acquisition, condemnation, leasing, transferring, exchanging and/or creation of any interest in real property.
4. Attend all meetings or conferences wherever located on an “as needed” basis.
5. Upon request of the Town perform appraisal services regarding Green Acres applications.
6. Demonstrate knowledge and experience in the valuation of any interest in real property in a designated Redevelopment Area pursuant to N.J.S.A. 40A:12A-1 et seq.
7. Demonstrate knowledge and experience in federal and state requirements for acquisition, sale, condemnation, exchange or lease of any real property interest, including that of right of ways, relating to federally funded and state funded projects.
8. Provide expert witness/litigation support relating to the services provided herein.

SECTION 3

SUBMISSION REQUIREMENTS

3.1 General Requirements.

The Qualification Statement 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 Qualification Statement. 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 Qualification Statement, 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 Qualification Statement.

2. An executed Letter of Qualification (See Appendix A).
3. Name, address and telephone number of the firm or firms submitting the Qualification Statement pursuant to this RFQ, and the name of the key contact person.
4. A description of the business organization (i.e., corporation, partnership, joint venture, etc.) of each firm, its ownership and its organizational structure.
 - (a) Provide the names and business addresses of all Principals of the firm or firms submitting the Qualification Statement. For purposes of this RFQ, "Principals" means persons processing an ownership interest in the Respondent. If the Respondent is a corporation, "Principals" shall include each investor who would have any amount of operational control over the Respondent and every stockholder having an ownership interest of 10% or more in the firm.
 - (b) If a firm 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 firm submitting a Qualification Statement. 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. An executed Letter of Intent (See Appendix B).
6. The number of years your organization has been in business under the present name.
7. The number of years the business organization has been under the current management.
8. A statement that the Respondent is in compliance with all applicable affirmative action (or similar) requirements with respect to its business activities, and that Respondent agrees to comply with the Town's Living Wage Ordinance No. 2007-(0)-41 as amended by Ordinance No. 2008-(0)-8.
9. Whether within the last seven (7) years Respondent has been adjudicated liable for professional malpractice. If yes, please explain.
10. Whether the business organization is now or has been involved in any bankruptcy or re-organization proceedings in the last ten (10) years. If yes, please explain.
11. The following documents must also be submitted with RFQ:

- (a) New Jersey Business Registration Certificate.
 - (b) Certificate of Insurance indicating Professional Liability Insurance of one million dollars (\$1,000,000.00) per occurrence and one million dollars (\$1,000,000.00) in the aggregate.
- 12. A certification (in the form attached as Appendix C) that the Respondent is in good standing with and duly licensed by the applicable federal and state agencies to perform the activities herein, including but not limited to:
 - (a) Certification as a General Real Estate Appraiser by the Board of Real Estate Appraisers of the State of New Jersey; and
 - (b) Certification that you are an approved appraiser by the New Jersey Department of Environmental Protection for Green Acres applications.

3.3. Professional Information Requirements.

- 1. Respondent shall submit a description of its overall experience in providing the type of services sought in the RFQ. At a minimum, Respondent must demonstrate that it has a minimum of seven (7) years experience as a Certified General Real Estate Appraiser, and five (5) years experience acting as a Certified General Real Estate Appraiser for governmental entities. Respondent must provide the following information on past experience in the RFQ:
 - (a) Description and scope of work by Respondent.
 - (b) Name, address and contact information of all New Jersey Governmental entities Respondent represented as General Real Estate Appraiser.
 - (c) Explanation of perceived relevance of the experience to the RFQ.
- 2. Resumes of key employees.
- 3. 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 by reason of relation.

3.4 Cost Proposal.

The Respondent shall include in its submission the Respondent's proposed hourly rates for its services (see items 2a & 2b in Section 6).

SECTION 4

INSTRUCTION TO RESPONDENTS

4.1 Submission of Qualification Statements.

Respondents must submit one original and one copy of their Qualification Statement to:

Name: Ms. Patricia Carpenter, Town Clerk
Address: Town of Kearny - Town Hall
402 Kearny Avenue
Kearny, NJ 07032

Qualification Statements must be received by the Town no later than 10:00 a.m. on May 4, 2012 and must be submitted in person or by courier service. Though Qualification Statements may be sent by courier service the Town takes no responsibility for the loss, non-delivery or physical condition of the Qualification Statements so sent. Qualification Statements forwarded by facsimile or e-mail will not be accepted. Qualification Statements received after this time will not be considered. The Town will not bear responsibility for delays for any reason.

To be responsive, Qualification Statements must provide all requested information, and must be in strict conformance with the instructions set forth herein. Qualification Statements and all related information must be bound, and signed and acknowledged by the Respondent.

SECTION 5

EVALUATION

The Town's objective in soliciting Qualification Statements is to enable it to select a firm or firms that will provide high quality and cost effective services to the Town's citizens. The Town will consider Qualification Statements only from firms or organizations that, in the Town's judgment, have demonstrated the capability and willingness to provide high quality services to the citizens of the Town in the manner described in this RFQ.

Qualification Statements will be evaluated by the Town on the basis of the most advantageous submission, all relevant factors considered. The evaluation will consider:

1. Experience and reputation in the field;
2. Knowledge of the Town and the subject matter addressed under the contract;
3. Availability to accommodate the required meetings and/or conferences of the Town;
4. The cost proposal from the Respondent pursuant to Section 3.4; and
5. Other factors demonstrated to be in the best interest of the Town.

SECTION 6

COSTS AND EXPENSES

A Qualified Respondent who is selected by the Town as a General Real Estate Appraiser shall be compensated as follows:

1. For all services where a certified appraisal shall be requested by the Town, compensation shall be at a negotiated amount based on the real property interest to be appraised or valued.
2. For all other services to be provided as set forth under this RFQ, including tax appeal related services, compensation proposed by the Respondent shall not exceed the following hourly fees:
 - (a) Appearance at commission hearings and court trials where the appraiser's valuation exceeds \$1,500,000, an hourly fee not to exceed Two Hundred and Twenty-Five (\$225.00); and
 - (b) For all other services not included in 1 and 2 (a) of this section, an hourly fee not to exceed One Hundred and Fifty Dollars (\$150.00).

The Respondent shall include its proposed hourly rates with its Qualification Statement.

The Town shall set the terms of the contract; however, in no event shall the total compensation paid for all services rendered by the General Real Estate Appraiser exceed the amount of Thirty Thousand Dollars (\$30,000.00) during the term of the contract (2012 calendar year).

No fees shall be paid or charged separately for secretarial or clerical services. All services shall be performed by the Qualified Respondent who is selected as a General Real Estate Appraiser under this RFQ. No compensation shall be paid for ordinary travel time between Respondent's offices and Town Hall and/or County offices.

APPENDIX A

LETTER OF QUALIFICATION

(Note: To be typed on Respondent's Letterhead. No modifications may be made to this letter)

[insert date]

Attn: Ms. Patricia Carpenter, Town Clerk
Town of Kearny - Town Hall
402 Kearny Avenue
Kearny, NJ 07032

Dear Ms. Carpenter:

The undersigned has/have reviewed my/our Qualification Statement submitted in response to the Request for Qualifications (RFQ) issued by the Town of Kearny ("Town"), in connection with the Town's need for General Real Estate Appraiser.

I/We affirm that the contents of my/our Qualification Statement (which Qualification Statement is incorporated herein by reference) is accurate, factual and complete to the best of our knowledge and belief and that the Qualification Statement is submitted in good faith upon express understanding that any false statement may result in the disqualification of (Name of Respondent).

(Respondent shall sign and complete the spaces provided below.)

(Typed Name and Title)

(Type Name of Firm)*

Dated:_____

*If a joint venture, partnership or other formal organization is submitting a Qualification Statement, each participant shall execute this Letter of Qualification.

APPENDIX B

LETTER OF INTENT

(Note: To be typed on Respondent's Letterhead. No modifications may be made to this letter)

[insert date]

Attn: Ms. Patricia Carpenter, Town Clerk
Town of Kearny - Town Hall
402 Kearny Avenue
Kearny, NJ 07032

Dear Ms. Carpenter:

The undersigned, as Respondent, has (have) submitted the attached Qualification Statement submitted in response to the Request for Qualifications (RFQ) issued by the Town of Kearny ("Town"), in connection with the Town's need for General Real Estate Appraiser.

(Name of Respondent) HEREBY STATES:

1. The Qualification Statement contains accurate, factual and complete information.
2. (Name of Respondent) agree (agrees) to participate in good faith in the procurement process as described in the RFQ and to adhere to the Town's procurement schedule.
3. (Name of Respondent) acknowledges (acknowledge) that all costs incurred by it (them) in connection with the preparation and submission of the Qualification Statement and any proposal prepared and submitted in response to the RFP, or any negotiation which results therefrom shall be borne exclusively by the Respondent.
4. (Name of Respondent) hereby declares (declare) that the only persons participating in this Qualification Statement as Principals are named herein and that no person other than those herein mentioned has any participation in this Qualification Statement or in any contract to be entered into with respect thereto. Additional persons may subsequently be included as participating Principals, but only if acceptable to the Town. (Name of Respondent) declares that this Qualification Statement is made without connection with any other person, firm or parties who has submitted a Qualification Statement, except as expressly set forth below and that it has been prepared and has been submitted in good faith and without collusion or fraud.
5. (Name of Respondent) acknowledges and agrees that the Town may modify, amend, suspend and/or terminate the procurement process (in its sole judgment). In any case, the Town shall not have any liability to the Respondent for any costs incurred by the Respondent with respect to the procurement activities described in this RFQ.
6. (Name of Respondent) acknowledges that any contract executed with respect to the provision of [insert services] must comply with all applicable affirmative action and

similar laws. Respondent hereby agrees to take such actions as are required in order to comply with such applicable laws.

(Respondent shall sign and complete the space provided below. If a joint venture, appropriate officers of each company shall sign.)

(Signature of Chief Executive Officer)

(Typed Name and Title)

(Type Name of Firm)*

Dated: _____

*If a joint venture, partnership or other formal organization is submitting a Qualification Statement, each participant shall execute this Letter of Intent.

APPENDIX C

CERTIFICATION

VENDOR: _____

ADDRESS: _____

CONTACT INFORMATION:_____

TELEPHONE NUMBER: _____

FAX NUMBER: _____

I, the undersigned hereby certify that I am duly licensed by all applicable State and Federal agencies to perform the activities set forth under this RFQ. I further certify that I am in good standing with, and Certified as a General Real Estate Appraiser by the Board of Real Estate Appraisers of the State of New Jersey. I further certify that I am an approved appraiser by the New Jersey Department of Environmental Protection for Green Acres applications. I further certify that upon request from the Town , I will promptly submit proof of said certifications and approvals to the Town.

I, the undersigned am fully aware that if I have misrepresented in whole or in part this affirmation and certification, I and/or the company will be liable for any penalty permitted by law including the loss of contract or disbarment.

Signature _____ Date _____

Name and Title Printed

Name of Company/Vendor