The Township of Cranford is soliciting qualifications through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

Sealed RFP responses will be received by the Township Clerk on February 18, 2016 at 10:00 a.m. in the office of the Township Clerk, Municipal Building, 8 Springfield Avenue, Cranford, NJ 07016, at which time and place responses will be opened for:

**PCI-COMPLIANT GATEWAY AND MERCHANT ACCOUNTS FOR CREDIT CARD PROCESSING**

Specifications and instructions may be obtained at the Office of the Township Clerk and are also available at www.cranford.com/township.

Respondents shall comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27. A copy of your New Jersey Business Registration Certificate shall be included with your proposal.

January 28, 2016
GENERAL INFORMATION & SUMMARY

ORIENTATION REQUESTING PROPOSAL

TOWNSHIP OF CRANFORD
8 SPRINGFIELD AVENUE
CRANFORD, NEW JERSEY 07016

CONTACT PERSON(S)

LAVONA PATTERSON, CFO
l-patterson@cranfordnj.org
908 709-7250

JENNIFER BURNS, QPA
j-burns@cranfordnj.org
908-709-7226

PURPOSE OF REQUEST

The Township of Cranford is requesting proposals from qualified vendors to provide a PCI-compliant gateway and merchant accounts for credit card processing at various Township Departments including but not limited to Traffic & Parking, Recreation, Swim Pool Utility, Construction Code & Inspection Services, Court & Violations Division and Public Health & Safety Departments. Proposals will be evaluated in accordance with the criteria set forth in this Request for Proposals.

PERIOD OF CONTRACT

Two years (24 months) to commence within 90 days of submission deadline.

CONTRACT FORM

The successful proposer shall be required to execute the Township’s form contract, which includes the indemnification, insurance, termination and licensing provisions. A complete copy of a draft Township form contract is available upon request.

It is also agreed and understood that the acceptance of the final payment by Contractor shall be considered a release in full of all claims against the Township arising out of, or by reason of, the work done and materials furnished under this Contract.

The successful Proposer must be an Equal Opportunity Employer.

INQUIRIES

Questions concerning the RFP must be submitted in writing by 4:30 p.m. Monday, February 8, 2016 to Jennifer Burns, Purchasing Agent, Township of Cranford through e-mail to j-burns@cranfordnj.org. Answers will be sent via an electronic (email) addendum to all vendors who received this RFP.
DETAILED REQUIREMENTS OF THE
REQUEST FOR PROPOSALS FOR
PCI-COMPLIANT GATEWAY AND MERCHANT ACCOUNTS
FOR CREDIT CARD PROCESSING SERVICES

TOWNSHIP OF CRANFORD FACTS AND FIGURES

The Township of Cranford is a legal, governmental entity. The Township was incorporated in 1871 and operates under N.J.S.A. 40A:63-1 et seq., the Township form of government. The Township is governed by a Township Committee. The Township Committee sets policy, adopts the operating and capital budgets for the Township, enacts ordinances and sets the direction of how the Township of Cranford will provide government services. The Township Administrator carries out the policies adopted by the Governing Body.

The Township’s population is approximately 22,600 and it consists of approximately 4.9 square miles of area. The Township provides a full range of municipal services.

The Township’s operating budget is approximately $35 million.

NATURE/SCOPE OF SERVICES

The Township of Cranford is requesting proposals from qualified vendors to provide a PCI-compliant gateway and merchant account for credit card processing at various Township Departments including but not limited to Traffic & Parking, Recreation, Swim Pool Utility, Construction Code & Inspection Services, Court & Violations Division and Public Health & Safety Departments.

Specifically, the Township is seeking a Vendor who has the ability and equipment to integrate with the Township’s website for online credit card payment solutions, the Township’s parking solution, the Township’s geographic information system (GIS) software, and the Township’s accounting software programs.

The Township may require Credit Card terminals for cashier windows at various locations to facilitate payment and provide receipts, including terminals that support smart phone payment technology.

Proposers should be aware that credit card numbers shall not be stored on any Township equipment and must solely reside on secured Vendor terminals.

STANDARD REQUIREMENTS OF PROPOSAL

Proposers should submit a technical proposal that contains the following:

- The name of the proposer, the principal place of business and, if different, the place where the services will be provided;

- A statement that the Proposer has a minimum of five (5) years experience servicing municipalities or other governmental entities as a PCI-compliant gateway and merchant accounts for credit card processor;
• The Proposer’s plan of setting up terminal stations at each cashiering window, converting existing software and equipment to the Proposer’s format, developing web portal to accept online payments, training Township staff and any further requirements to complete the contract;

• The Proposer’s ability to service future problems with terminals, ongoing IT support and provide maintenance, and help desk during normal business days, Monday through Friday from 8:00 a.m. to 5:00 p.m.;

• The Proposer’s ability to integrate with existing Township website, Township parking, GIS and accounting software;

• A Statement that neither the firm nor any individuals assigned to this engagement are suspended, or otherwise prohibited from professional practice by any federal, state, or local agency

• A certificate of insurance evidencing the proposer’s Errors and Omissions Insurance with a limit of liability of no less than $1,000,000.00

• An Affirmative Action Statement (copy of form attached);

• A completed Non-Collusion Affidavit (copy of form attached);

• A completed Owner Disclosure Information form (copy of form attached);

• A statement that the proposer will comply with the General Terms and Conditions required by the Township and enter into the Township’s standard Professional Services Contract;

• A copy of the proposer’s W9 & Business Registration Certification; and

• A completed Disclosure Statement.

TECHNICAL EVALUATION CRITERIA

The Technical Evaluation Criteria set forth in this section of the RFP shall be used to evaluate responsive and responsible proposals. The Technical Evaluation Criteria are:

A. Proposer acceptance of Credit Cards:

1. Highly Advantageous:
   Proposer accepts Visa, MasterCard, Discover and American Express

2. Advantageous:
   Proposer accepts Visa and MasterCard, but not all four major credit cards

3. Not Advantageous:
   Proposer accepts only one of the four major credit cards listed above
B. Proposer’s experience with the software programs and website programming relevant to this contract:

1. Highly Advantageous:
   Proposer has documented experience working with the following software/environments:
   - Digital Payment Technologies Luke II System (Parking)
   - Spatial Data Logics (GIS)
   - Edmunds Accounting

2. Advantageous:
   Proposer has documented experience working with at least one (1) of the aforementioned three software/environments

3. Not Advantageous:
   Proposer has no documented experience working with any of the aforementioned three software/environments:

C. Proposer accepts payments via Smart Phone:

4. Highly Advantageous:
   Proposer accepts payments via smart phone; can provide equipment, software and training to Township staff

5. Advantageous:
   Proposer accepts payments via smart phone; can provide the Township with partners who can assist with the provision of equipment, software and training.

6. Not Advantageous:
   Proposer does not accept payments via smart phone

COST PROPOSAL

Proposers should complete the Price Summary Form, included at the end of these instructions. Proposers are required to disclose any and all fees that could impact the award and successful operations of the Contract. Fees not stated clearly in this proposal will not be included in the contract award amounts, and therefore will not be the responsibility of the Township.

PROPOSAL EVALUATION

The Township will select the most advantageous proposals based on cost and other evaluation factors set forth at the end of this Request for Proposals. A committee assigned to the review of proposals will weigh the criteria and make the recommendation of award(s) that is in the best interest of the Township.

Each proposal must satisfy the objectives and requirements detailed in this Request for Proposals. The successful proposer shall be determined by an evaluation of the total content of the proposal submitted. The Township reserves the right to:

- Not select any of the proposals;
• Select only portions of a particular proposer’s proposal for further consideration; (However, proposers may specify portions of the proposal that they consider “bundled”.)

• Award a contract for the requested services at any time within 60 days of the selection of the most advantageous proposal; every proposal should be valid through this time period.

The Township shall not be obligated to explain the results of the criteria evaluation process to any proposer.

The Township may require proposers to demonstrate any services described in their proposal prior to award.

PROPOSAL LIMITATIONS

This Request for Proposals is not intended to be an offer, order or contract and should not be regarded as such, nor shall any obligation or liability be imposed on the Township by issuance of this Request for Proposal. The Township reserves the right at the Township’s sole discretion to refuse any proposal submitted.

USE OF INFORMATION

Any specifications, drawings, sketches, models, samples, data, computer programs, documentation, technical or business information and the like (“Information”) furnished or disclosed by the Township to the proposer in connection with this Request for Proposals shall remain the property of the Township. When in tangible form, all copies of such information shall be returned to the Township upon request. Unless such information was previously known to the proposer, free of any obligation to keep it confidential, or has been or is subsequently made public by the Township or a third party, it shall be held in confidence by the proposer, shall be used only for the purposes of this Request for Proposals, and may not be used for other purposes except upon such terms and conditions as may be mutually agreed upon in writing.

GENERAL TERMS AND CONDITIONS

• The Township 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 proposer, to accept any item, items or services in the proposals should it be deemed in the best interest of the Township to do so.

• In case of failure by the successful proposer, the Township of Cranford may procure the articles or services from other sources, deduct the cost of the replacement from money due to the proposer under the contract and hold the proposer responsible for any excess cost occasioned thereby.

• The proposer shall maintain sufficient insurance to protect against all claims under Workmen's Compensation, General, Professional and Automobile Liability.

• Each proposal must be signed by the person authorized to do so.
• The contract shall be in effect for a twenty-four (24) month period.

• Proposers are required to submit one (1) original and four (4) copies of their proposals. They may be hand delivered or mailed consistent with the provisions of the legal notice to proposers. In the case of mailed proposals, the Township 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. Proposals shall be in a sealed envelope, marked “Proposal for Merchant Processing/Payment Gateway Services.” To be considered, proposals shall be delivered to or received by the Township Clerk by no later than 10:00 a.m. on February 18, 2016.

• Proposers are required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27. See attached exhibit A.

• By submission of the proposal, the proposer certifies that the service to be furnished will not infringe upon any valid patent, trademark or copyright and the successful proposer shall, at its expense, defend any and all actions or suits charging such infringement, and will save the Township harmless in any case of any such infringement.

• No proposer shall influence, or attempt to influence, or cause to be influenced, any township 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.

• No proposer shall cause or influence, or attempt to cause or influence, any Township officer or employee to use his/her official capacity to secure unwarranted privileges or advantages for the proposer or any other person.

• Should any difference arise between the contracting parties as to the meaning or intent of these instructions or specifications, the Township Counsel’s decision shall be final and conclusive.

• The Township of Cranford shall not be responsible for any expenditure of monies or other expenses incurred by the proposer in making its proposal.

• The checklist, affidavits, notices and the like presented at the end of this Request for Proposals are a part of this Request for Proposals and shall be completed and submitted as part of this proposal.

END OF GENERAL INSTRUCTIONS
BASIS OF AWARD

The contract shall be awarded based upon the following factors:

EVALUATION FACTORS

A. Relevance and Extent of Qualifications, Experience, Reputation and Training of Personnel to be assigned

B. Knowledge of the subject matter to be addressed under this engagement

C. Relevance and Extent of Similar Engagements performed

D. Technical Proposal contains all required information

E. Reasonableness of Cost Proposal
## PRICE SUMMARY FORM

Please provide Unit Price for the following and include any additional fees not listed:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contract Fee</td>
<td>$</td>
</tr>
<tr>
<td>Monthly Minimum Charge</td>
<td>$</td>
</tr>
<tr>
<td>Setup Fee</td>
<td>$</td>
</tr>
<tr>
<td>Annual Assessment/Compliance Fee</td>
<td>$</td>
</tr>
<tr>
<td>Monthly Service Fee</td>
<td>$</td>
</tr>
<tr>
<td>Per Transaction Fee</td>
<td>$</td>
</tr>
<tr>
<td>(list separately if there is a dollar and % transaction charge):</td>
<td>$</td>
</tr>
<tr>
<td>Terminal Fee per month or</td>
<td>$</td>
</tr>
<tr>
<td>Chargeback Fee</td>
<td>$</td>
</tr>
<tr>
<td>Batch Settlement Fee</td>
<td>$</td>
</tr>
<tr>
<td>Terminal Purchase</td>
<td>$</td>
</tr>
<tr>
<td>Other Fees (describe)</td>
<td>$</td>
</tr>
<tr>
<td>Other Fees (describe)</td>
<td>$</td>
</tr>
</tbody>
</table>

I certify that the certifications required by this solicitation are attached hereto, completed, and signed by an authorized official of the company. I further certify that all services on which my firm offered a proposal are available for delivery within the time limits established in this Request For Proposals. I further certify that if this firm is the successful proposer, we will produce evidence of liability, property and Worker’s Compensation insurance for the limits specified in this solicitation.

NAME OF COMPANY:______________________________________________________

ADDRESS:_____________________________________________________________

CITY/STATE/ZIP:_________________________________________________________

TELEPHONE:_____________________________________________________________

FAX:______________________________________________________________________

EMAIL:_______________________________________________________________

Authorized Signature ___________________________ Date ____________________
REQUEST FOR PROPOSALS CHECKLIST

THIS CHECKLIST MUST BE COMPLETED, INITIALED, SIGNED AND SUBMITTED WITH YOUR PROPOSAL. A PROPOSAL SUBMITTED WITHOUT THE FOLLOWING DOCUMENTS IS CAUSE FOR REFUSAL.

INITIAL BELOW

A. One (1) original, four (4) copies, of your complete proposal. __________
B. Non-Collusion Affidavit properly notarized __________
C. Owners Disclosure Statement, properly notarized, listing the names of all persons owning ten (10) percent or more of the proposing entity. __________
D. Authorized signatures on all forms. __________
E. W9 & Business Registration Certificate(s) __________
F. Disclosure Statement __________
G. Affirmative Action Statement __________

Note: N.J.S.A 52:32-44 provides that the Township shall not enter into a contract for goods or services unless the other party to the contract provides a copy of its business registration certificate and the business registration certificate of any subcontractors at the time that it submits its proposal. The contracting party must also collect the state use tax where applicable.

THE UNDERSIGNED HEREBY ACKNOWLEDGES THE ABOVE LISTED REQUIREMENTS.

NAME OF PROPOSER:

_____________________________________________________________________

Person, Firm or Corporation

BY: (NAME) (TITLE)
EXHIBIT A
MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
N.J.A.C. 17:27
GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

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

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

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

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

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2.
EXHIBIT A (Cont)

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

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

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

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

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

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Purchase & Property, CCAU, EEO Monitoring Program as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Purchase & Property, CCAU, EEO Monitoring Program for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27
NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY )
 ) ss:

COUNTY OF )

I, ______________________________ of the City of ______________________________
in the County of ______________________ and the State of __________________________
of full age, being duly sworn according to the law on my oath depose and say that:

I am ___________________________ of the firm of __________________________, the proposer
making the Proposal for the above named project, and that I executed the said Proposal with full
authority so to do; and that said bidder 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 project; and that all statements contained in said Proposal and in this
Affidavit are true and correct, and made with full knowledge that the State of New Jersey relies upon
the truth of the statements contained in said Proposal and in the statements contained in this Affidavit
in awarding the contract for the said Project.

I 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, except bona fide employees or bona fide established commercial or selling agencies
maintained by

________________________________________(N.J.S.A. 52:34-15)

(Name of Contractor)

________________________________________

(Also type or print name of Affiant under signature)

Subscribed and sworn to before me this ___
   day of __________, 2015.

________________________________________

A Notary Public of

My Commission expires __________________
OWNER DISCLOSURE INFORMATION

Set forth below are the names and addresses of all owners of 10% or more of the proposing business entity.

Name: _________________________ Name: _________________________
Address: _________________________ Address: _________________________

________________________________ __________________________________
Name: _________________________ Name: _________________________
Address: _________________________ Address: _________________________

________________________________ __________________________________
Name: _________________________ Name: _________________________
Address: _________________________ Address: _________________________

________________________________ __________________________________
Name: _________________________ Name: _________________________
Address: _________________________ Address: _________________________

________________________________ __________________________________
Name: _________________________ Name: _________________________
Address: _________________________ Address: _________________________

NAME OF BUSINESS ENTITY

SIGNATURE  TITLE

Notary Public of _________________________

My Commission Expires: ___________, 20____.
DISCLOSURE STATEMENT
(To be submitted with proposal)

(a) Is or was anyone in your firm or company a member of the Township governing body within the last calendar year or a member of his/her immediate family? If yes, then provide the name of the individual below and his/her relationship.

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td>____</td>
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</table>

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Relationship</th>
</tr>
</thead>
</table>

(b) Has any principal/partner of your firm been convicted of a indictable offense? If yes, then please provide further explanation and copies of any relative documents.

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td>____</td>
<td>____</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
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(c) Has any individual who would provide service under this contract ever been sanctioned by the appropriate licensing board?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td>____</td>
<td>____</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Term</th>
</tr>
</thead>
</table>

Reason for censure:

(d) Has the firm been found liable for professional malpractice in the last 5 years?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td>____</td>
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</table>

Reason for Action:

(e) Has any member of your firm ever been barred from doing business with any state, township or municipal government? If yes, then please provide further written explanation including date and copies of relevant documentation.

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
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<tbody>
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<td>____</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Name</th>
<th>State, Township or Municipality</th>
<th>Date</th>
</tr>
</thead>
</table>

Government

(f) Has your firm sued the Township of Cranford in the past five (5) years? If yes, then please identify the matter/case and provide further written explanation including date and copies of relevant documents.

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
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<tr>
<td>____</td>
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<table>
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<tr>
<th>Name</th>
<th>Date</th>
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</table>

By___________________________________________ Title____________________________________