

EXHIBIT A
FEE PROPOSAL FORM

EXHIBIT A - FEE PROPOSAL

CIVIL AND ENVIRONMENTAL ENGINEERING SERVICES, ABATEMENT, DEMOLITION AND SITE IMPROVEMENTS PROJECT MYER CENTER, FORT MONMOUTH, TINTON FALLS, N.J.

<u>DESCRIPTION</u>	<u>MAXIMUM NOT-TO-EXCEED PRICE</u>
A. Base Bid; Section V, Scope Of Services/Work: Tasks 1 and 2 - Document and Field Investigation, Survey, Base Map Preparation Services	\$ _____
B. Base Bid; Section V, Scope Of Services/Work: Task 3 - Environmental Services	\$ _____
C. Base Bid; Section V, Scope Of Services/Work: Task 4 - Construction Document Preparation, Submittals, Approvals, Permit Services	\$ _____
D. Add Alternate Bid; Section V, Scope Of Services/Work: Task 5 - Construction Phase Services	\$ _____
TOTAL MAXIMUM NOT-TO-EXCEED PRICE, ITEMS A THROUGH D	\$ _____

Notes:

The total maximum not-to-exceed prices contained in the Fee Proposal must include all direct and indirect costs including, but not limited to: FICA, workers' compensation, SUI, overhead, fee or profit, bonuses, clerical/administrative support, insurance, bonding, travel expenses, consultants/sub-consultants, licenses, fees, computers, laptops, cell phones, blackberry(s), equipment, identification cards, materials, supplies, managerial support, database equipment/fees, and all documents, forms, and reproductions thereof. No sales tax will be included or charged due to the tax exempt status of the NJEDA.

The successful firm will submit a detailed Schedule of Values for Tasks 1 through 5 contained in the maximum not-to-exceed prices contained in the Fee Proposal upon award of the contract for monthly billing/invoicing.

All Proposers must complete all information in the appropriate boxes, sign each form in ink and return with its Proposal. Fees be typed or written in ink or the Proposal will be subject to automatic rejection. Any changes (including "white-outs") must be initialed or that item will be disqualified. No revisions to the Fee Proposal will be accepted. Revisions to the Fee Proposal will render the Proposal materially defective and subject to mandatory rejection.

All Proposers must attach the Hourly Billing Rate Schedule as indicated in Section VII, C of the RFQ/P.

The NJEDA will consider all costs contained/requested in the Fee Proposal Form, Exhibit A, including Add Alternate Bid and hourly rates, in its evaluation and negotiation of a fair and reasonable cost for the required services and award of the contract.

Fee Proposal submitted by: _____
Name of Firm

Authorized Representative: _____
Signature

Name / Title

THIS FEE PROPOSAL FORM, INCLUDING HOURLY BILLING RATE SCHEDULE, MUST BE SUBMITTED IN A SEPARATE, SEALED ENVELOPE.

IMPORTANT NOTICE to PROPOSERS:
Proposers are cautioned NOT to indicate additional fees / charges other than those stated herein. FEE PROPOSALS MUST BE SIGNED IN INK

EXHIBIT B

PROFESSIONAL SERVICES QUALIFICATION STATEMENT

MYER CENTER, FORT MONMOUTH
TINTON FALLS, NEW JERSEY

PROFESSIONAL SERVICES
QUALIFICATION STATEMENT

New Jersey Economic
Development Authority
Real Estate Development Division
36 West State Street, P.O. Box 990
Trenton, NJ 08625-0990
609-858-6690

All items must be completed. If an item is not applicable, indicate so by inserting "N/A".

1. Firm Name/Business Headquarters Address:

Telephone No.:
Fax No.:
E-Mail Address:

2. Submittal Date:

3. Federal ID No.:

4. NIGP Commodity Code:

5. Type of Ownership:

Total Number of Employees:

Name of Parent Company, if any:

Year Present Firm Established:

Former Firm Name(s) and Year(s) Established:

6. (a) Is the applicant firm certified or registered
with the New Jersey Division of
Revenue as an:

SBE _____ Yes _____ No

WBE _____ Yes _____ No (Optional)

MBE _____ Yes _____ No (Optional)

Identification Number:
Attach Certification/Registration form

6. (b) Is the applicant firm registered with the
New Jersey Division of Revenue:

_____ Yes _____ No

Attach Business Registration form

7. Principal Contact (include Name, Title and Telephone No.):	8. List Branch Office locations other than Headquarters listed in Item 1:
<p>9. Check below the discipline for which the applicant firm is submitting its PSQS: (If submitting in more than one area, submit all appropriate documentation for each for each discipline.)</p> <p> <input type="checkbox"/> Boundary/Topographic Survey Services <input type="checkbox"/> Architectural Design and Programming Services <input type="checkbox"/> Environmental Engineering Services & Site Investigation Services <input type="checkbox"/> Civil Engineering and Geotech Services <input type="checkbox"/> Planning Services <input type="checkbox"/> Integrated Architectural/Engineering Services <input type="checkbox"/> Construction Inspection Services <input type="checkbox"/> Asbestos Inventory, Abatement/ASCM Services </p>	

10. LIST PRINCIPAL OWNERS:	LIST KEY PERSONNEL:
a. Name:	a. Name:
b. Home Address:	b. Title:
c. Percentage of Ownership:	

d. Officer/Title:	
a. Name:	a. Name:
b. Home Address:	b. Title:
c. Percentage of Ownership:	
d. Officer/Title:	
a. Name:	a. Name:
b. Home Address:	b. Title:
c. Percentage of Ownership:	
d. Officer/Title:	

11. BRIEF RESUME OF PRINCIPALS AND <u>KEY</u> PERSONNEL	
a. Name and Title:	a. Name and Title:
b. Years Experience: This Firm _____ Other Firm	b. Years Experience: This Firm _____ Other Firm
c. Education: Degree(s)/Year/Specialization/School:	c. Education: Degree(s)/Year/Specialization/School:
d. Active Registration: Year First Registered/Discipline/NJ License No.:	d. Active Registration: Year First Registered/Discipline/NJ License No.:

e. Experience and Qualifications:

e. Experience and Qualifications:

12. INSTRUCTIONS:
1. Review the Specialty/Discipline Column (Column C) and place an “X” in Column A for those specialties/disciplines for which the applicant firm is submitting.
 2. Review Professional/Technical Staff (Column D) and indicate the number of staff members in the appropriate boxes in Columns E and F working full time for the applicant firm in each specialty/discipline. There is no limit to the number of specialty/discipline on which a staff member may be entered.
 3. Indicate the total Professional/Technical Staff for each specialty/discipline in Column G.

*Note: For each specific specialty/discipline, qualified staff must be listed in Column E. Additional credit may be given for any additional staff listed in Column F.

A REQUESTED	B CODE	C SPECIALTY/DISCIPLINE	D PROFESSIONAL/TECHNICAL STAFF	E IN THE OFFICE SUBMITTING		F OFFICES IN PROXIMITY (WITHIN 100 MILES OF PRIMARY OFFICE)		G TOTAL STAFF
				# OF STAFF WITH A NJ LIC- ENSE	# OF ADD'L TECH- NICAL STAFF	# OF STAFF WITH A NJ LIC- ENSE	# OF ADD'L TECH- NICAL STAFF	
	01	ARCHITECTURE	ARCHITECTS					
	02	ELECTRICAL ENGINEERING	ELECTRICAL ENGINEERS					
	03	HVAC ENGINEERING	HVAC ENGINEERS					
	04	PLUMBING ENGINEERING	PLUMBING ENGINEERS					
	05	CIVIL ENGINEERING	CIVIL ENGINEERS					
	06	SANITARY ENGINEERING	SANITARY ENGINEERS					
	07	STRUCTURAL ENGINEERING	STRUCTURAL ENGINEERS					
	08	DEMOLITION ENGINEERING	CIVIL ENGINEERS					
	09	MECHANICAL ENGINEERING (Elevators/Conveyors)	MECHANICAL ENGINEERS					
	10	SOILS ENGINEERING	SOIL ENGINEERS					

A REQUESTED	B CODE	C SPECIALTY/DISCIPLINE	D PROFESSIONAL/TECHNICAL STAFF	E IN THE OFFICE SUBMITTING		F OFFICES IN PROXIMITY (WITHIN 100 MILES OF PRIMARY OFFICE)		G TOTAL STAFF
				# OF STAFF WITH A NJ LIC- ENSE	# OF ADD'L TECH- NICAL STAFF	# OF STAFF WITH A NJ LIC- ENSE	# OF ADD'L TECH- NICAL STAFF	
	11	FIRE PROTECTION ENGINEERING	FIRE PROTECTION ENGINEERS					
	12	ENVIRONMENTAL ENGINEERING	ENVIRONMENTAL ENGINEERS					
	13	MARINE ENGINEERING	CIVIL ENGINEERS					
	14	LANDSCAPE DESIGN	LANDSCAPE ARCHITECTS					
	15	PLANNING	PLANNERS					
-	16	LAND SURVEYING	SURVEYORS					
	17	AERIAL SURVEY	SURVEYORS					
	18	HYDROGRAPHIC SURVEYING	SURVEYORS					
	19	FIRE & LIFE SAFETY RENOVATIONS	ARCHITECTS/ENGINEERS					
	20	BARRIER FREE/ADA DESIGN	ARCHITECTS/ENGINEERS					
	21	ESTIMATING/COST ANALYSIS	ESTIMATORS					
	22	INTERIOR DESIGN SPACE PLANNING	INTERIOR DESIGNERS					
	23	ROOFING INSPECTION	ROOFING INSPECTORS					
	24	CONSTRUCTION MANAGEMENT	CONSTRUCTION MANAGERS					
	25	CPM	SCHEDULERS					

A REQUESTED	B CODE	C SPECIALTY/DISCIPLINE	D PROFESSIONAL/TECHNICAL STAFF	E IN THE OFFICE SUBMITTING		F OFFICES IN PROXIMITY (WITHIN 100 MILES OF PRIMARY OFFICE)		G TOTAL STAFF
				# OF STAFF WITH A NJ LIC- ENSE	# OF ADD'L TECH- NICAL STAFF	# OF STAFF WITH A NJ LIC- ENSE	# OF ADD'L TECH- NICAL STAFF	
	26	ARCHAEOLOGY	ARCHAEOLOGISTS					
	27	GEOLOGY	GEOLOGISTS					
	28	VALUE ENGINEERING	ARCHITECTS/ENGINEERS/ESTIMATORS					
	29	HISTORICAL PRESERVATION/RESTORATION	ARCHITECTS					
	30	ROOFING CONSULTANT	ARCHITECTS/ENGINEERS					
	31	ACOUSTICS	ACOUSTICIANS					
	32	ASBESTOS ABATEMENT	AHERA PROJECT DESIGNERS					
		DESIGN/CONSTRUCTION/MONITORING	ASBESTOS SAFETY TECHNICIANS					
	33	CLAIMS ANALYSIS	CLAIMS ANALYSTS/ESTIMATORS					
	34	TELECOMMUNICATIONS	TELECOMMUNICATION SPECIALISTS					
	35	EXHIBIT/INTERPRETATIVE DESIGN	DESIGNERS					
	36	FEASIBILITY/MASTER PLANNING	PLANNERS/ARCHITECTS/ENGINEERS					
	37	FIRE DETECTION SYSTEMS	FIRE DETECTION SPECIALISTS					
	38	FIRE PROTECTION SYSTEMS	FIRE PROTECTION SPECIALISTS					
	39	FOOD SERVICE	FOOD SERVICE CONSULTANTS					

A REQUESTED	B CODE	C SPECIALTY/DISCIPLINE	D PROFESSIONAL/TECHNICAL STAFF	E IN THE OFFICE SUBMITTING		F OFFICES IN PROXIMITY (WITHIN 100 MILES OF PRIMARY OFFICE)		G TOTAL STAFF
				# OF STAFF WITH A NJ LIC- ENSE	# OF ADD'L TECH- NICAL STAFF	# OF STAFF WITH A NJ LIC- ENSE	# OF ADD'L TECH- NICAL STAFF	
	40	HYDRAULICS/PNEUMATICS	HYDRAULIC ENGINEERS					
	41	HYDROLOGY	HYDRO GEOLOGISTS					
	42	SECURITY SYSTEMS	SECURITY SYSTEM CONSULTANTS					
	43	SITE PLANNING	PLANNERS/ARCHITECTS/ENGINEERS					
	44	TESTING & BALANCING (HVAC)	HVAC ENGINEERS					
	45	TRAFFIC	TRAFFIC ANALYSTS					
	46	TRANSPORTATION	CIVIL ENGINEERS					
	47	WASTE/WATER TREATMENT	CIVIL/SANITARY ENGINEERS					
	48	ENERGY MANAGEMENT CONTROL SYSTEMS	HVAC/ELECTRICAL ENGINEERS					
	49	RADON MANAGEMENT CONSULTANT	DEP CERTIFIED CONSULTANTS					
	50	CONSTRUCTION FIELD INSPECTION	FIELD INSPECTORS					
	51	ELEVATOR PLAN REVIEW, TESTING INSP.	DCA CERTIFIED SPECIALISTS					
	52	ENVIRONMENTAL CONSULTANT	ENVIRONMENTAL SPECIALISTS/SCIENTISTS					

A REQUESTED	B CODE	C SPECIALTY/DISCIPLINE	D PROFESSIONAL/TECHNICAL STAFF	E IN THE OFFICE SUBMITTING		F OFFICES IN PROXIMITY (WITHIN 100 MILES OF PRIMARY OFFICE)		G TOTAL STAFF
				# OF STAFF WITH A NJ LIC- ENSE	# OF ADD'L TECH- NICAL STAFF	# OF STAFF WITH A NJ LIC- ENSE	# OF ADD'L TECH- NICAL STAFF	
	53	UNDERGROUND STORAGE TANK REMOVAL/INSTALLATION	DEP CERTIFIED SPECIALISTS (SSE)					
	54	BOILER/STEAM LINES	ENGINEERS					
	55	AIR QUALITY	INDUSTRIAL HYGIENISTS					
	56	LANDFILL CLOSURE	ENVIRONMENTAL ENGINEERS					
	57	LEAD PAINT EVALUATION/INSPECTION	DOH CERTIFIED TECH (DCA FIRM CERTIFIED)					
	58	COMPUTER	PROGRAMMER/OPERATOR					

13. RANK ORDER OF APPLICANT FIRM'S EXPERTISE FOR VARIOUS BUILDING TYPES FROM 1 TO 20 (1=HIGHEST). DO NOT USE ANY NUMBER MORE THAN ONCE. IF APPLICANT FIRM HAS NO EXPERIENCE IN A PARTICULAR BUILDING TYPE, WRITE "NONE".

RANK ORDER	CODE	BUILDING TYPE	RANK ORDER	CODE	BUILDING TYPE
	59	CHILD CARE FACILITIES		69	MEDICAL FACILITIES
	60	RADIO/TV FACILITIES		70	OFFICE FACILITIES
	61	COMPUTER FACILITIES		71	PARKS
	62	CORRECTIONAL FACILITIES		72	RECREATIONAL FACILITIES
	63	DAMS, DIKES, LEVEES		73	RESIDENTIAL
	64	EDUCATIONAL FACILITIES		74	SITE ENGINEERING/ROADWAY/PAVING
	65	LABORATORIES/RESEARCH FACILITIES		75	THEATERS
	66	LIBRARIES MUSEUMS		76	WAREHOUSE/INDUSTRIAL FACILITIES
	67	MAINTENANCE FACILITIES		77	WASTE/WATER TREATMENT FACILITIES
	68	MARINAS, DOCKS, BULKHEADS		78	HISTORIC PRESERVATION

14. (A) PROJECT EXAMPLES - LIST A VARIETY OF PROJECTS COMPLETED OVER THE PAST FIVE YEARS. A MINIMUM OF FIVE (5) AND A MAXIMUM OF TEN (10) PROJECTS MUST BE LISTED. IT IS ADVISABLE TO LIST LARGE PROJECTS IN ORDER TO SUPPORT THE APPLICANT FIRM'S REQUESTED SPECIALTY/DISCIPLINE.

* "P" INDICATES SERVICES PERFORMED AS A PRIME CONSULTANT. "S" INDICATES SERVICES PERFORMED AS A SUB-CONSULTANT TO A PRIME. "JV" INDICATES SERVICES PERFORMED AS PART OF A JOINT VENTURE.

SPECIALTY TYPE (CODE NUMBER)	* "P", "S", OR "JV"	PROJECT NAME AND LOCATION	PROJECT OWNER NAME AND ADDRESS PHONE NUMBER	CONSTRUCTION COST (IN THOUSANDS) & TOTAL SQUARE FOOTAGE	TOTAL COST OF WORK FOR WHICH FIRM WAS RESPONSIBLE	YEAR WORK COMPLETE
EXAMPLE #01	P	ABC Project Trenton, NJ	New Jersey Economic Development Authority P.O. Box 990, 36 West State Street Trenton, NJ 08625-0990 609-292-0373	\$480 40,000 sq. ft.	100%	2005

SPECIALTY TYPE (CODE NUMBER)	* "P", "S", OR "JV"	PROJECT NAME AND LOCATION	PROJECT OWNER NAME AND ADDRESS PHONE NUMBER	CONSTRUCTION COST (IN THOUSANDS) & TOTAL SQUARE FOOTAGE	TOTAL COST OF WORK FOR WHICH FIRM WAS RESPONS- IBLE	YEAR WORK COMP- LETE

14. (B) **TO BE COMPLETED ONLY IF RESPONDING TO A SPECIFIC ADVERTISEMENT.** LIST PROJECT EXAMPLES WHICH BEST ILLUSTRATE THE APPLICANT FIRM'S CURRENT QUALIFICATIONS RELEVANT TO THE ADVERTISED PROJECT OVER THE PAST FIVE YEARS. A MINIMUM OF FIVE (5) AND A MAXIMUM OF TEN (10) PROJECTS MUST BE LISTED.

* "P" INDICATES SERVICES PERFORMED AS A PRIME CONSULTANT. "S" INDICATES SERVICES PERFORMED AS A SUB-CONSULTANT TO A PRIME. "JV" INDICATES SERVICES PERFORMED AS PART OF A JOINT VENTURE.

SPECIALTY TYPE (CODE NUMBER)	* "P", "S", OR "JV"	PROJECT NAME AND LOCATION	PROJECT OWNER NAME AND ADDRESS PHONE NUMBER	CONSTRUCTION COST (IN THOUSANDS) & TOTAL SQUARE FOOTAGE	TOTAL COST OF WORK FOR WHICH FIRM WAS RESPONSIBLE	YEAR WORK COMP- LETE
EXAMPLE #01	P	ABC Project Trenton, NJ	New Jersey Economic Development Authority P.O. Box 990, 36 West State Street Trenton, NJ 08625-0990 609-292-0373	\$480 40,000 sq. ft.	100%	2005

15. GROSS FEES (in thousands) FROM CONTRACTS ENTERED INTO IN THE LAST FIVE YEARS:

	<i>From All Entities (Inc. Private Sector)</i>	<i>From State Government Entities</i>	<i>From Local Government Entities</i>	<i>From Federal Government Entities</i>	<i>Comments</i>
Year (Most Recent)					
Year					

16. FINANCIAL STATEMENT INFORMATION:

Audited Financial Statements are preferred for all applicants. Note: Firms which do not have Audited Financial Statements, may submit Reviewed Financial Statements. Small firms which do not have Audited or Reviewed Financial Statements, may submit Compilations.
However, the following information at a minimum is required in each category.

- Audited Financial Statements for last two years including:
 - Auditor's Reports
 - Balance Sheets
 - Statements of Income and Retained Earnings
 - Statement of Cash Flows
 - All footnotes to these statements
- Corporate Annual Report (if applicable)

- Reviewed Financial Statements for last two years including:
 - Balance Sheets
 - Statements of Income and Retained Earnings
 - Statement of Cash Flows
 - All footnotes to these statements

- Compilations for last two years including:
 - Balance Sheets
 - Statements of Income and Retained Earnings
 - Statement of Cash Flows
 - All footnotes to these statements
- Federal Tax Returns

	YES	NO
<p>17. DISCLOSURE:</p> <p>(A) Is the applicant firm identified in Box 1 of this PSQS owned by another company or firm? (If yes, please complete a separate disclosure form for the parent company.)</p> <p>(B) Within the past 5 years, has the applicant firm been owned by another company or firm? (If yes, please complete a separate disclosure form for the parent company.)</p> <p>(C) Have any principals listed in this Qualification Statement ever been arrested, charged, indicted or convicted of a crime? (If yes, attach an explanation for each instance.)</p> <p>(D) Has any person or entity listed in this Qualification Statement ever been suspended, debarred or otherwise declared ineligible, by any agency of government, from contracting to provide services, labor, material or supplies? (If yes, attach an explanation for each instance.)</p> <p>(E) Has any federal, state or local government license, permit or other similar authorization necessary to perform the work applied for herein, and held or applied for by any person or entity listed in this Qualification Statement been suspended or revoked, or is the subject of any pending proceedings specifically seeking or litigating the issue of suspension or revocation? (If yes, attach an explanation for each instance.)</p> <p>(F) Are there currently any administrative, civil or criminal matters pending or orders, liens or levies previously entered in any federal, state or local government jurisdiction in which the applicant firm or its principals or key personnel are/were involved? (If yes, attach an explanation for each instance.)</p> <p>(G) Has the applicant firm been denied pre-qualification from any other state or federal entity in the past five years under this name or another? (If yes, attach an explanation for each instance.)</p> <p>(H) At present or during the past 5 years, have any of the principals or key personnel of the applicant firm served as a principal or key personnel or owned 5% or more of any other firm (including firms that are inactive or have been dissolved)? (If yes, give name, name of firm, position held, % owned, remainder owned by, and dates owned.)</p> <p>(I) Has the applicant firm, its affiliate or any of its principals or key personnel been a party to a bankruptcy or re-organization proceeding? (If yes, provide caption, date, docket number, court and county.)</p> <p>(J) In the past 5 years, has the applicant firm, or any of its affiliate firms: (If yes to any of the following, attach explanation.)</p> <p style="padding-left: 40px;">(A) had a contract terminated?</p> <p style="padding-left: 40px;">(B) been given a final unsatisfactory performance rating on a specific project?</p> <p style="padding-left: 40px;">(C) had liquidated damages assessed against it in connection with a contract?</p> <p style="padding-left: 40px;">(D) engaged in any litigation with regard to any contract?</p> <p style="padding-left: 40px;">(E) been required to engage a monitor in connection with any contract?</p> <p>(K) Do any of the principals of the applicant firm have an ownership interest in any other entity which is in the same line of business for which the applicant firm has submitted its PSQS? (If yes, identify the name, address and federal tax ID number for such entity and the nature of the ownership interest.)</p>		

18. **INSURANCE:** Identify insurance policies currently held by the applicant firm:
(For each policy, name the following: policy limits, expiration date, carrier, agent, agent name, address, and phone number. Respondent may attach a copy of current Certificate of Insurance.)

GENERAL LIABILITY:

EXCESS LIABILITY:

PROFESSIONAL LIABILITY:

AUTOMOBILE:

MULTIPLE PERIL:

WORKERS COMPENSATION:

OTHER:

19. Within this space, the applicant firm may provide any additional information or description of resources supporting the applicant firm's qualifications, including achievements and awards received during the past 5 years.

20. CERTIFICATION:

This certification must be completed by each current **Principal** of the applicant firm identified in Box 10. **Certifications must be notarized when signed.**

A MATERIAL FALSE STATEMENT OR OMISSION MADE IN CONNECTION WITH THIS PSQS WILL SUBJECT THE APPLICANT FIRM TO CIVIL AND CRIMINAL PENALTIES AVAILABLE AT LAW.

I, _____ (name) being duly sworn, state that I am _____ (title) of _____, (firm name) and that I have read and understand the questions contained in this PSQS and its attachments, if any.

I certify that to the best of my knowledge the information given in response to each question and the attachments is full, complete and truthful.

I acknowledge that the New Jersey Economic Development Authority may, by means it deems appropriate, determine the accuracy and truth of the statements made in this PSQS.

I recognize that all of the information submitted is for the express purpose of inducing the New Jersey Economic Development Authority to evaluate the applicant firm's qualifications and/or allow the applicant firm to participate in professional service consultant contracts and that the New Jersey Economic Development Authority will rely on the information submitted in this PSQS.

I agree and warrant that truthfully answering the questions in this PSQS is an event entirely within my control.

I understand and agree that this PSQS and all supporting documentation filed with the New Jersey Economic Development Authority shall become the property of the New Jersey Economic Development Authority and shall be subject to disclosure as a public record.

I understand and agree that this PSQS will be kept on file at the New Jersey Economic Development Authority for a period of 2 years from the date of submittal of a complete PSQS. I understand that the New Jersey Economic Development Authority is under no obligation to contact the applicant firm upon the expiration of the 2 year period. I acknowledge that a current PSQS must be submitted to the New Jersey Economic Development Authority by the applicant firm every 2 years.

I authorize the New Jersey Economic Development Authority to contact any entity or person named in this PSQS for purposes of verifying the information supplied by the applicant firm.

Sworn to before me this _____ day
of _____, _____

Name, Title (print or type)

Notary Public

Signature/Date

ATTACH AS MANY SHEETS AS NECESSARY

I BEING DULY SWORN UPON MY OATH, HEREBY REPRESENT AND STATE THAT THE FOREGOING INFORMATION AND ANY ATTACHMENTS THERETO, TO THE BEST OF MY KNOWLEDGE, ARE TRUE AND COMPLETE. I ACKNOWLEDGE THAT THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY IS RELYING ON THE INFORMATION CONTAINED HEREIN AND THEREBY ACKNOWLEDGE THAT I AM UNDER A CONTINUING OBLIGATION FROM THE DATE OF THIS CERTIFICATION THROUGH THE COMPLETION OF ANY CONTRACTS WITH THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY TO NOTIFY THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY IN WRITING OF ANY CHANGES TO THE ANSWERS OR INFORMATION CONTAINED HEREIN. A MATERIAL FALSE STATEMENT OR OMISSION MADE IN CONNECTION WITH THIS PSQS WILL SUBJECT THE APPLICANT FIRM AND ME TO CIVIL AND CRIMINAL PENALTIES AVAILABLE AT LAW. I AUTHORIZE THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY TO VERIFY ANY ANSWER(S) CONTAINED HEREIN, TO INVESTIGATE MY BACKGROUND AND CREDIT WORTHINESS AND OF THE APPLICANT FIRM AND TO ENLIST THE AID OF THIRD PARTIES IN ITS INVESTIGATIVE PROCESS.

I, BEING DULY AUTHORIZED, CERTIFY THAT THE INFORMATION SUPPLIED IN THIS PSQS, INCLUDING ALL ATTACHMENTS, IS COMPLETE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Sworn to before me this _____ day
of _____, _____

Name, Title (print or type)

Notary Public

Signature/Date

Submittal:

Firms interested in submitting a PSQS to the New Jersey Economic Development Authority should submit one (1) copy via email and/or electronic submittal of the fully completed "Professional Services Qualification Statement" to the following address:

New Jersey Economic Development Authority
36 West State Street, P.O. Box 990
Trenton, New Jersey 08625-0990
Attn: Cathleen A. Hamilton, Program Manager, Real Estate Division
Email address: CHamilton@njeda.com (please use this email address if submitting PSQS electronically)

Firms submitting in more than one discipline must include all appropriate supporting documentation for each discipline.

PLEASE NOTE, IF SUBMITTING IN RESPONSE TO A PUBLIC ADVERTISEMENT, ELECTRONIC SUBMISSION IS NOT ACCEPTABLE. PLEASE CONSULT THE PUBLIC ADVERTISEMENTS FOR SUBMISSION REQUIREMENTS.

EXHIBIT C

AERIAL SITE MAP

STATE PKWY

Parcel F1
38 Ac +/-

Corregidor Road

Megill Drive

Guam Lane

Laboratory Road

Heliport Drive

Radiac Way

Wampum Brook

Satellite Road

Wampum Brook

Life Line Drive

Pinetuck Road

Fab Shops

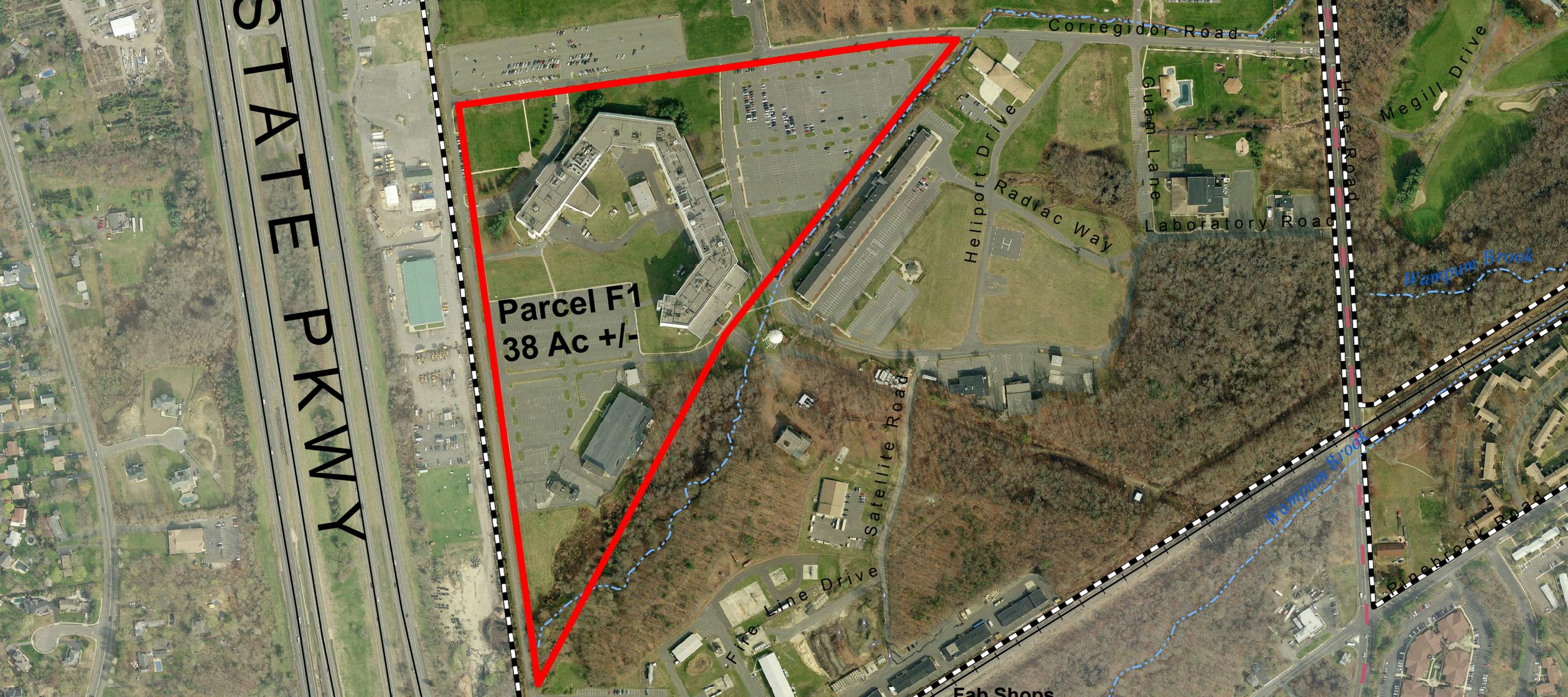


EXHIBIT C-1

SITE MAP

EXHIBIT C-1

North



2701
Charles Wood Area

Entrance of off Hope Road

BLDG 2706 Previously removed. Remaining foundation and infrastructure to be demolished.

Approx. Location of Lime Pit

SITE

Sign In Location

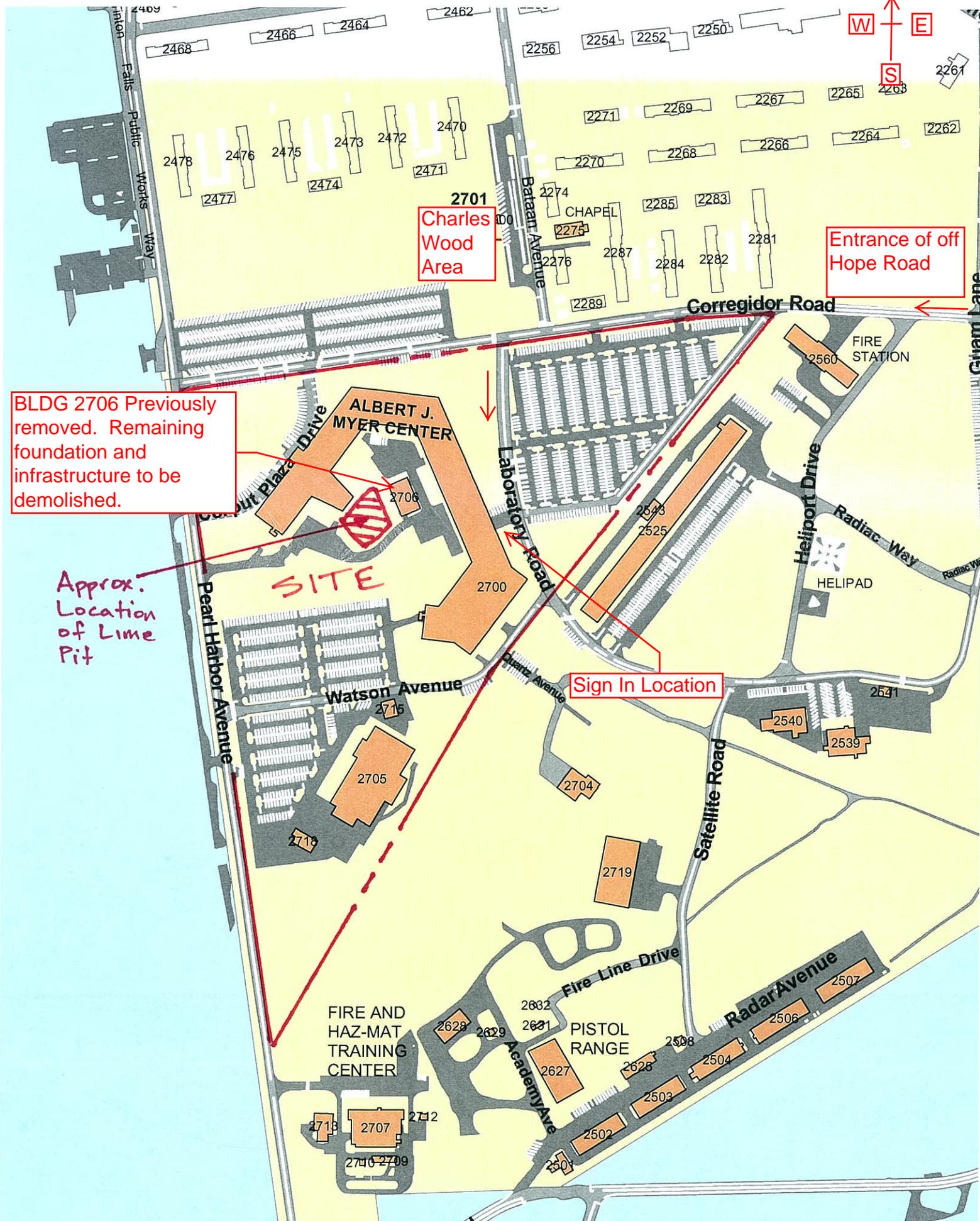
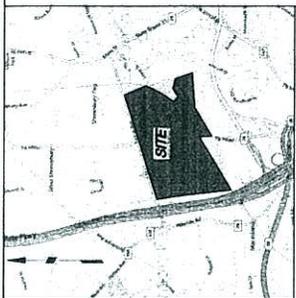


EXHIBIT C-2

SURVEY PLAN

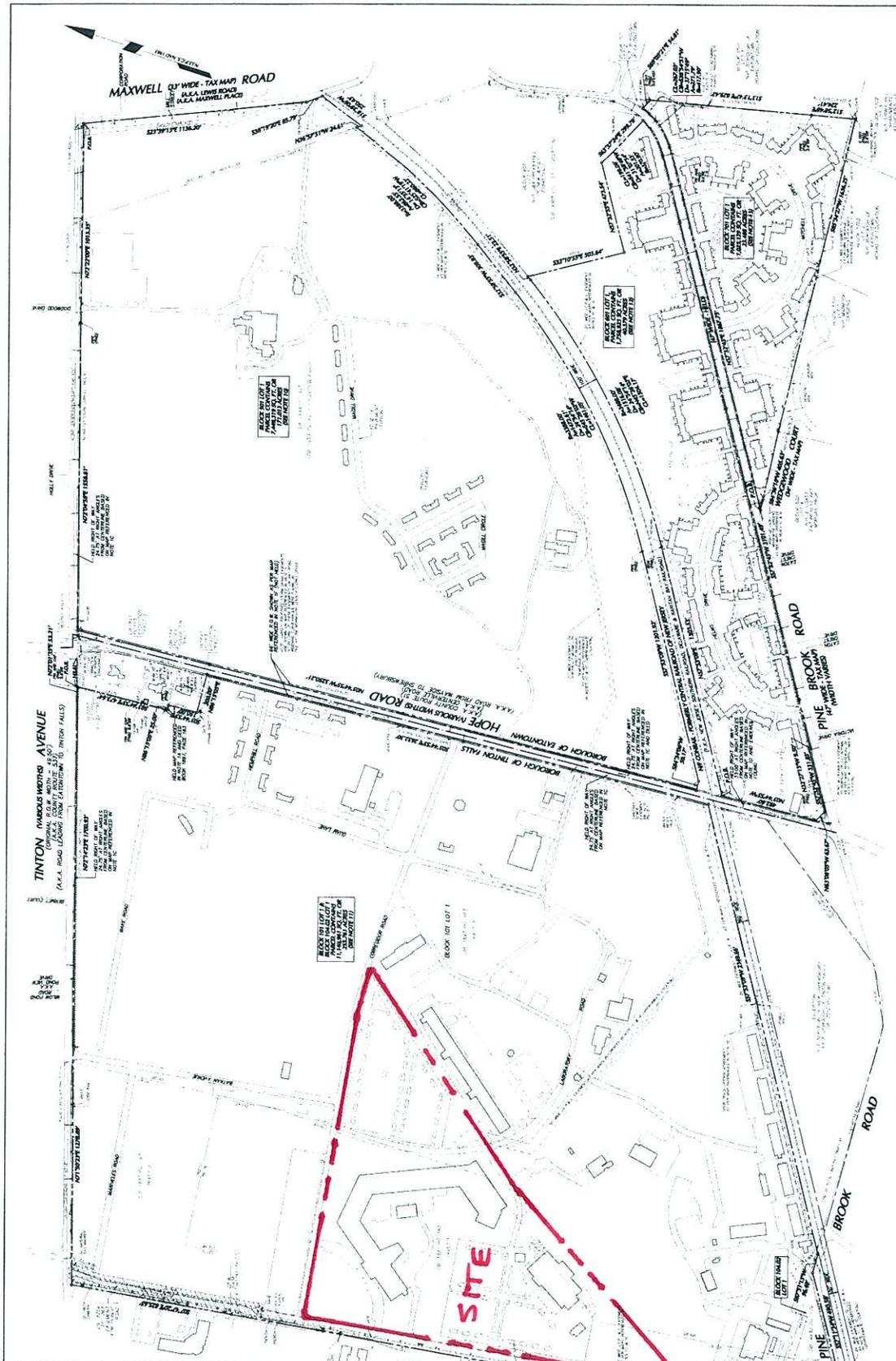


KEY MAP
(NOT TO SCALE)

LEGEND

SYMBOLS NOT SHOWN TO SCALE

- 1. HYDRANT
- 2. STREET LIGHT
- 3. MANHOLE
- 4. GUY WIRE
- 5. LAMPPOST VALVE
- 6. METAL COVER
- 7. ELECTRIC BOX
- 8. DOUBLE DOOR
- 9. FURNACE
- 10. CLEAN OUT
- 11. BENCH MARK
- 12. POLE
- 13. ANCHOR POLE
- 14. FENCE (TYPE AS NOTED)
- 15. OVERHEAD WIRE (TYPE AS NOTED)
- 16. TREE LINE (TYPE AS NOTED)
- 17. FENCE LINE
- 18. EED LINE
- 19. RIGHT-OF-WAY LINE
- 20. RAILROAD TRACKS & METAL FENCE
- 21. BOUNDARY MARKERS LINE
- 22. FROM LISTING PLANNED



FOR THE BOARD OF ECONOMIC DEVELOPMENT, CITY OF CHICAGO
 I, **LANGAN**, BEING A LICENSED SURVEYOR IN THE STATE OF ILLINOIS, DO HEREBY CERTIFY THAT I AM THE AUTHOR OF THIS SURVEY AND THAT I AM A MEMBER IN GOOD STANDING OF THE PROFESSIONAL SURVEYORS ASSOCIATION OF ILLINOIS.
 DATE: 11/27/13
 PROFESSIONAL LAND SURVEYOR LICENSE NO. 033713

15. PARCEL AREA FOR BLOCK 50 (11.1) IS BASED ON AERIAL PHOTO WHICH SHOWS A SERIES OF 15 PARCELS WITHIN THE BLOCK. THE TOTAL AREA OF THESE PARCELS IS 11.1 ACRES. THE TOTAL AREA OF THE BLOCK IS 11.1 ACRES. THE TOTAL AREA OF THE BLOCK IS 11.1 ACRES. THE TOTAL AREA OF THE BLOCK IS 11.1 ACRES.

16. THE SURVEYED PROPERTY IS SUBJECT TO THE FOLLOWING EASEMENTS:
 1. A 10' EASEMENT FOR A SIDEWALK AND BIKEWAY ALONG THE WEST LINE OF THE PROPERTY.
 2. A 10' EASEMENT FOR A SIDEWALK AND BIKEWAY ALONG THE SOUTH LINE OF THE PROPERTY.
 3. A 10' EASEMENT FOR A SIDEWALK AND BIKEWAY ALONG THE EAST LINE OF THE PROPERTY.
 4. A 10' EASEMENT FOR A SIDEWALK AND BIKEWAY ALONG THE NORTH LINE OF THE PROPERTY.

17. THE SURVEYED PROPERTY IS SUBJECT TO THE FOLLOWING EASEMENTS:
 1. A 10' EASEMENT FOR A SIDEWALK AND BIKEWAY ALONG THE WEST LINE OF THE PROPERTY.
 2. A 10' EASEMENT FOR A SIDEWALK AND BIKEWAY ALONG THE SOUTH LINE OF THE PROPERTY.
 3. A 10' EASEMENT FOR A SIDEWALK AND BIKEWAY ALONG THE EAST LINE OF THE PROPERTY.
 4. A 10' EASEMENT FOR A SIDEWALK AND BIKEWAY ALONG THE NORTH LINE OF THE PROPERTY.

18. THE SURVEYED PROPERTY IS SUBJECT TO THE FOLLOWING EASEMENTS:
 1. A 10' EASEMENT FOR A SIDEWALK AND BIKEWAY ALONG THE WEST LINE OF THE PROPERTY.
 2. A 10' EASEMENT FOR A SIDEWALK AND BIKEWAY ALONG THE SOUTH LINE OF THE PROPERTY.
 3. A 10' EASEMENT FOR A SIDEWALK AND BIKEWAY ALONG THE EAST LINE OF THE PROPERTY.
 4. A 10' EASEMENT FOR A SIDEWALK AND BIKEWAY ALONG THE NORTH LINE OF THE PROPERTY.

19. THE SURVEYED PROPERTY IS SUBJECT TO THE FOLLOWING EASEMENTS:
 1. A 10' EASEMENT FOR A SIDEWALK AND BIKEWAY ALONG THE WEST LINE OF THE PROPERTY.
 2. A 10' EASEMENT FOR A SIDEWALK AND BIKEWAY ALONG THE SOUTH LINE OF THE PROPERTY.
 3. A 10' EASEMENT FOR A SIDEWALK AND BIKEWAY ALONG THE EAST LINE OF THE PROPERTY.
 4. A 10' EASEMENT FOR A SIDEWALK AND BIKEWAY ALONG THE NORTH LINE OF THE PROPERTY.

20. THE SURVEYED PROPERTY IS SUBJECT TO THE FOLLOWING EASEMENTS:
 1. A 10' EASEMENT FOR A SIDEWALK AND BIKEWAY ALONG THE WEST LINE OF THE PROPERTY.
 2. A 10' EASEMENT FOR A SIDEWALK AND BIKEWAY ALONG THE SOUTH LINE OF THE PROPERTY.
 3. A 10' EASEMENT FOR A SIDEWALK AND BIKEWAY ALONG THE EAST LINE OF THE PROPERTY.
 4. A 10' EASEMENT FOR A SIDEWALK AND BIKEWAY ALONG THE NORTH LINE OF THE PROPERTY.

21. THE SURVEYED PROPERTY IS SUBJECT TO THE FOLLOWING EASEMENTS:
 1. A 10' EASEMENT FOR A SIDEWALK AND BIKEWAY ALONG THE WEST LINE OF THE PROPERTY.
 2. A 10' EASEMENT FOR A SIDEWALK AND BIKEWAY ALONG THE SOUTH LINE OF THE PROPERTY.
 3. A 10' EASEMENT FOR A SIDEWALK AND BIKEWAY ALONG THE EAST LINE OF THE PROPERTY.
 4. A 10' EASEMENT FOR A SIDEWALK AND BIKEWAY ALONG THE NORTH LINE OF THE PROPERTY.

22. THE SURVEYED PROPERTY IS SUBJECT TO THE FOLLOWING EASEMENTS:
 1. A 10' EASEMENT FOR A SIDEWALK AND BIKEWAY ALONG THE WEST LINE OF THE PROPERTY.
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23. THE SURVEYED PROPERTY IS SUBJECT TO THE FOLLOWING EASEMENTS:
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 4. A 10' EASEMENT FOR A SIDEWALK AND BIKEWAY ALONG THE NORTH LINE OF THE PROPERTY.

LANGAN Professional Land Surveyor 1111 North Dearborn Street Chicago, Illinois 60610 P: 312.784.0000 F: 312.784.0000 www.langan.com		FORT MONMOUTH CHARLES WOOD AREA BOROUGH OF FORT MONMOUTH & TINTON FALLS NEW JERSEY MONMOUTH COUNTY	ALTA/ACSM LAND TITLE SURVEY BLOCK 50 LOT 1 - FORT MONMOUTH BLOCK 50 LOT 2 - FORT MONMOUTH BLOCK 50 LOT 3 - FORT MONMOUTH BLOCK 50 LOT 4 - FORT MONMOUTH	VB-101
03/27/13	Map Revisions	3	10/29/13	
11/27/13	Corrected Survey Data Numbers	1	11/27/13	
Date	Description	No.	DAY	
	Revisions	No.	BY	

EXHIBIT C-2

EXHIBIT C-3

TOPOGRAPHIC PLAN

EXHIBIT C-3

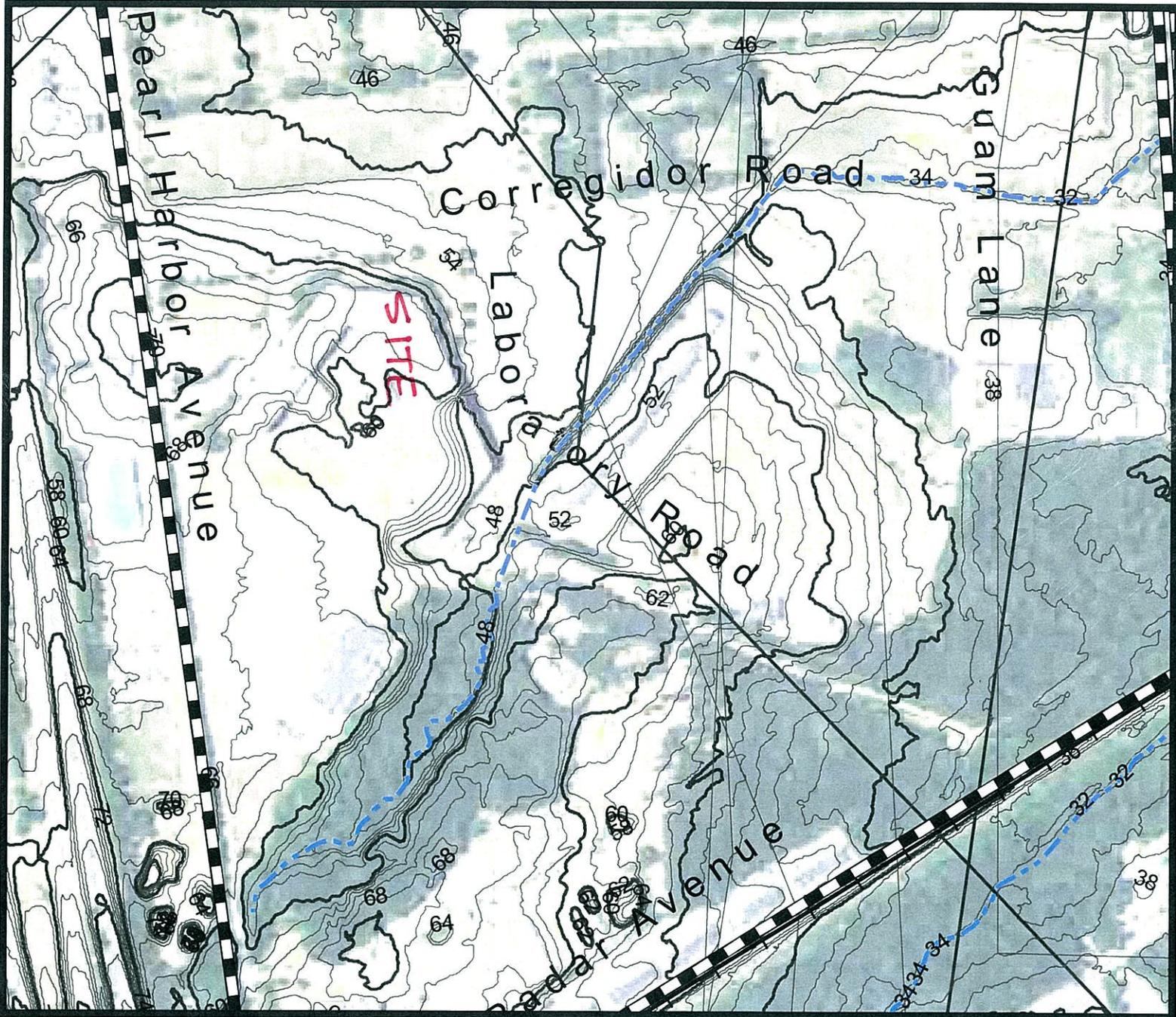


EXHIBIT D

PROJECT SCHEDULE

Exhibit D - Project Schedule

Civil and Environmental Engineering Services

Abatement, Demolition and Site Improvements Project

Myer Center, Fort Monmouth, Tinton Falls, NJ

Oct 14, 2016 - Obtain EDA Board approval for Demolition Engineering services contract, if applicable

Oct 14, 2016 - EDA issues conditional Notice of Award for Demolition Engineering services contract

Nov 7, 2016 - EDA issues Notice To Proceed for Demolition Engineering services contract

March 3, 2017 - Engineer completes Construction Documents (Plans, Specifications and Reports)

March 6, 2017 - Engineer commences submittals for abatement and demolition plan reviews and approvals to regulatory agencies

March 27, 2017 - EDA commences advertising in periodicals and website for Demolition services RFQ/RFP

April 18, 2017 - Bids due for Demolition services contract

June 1, 2017 to April 30, 2018 - Time line to complete demolition services

EXHIBIT E

ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA / QUESTION &
ANSWER FORM



**EXHIBIT E
NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
Real Estate Division**

ACKNOWLEDGEMENT of RECEIPT of ADDENDA / Q&A

The undersigned Bidder / Proposer hereby acknowledges receipt of the following Addenda and “Questions & Answers” regarding the following solicitation:

Bid / Proposal 2016-RED-RFQ/P- ENG-060

Bid / Proposal Title: RFQ/P for Civil and Environmental Engineering Services; Abatement, Demolition and Site Improvements Project – MYER CENTER, FORT MONMOUTH, TINTON FALLS, NJ

NOTE: Bidder / Proposer Should acknowledge EACH Addendum & EACH “Questions & Answers” posted on the Authority’s website for this solicitation. The Bidder / Proposer Should complete, sign and return this document, WITH THE BID / PROPOSAL.

Addendum # / Q&A #	Dated

NOTE: the column labeled “Dated” refers to the date each Addendum or “Questions and Answers” document was posted to the Authority’s website; not the date the Bidder / Proposer is executing this document.

Check here if No ADDENDUM or Q&A were issued for this bid / proposal.

Submitted by: _____
(Name of Bidding Entity)

(Signature of Authorized Representative of Bidding Entity)

(Print or type Name of Authorized Representative)

(Title of Authorized Representative)

(Date)

EXHIBIT F1 - F12

NJEDA COMPLIANCE DOCUMENTATION

COMPLIANCE:

EXHIBITS F1 – F12

This Attachment describes the compliance requirements and includes exhibits containing several forms, instructions and samples.

When preparing your firm's proposal in response to this solicitation, keep in mind that, in the RFQ/P – RFP, the word "shall" or "must" denotes proposal items which are mandatory for a proposal to be complete; the word "should" denotes proposal items which are recommended, but not mandatory; and the word "may" denotes proposal items which are permissible, but not mandatory.

Due to the expedited nature of this proposal, the Authority strongly recommends that, **ALL COMPLIANCE FORMS BE COMPLETED, SIGNED AND RETURNED WITH THE PROPOSAL** including those related to the disclosure of political campaign contributions - Forms for P.L. 2005, c.51 *Special Provision – Political Campaign Contributions*.

PLEASE NOTE THAT THE FORMS IDENTIFIED AT PARAGRAPHS G AND H ARE MANDATORY AND MUST BE INCLUDED WITH THE PROPOSAL.

A. EQUAL EMPLOYMENT OPPORTUNITY:

Bidders are required to comply with the requirements of P.L. 1975 C. 127 – N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq., which are expressly included within the terms of this RFQ/P, refer to **Exhibit F-1**. As part of the Proposal submission, all entity(s) must either complete *AA302 Employee Information Report form*, a sample of which is attached as **Exhibit F-2**, or submit a valid *Certificate of Employee Information Report*, a sample of which is attached as **Exhibit F-3**, or a valid *Letter of Federal Affirmative Action Plan Approval*, a sample of which is attached as **Exhibit F-4**.

B. BUSINESS REGISTRATION- Public Law 2001, chapter 134; Public Law 2004, chapter 57; and Public Law 2009, chapter 315:

Each entity responding to this RFQ/P must be registered with the New Jersey Department of Taxation – Division of Revenue and obtain a "*Business Registration Certificate*" ("**BRC**"), prior to entering into a contract with the New Jersey Economic Development Authority ("**Authority**"). All New Jersey and out-of-State business organizations must obtain a "**BRC**", prior to conducting business with the New Jersey Economic Development Authority. Proposers and any joint venture partners submitting a proposal are strongly encouraged to submit their "*Business Registration Certificate(s)*", as well as the "*Business Registration Certificate*" for any named subcontractors with the proposal. The successful Proposer is required to ensure that it, each joint venture partner and all subcontractors possess a valid "*Business Registration Certificate*" throughout the term of the contract and any extensions thereto.

A sample "*Business Registration Certificate*" is attached to this RFQ/P, as **Exhibit F-5**.

The Authority cannot award a contract unless a valid "*Business Registration Certificate*" is obtained for each entity, as required by law. In the event the Proposer, joint venture partners and / or any named subcontractors are unable to provide evidence of possessing a valid "*Business Registration Certificate*" prior to the award of a contract; the proposal may be deemed materially non-responsive.

During the term of the contract and any extensions thereto, and prior to performing any work against said contract, the successful Proposer must obtain and submit to the Authority, proof of a valid "**BRC**" registration for any subcontractor who will perform work against the resulting contract. Upon notification from the Authority of intent to award a contract, the successful Proposer must provide written notice to all its intended subcontractors, if applicable, that they are required to submit a copy of their "*Business Registration Certificate*" to the Contractor. The Contractor shall maintain and submit to the Authority a list of subcontractors and their current addresses, updated as necessary, during the course of the contract performance. No subcontract shall be entered into with a subcontractor for work under this contract, unless the subcontractor first provides to the Contractor, proof of the subcontractor's valid "**BRC**" registration.

As required by law, the Authority cannot award a contract to any Proposer or joint venture partners, which does not possess a valid "*Business Registration Certificate*".

The business registration form (Form NJ-REG) can be found online at

<http://www.state.nj.us/treasury/revenue/gettingregistered.htm#busentity>.

Proposers may go to www.nj.gov/njbgs to register with the Division of Revenue or to obtain a copy of an existing "Business Registration Certificate".

INDIVIDUALS, who may be responding to this RFQ/P, or who may perform work against the contract as a subcontractor MUST also possess a valid "Business Registration Certificate". The individual must complete and sign form "NJ-REG-A" (Rev 12/06) and submit to the Department of Treasury. Evidence of registration with the Department of Treasury – Client Registration Bureau should be submitted with the bid proposal.

The "NJ-REG-A" form may be found at the Department of Treasury's website:

http://www.state.nj.us/treasury/revenue/pdf/forms/reg_a.pdf

The contractor and any subcontractor / subconsultant providing goods or performing services under this contract, and each of their affiliates, shall, during the term of the contract, collect and remit to the Director of the Division of Taxation in the Department of the Treasury the use tax due pursuant to the "Sales and Use Tax Act", P.L. 1966, c. 30 (N.J.S.A. 54:32B-1 et seq.) on all their sales of tangible personal property delivered into the State (reference **Exhibit F-6**).

Any Bidder, inclusive of any named subcontractors, which does not possess a valid Business Registration at the time of the bid proposal submission opening or whose BRC was revoked prior to the submission of the proposal should proceed immediately to register its business or seek re-instatement of a revoked BRC. Bidders are cautioned that it may require a significant amount of time to secure the re-instatement of a revoked BRC. The process can require actions by both the Division of Revenue and the Division of Taxation. For this reason, a Bidder's early attention to this requirement is highly recommended. The Bidder and its named subcontractors may register with the Division of Revenue, obtain a copy of an existing BRC or obtain information necessary to seek re-instatement of a revoked BRC online at <http://www.state.nj.us/treasury/revenue/busregcert.shtml>.

A Bidder otherwise identified by the Division as a responsive and responsible Bidder, inclusive of any named subcontractors, but that was not business registered at the time of submission of its quotation must be so registered and in possession of a valid BRC by a deadline to be specified in writing by the Division. A Bidder who fails to comply with this requirement by the deadline specified by the Division will be deemed ineligible for contract award. Under any circumstance, the Division will rely upon information available from computerized systems maintained by the State as a basis to verify independently compliance with the requirement for business registration.

A Bidder receiving a contract award as a result of this procurement and any subcontractors named by that Bidder will be required to maintain a valid business registration with the Division of Revenue for the duration of the executed contract, inclusive of any contract extensions.

C. PUBLIC LAW 2005, c.92 - N.J.S.A. 52:34-13.2 - SOURCE DISCLOSURE:

In compliance with *Public Law 2005, c.92* and *N.J.S.A. 52:34-13.2*, each entity submitting a response to this RFQ/P is required to indicate on the attached "Source Disclosure Certification" form, attached as **Exhibit F-7**, **the location by country** where services rendered pursuant to this RFQ/P will be performed. This should be submitted with the bid proposal but shall be submitted before execution of the contract.

D. EXECUTIVE ORDER 34 (2006) COMPLIANCE:

In accordance with *Executive Order 34 (2006)*, the Authority encourages the use of Minority-Owned Business Enterprises (MBEs) and Woman-Owned Business Enterprises (WBEs) entities and MBE and WBE subconsultants.

E. SET- ASIDE:

In accordance with the requirements of *N.J.A.C. 17:13* and *N.J.A.C. 17:14*, as amended, the New Jersey Economic Development Authority is required to develop a set-aside business plan for Small Business Enterprises (SBEs). The Authority encourages the participation of SBE firms as certified by the Department of

Treasury, Division of Minority and Women Business Development for the services subject to this *RFQ/P*. Information regarding SBE certification can be obtained by contacting the Office of Business Services at (609) 292-2146 or at their offices at 33 West State Street, P.O. Box 820, Trenton, NJ 08625-0820 or on-line, via the State's Business website at:

<http://www.newjerseybusiness.gov>

It is the Authority's goal to award twenty-five (25%) percent of the dollar value of its contract to eligible small businesses whose principal place of business is New Jersey, is independently owned and operated, has no more than one hundred (100) full-time employees, and whose gross revenues do not exceed \$12 million dollars or the applicable annual revenue standards set forth in *13 CFR 121.201*, incorporated herein by reference and as may be adjusted periodically, whichever is higher, and satisfies any additional eligibility standards under this chapter.

(reference www.sba.gov/tools/resourcelibrary/laws.and.regultaions/index.html),

(NAICS Codes can be obtained at www.census.gov/epcd/www/naics.html)

FOR GOODS AND SERVICES:

It is the New Jersey Economic Development Authority's goal to award:

- Ten (10%) percent of its contracts to eligible small businesses whose principal place of business is New Jersey, is independently owned and operated, has no more than 100 full-time employees, and whose gross revenues do not exceed **\$500,000**;
- Fifteen (15%) percent of its contracts to eligible small businesses whose principal place of business is New Jersey, is independently owned and operated has no more than 100 full-time employees, and whose gross revenues do not exceed **\$12 million dollars** or the applicable federal revenue standards established at *13 CFR 121.201* incorporated herein by reference, whichever is higher.

Therefore, all Proposers and their named subcontractors should complete the attached "*Set Aside Information Form*" (**Exhibit F-8**) and submit it with the proposal.

In addition, the **Proposer should complete and submit the attached "Set Aside Compliance Certificate" (Exhibit F-8) with the proposal.** The "*Set Aside Compliance Certificate*" is considered a mandatory requirement to be completed and submitted prior to entering into a contract for these services. Failure to complete and submit the "*Set Aside Compliance Certificate*" will be a sufficient basis to deem the proposal non-responsive.

The Proposer's "*Set-Aside Compliance Certificate*" will convey information in sufficient detail to permit the Authority to effectively assess the Proposer's plan for attaining the specified Set-Aside goal or documenting the Proposer's good faith effort to meet the Set-Aside goal.

The successful Proposer must submit a "*Monthly Status Report*" (**Exhibit F-9**), with its invoice, on a monthly basis to the Authority. Invoices will not be processed unless accompanied by the "*Monthly Status Report*".

F. P.L. 2005, c. 51 SPECIAL PROVISIONS – POLITICAL CAMPAIGN CONTRIBUTIONS - Exhibit F-10:

On March 22, 2005, Acting Governor Codey signed into law *P.L. 2005, c. 51*, amending and supplementing *N.J.S.A. 19:44A-20.1 et seq.* This legislation supersedes *Executive Order 134 (2004)* ("*EO 134*"), but essentially codified its substantive provisions aimed at safeguarding the integrity of State government procurement by imposing restrictions to insulate that process from political contributions posing the risk of improper influence, purchase of access, or the appearance thereof. As set forth in detail below, a selected entity will be required to respond in a timely fashion to certification and disclosure requirements that will be issued by the Authority. Under *N.J.S.A. 19:44A-20.24*, the terms and conditions set forth in this section are material terms of the *RFQ/P* and contract.

(1) **Definitions.** For purposes of this section, the following shall be defined as follows:

- (i) "**Contributions**" means a contribution reportable by the recipient under the "*New Jersey*

Campaign Contributions and Expenditures Reporting Act, P.L. 1973, c. 83 (N.J.S.A. 19:44A-1 et seq.), and implementing regulations set forth at N.J.A.C. 19-25-7 and N.J.A.C. 19:25-10.1 et seq. Currently, contributions in excess of \$300.00 during a reporting period are deemed "reportable" under these laws. The provisions of *P.L. 2005, c. 51* shall apply only to contributions made on or after October 15, 2004.

- (ii) "Business Entity" means any natural or legal person, business corporation, professional services corporation, Limited Liability Company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of New Jersey or any other state or foreign jurisdiction. It also includes (I) all principals who own or control more than 10 percent of the profits or assets of a business entity or 10 percent of the stock in the case of a business entity that is a corporation for profit, as appropriate; (ii) any subsidiaries directly or indirectly controlled by the business entity; (iii) any political organization organized under 26 U.S.C.A. §527 that is directly or indirectly controlled by the business entity other than a candidate committee, election fund, or political party committee; and (iv) if a business entity is a natural person, that person's spouse or child, residing therewith.
- (2) **Prohibited Conduct.** The Authority shall not enter into a contract valued at more than \$17,500 for goods or services with any Business Entity, if the Business Entity solicited or made any contribution of money, or pledge of contribution, including in-kind contributions to a candidate committee and/or election fund of any candidate for a holder of the public office of Governor, or to any State or county political party committee on or after October 15, 2004.
- (3) **Certification and Disclosure Requirements:**
 - (i) **Requirements for Selected Entity.** The selected entity *shall receive notification that* will, among other things, notify the entity that it must submit a "***Two (2) Year Vendor Certification of Political Contributions Disclosure***" and "***Ownership Disclosure***" forms as provided by the Authority, samples of which are set forth in *Exhibit K* to this RFQ/P. Instructions for completing the forms are also included with *Exhibit I*. Failure to submit these forms in a timely fashion shall be cause for rejection of the entity. ***Do not include the P.L. 2005, c. 51 forms as part of the proposal submission. Only the selected entity(s) will need to complete and submit these forms. Selected entity(s) will be notified by the Authority at the appropriate time.***
 - (ii) **Consultant's Continuing Obligation to Comply with P.L. 2005, c. 51.** The selected entity shall be required on a continuing basis to disclose and report to the Authority any contributions made during the contract term by the Business Entity on forms provided by the Authority, at the time it makes the contribution.
- (4) **State Treasurer Review.** Prior to the award of the contract, the State Treasurer or his designee shall review the Disclosures submitted by the apparent successful entity, as well as, any other pertinent information concerning the contributions or reports thereof. This review will also take place on a continuing basis during the term of the contract. If the State Treasurer determines that any contribution or action of the contractor constitutes a breach of contract pursuant to this section, or presents a conflict of interest in the awarding of the contract under this solicitation, the State Treasurer shall disqualify the Business Entity from award of this or any future contract.
- (5) **Breach of Contract.** It shall be a breach of the terms of the contract for the Business Entity to: (I) make or solicit a contribution in violation of P.L. 2005, c. 51, (ii) knowingly conceal or misrepresent a contribution given or received; (iii) make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution; (iv) make or solicit any contribution on the condition or with the agreement that it will be contributed to a campaign committee or any candidate or holder of the public office of Governor, or to any State or county party committee; (v) engage or employ a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any contribution, which if made or solicited by the Business Entity itself would subject that entity to the restrictions of P.L. 2005, c. 51; (vi) fund contributions made by third parties including consultants, attorneys, family members, and employees; (vii) engage in any exchange of contributions to circumvent the intent of P.L. 2005, c. 51; or (viii) directly or

indirectly through or by any other person or means, do any action which would subject that entity to the restrictions of P.L. 2005, c. 51.

- (6) **Contract Provisions.** Political Campaign Contribution provisions will be included in and be a part of the contract that the selected entity will be required to sign.

G. DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN – MANDATORY with the proposal.

Pursuant to N.J.S.A. 52:32-55 et seq the Proposer shall complete, sign and submit the “Disclosure of Investment Activities in Iran” form - ***Exhibit F-11.***

H. OWNERSHIP DISCLOSURE FORM – MANDATORY with the proposal

Pursuant to N.J.S.A. 52:25-24.2, in the event the bidder is a corporation, partnership or sole proprietorship, the bidder must complete the attached Ownership Disclosure Form. A current completed Ownership Disclosure Form must be received prior to or accompany the proposal. Failure to submit the form will preclude the award of a contract. - ***Exhibit F-12***

The successful entity agrees that it shall comply with all requirements of these provisions. If the successful entity fails to comply with the requirements of these provisions, the Authority may declare any contract for these services void.

NOTE: Proposers are cautioned that all compliance documents, as required by law, MUST be fully completed, signed and submitted WITH the bid proposal.

DO NOT LEAVE A COMPLIANCE DOCUMENT BLANK / INCOMPLETE, with the exception of the P.L. 2005, c.51 forms, which are only required of the successful Proposer. If you believe a particular compliance document is not applicable to your firm, you are encouraged to submit a question during the “Questions& Answers” period, specified in this *RFQ/P*. If the document does not apply to your company (i.e. the “Set-Aside Information” form (*Exhibit H*); you should complete all information (i.e. number & *RFQ/P* title, etc.), mark those areas that are not applicable, with the abbreviation “N/A”, sign and return the document with your bid proposal submission. Failure to do so may result in rejection of the proposal.

EXHIBIT F-1

EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127) 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.

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.

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

EXHIBIT A (continued)

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127) N.J.A.C. 17:27

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 (3) documents:

- *Letter of Federal Affirmative Action Plan Approval*
- *Certificate of Employee Information Report*
- *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, Contract Compliance Audit Unit (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**.

EXHIBIT F-2

STATE OF NEW JERSEY
Division of Purchase & Property
Contract Compliance Audit Unit
EEO Monitoring Program

EMPLOYEE INFORMATION REPORT

IMPORTANT-READ INSTRUCTIONS CAREFULLY BEFORE COMPLETING FORM. FAILURE TO PROPERLY COMPLETE THE ENTIRE FORM AND TO SUBMIT THE REQUIRED \$150.00 FEE MAY DELAY ISSUANCE OF YOUR CERTIFICATE. DO NOT SUBMIT EEO-1 REPORT FOR SECTION B, ITEM 11. For Instructions on completing the form, go to: http://www.state.nj.us/treasury/contract_compliance/pdf/aa302ins.pdf

SECTION A - COMPANY IDENTIFICATION

1. FID. NO. OR SOCIAL SECURITY	2. TYPE OF BUSINESS <input type="checkbox"/> 1. MFG <input type="checkbox"/> 2. SERVICE <input type="checkbox"/> 3. WHOLESALE <input type="checkbox"/> 4. RETAIL <input type="checkbox"/> 5. OTHER	3. TOTAL NO. EMPLOYEES IN THE ENTIRE COMPANY			
4. COMPANY NAME					
5. STREET	CITY	COUNTY	STATE	ZIP CODE	
6. NAME OF PARENT OR AFFILIATED COMPANY (IF NONE, SO INDICATE)		CITY	STATE	ZIP CODE	
7. CHECK ONE: IS THE COMPANY: <input type="checkbox"/> SINGLE-ESTABLISHMENT EMPLOYER <input type="checkbox"/> MULTI-ESTABLISHMENT EMPLOYER					
8. IF MULTI-ESTABLISHMENT EMPLOYER, STATE THE NUMBER OF ESTABLISHMENTS IN NJ					
9. TOTAL NUMBER OF EMPLOYEES AT ESTABLISHMENT WHICH HAS BEEN AWARDED THE CONTRACT					
10. PUBLIC AGENCY AWARDDING CONTRACT					
		CITY	COUNTY	STATE	ZIP CODE

Official Use Only	DATE RECEIVED	INAUG. DATE	ASSIGNED CERTIFICATION NUMBER

SECTION B - EMPLOYMENT DATA

11. Report all permanent, temporary and part-time employees ON YOUR OWN PAYROLL. Enter the appropriate figures on all lines and in all columns. Where there are no employees in a particular category, enter a zero. Include ALL employees, not just those in minority/non-minority categories, in columns 1, 2, & 3. *DO NOT SUBMIT AN EEO-1 REPORT.*

JOB CATEGORIES	ALL EMPLOYEES			PERMANENT MINORITY/NON-MINORITY EMPLOYEE BREAKDOWN										
	COL. 1 TOTAL (Cols.2 &3)	COL. 2 MALE	COL. 3 FEMALE	***** MALE *****					***** FEMALE *****					
				BLACK	HISPANIC	AMER. INDIAN	ASIAN	NON MIN.	BLACK	HISPANIC	AMER. INDIAN	ASIAN	NON MIN.	
Officials/Managers														
Professionals														
Technicians														
Sales Workers														
Office & Clerical														
Craftworkers (Skilled)														
Operatives (Semi-skilled)														
Laborers (Unskilled)														
Service Workers														
TOTAL														
Total employment From previous Report (if any)														
Temporary & Part-Time Employees	The data below shall NOT be included in the figures for the appropriate categories above.													

12. HOW WAS INFORMATION AS TO RACE OR ETHNIC GROUP IN SECTION B OBTAINED? <input type="checkbox"/> 1. Visual Survey <input type="checkbox"/> 2. Employment Record <input type="checkbox"/> 3. Other (Specify)	14. IS THIS THE FIRST Employee Information Report Submitted? 1. YES <input type="checkbox"/> 2. NO <input type="checkbox"/>	15. IF NO, DATE LAST REPORT SUBMITTED MO. DAY YEAR
13. DATES OF PAYROLL PERIOD USED From: _____ To: _____		

SECTION C - SIGNATURE AND IDENTIFICATION

16. NAME OF PERSON COMPLETING FORM (Print or Type)	SIGNATURE	TITLE	DATE MO DAY YEAR		
17. ADDRESS NO. & STREET	CITY	COUNTY	STATE	ZIP CODE	PHONE (AREA CODE, NO., EXTENSION)

INSTRUCTIONS FOR COMPLETING THE EMPLOYEE INFORMATION REPORT (FORM AA302)

IMPORTANT: READ THE FOLLOWING INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE FORM. PRINT OR TYPE ALL INFORMATION. FAILURE TO PROPERLY COMPLETE THE ENTIRE FORM **AND TO SUBMIT THE REQUIRED \$150.00 NON-REFUNDABLE FEE MAY DELAY ISSUANCE OF YOUR CERTIFICATE.** IF YOU HAVE A CURRENT CERTIFICATE OF EMPLOYEE INFORMATION REPORT, DO NOT COMPLETE THIS FORM UNLESS YOU ARE RENEWING A CERTIFICATE THAT IS DUE FOR EXPIRATION. DO NOT COMPLETE THIS FORM FOR CONSTRUCTION CONTRACT AWARDS.

ITEM 1 - Enter the Federal Identification Number assigned by the Internal Revenue Service, or if a Federal Employer Identification Number has been applied for, or if your business is such that you have not or will not receive a Federal Employer Identification Number, enter the Social Security Number of the owner or of one partner, in the case of a partnership.

ITEM 2 - Check the box appropriate to your TYPE OF BUSINESS. If you are engaged in more than one type of business check the predominate one. If you are a manufacturer deriving more than 50% of your receipts from your own retail outlets, check "Retail".

ITEM 3 - Enter the total "number" of employees in the entire company, including part-time employees. This number shall include all facilities in the entire firm or corporation.

ITEM 4 - Enter the name by which the company is identified. If there is more than one company name, enter the predominate one.

ITEM 5 - Enter the physical location of the company. Include City, County, State and Zip Code.

ITEM 6 - Enter the name of any parent or affiliated company including the City, County, State and Zip Code. If there is none, so indicate by entering "None" or N/A.

ITEM 7 - Check the box appropriate to your type of company establishment. "Single-establishment Employer" shall include an employer whose business is conducted at only one physical location. "Multi-establishment Employer" shall include an employer whose business is conducted at more than one location.

ITEM 8 - If "Multi-establishment" was entered in item 8, enter the number of establishments within the State of New Jersey.

ITEM 9 - Enter the total number of employees at the establishment being awarded the contract.

ITEM 10 - Enter the name of the Public Agency awarding the contract. Include City, County, State and Zip Code. This is not applicable if you are renewing a current Certificate.

ITEM 11 - Enter the appropriate figures on all lines and in all columns. THIS SHALL ONLY INCLUDE EMPLOYMENT DATA FROM THE FACILITY THAT IS BEING AWARDED THE CONTRACT. DO NOT list the same employee in more than one job category. **DO NOT attach an EEO-1 Report.**

Racial/Ethnic Groups will be defined:

Black: Not of Hispanic origin. Persons having origin in any of the Black racial groups of Africa.

Hispanic: Persons of Mexican, Puerto Rican, Cuban, or Central or South American or other Spanish culture or origin, regardless of race.

American Indian or Alaskan Native: Persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

Asian or Pacific Islander: Persons having origin in any of the original peoples of the Far East, Southeast Asia, the Indian Sub-continent or the Pacific Islands. This area includes for example, China, Japan, Korea, the Phillipine Islands and Samoa.

Non-Minority: Any Persons not identified in any of the aforementioned Racial/Ethnic Groups.

ITEM 12 - Check the appropriate box. If the race or ethnic group information was not obtained by 1 or 2, specify by what other means this was done in 3.

ITEM 13 - Enter the dates of the payroll period used to prepare the employment data presented in Item 12.

ITEM 14 - If this is the first time an Employee Information Report has been submitted for this company, check block "Yes".

ITEM 15 - If the answer to Item 15 is "No", enter the date when the last Employee Information Report was submitted by this company.

ITEM 16 - Print or type the name of the person completing the form. Include the signature, title and date.

ITEM 17 - Enter the physical location where the form is being completed. Include City, State, Zip Code and Phone Number.

TYPE OR PRINT IN SHARP BALL POINT PEN

THE VENDOR IS TO COMPLETE THE EMPLOYEE INFORMATION REPORT FORM (AA302) AND RETAIN A COPY FOR THE VENDOR'S OWN FILES. THE VENDOR SHOULD ALSO SUBMIT A COPY TO THE PUBLIC AGENCY AWARDED THE CONTRACT IF THIS IS YOUR FIRST REPORT; AND FORWARD ONE COPY **WITH A CHECK IN THE AMOUNT OF \$150.00 PAYABLE TO THE TREASURER, STATE OF NEW JERSEY (FEE IS NON-REFUNDABLE)** TO:

NJ Department of the Treasury

Division of Public Contracts

Equal Employment Opportunity Compliance

P.O. Box 206

Trenton, New Jersey 08625-0206

Telephone No. (609) 292-5473

EXHIBIT F-3

Certification

CERTIFICATE OF EMPLOYEE INFORMATION REPORT

UNKNOWN

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of

[**SAMPLE**]



John P. ...

State Treasurer

EXHIBIT F-4

Sample Federal Letter of Approval

U.S. Department of Labor

Employment Standards Administration
Office of Federal Contract Compliance Programs
Newark Area Office
124 Evergreen Place, Fourth Floor
East Orange, NJ 07108



February 27, 20__

Dear

Our recent compliance review of your establishment's equal employment opportunity policies and practices was completed on February 27, 20__.

We found no apparent deficiencies or violations of Executive Order 11266, as amended, Section 503 of the Rehabilitation Act of 1973 or 38 USC 2012 (the Vietnam Era Veterans Readjustment Assistance Act). Accordingly, your establishment is deemed to be in compliance with these laws based on the material reviewed.

The Office of Federal Contract Compliance Programs sincerely appreciates the cooperation and courtesies extended by you and your staff during the conduct of the compliance review.

Sincerely,

Area Office Director.

EXHIBIT F-5



**STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE**

Taxpayer Name:

Trade Name:

Address:

Certificate Number:

Date of Issuance:

For Office Use Only:

20050705105635523

EXHIBIT F-6

Business Registration Certificate (BRC)

(All contracts no type or dollar limit)

(9/1/04)

A BRC serves as proof of a valid business registration with the New Jersey Division of Revenue.

- **Any business including an out-of-state business** with a presence or nexus in NJ, operating as a corporation, limited partnership, limited liability company, or limited liability partnership must first obtain legal authority to operate in this State prior to submitting form NJ-REG. Generally this is accomplished by filing a “Certificate of Incorporation” or Formation with the division.
 - **Out-of-State business** that believe they do not have state tax nexus, will file a paper form NJ-REG in order to obtain a BRC. Business entities that file form NJ-REG only will be subject to a nexus review, initiated and conducted by the Division of Taxation.
 - **Individuals with no business tax or employer obligations** may register using form REG-A instead of form NJ-REG in order to obtain the BRC. Individuals who have created and are operating as a business entity (e.g. LLC) may not use form REG-A
 - **Non-profit organizations** although required to register for tax purposes, are not subject to the proof of registration requirements when contracting with the Authority
-

Registering A Business with the New Jersey Department of the Treasury

Business organizations or individuals doing business in New Jersey are required to register with the Department of the Treasury, Division of Revenue. Registration is free and is a one-time action - there are no fees to register. However, you should update your contact and tax eligibility information as needed. Registration is required to conduct most business with any state, county, municipal, local board of education, charter school, county college, authority, or state college or university. The contracting agency may be required to have a copy of the "proof of registration certificate" submitted as part of a public bid or prior to issuing a purchase order.

To register: Businesses must complete **Form NJ-REG** and submit it to the Division of Revenue. The form can be filed form online or by mailing a paper form to the Division. Online filing is strongly encouraged.

- Register online at www.nj.gov/treasury/revenue/taxreg.htm. Click the "online" link and then select "Register for Tax and Employer Purposes."
- Download the paper form and instructions at www.nj.gov/treasury/revenue/revpmt.htm.
- Call the Division at 609-292-1730 to have a form mailed to you.
- Write to the Division at: Client Registration Bureau, PO Box 252, Trenton, NJ 08646-0252.

Note: If you operate a corporation, limited partnership, limited liability company or limited liability partnership, before registering, you must obtain legal authority to operate in the State of New Jersey. Generally, this is accomplished by filing an original business certificate with the Division of Revenue, such as a Certificate of Incorporation or Formation. For more information on this subject, visit www.nj.gov/treasury/revenue/filecerts.htm, or call 609-292-9292.

Registering as an individual: There is a simplified registration process for individuals doing business with any New Jersey government agency. The form (NJ-REG-A) may be on the back of this form. If not, it can be downloaded from the web at www.nj.gov/treasury/revenue/pdforms/reg_a.pdf. To obtain a copy by mail, call 609-292-1730, or write to the Division at the Client Registration Bureau, PO Box 252, Trenton, NJ 08646-0252.

Questions about the registration process? Call 609-292-1730 or submit by e-mail at www.nj.gov/treasury/revenue/revcontact.html.

How do I receive the proof of registration certificate?

- New registrants. When completing Form NJ-REG, make sure you answer "Yes" to the contractor/sub-contractor question (Online - Item 17; Paper Form - Item 18). The Division of Revenue will mail the certificate to the mailing address you supply on your registration form.
- Previously Registered Businesses. Call 609-292-1730 and select option 3. The Division of Revenue's service agents will take your order and mail you a certificate. Please allow 7 to 10 working days to receive your certificate. Alternately, you may visit the Division's Client Registration Bureau in person and request a certificate. The address is 847 Roebling Avenue, Trenton, NJ 08611. Service desk hours are 8:30am to 4pm, weekdays, excluding holidays.

What information does the proof of registration contain? The certificate displays the following information: Business Name, Trade Name (If Applicable), Tax Payer ID (Usually the Employer Identification Number), Business Address, Contractor Certification Number (State Issued), Certification Issuance Date, Effective Date (Business Start Date Entered on Form NJ-REG).

EXHIBIT F-7

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
SOURCE DISCLOSURE CERTIFICATION

PUBLIC LAW 2005, CHAPTER 92 –
N.J.S.A. 52:34-13.2

Required for All Procurements of Services

All Vendors seeking to enter into any contract with the New Jersey Economic Development Authority, in which services are procured, must disclose the following:

- the location **by country** where services under the contract will be performed; and
- any subcontracting of services under the contract and the location **by country** where any subcontracted services will be performed.

The New Jersey Economic Development Authority cannot award a contract to a Vendor that does not provide all disclosures, as required.

The Authority cannot award a contract to a Vendor that submits a bid or proposal to perform services or have a subcontractor perform services outside the United States, unless one of the following conditions is met:

- the Vendor or its subcontractor provides a unique service and no comparable domestically-provided service can adequately duplicate the unique features of the service provided by the vendor or its subcontractor; or
- a significant and substantial economic cost factor exists such that a failure to use the vendor's or subcontractor's services would result in economic hardship to the New Jersey Economic Development Authority; or
- the Director – Internal Process Management shall determine whether sufficient justification has been provided by the Bidder to form the basis of its certification that the services cannot be performed in the United States and whether to seek the approval of the Chief Executive Officer of the New Jersey Economic Development Authority, in accordance with the requirements of *N.J.S.A. 52:34-13.2*.

If during the term of the contract or any extensions thereto, it is determined that the Bidder has shifted services declared above to be provided within the United States, to sources outside the United States, prior to a written determination by the Authority's Director – Internal Process Management, that extraordinary circumstances require the shift of services or that the failure to shift the services would result in economic hardship to the New Jersey Economic Development Authority, the Bidder shall be deemed in breach of contract, which contract will be subject to termination for cause.



NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
"SOURCE DISCLOSURE CERTIFICATION"

Bidder: _____ Contract / PO Number: _____
(e.g. "ABC Company Inc., LLC") (e.g. "2010-RFQ/P-001" or "1234")

I hereby certify and say:

I have personal knowledge of the facts set forth herein and am authorized to make this Certification on behalf of the Bidder.

The Bidder submits this Certification as part of a bid proposal in response to the referenced solicitation issued by the New Jersey Economic Development Authority, so that it can comply with the requirements of *Public Law 2005, Chapter 92 - N.J.S.A. 52:34-13.2*.

Instructions:

List every location where services will be performed by the Bidder and all subcontractors.

If any of the services cannot be performed within the United States, the Bidder shall state, with specificity, the reasons why the services cannot be so performed. **Attach additional pages if necessary.**

Bidder and / or Subcontractor(s) <i>(e.g.) "ABC Company Inc., LLC"</i>	Description of Services <i>(e.g.) "Underwriting"</i>	Performance Locations(s) by COUNTRY <i>(e.g.) "U.S.A." or "India"</i>	Reasons why services cannot be performed in USA <i>(e.g.) "not applicable" or "see attached"</i>
--	--	---	--

Any changes to the information set forth in this Certification during the term of any contract awarded under the referenced solicitation or extension thereof, will be immediately reported by the successful Bidder to the Director - Internal Process Management, New Jersey Economic Development Authority, P.O. Box 990, Trenton, New Jersey 08625-0990.

The Director shall determine whether sufficient justification has been provided by the Bidder to form the basis of his certification that the services cannot be performed in the United States and whether to seek the approval of the Chief Executive Officer of the New Jersey Economic Development Authority, in accordance with the requirements of *N.J.S.A. 52:34-13.2*.

I understand that, if after award of a contract to the Bidder, it is determined that the Bidder has shifted services declared above to be provided within the United States, to sources outside the United States, prior to a written determination by the Director that extraordinary circumstances require the shift of services or that the failure to shift the services would result in economic hardship to the New Jersey Economic Development Authority; the Bidder shall be deemed in breach of contract, which contract will be subject to termination for cause.

I further understand that this Certification is submitted on behalf of the Bidder in order to induce the New Jersey Economic Development Authority to accept a bid proposal, with knowledge that the New Jersey Economic Development Authority will rely upon the truth of the statements contained herein.

I certify that, to the best of my knowledge, and belief, the foregoing statements by me are true. I am aware that if any of the statements are willfully false, I am subject to punishment.

Bidder: _____
(Name of Bidding Organization or Entity)

By: _____ Title: _____
(Bidding Entity Representative's Signature)

Print Name: _____ Date: _____
(Bidding Entity Representative's Name)

EXHIBIT F-8

IMPORTANT: This DOCUMENT should be SUBMITTED with the BID / PROPOSAL.

SET ASIDE:

In accordance with the requirements of N.J.A.C. 17:13 and N.J.A.C. 17:14, as amended, the Authority is required to develop a set-aside business plan for Small Business Enterprises (SBEs). The Authority encourages the participation of SBE firms as certified by the New Jersey Department of Treasury, Division of Revenue – Small Business Registration and M/WBE Certification Services Unit for the services subject to this RFQ/P. Information regarding SBE registration can be obtained by contacting the Division of Revenue – Small Business Registration and M/WBE Certification Services Unit (609) 292-2146 or at P.O. Box 455, Trenton, NJ 08626 or on-line, via the State's Business website at:

<http://www.newjerseybusiness.gov>

It is the Authority's goal to award twenty-five (25%) percent of the dollar value of its contracts to eligible small businesses whose principal place of business is New Jersey, is independently owned and operated, has no more than one hundred (100) full-time employees, and whose gross revenues do not exceed \$12 million dollars or the applicable annual revenue standards set forth in *13 CFR 121.201*, incorporated herein by reference and as may be adjusted periodically, whichever is higher, and satisfies any additional eligibility standards under this chapter.

(reference www.sba.gov/tools/resourcelibrary/laws.and.regultaions/index.html),

(NAICS Codes can be obtained at www.census.gov/epcd/www/naics.html)

FOR GOODS AND SERVICES:

It is the Authority's goal to award:

- Ten (10%) percent of its contracts to eligible small businesses whose principal place of business is New Jersey, is independently owned and operated, has no more than 100 full-time employees, and whose gross revenues do not exceed **\$500,000**;
- Fifteen (15%) percent of its contracts to eligible small businesses whose principal place of business is New Jersey, is independently owned and operated has no more than 100 full-time employees, and whose gross revenues do not exceed **\$12 million dollars** or the applicable federal revenue standards established at *13 CFR 121.201* incorporated herein by reference, whichever is higher.

The Proposer and its named Subconsultants should complete the attached "***Set-Aside Information Form***", as well as the "***Set-Aside Compliance Certificate***" and **submit both with the bid / proposal.** Failure to complete and submit both the "***Set-Aside Information Form***" and the "***Set-Aside Compliance Certificate***" documents, may result in a delay in evaluating the proposal.

The Proposer's / Bidder's "***Set Aside Compliance Certificate***" will convey information in sufficient detail to permit the Authority to effectively assess the Proposer's / Bidder's plan for attaining the specified set-aside goal or documenting the Proposer's / Bidder's good faith effort to meet the set-aside goal.

The successful Proposer / Bidder must submit a "***Monthly Status Report***", with its invoice, on a monthly basis to the Authority. Invoices will not be processed unless accompanied by the "***Monthly Status Report***".

IMPORTANT: This DOCUMENT should be SUBMITTED with the BID / PROPOSAL.



**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
SET-ASIDE COMPLIANCE CERTIFICATE
GOODS AND SERVICES CONTRACTS -
SMALL BUSINESS ENTERPRISE (SBE)**

Name of Firm: _____
(“The Firm”)

Street Address: _____

City, State, Zip Code: _____

Contact Name and Title: _____

E-Mail: _____

Telephone Number: _____

I hereby certify that the Firm will comply with New Jersey laws pertaining to set-aside contracts and am aware that the Firm is subject to criminal and civil penalties, including debarment, in the event of non-compliance. I further certify that the Firm will make a good faith effort to meet the set aside goals and am aware that the Firm must document these efforts and supply such documentation to the New Jersey Economic Development Authority.

I am aware that, if awarded a contract, the Firm must submit a *Monthly Status Report* with all invoices, to the Authority and that invoices will not be processed unless accompanied by the *Monthly Status Report*. I am also aware that failure to complete and submit this “Set-Aside Compliance Certificate”, as well as the “Set Aside Information Form” (included in this RFQ/P) may result in a delay in evaluating the proposal.

The Firm lists the following pool of certified SBE subcontractor firms by attaching a copy of “Set-Aside Information Form”) for each subcontractor, in order to permit the Authority to effectively assess the Firm’s plan for attaining the specified set-aside goals and / or documenting the Firm’s good faith effort to meet the set-aside goals:

- Small Business with Gross Revenues that *do not* exceed \$500,000 (10%):
- Small Business with Gross Revenues that *do not* exceed \$12 Million (15%):

Dated: _____

By: _____
Name of Authorized Representative of Firm Noted Above

Print Name of Authorized Representative Signing Document

Title of Authorized Representative



NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
SET ASIDE INFORMATION FORM
GOODS AND SERVICES

RFQ/P or RFB#: _____

PROJECT NAME: _____

Company Name: _____

Address: _____

City, State, Zip Code: _____

Contact Name and Title: _____

E-Mail: _____

Telephone Number: _____ Alternate Number: _____

Are you registered with the NJ Department of Treasury, Division of Revenue – Small Business Registration and M/WBE Certification Services Unit (at (609) 292-2146) as a Small Business Enterprise (SBE)?

_____ Yes _____ No [If yes, attach a copy of your *Certificate of Registration*]

If "Yes", indicate your Registration Number: _____

If "No", have you applied with the Division to become registered? _____ Yes _____ No

Application date: _____

Type of Business: _____

Commodity Code: _____

Is your Company a corporation? _____ Yes _____ No

Is your Company a Small Business Enterprise (SBE) [*no more than 100 full-time employees*]:

_____ Small Business with Gross Revenues that *do not* exceed \$500,000.

_____ Small Business with Gross Revenues that *do not* exceed \$12 million or the applicable Federal Revenue Standards established at 13 CFR 121.201 incorporated herein by reference, whichever is higher.

Is your Company a Minority-Owned Business (MBE)? _____ Yes _____ No [optional]

If "Yes", please specify Ethnicity: _____ [optional]

Is your Company a Woman-Owned Business (WBE)? _____ Yes _____ No [optional]

Please answer all questions, check those responses that apply and return to:

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
ATTN: Real Estate Division
P.O. Box 990
Trenton, NJ 08625-0990

EXHIBIT F-9

EXHIBIT F-10

CHAPTER 51

AN ACT concerning campaign contributions by certain business entities seeking or holding State contracts, supplementing P.L.1973, c.83 (C.19:44A-1 et seq.), amending P.L.2004, c.19, and repealing section 1 of P.L.2004, c.19 (C.19:44A-20.2).

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

C.19:44A-20.13 Findings, declarations relative to certain campaign contributions by business entities.

1. The Legislature finds and declares that:

In our representative form of government, it is essential that individuals who are elected to public office have the trust, respect and confidence of the citizenry; and

All individuals, businesses, associations, and other persons have a right to participate fully in the political process of New Jersey, including making and soliciting contributions to candidates, political parties and holders of public office; and

When a person or business interest makes or solicits major contributions to obtain a contract awarded by a government agency or independent authority, this constitutes a violation of the public's trust in government and raises legitimate public concerns about whether the contract has been awarded on the basis of merit; and

The growing infusion of funds donated by business entities into the political process at all levels of government has generated widespread cynicism among the public that special interest groups are "buying" favors from elected officeholders; and

For the purposes of protecting the integrity of government contractual decisions and of improving the public's confidence in government, it is a compelling interest of this State to prohibit awarding government contracts to business entities which are also contributors to candidates, political parties and the holders of public office; and

There exists the perception that campaign contributions are often made to a State or county political party committee by an individual or business seeking favor with State elected officials, with the understanding that the money given to such a committee will be transmitted to other committees in other parts of the State, or is otherwise intended to circumvent legal restrictions on the making of political contributions or gifts directly to elected State officials, thus again making elected State officials beholden to those contributors; and

County political party committees, through their powers of endorsement, fundraising, ballot slogan or party line designation, and other means, exert significant influence over the gubernatorial primary and general election process; and

Although the right of individuals and businesses to make campaign contributions is unequivocal, that right may be limited, even abrogated, when such contributions promote the actuality or appearance of public corruption; and

It is essential that the public have confidence that the selection of State contractors is based on merit and not on political contributions made by such contractors and it is essential that the public have trust in the processes by which taxpayer dollars are spent; and

It has long been the public policy of this State to secure for the taxpayers the benefits of competition, to promote the public good by promoting the honesty and integrity of bidders for public contracts and the system, and to guard against favoritism, improvidence, extravagance and corruption in order to benefit the taxpayers; and

In the procurement process, our public policy grants to the State broad discretion, taking into consideration all factors, to award a contract to a bidder whose proposal will be most advantageous to the State; and

The operations of the State government must be effectively and fairly managed to ensure public order and prosperity, and malfeasance, in whatever form it may take, must be confronted and uprooted; and

The Legislature must safeguard the integrity of State government procurement by imposing restrictions on State agencies and independent authorities to insulate the negotiation and award of State contracts from political contributions that pose the risk of improper influence, purchase of access, or the appearance thereof.

C.19:44A-20.14 Contributors, certain; ineligibility to enter into agreement with the State or its authorities.

2. The State or any of its purchasing agents or agencies or those of its independent authorities, as the case may be, shall not enter into an agreement or otherwise contract to procure from any business entity services or any material, supplies or equipment, or to acquire, sell, or lease any land or building, where the value of the transaction exceeds \$17,500, if that business entity has solicited or made any contribution of money, or pledge of contribution, including in-kind contributions to a candidate committee or election fund of any candidate or holder of the public office of Governor, or to any State or county political party committee: (i) within the eighteen months immediately preceding the commencement of negotiations for the contract or agreement; (ii) during the term of office of a Governor, in the case of contributions to a candidate committee or election fund of the holder of that office, or to any State or county political party committee of a political party nominating such Governor in the last gubernatorial election preceding the commencement of such term; or (iii) within the eighteen months immediately preceding the last day of the term of office of Governor, in which case such prohibition shall continue through the end of the next immediately following term of the office of Governor, in the case of contributions to a candidate committee or election fund of the holder of that office, or to any State or county political party committee of a political party nominating such Governor in the last gubernatorial election preceding the commencement of the latter term.

C.19:44A-20.15 Certain contributions prohibited by certain contractors of the State or its authorities.

3. No business entity which agrees to any contract or agreement with the State or any department or agency thereof or its independent authorities either for the rendition of services or furnishing of any material, supplies or equipment or for the acquisition, sale, or lease of any land or building, if the value of the transaction exceeds \$17,500, shall knowingly solicit or make any contribution of money, or pledge of a contribution, including in-kind contributions, to a candidate committee or election fund of any candidate or holder of the public office of Governor or to any State or county political party committee prior to the completion of the contract or agreement.

C.19:44A-20.16 "Contribution" defined.

4. For the purposes of this act, a "contribution" means a contribution reportable by the recipient under "The New Jersey Campaign Contributions and Expenditures Reporting Act," P.L.1973, c.83 (C.19:44A-1 et seq.) made on or after the effective date of this act.

C.19:44A-20.17 "Business entity" defined.

5. For the purposes of this act, a "business entity" means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or any other state or foreign jurisdiction. The definition of a business entity includes: (i) all principals who own or control more than 10 percent of the profits or assets of a business entity or 10 percent of the stock in the case of a business entity that is a corporation for profit, as appropriate; (ii) any subsidiaries directly or indirectly controlled by the business entity; (iii) any political organization organized under section 527 of the Internal Revenue Code that is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee; and (iv) if a business entity is a natural person, that person's spouse or child, residing therewith, are also included within this definition.

C.19:44A-20.18 Report of contributions by business entities as part of State procurement process.

6. Prior to awarding any contract or agreement to procure services or any material, supplies or equipment from, or for the acquisition, sale, or lease of any land or building from or to, any business entity, the State or any of its purchasing agents or agencies, as the case may be, shall require, as part of the procurement process, the business entity to report all contributions the business entity made during the preceding four years to any political organization organized

under section 527 of the Internal Revenue Code that also meets the definition of a "continuing political committee" within the meaning of section 3 of P.L.1973, c.83 (C.19:44A-3). Such reporting shall be made in a manner and form to be developed by the State Treasurer with the advice of the New Jersey Election Law Enforcement Commission, which agencies shall promulgate regulations to effect and implement this disclosure obligation. Such reports shall be subject to review by the State Treasurer. If the State Treasurer determines that any such contribution, or any other act that would constitute a breach of contract pursuant to section 9 of this act, poses a conflict of interest in the awarding of any contract or agreement, the State Treasurer shall disqualify such business entity from bidding on or being awarded such contract or agreement.

C.19:44A-20.19 Written certification by business entities relative to contributions.

7. Prior to awarding any contract or agreement to procure services or any material, supplies or equipment from, or for the acquisition, sale, or lease of any land or building from or to, any business entity, the State or any of its purchasing agents or agencies or independent authorities, as the case may be, shall require the business entity to provide a written certification that it has not made a contribution that would bar the award of the contract pursuant to this act. The business entity shall have a continuing duty to report any contribution it makes during the term of the contract. Such reports shall be subject to review by the State Treasurer. If the State Treasurer determines that any such contribution poses a conflict of interest, such contribution shall be deemed a material breach of such contract or agreement.

C.19:44A-20.20 Request for reimbursement of contribution.

8. If a business entity inadvertently makes a contribution that would otherwise bar it from receiving a contract or makes a contribution during the term of a contract in violation of this act, the entity may request a full reimbursement from the recipient and, if such reimbursement is received within 30 days after the date on which the contribution was made, the business entity would again be eligible to receive a contract or would no longer be in violation, as appropriate. It shall be presumed that contributions made within 60 days of a gubernatorial primary or general election were not made inadvertently.

C.19:44A-20.21 Breach of terms of government contract concerning contributions.

9. It shall be a breach of the terms of the government contract for a business entity to: (i) make or solicit a contribution in violation of this act; (ii) knowingly conceal or misrepresent a contribution given or received; (iii) make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution; (iv) make or solicit any contribution on the condition or with the agreement that it will be contributed to a campaign committee of any candidate or holder of the public office of Governor, or to any State or county party committee; (v) engage or employ a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any contribution, which if made or solicited by the business entity itself, would subject that entity to the restrictions of this act; (vi) fund contributions made by third parties, including consultants, attorneys, family members, and employees; (vii) engage in any exchange or contributions to circumvent the intent of this act, or (viii) directly or indirectly, through or by any other person or means, do any act which would subject that entity to the restrictions of this act.

C.19:44A-20.22 Exception for public exigency.

10. This act shall not prohibit the awarding of a contract when the public exigency requires the immediate delivery of goods or performance of services as determined by the State Treasurer.

C.19:44A-20.23 Applicability of act to State agencies and authorities.

11. This act shall apply to all State agencies including any of the principal departments in the Executive Branch, and any division, board, bureau, office, commission or other instrumentality within or created by such department and any independent State authority, board, commission,

instrumentality or agency.

C.19:44A-20.24 Contract, bid applications and specs to describe requirements of act.

12. Every contract and bid application and specifications promulgated in connection therewith covered by this act shall contain a provision describing the requirements of this act and a statement that compliance with this act shall be a material term and condition of said contract or bid application and binding upon the parties thereto upon the entry of all applicable contracts.

C.19:44A-20.25 Inapplicability of act under federal law or eminent domain.

13. The provisions of sections 1 through 12 of this act, P.L.2005, c.51, shall not: a. apply in circumstances when it is determined by the federal government or a court of competent jurisdiction that its application would violate federal law or regulation; or b. prevent the State, its executive departments, agencies or independent authorities from complying with all of the requirements, conditions and obligations of the "Eminent Domain Act of 1971," P.L. 1971, c.361 (C.20:3-1 et seq.), as amended and supplemented.

14. Section 6 of P.L.2004, c.19 (C.19:44A-20.7) is amended to read as follows:

C.19:44A-20.7 Definitions relative to certain campaign contributions.

6. As used in sections 2 through 12 of this act:

"business entity" means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other state or foreign jurisdiction;

"interest" means the ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit, as appropriate;

"fair and open process" means, at a minimum, that the contract shall be: publicly advertised in newspapers or on the Internet website maintained by the public entity in sufficient time to give notice in advance of the contract; awarded under a process that provides for public solicitation of proposals or qualifications and awarded and disclosed under criteria established in writing by the public entity prior to the solicitation of proposals or qualifications; and publicly opened and announced when awarded. The decision of a public entity as to what constitutes a fair and open process shall be final.

"State agency in the Legislative Branch" means the Legislature of the State and any office, board, bureau or commission within or created by the Legislative Branch.

15. Section 7 of P.L.2004, c.19 (C.19:44A-20.8) is amended to read as follows:

C.19:44A-20.8 Business entity to provide written certification, ELEC reports.

7. a. Prior to awarding any contract, except a contract that is awarded pursuant to a fair and open process, a State agency in the Legislative Branch, a county, or a municipality shall require the business entity to which the contract is to be awarded to provide a written certification that it has not made a contribution that would bar the award of a contract pursuant to this act.

b. A business entity shall have a continuing duty to report to the Election Law Enforcement Commission any contributions that constitute a violation of this act that are made during the duration of a contract.

Repealer.

16. Section 1 of P.L.2004, c.19 (C.19:44A-20.2) is repealed.

Superseder.

17. Executive Order No. 134 (2004) is hereby superseded.

18. Sections 14, 15 and 16 shall take effect on the original effective date of P.L.2004, c.19

P.L. 2005, CHAPTER 51
5

(C.19:44A-20.2 et seq.), and the remainder of this act shall take effect immediately and shall be retroactive to October 15, 2004 and shall apply to contributions made and contracts awarded on or after October 15, 2004.

Approved March 22, 2005.

INFORMATION AND INSTRUCTIONS

For Completing the “Two-Year Vendor Certification and Disclosure of Political Contributions” Form

Background Information

On September 22, 2004, then-Governor James E. McGreevey issued E.O. 134, the purpose of which was to insulate the negotiation and award of State contracts from political contributions that posed a risk of improper influence, purchase of access or the appearance thereof. To this end, E.O. 134 prohibited State departments, agencies and authorities from entering into contracts exceeding \$17,500 with individuals or entities that made certain political contributions. E.O. 134 was superseded by Public Law 2005, c. 51, signed into law on March 22, 2005 (“Chapter 51”).

On September 24, 2008, Governor Jon S. Corzine issued E.O. 117 which is designed to enhance New Jersey’s efforts to protect the integrity of procurement decisions and increase the public’s confidence in government. The Executive Order builds upon the provisions of Chapter 51.

Two-Year Certification Process

Upon approval by the State Chapter 51 Review Unit, the Certification and Disclosure of Political Contributions form is valid for a two (2) year period. Thus, if a vendor receives approval on January 1, 2014, the certification expiration date would be December 31, 2015. Any change in the vendor’s ownership status and/or political contributions during the two-year period will require the submission of new Chapter 51/Executive Order 117 forms to the State Review Unit. **Please note that it is the vendor’s responsibility to file new forms with the State should these changes occur.**

State Agency Instructions: Prior to the awarding of a contract, the State Agency should first send an e-mail to CD134@treas.nj.gov to verify the certification status of the vendor. If the response is that the vendor is NOT within an approved two-year period, then forms must be obtained from the vendor and forwarded for review. If the response is that the vendor is within an approved two-year period, then the response so stating should be placed with the bid/contract documentation for the subject project.

Instructions for Completing the Form

NOTE: Please refer to pages 3 and 4 “USEFUL DEFINITIONS for the purposes of Chapter 51 and Executive Order 117” for guidance when completing the form.

Part 1: BUSINESS ENTITY INFORMATION

Business Name – Enter the full legal name of the vendor, including trade name if applicable.

Address, City, State, Zip and Phone Number -- Enter the vendor’s street address, city, state, zip code and telephone number.

Vendor Email – Enter the vendor’s primary email address.

Vendor FEIN – Please enter the vendor’s Federal Employment Identification Number.

Business Type - Check the appropriate box that represents the vendor’s type of business formation.

Listing of officers, shareholders, partners or members - Based on the box checked for the business type, provide the corresponding information. (A complete list must be provided.)

Part 2: DISCLOSURE OF CONTRIBUTIONS

Read the three types of political contributions that require disclosure and, if applicable, provide the recipient's information. The definition of "Business Entity/Vendor" and "Contribution" can be found on pages 3 and 4 of this form.

Name of Recipient - Enter the full legal name of the recipient.

Address of Recipient - Enter the recipient's street address.

Date of Contribution - Indicate the date the contribution was given.

Amount of Contribution - Enter the dollar amount of the contribution.

Type of Contribution - Select the type of contribution from the examples given.

Contributor's Name - Enter the full name of the contributor.

Relationship of the Contributor to the Vendor - Indicate the relationship of the contributor to the vendor. (e.g. officer or shareholder of the company, partner, member, parent company of the vendor, subsidiary of the vendor, etc.)

NOTE: If form is being completed electronically, click "Add a Contribution" to enter additional contributions. Otherwise, please attach additional pages as necessary.

Check the box under the recipient information if no reportable contributions have been solicited or made by the business entity. **This box must be checked if there are no contributions to report.**

Part 3: CERTIFICATION

Check Box A if the representative completing the Certification and Disclosure form is doing so on behalf of the business entity and all individuals and/or entities whose contributions are attributable to the business entity. **(No additional Certification and Disclosure forms are required if BOX A is checked.)**

Check Box B if the representative completing the Certification and Disclosure form is doing so on behalf of the business entity and all individuals and/or entities whose contributions are attributable to the business entity with the exception of those individuals and/or entities that submit their own separate form. For example, the representative is not signing on behalf of the vice president of a corporation, but all others. The vice president completes a separate Certification and Disclosure form. **(Additional Certification and Disclosure forms are required from those individuals and/or entities that the representative is not signing on behalf of and are included with the business entity's submittal.)**

Check Box C if the representative completing the Certification and Disclosure form is doing so on behalf of the business entity only. **(Additional Certification and Disclosure forms are required from all individuals and/or entities whose contributions are attributable to the business entity and must be included with the business entity submittal.)**

Check Box D when a sole proprietor is completing the Certification and Disclosure form or when an individual or entity whose contributions are attributable to the business entity is completing a separate Certification and Disclosure form.

Read the five statements of certification prior to signing.

The representative authorized to complete the Certification and Disclosure form must sign and print her/his name, title or position and enter the date.

Public Law 2005, Chapter 51 and Executive Order 117 (2008)

State Agency Procedure for Submitting Form(s)

The State Agency should submit the completed and signed Two-Year Vendor Certification and Disclosure forms either electronically to: cd134@treas.nj.gov or regular mail at: Chapter 51 Review Unit, P.O. Box 230, 33 West State Street, Trenton, NJ 08625-0230. Original forms should remain with the State Agency and copies should be sent to the Chapter 51 Review Unit.

Business Entity Procedure for Submitting Form(s)

The business entity should return this form to the contracting State Agency.

The business entity can submit the Certification and Disclosure form directly to the Chapter 51 Review Unit only when:

- The business entity is approaching its two-year certification expiration date and is seeking certification renewal;
- The business entity had a change in its ownership structure; OR
- The business entity made any contributions during the period in which its last two-year certification was in effect, or during the term of a contract with a State Agency.

Questions & Information

Questions regarding the interpretation or application of Public Law 2005, Chapter 51 (N.J.S.A. 19:44A-20.13) or E.O. 117 (2008) may be submitted electronically through the Division of Purchase and Property website at:

<https://www.state.nj.us/treas/purchase/eo134questions.shtml>

Reference materials and forms are posted on the Political Contributions Compliance website at:

<http://www.state.nj.us/treasury/purchase/execorder134.shtml>

USEFUL DEFINITIONS for the purposes of Chapter 51 and Executive Order 117

- **“Business Entity/Vendor”** means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of New Jersey or any other state or foreign jurisdiction. The definition also includes (i) if a business entity is a for-profit corporation, any officer of the corporation and any other person or business entity that owns or controls 10% or more of the stock of the corporation; (ii) if a business entity is a professional corporation, any shareholder or officer; (iii) if a business entity is a general partnership, limited partnership or limited liability partnership, any partner; (iv) if a business entity is a sole proprietorship, the proprietor; (v) if the business entity is any other form of entity organized under the laws of New Jersey or any other state or foreign jurisdiction, any principal, officer or partner thereof; (vi) any subsidiaries directly or indirectly controlled by the business entity; (vii) any political organization organized under 26 U.S.C.A. § 527 that is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee; and (viii) with respect to an individual who is included within the definition of “business entity,” that individual’s civil union partner and any child residing with that person. ¹
- **“Officer”** means a president, vice president with senior management responsibility, secretary, treasurer, chief executive officer or chief financial officer of a corporation or any person routinely performing such functions for a corporation. Please note that officers of non-profit entities are excluded from this definition.
- **“Partner”** means one of two or more natural persons or other entities, including a corporation, who or which are joint owners of and carry on a business for profit, and which business is organized under the laws of this State or any other state or foreign jurisdiction, as a general partnership, limited partnership, limited liability partnership, limited liability company, limited partnership association, or other such form of business organization.

¹Contributions made by a spouse, civil union partner or resident child to a candidate for whom the contributor is eligible to vote or to a political party committee within whose jurisdiction the contributor resides are permitted.

USEFUL DEFINITIONS for the purposes of Chapter 51 and Executive Order 117

- **“Contribution”** is a contribution, including an in-kind contribution, in excess of \$300.00 in the aggregate per election made to or received by a candidate committee, joint candidates committee, or political committee; or per calendar year made to or received by a political party committee, legislative leadership committee, or continuing political committee or a currency contribution in any amount.
- **“In-kind Contribution”** means a contribution of goods or services received by a candidate committee, joint candidates committee, political committee, continuing political committee, political party committee, or legislative leadership committee, which contribution is paid for by a person or entity other than the recipient committee, but does not include services provided without compensation by an individual volunteering a part of or all of his or her time on behalf of a candidate or committee.
- **“Continuing Political Committee”** includes any group of two or more persons acting jointly, or any corporation, partnership, or any other incorporated or unincorporated association, including a political club, political action committee, civic association or other organization, which in any calendar year contributes or expects to contribute at least \$4,300 to aid or promote the candidacy of an individual, or the candidacies of individuals, for elective public office, or the passage or defeat of a public questions, and which may be expected to make contributions toward such aid or promotion or passage or defeat during a subsequent election, provided that the group, corporation, partnership, association or other organization has been determined by the Commission to be a continuing political committee in accordance with N.J.S.A. 19:44A-8(b).
- **“Candidate Committee”** means a committee established by a candidate pursuant to N.J.S.A. 19:44A-9(a), for the purpose of receiving contributions and making expenditures.
- **“State Political Party Committee”** means a committee organized pursuant to N.J.S.A. 19:5-4.
- **“County Political Party Committee”** means a committee organized pursuant to N.J.S.A. 19:5-3.
- **“Municipal Political Party Committee”** means a committee organized pursuant to N.J.S.A. 19:5-2.
- **“Legislative Leadership Committee”** means a committee established, authorized to be established, or designated by the President of the Senate, the Minority Leader of the Senate, the Speaker of the General Assembly, or the Minority Leader of the General Assembly pursuant to N.J.S.A. 19:44A-10.1 for the purpose of receiving contributions and making expenditures.
- **“Political Party Committee”** means:
 1. The State committee of a political party, as organized pursuant to N.J.S.A. 19:5-4;
 2. Any county committee of a political party, as organized pursuant to N.J.S.A. 19:5-3; or
 3. Any municipal committee of a political party, as organized pursuant to N.J.S.A. 19:5-2



State of New Jersey
Department of the Treasury

Division of Purchase and Property

Two-Year Chapter 51/Executive Order 117 Vendor Certification and
Disclosure of Political Contributions

FOR STATE AGENCY USE ONLY

Solicitation, RFP, or Contract No. _____ Award Amount _____

Description of Services _____

State Agency Name _____ Contact Person _____

Phone Number _____ Contact Email _____

Check if the Contract / Agreement is Being Funded Using FHWA Funds

**Please check if requesting
recertification**

Part 1: Business Entity Information

Full Legal Business Name _____
(Including trade name if applicable)

Address _____

City _____ State _____ Zip _____ Phone _____

Vendor Email _____ Vendor FEIN (SS# if sole proprietor/natural person) _____

**Check off the business type and list below the required information for the type of business selected.
MUST BE COMPLETED IN FULL**

- Corporation: LIST ALL OFFICERS and any 10% and greater shareholder
- Professional Corporation: LIST ALL OFFICERS and ALL SHAREHOLDERS
- Partnership: LIST ALL PARTNERS with any equity interest
- Limited Liability Company: LIST ALL MEMBERS with any equity interest
- Sole Proprietor

Note: "Officers" means President, Vice President with senior management responsibility, Secretary, Treasurer, Chief Executive Officer or Chief Financial Officer of a corporation, or any person routinely performing such functions for a corporation.

All Officers of a Corporation or PC

**10% and greater shareholders of a corporation
or all shareholder of a PC**

All Equity partners of a Partnership

All Equity members of a LLC

If you need additional space for listing of Officers, Shareholders, Partners or Members, please attach separate page.

IMPORTANT NOTE: You must review the definition of "contribution" and "business entity" on the Information and Instructions form prior to completing Part 2 and Part 3. The Information and Instructions form is available at: <http://www.state.nj.us/treasury/purchase/forms.shtml#eo134>

Part 2: Disclosure of Contributions by the business entity or any person or entity whose contributions are attributable to the business entity.

1. Report below all contributions solicited or made during the 4 years immediately preceding the commencement of negotiations or submission of a proposal to any:

Political organization organized under Section 527 of the Internal Revenue Code and which also meets the definition of a continuing political committee as defined in N.J.S.A. (See Information and Instructions form.)

2. Report below all contributions solicited or made during the 5 ½ years immediately preceding the commencement of negotiations or submission of a proposal to any:

Candidate Committee for or Election Fund of any Gubernatorial or Lieutenant Gubernatorial candidate
State Political Party Committee
County Political Party Committee

3. Report below all contributions solicited or made during the 18 months immediately preceding the commencement of negotiations or submission of a proposal to any:

Municipal Political Party Committee
Legislative Leadership Committee

Full Legal Name of Recipient _____
Address of Recipient _____
Date of Contribution _____ Amount of Contribution _____
Type of Contribution (i.e. currency, check, loan, in-kind) _____
Contributor Name _____
Relationship of Contributor to the Vendor _____
If this form is not being completed electronically, please attach additional contributions on separate page. Click the "Add a Contribution" tab to enter additional contributions.
<input type="button" value="Remove Contribution"/>
<input type="button" value="Add a Contribution"/>

Check this box only if no political contributions have been solicited or made by the business entity or any person or entity whose contributions are attributable to the business entity.

Part 3: Certification

- (A) I am certifying on behalf of the business entity and all individuals and/or entities whose contributions are attributable to the business entity as listed on Page 1 under **Part 1: Vendor Information**.
- (B) I am certifying on behalf of the business entity and all individuals and/or entities whose contributions are attributable to the business entity as listed on Page 1 under **Part 1: Vendor Information**, except for the individuals and/or entities who are submitting separate Certification and Disclosure forms which are included with this submittal.
contributions are attributable to the business entity (as listed on Page 1) have completed separate Certification
- (C) I am certifying on behalf of the business entity only; any remaining persons or entities whose and Disclosure forms which are included with this submittal.
- (D) I am certifying as an individual or entity whose contributions are attributable to the business entity.

I hereby certify as follows:

1. I have read the Information and Instructions accompanying this form prior to completing the certification on behalf of the business entity.
2. All reportable contributions made by or attributable to the business entity have been listed above.

3. The business entity has not knowingly solicited or made any contribution of money, pledge of contribution, including in-kind contributions, that would bar the award of a contract to the business entity unless otherwise disclosed above:

- a) Within the 18 months immediately preceding the commencement of negotiations or submission of a proposal for the contract or agreement to:
 - (i) A candidate committee or election fund of any candidate for the public office of Governor or Lieutenant Governor or to a campaign committee or election fund of holder of public office of Governor or Lieutenant Governor; OR
 - (ii) Any State, County or Municipal political party committee; OR
 - (iii) Any Legislative Leadership committee.
- b) During the term of office of the current Governor or Lieutenant Governor to:
 - (i) A candidate committee or election fund of a holder of the public office of Governor or Lieutenant Governor; OR
 - (ii) Any State or County political party committee of the political party that nominated the sitting Governor or Lieutenant Governor in the last gubernatorial election.
- c) Within the 18 months immediately preceding the last day of the sitting Governor or Lieutenant Governor's first term of office to:
 - (i) A candidate committee or election fund of the incumbent Governor or Lieutenant Governor; OR
 - (ii) Any State or County political party committee of the political party that nominated the sitting Governor or Lieutenant Governor in the last gubernatorial election.

4. During the term of the contract/agreement the business entity has a continuing responsibility to report, by submitting a new Certification and Disclosure form, any contribution it solicits or makes to:

- (a) Any candidate committee or election fund of any candidate or holder of the public office of Governor or Lieutenant Governor; OR
- (b) Any State, County or Municipal political party committee; OR
- (c) Any Legislative Leadership committee.

The business entity further acknowledges that contributions solicited or made during the term of the contract/agreement may be determined to be a material breach of the contract/agreement.

5. During the two-year certification period the business entity will report any changes in its ownership structure (including the appointment of an officer within a corporation) by submitting a new Certification and Disclosure form indicating the new owner(s) and reporting said owner(s) contributions.

I certify that the foregoing statements in Parts 1, 2 and 3 are true. I am aware that if any of the statements are willfully false, I may be subject to punishment.

Signed Name _____ Print Name _____

Title/Position _____ Date _____

Procedure for Submitting Form(s)

The contracting State Agency should submit this form to the Chapter 51 Review Unit when it has been required as part of a contracting process. The contracting State Agency should submit a copy of the completed and signed form(s), to the Chapter 51 Unit and retain the original for their records.

The business entity should return this form to the contracting State Agency. The business entity can submit this form directly to the Chapter 51 Review Unit only when it -

- Is approaching its two-year certification expiration date and wishes to renew certification;
- Had a change in its ownership structure; OR
- Made any contributions during the period in which its last two-year certification was in effect, or during the term of a contract with a State Agency.

Forms should be submitted either electronically to: cd134@treas.nj.gov, or regular mail at: Chapter 51 Review Unit, P.O. Box 230, 33 West State Street, Trenton, NJ 08625.

EXHIBIT F-11

**STATE OF NEW JERSEY -- DIVISION OF PURCHASE AND PROPERTY
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN**

Quote Number: _____

Bidder/Offeror: _____

PART 1: CERTIFICATION

BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX.

FAILURE TO CHECK ONE OF THE BOXES WILL RENDER THE PROPOSAL NON-RESPONSIVE.

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran. The Chapter 25 list is found on the Division's website at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Bidders **must** review this list prior to completing the below certification. **Failure to complete the certification will render a bidder's proposal non-responsive.** If the Director finds a person or entity to be in violation of law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party

PLEASE CHECK THE APPROPRIATE BOX:

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

OR

I am unable to certify as above because the bidder and/or one or more of its parents, subsidiaries, or affiliates is listed on the Department's Chapter 25 list. **I will provide a detailed, accurate and precise description of the activities in Part 2 below and sign and complete the Certification below.** Failure to provide such will result in the proposal being rendered as non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.

PART 2: PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN

You must provide a detailed, accurate and precise description of the activities of the bidding person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below.

EACH BOX WILL PROMPT YOU TO PROVIDE INFORMATION RELATIVE TO THE ABOVE QUESTIONS. PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, CLICK THE "ADD AN ADDITIONAL ACTIVITIES ENTRY" BUTTON.

Name _____	Relationship to Bidder/Offeror _____
Description of Activities _____ _____	
Duration of Engagement _____	Anticipated Cessation Date _____
Bidder/Offeror Contact Name _____	Contact Phone Number _____

ADD AN ADDITIONAL ACTIVITIES ENTRY

Certification: I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the above-referenced person or entity. I acknowledge that the State of New Jersey is relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the State to notify the State in writing of any changes to the answers of information contained herein. I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with the State of New Jersey and that the State at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): _____ Signature: _____

Title: _____ Date: _____

EXHIBIT F-12

**STATE OF NEW JERSEY -- DIVISION OF PURCHASE AND PROPERTY
OWNERSHIP DISCLOSURE FORM**

Solicitation Number: _____ Bidder/Offeror: _____

PART 1: PLEASE COMPLETE THE QUESTIONS BELOW BY CHECKING EITHER THE "YES" OR "NO" BOX.
ALL PARTIES ENTERING INTO A CONTRACT WITH THE STATE ARE REQUIRED TO COMPLETE THIS FORM PURSUANT TO N.J.S.A. 52:25-24.2
PLEASE NOTE: IF THE BIDDER/OFFEROR IS A NON-PROFIT, THIS FORM IS NOT REQUIRED. PLEASE COMPLETE THE SEPARATE DISCLOSURE OF INVESTIGATIONS FORM.

- | | | |
|---|--------------------------|--------------------------|
| | YES | NO |
| 1. Are there any individuals, corporations or partnerships owning a 10% or greater interest in the bidder/offeror? | <input type="checkbox"/> | <input type="checkbox"/> |

IF THE ANSWER TO QUESTION 1 IS NO, PLEASE SIGN AND DATE THE FORM. YOU DO NOT HAVE TO COMPLETE ANY MORE QUESTIONS ON THIS FORM. IF THE ANSWER TO QUESTION 1 IS YES, PLEASE ANSWER QUESTIONS 2-4 BELOW.

- | | | |
|---|--------------------------|--------------------------|
| 2. Of those parties owning a 10% or greater interest in the bidder/offeror, are any of those parties individuals ? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Of those parties owning a 10% or greater interest in the bidder/offeror, are any of those parties corporations or partnerships ? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. If your answer to Question 3 is "YES", are there any parties owning a 10% or greater interest in the corporation or partnership referenced in Question 3? | <input type="checkbox"/> | <input type="checkbox"/> |

IF ANY OF THE ANSWERS TO QUESTIONS 2-4 ARE YES, PLEASE PROVIDE THE REQUESTED INFORMATION IN PART 2 BELOW.

PART 2: PLEASE PROVIDE FURTHER INFORMATION RELATED TO QUESTIONS 2-4 ANSWERED AS "YES".

For Questions 2-4 answered "YES", you **must** disclose identifying information related to the individuals, partnerships and/or corporations owning a 10% or greater interest in the bidder/offeror. Further, if one or more of these entities is itself a corporation or partnership, you must also disclose all parties that own a 10% or greater interest in that corporation or partnership. This information is required by statute.

TO COMPLETE PART 2, PLEASE PROVIDE THE REQUESTED INFORMATION PERTAINING TO EITHER **INDIVIDUALS OR **PARTNERSHIPS/CORPORATIONS** HAVING A 10% OR GREATER INTEREST IN THE BIDDER/OFFEROR. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, CLICK THE "ADD AN ENTRY" BUTTON IN THE APPROPRIATE ENTITY TYPE.**

Individuals	
Name: _____ Date of Birth: _____	<input type="button" value="Delete Entry"/>
Home Address: _____	
City _____ State _____ Zip Code _____	
Are there additional entities holding 10% or greater ownership interest in the bidder/offeror and its parent corporation/partnership? <input type="checkbox"/> Yes or <input type="checkbox"/> No	
<input type="button" value="Add An Additional Individuals Entry"/>	

Partnerships/Corporations

Entity Name: _____

Partner Name: _____

Business Address: _____

City _____ State _____ Zip Code _____

Delete Entry

Are there **additional** entities holding **10% or greater** ownership interest in
the bidder/offeror and its parent corporation/partnership?

Yes or No

Add An Additional Partnerships/Corporations Entry

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

Full Name (Print): _____ Signature: _____

Title: _____ Date: _____

FEIN/SSN: _____

EXHIBIT G

PROFESSIONAL SERVICES CONTRACT (SPECIMEN)

**SPECIMEN CONTRACT FOR PROFESSIONAL SERVICES
CIVIL AND ENVIRONMENTAL ENGINEERING SERVICES
TINTON FALLS, NJ**

AGREEMENT made this ____ day of _____, 2016, by and between the NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY (the "Authority or NJEDA"), having its address at 36 West State Street, P.O. Box 990, Trenton, New Jersey 08625-0990, and (the "Consultant"), having its address at _____.

The Authority and the Consultant agree as follows:

1. **The Work.** The Consultant shall perform or shall provide the services as specifically detailed in the Consultant's Proposal dated _____, Consultant's Fee Proposal, dated _____ all of which are attached hereto as Exhibit C, and the Authority's Request for Qualifications & Proposals ("RFQ/P") dated August 23, 2016, attached hereto as Exhibit D, all of which are made a part of this Contract ("Work" or "Project").

2. **Time.**

The Consultant shall complete the Work within the time limits set forth in the Request for Proposal, the "Schedule".

The actual date of issuance of the Notice to Proceed is subject to delay. In the event of such delay, the milestone completion date(s) listed in the Schedule will be adjusted by the equivalent total calendar days of such delay. The equivalent total calendar days of delay is hereby defined as the difference between the date of the Notice to Proceed as listed in the Schedule and the actual date of issuance of the Notice to Proceed.

The Consultant shall render the services described in the Consultant's Proposal and RFQ/P as requested by the Authority and generally pursuant to the Schedule included therein.

3. **Contract Price.** The Authority shall pay the Consultant for the performance of

the Work on a time and expense basis as per the Fee Schedule set forth in the Consultant's Proposal. Expenses not specifically identified in the Fee Schedule shall be billed as is reasonable and customary. The total Contract Price shall not exceed _____ as outlined in Sections A, B, and C of the Consultant's Fee Proposal, unless an increase is approved in writing by the Authority. With regard to Section D of the Fee Proposal, a separate allowance as a source of funds will be provided by the Authority to accomplish these services, if, in the sole discretion of the Authority, these services are required to be performed. The Authority may require services in addition to those agreed to in the RFQ/P and the Proposal. Compensation to the Consultant for additional services shall be either an agreed maximum not-to-exceed, lump sum fee, or time and materials fee in accordance with the Fee Schedule set forth in Consultant's Proposal; or if not specified in Consultant's Proposal, then reasonable and customary amounts as negotiated by the Authority.

4. **Ownership and Use of Documents.** All reports, surveys, drawings and other information produced or generated by Consultant pursuant to this Contract shall become the sole property of the Authority and may be used in its entirety or in part at the sole discretion of the Authority without additional compensation to or approval from the Consultant. Whenever such information is used, credit shall be given as to the author/source of the information.

5. **Manner of Payment.** The Consultant shall submit one invoice package per month to the Authority no later than the tenth working day of each month for all charges for the preceding month. The invoice package shall consist of an Invoice Package cover page and substantiating documentation consisting of weekly time sheets from the Consultant's employees, original invoices for direct disbursement, or any documentation or information requested by the Authority. The invoice must contain a description of the services provided and completed during the time period for which the invoice has been submitted. In addition, a statement as to the percentage of the Project completed to date must be included on the

invoice. The invoice shall include a breakdown of the costs for the personnel, subconsultants, subcontractors, and expenses. Direct, indirect and reimbursable costs/expenses including subcontractor, reproduction, printing, mileage and tolls shall be invoiced at 110 percent of actual cost.

All invoices, including all supporting documentation and compliance documents, must be submitted electronically by the successful Firm to the Authority. A paper copy with original backup including invoices, receipts and signatures must be retained at the offices of the successful Firm and submitted to the Authority only upon request. No project multipliers shall be used in billings submitted under this Contract. The Consultant must submit a Monthly Status Report to the Authority. Invoices will not be processed unless accompanied by the Monthly Status Report. The Authority has instituted a “green policy” for all reporting and invoicing. The successful Firm will be expected to comply with said policy by submitting the invoice package to REDInvoices@njeda.com.

6. **Indemnification.** The Consultant shall defend, indemnify, protect and hold harmless the Authority, Fort Monmouth Economic Revitalization Authority (“FMERA”), United States Army (“US Army”) and their officers, agents, servants and employees, from and against any and all suits, claims, demands, losses or damages of any kind arising out of or claimed to arise out of any act, error, or omission on the part of the Consultant, its officers, agents, servants, employees and subconsultants and subcontractors in the performance of services under this Contract. The Consultant shall, at its own expense, appear, defend and pay all charges for attorneys and all costs and other expenses arising from such suit or claim or incurred in connection therewith. If any judgment shall be rendered against the Authority, FMERA, US Army or their officers, agents, servants, and employees, for which indemnification is provided under this Section 6, the Consultant shall, at its own expense, satisfy and discharge the same.

The Consultant shall be liable to the Authority, FMERA, and US Army for any reasonable costs incurred by the Authority, FMERA, or US Army to correct, modify, or redesign any technical information, reports, findings, analyses, surveys or drawings generated or produced by Consultant or any Work performed by the Consultant that is found to be defective or not in accordance with the provisions of the Contract as a result of any negligent act, error, or omission on the part of the Consultant, its officers, agents, servants, employees and subconsultants and subcontractors. The Consultant shall be given a reasonable opportunity to correct any deficiency.

The indemnification obligation set forth in Section 6 is not limited in any way by the insurance coverage required pursuant to Section 7 of this Contract and shall survive the terms of this contract.

7. **Insurance.** The Consultant shall procure and maintain, at its own expense, liability insurance for damages of the kinds and in the amounts hereinafter provided, from insurance companies licensed, admitted and approved to do business in the State of New Jersey. The Consultant shall obtain this coverage from A VII or better rated companies as determined by A.M. Best Company. All liability insurance policies shall afford coverage on an occurrence rather than claims made basis with the exception of the professional liability coverage. The types and minimum amounts of insurance required are as follows:

(a) **Commercial General Liability Insurance.**

The minimum limits of liability for this insurance shall be \$1,000,000 per occurrence and \$2,000,000 in the aggregate and cover liability based on property damage, death and bodily injury.

The Commercial General Liability Insurance policy shall name the Authority, FMERA, and US Army as additional insureds. The coverage to be provided under this policy shall be at least as broad as the standard, basic, unamended and unendorsed commercial general liability

policy and shall include contractual liability coverage.

(b) Workers' Compensation and Employers' Liability.

Workers' Compensation Insurance shall be provided in accordance with the requirements of the laws of this State and shall include an endorsement to extend coverage to any State which may be interpreted to have legal jurisdiction. Employers' Liability Insurance shall also be provided in an amount acceptable to the Authority.

(c) Professional Liability Insurance.

The Consultant shall carry Errors and Omissions and/or Professional Liability Insurance sufficient to protect the Consultant from any liability arising out of professional obligations performed pursuant to this Contract. The insurance shall be in the amount of \$1,000,000 for each claim and the deductible and/or retention shall be no more than \$50,000.00 and the amount of deductible and/or retention shall be indicated on the Certificate of Insurance. Such policy form shall be approved by the Authority.

(d) Automobile Liability and, if necessary, Excess Liability insurance with a limit of not less than one million dollars (\$1,000,000) each accident. Such insurance shall cover liability arising out of any auto, including owned vehicles, hired vehicles and non-owned vehicles. NJEDA, FMERA, and US Army shall be included as an insured under the successful firm's Automobile Liability policy using ISO additional insured endorsement CA 20 01, (or a substitute form providing similar coverage), and under the Excess Liability policy, if any.

ACORD Certificates of Insurance acceptable to the Authority, FMERA and US Army in respect to each of the aforementioned policies shall be filed with the Authority prior to commencement of Work. These Certificates shall name the NJEDA, FMERA, and US Army as additional insureds and also contain a provision that coverages afforded under the policies will not be reduced or canceled unless at least thirty (30) days prior written notice has been given to the NJEDA. The Consultant shall notify the NJEDA within forty-eight (48) hours of any changes

or cancellations to policies affecting the NJEDA.

8. **Termination.** The NJEDA shall have the right without cause and in its complete discretion to terminate the Contract at any time upon seven (7) days' advance written notice to the Consultant. In such event, absent a default on the part of the Consultant, the Consultant shall be entitled to compensation for all services properly provided to the NJEDA pursuant to the Contract prior to such termination.

In addition to other remedies available under law to the non-defaulting party, this Contract may be terminated by either party upon seven (7) days' advance written notice should the other party fail substantially to perform in accordance with its terms through no fault of the party initiating the termination.

9. **Confidential Information of the NJEDA.** In connection with performing the Work, the Consultant, its employees and subconsultants and subcontractors may receive, review and become aware of proprietary, personnel, commercial, marketing and financial information of the NJEDA, its employees, members, borrowers or business associates that is confidential and/or proprietary in nature ("Confidential Information"). The Consultant agrees that the use and handling of Confidential Information by the Consultant, its employees and subconsultants and subcontractors, shall be done in a responsible manner and solely for furtherance of the Work. Other than to its employees and subconsultants subcontractors who have a need to know Confidential Information in connection with performance of the Work, the Consultant agrees not to disclose any Confidential Information, without the prior written consent of the NJEDA. The Consultant shall be responsible to assure that its employees and subconsultants and subcontractors do not disclose any Confidential Information without the prior written consent of the NJEDA. The Consultant shall inform each of its employees and subconsultants and subcontractors that receives any Confidential Information of the requirements of this Section 9 of the Contract and shall require each such employees and subconsultants and subcontractors

to comply with such requirements.

Notwithstanding the foregoing, the term Confidential Information shall not include information which: (i) is already known to the Consultant, its employees and subconsultants and subcontractors from sources other than the NJEDA; (ii) is or becomes generally available to the public other than as a result of a disclosure by the Consultant or its employees; or (iii) is required to be disclosed by law or by regulatory or judicial process.

Pursuant to *Section 6 Indemnification* of the Contract, the Consultant shall indemnify and hold the NJEDA, its employees and members harmless for any breach of this *Section 9* "Confidential Information of the NJEDA", by the Consultant or its employees.

10. **Debarment Liability.**

The Consultant acknowledges that it is not now debarred pursuant to the following Executive Orders and Regulation and that it shall be rendered liable to debarment in the public interest, pursuant to procedures established by Executive Order No. 34 (1976), and updated by Executive Order No. 189 (1988), and pursuant to N.J.A.C. 19:30-2, for violating any of the following provisions:

- a. No Consultant shall pay, offer to pay, or agree to pay, either directly or indirectly, any fee, commission, compensation, gift, gratuity, or other thing of value of any kind to any NJEDA officer or employee or special NJEDA officer or employee, as defined by N.J.S.A. 52:13D-13(b) and (e), with which such Consultant transacts or offers or proposes to transact business, or to any member of the immediate family, as defined by N.J.S.A. 52:13D-13(i), of any such officer or employee, or any partnership, firm or corporation with which they are employed or associated, or in which such officer or employee has an interest within the meaning of N.J.S.A. 52:13D-13(g).
- b. The solicitation of any fee, commission, compensation, gift, gratuity, or other thing of value by any NJEDA officer or employee or special NJEDA officer or employee from any

NJEDA Consultant shall be reported in writing forthwith by the Consultant to the Attorney General of New Jersey and the Executive Commission on Ethical Standards.

- c. No Consultant may, directly or indirectly, undertake any private business, commercial or entrepreneurial relationship with, whether or not pursuant to employment, contract or other agreement, express or implied, or sell any interest in such Consultant to, any NJEDA officer or employee or special NJEDA officer or employee having any duties or responsibilities in connection with the purchase, acquisition or sale of any property or services by or to the NJEDA, or with any person, firm or entity with which he or she is employed or associated or in which he or she has an interest within the meaning of N.J.S.A. 52:13D-13(g). Any relationships subject to this subsection shall be reported in writing forthwith to the Executive Commission on Ethical Standards, which may grant a waiver of this restriction upon application of the NJEDA officer or employee or special NJEDA officer or employee upon a finding that the present or proposed relationship does not present the potential, actuality or appearance of a conflict of interest.
- d. No Consultant shall influence, or attempt to influence or cause to be influenced, any NJEDA officer or employee or special NJEDA officer or employee in his or her official capacity in any manner which might tend to impair the objectivity or independence of judgment of said officer or employee.
- e. No Consultant shall cause or influence, or attempt to cause or influence, any NJEDA officer or employee or special NJEDA officer or employee to use, or attempt to use, his or her official position to secure unwarranted privileges or advantages for the Consultant or any other person.

11. **Time for Completion and Damages.** The time for beginning and the time for completion of the Work are essential conditions of the Contract, and the Work embraced shall be commenced on the date specified in the Notice to Proceed.

The Consultant shall proceed with the Work at such rate of progress to insure full completion within the Contract time. It is expressly understood and agreed by and between the Consultant and the NJEDA that the Contract time for the completion of the Work described herein is a reasonable time, taking into consideration the average climatic and economic conditions and other factors prevailing in the locality of the Work.

For reasons within the Consultant's control, if the Consultant shall fail to complete the Work, or shall be responsible for a delay which results in the failure to complete the Work within the Contract time, or extension of time granted by the NJEDA, then the Consultant will pay the NJEDA an amount sufficient to compensate the NJEDA for its damages incurred as a result of such failure to complete.

12. **Contractual Liability Act.** Notwithstanding any provision in this Contract or in the New Jersey Contractual Liability Act, N.J.S.A. 59:13-1 et seq., to the contrary, the parties hereto agree that any and all claims made by the Consultant against the NJEDA and/or FMERA for damages, including, but not limited to costs and expenses, shall be governed by and subject to the provisions of the New Jersey Contractual Liability Act.

13. **Political Campaign Contributions.**

13.1 For the purpose of this Section 13, the following shall be defined as follows:

a) "Contribution" means a contribution reportable as a recipient under "The New Jersey Campaign Contributions and Expenditures Reporting Act" P.L. 1973, c. 83 (C.10:44A-1 et seq.), and implementing regulations set forth at N.J.A.C. 19:25-7 and N.J.A.C. 19:25-10.1 et seq., a contribution made to a legislative leadership committee, a contribution made to a municipal political party committee or a contribution made to a candidate committee or election fund of any candidate for or holder of the office of Lieutenant Governor. Currently, contributions in excess of \$300 during a reporting period are deemed "reportable" under these laws.

b) "Business Entity" means:

i. a for-profit entity as follows:

A. in the case of a corporation: the corporation, any officer of the

- corporation, and any person or business entity that owns or controls 10% or more of the stock of corporation;
- B. in the case of a general partnership: the partnership and any partner;
- C. in the case of a limited partnership: the limited partnership and any partner;
- D. in the case of a professional corporation: the professional corporation any shareholder or officer;
- E. in the case of a limited liability company: the limited liability company and any member;
- F. in the case of a limited liability partnership: the limited liability partnership and any partner;
- G. in the case of a sole proprietorship: the proprietor; and
- H. in the case of any other form of entity organized under the laws of this State or other state or foreign jurisdiction: the entity and any principal, officer, or partner thereof;
- ii. any subsidiary directly or indirectly controlled by the business entity;
- iii. any political organization organized under section 527 of the Internal Revenue Code is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee; and
- iv. with respect to an individual who is included within the definition of business entity the individual's spouse or civil union partner, and any child residing with the individual, provided, however, that, this Order shall not apply to a contribution made by such spouse, civil union partner, or child to a candidate for whom the contributor is entitled to vote or to a political party committee within whose jurisdiction the contributor resides unless such contribution is in violation of section 9 of P.L. 2005, c. 51 (C.19:44A-20.1 et seq.) ("Chapter 51").
- c) PL 2005, c.51 – means Public Law 2005, chapter 51 (C. 19:44A-20.13 through C. 19:44A-20.25, inclusive) as expanded by Executive Order 117 (Gov. Corzine, September 24, 2008).

13.2 The terms, restrictions, requirements and prohibitions set forth in P.L. 2005, c. 51 are incorporated into this Agreement by reference as material terms of this Agreement with the

same force and effect as if P.L. 2005, c. 51 were stated herein its entirety. Compliance with P.L. 2005, c. 51 by Consultant shall be a material term of this Agreement.

13.3 Consultant hereby certifies to the NJEDA that commencing on and after October 15, 2004, Consultant (and each of its principals, subsidiaries and political organizations included within the definition of Business Entity) has not solicited or made any Contribution of money, pledge of Contribution, including in-kind Contributions, that would bar a contract agreement between Consultant and the NJEDA pursuant to P.L. 2005, c. 51. Consultant hereby further certifies to the NJEDA that any and all certifications and disclosures delivered to the NJEDA by Consultant (and each of its principals, subsidiaries and political organizations included within the definition of Business Entity) are accurate, complete and reliable. The certifications made herein are intended to and shall be a material term of this Agreement and if the Treasurer of the State of New Jersey determines that any Contribution has been made in violation of P.L. 2005, c. 51, the NJEDA shall have the right to declare this Agreement to be in default.

13.4 Consultant hereby covenants that Consultant (and each of its principals, subsidiaries and political organizations included within the definition of Business Entity) shall not knowingly solicit or make any contributions of money, or pledge of a contribution, including in-kind contributions, to a candidate committee or election fund of any candidate or holder of the public office of Governor of New Jersey or to any New Jersey state or county political party committee prior to the expiration or earlier termination of this Agreement. The provisions of this Paragraph 13.4 are intended to and shall be a material term of this Agreement and if the Treasurer of the State of New Jersey determines that any Contribution has been made by Consultant (and each of its principals, subsidiaries and political organizations included within the definition of Business Entity) in violation of P.L. 2005, c. 51, the NJEDA shall have the right to declare this Agreement to be in default.

13.5 In addition to any other Event of Default specified in the Contract Documents, the

NJEDA shall have the right to declare an event of default under this Agreement if: (i) Consultant (or any of its principals, subsidiaries and political organizations included within the definition of Business Entity) makes or solicits a Contribution in violation of P.L. 2005, c. 51, (ii) Consultant (or any of its principals, subsidiaries and political organizations included within the definition of Business Entity) knowingly conceals or misrepresents a Contribution given or received; (iii) Consultant (or any of its principals, subsidiaries and political organizations included within the definition of Business Entity) makes or solicits Contributions through intermediaries for the purpose of concealing or misrepresenting the source of the Contribution; (iv) Consultant (or any of its principals, subsidiaries and political organizations included within the definition of Business Entity) makes or solicits any Contribution on the condition or with the agreement that it will be contributed to a campaign committee or any candidate or holder of the public office of Governor, or to any State or county party committee; (v) Consultant (or any of its principals, subsidiaries and political organizations included within the definition of Business Entity) engages or employs a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any Contribution, which if made or solicited by Consultant (or any of its principals, subsidiaries and political organizations included within the definition of Business Entity) directly would violate the restrictions of P.L. 2005, c. 51; (vi) Consultant (or any of its principals, subsidiaries and political organizations included within the definition of Business Entity) funds Contributions made by third parties, including consultants, attorneys, family members, and employees; (vii) Consultant (or any of its principals, subsidiaries and political organizations included within the definition of Business Entity) engages in any exchange of Contributions to circumvent the intent of P.L. 2005, c. 51; (viii) Consultant (or any of its principals, subsidiaries and political organizations included within the definition of Business Entity) directly or indirectly through or by any other person or means, does any act which would violate the restrictions of P.L. 2005, c. 51; or (ix) any material misrepresentation exists in any

Political Campaign Contribution Certification and Disclosure which was delivered by Consultant to the NJEDA in connection with this Agreement.

13.6 Consultant hereby acknowledges and agrees that pursuant to P.L. 2005, c. 51, Consultant shall have a continuing obligation to report to the Office of the State Treasurer, Political Campaign Contribution Review Unit of any Contributions it makes during the term of this Agreement. If after the effective date of this Agreement and before the entire Contract Price is paid by the NJEDA, any Contribution is made by Consultant and the Treasurer of the State of New Jersey determines such Contribution to be a conflict of interest in violation of P.L. 2005, c. 51, the NJEDA shall have the right to declare this Agreement to be in default.

14. **General Conditions.**

A. The Work shall be performed in a professional manner, in accordance with the standards generally expected or required within the profession and the Work shall also be performed in accordance with all applicable state, federal and local laws, rules, regulations and ordinances.

B. The Consultant shall provide such reports, certificates, and documents as the NJEDA may reasonably require.

C. The Consultant shall provide to the NJEDA, at Consultant's expense, copies of all drawings, plans, cost estimates, design analyses, reports, and/or other documents required for the Project.

D. If the NJEDA or Consultant observes or otherwise becomes aware of any fault or defect in the Project or nonconformance with any of the Contract Documents, prompt written notice thereof shall be given by the party discovering the defect to the other.

E. The NJEDA shall furnish all information available to the NJEDA, and reasonably required for the performance of the Work and shall render approvals and decisions as expeditiously as possible for the orderly progress of the Consultant's services and of the Work.

F. The Consultant shall comply with the affirmative action requirements set forth in the Law Against Discrimination, N.J.S.A. 10:5-31 et seq., and the regulations promulgated thereunder by the State Department of Treasury.

G. The Consultant is required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27, which are expressly included within the terms of this Contract, see Exhibit A annexed hereto and made a part hereof.

H. In accordance with Public Law 2004, Chapter 57, a subconsultant and subcontractor shall provide a copy of its business registration to any Consultant who shall forward it to the NJEDA. No contract with a subconsultant and subcontractor shall be entered into by any Consultant unless the subconsultant and subcontractor first provides proof of valid business registrations. The Consultant shall provide written notice to all subconsultants that they are required to submit a copy of their business registration to the Consultant. The Consultant shall maintain a list of the names of any subconsultants and their current addresses, updated as necessary during the course of the contract performance. The Consultant shall submit to the NJEDA a copy of the list of subconsultants, updated as necessary during the course of performance of the contract. The Consultant shall submit a complete and accurate list of the subconsultants to the NJEDA before a request for final payment is made to the NJEDA. The Consultant and any subconsultant providing goods or performing services under this contract, and each of their affiliates, shall, during the term of the contract, collect and remit to the Director of the Division of Taxation in the Department of the Treasury the use tax due pursuant to the "Sales and Use Tax Act", P.L. 1966, c. 30 (N.J.S.A. 54:32B-1 et seq.) on all their sales of tangible personal property delivered into the State, refer to Exhibit B.

I. In accordance with the requirements of N.J.S.A. 52:32-17 et seq., N.J.A.C. 12A:10-1.2 et seq., N.J.A.C. 12A:10A-1.2 et seq., N.J.A.C. 17:13-1.2 et seq., and N.J.A.C. 17:14-1.2 et seq., as amended, the NJEDA is required to develop a set-aside plan for Small

Businesses. The Consultant agrees that, if awarded a contract based on this plan, it shall comply with all requirements of these provisions. If the Consultant fails to comply with the requirements of these provisions, the NJEDA may declare this Contract void.

J. Pursuant to N.J.S.A. 52:34-13.2, all Work and all subconsultant and subcontractor services performed in connection with or as part of the Work shall be performed within the United States.

K. The Consultant shall not disclose to any third party the contents of the information, reports, findings, analysis, surveys and drawings generated or produced in performance of this Contract, or provide copies of same, without the prior written consent of the NJEDA, except where such information, reports, etc. are legally required by order of court or administrative agency, state or federal.

L. The NJEDA and the Consultant, respectively, bind themselves, their partners, successors, assigns and legal representatives to the other party of this Contract and to the partners, successors, assigns and legal representatives of such other party with respect to all covenants of this Contract. Neither the NJEDA nor the Consultant shall assign, sublet, or transfer any interest in this Contract without the prior written consent of the other party.

M. Any notices required to be given under this Contract shall be mailed to:

New Jersey Economic Development Authority

P.O. Box 990

Trenton, New Jersey 08625-0990

Attn: Director of Real Estate Development

N. To the extent that there is any conflict between the terms and conditions of the Consultant's Proposal and the terms and conditions of the Contract and the NJEDA's RFQ/P, the Contract and RFQ/P shall control.

O. This Contract shall be construed under the laws of the State of New Jersey.

P. The headings of the various paragraphs of this Contract are inserted for the convenience of reference only, and in no way define, describe or limit the scope or intent of this Contract or any of the provisions hereof, and shall not affect the interpretation of this Contract or any of the provisions hereof.

Q. This Contract shall be construed without any presumptions against the drafter and shall be considered as though it were drafted cooperatively by both parties.

R. In the event that any portion of this Contract is found to be contrary to law and unenforceable; the validity of remaining covenants, agreements, terms and provisions contained in this Contract, shall be in no way affected, prejudiced or disturbed thereby.

S. This Contract constitutes the entire agreement between the parties. Any changes or amendments to the Contract must be in writing and signed by the Consultant and an authorized representative of the NJEDA.

T. The parties hereto represent that they have the proper authority to sign on behalf of the entities entering this Contract and they fully intend for the NJEDA and Consultant to be legally bound.

The Contract entered into as of the day and year first written above.

ATTEST:

NEW JERSEY ECONOMIC
DEVELOPMENT AUTHORITY

Donna T. Sullivan
Director
Real Estate Development Division

By: _____
Timothy J. Lizura
President /Chief Operating Officer

ATTEST:

By: _____

EXHIBIT A
MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)
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.

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.

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 (3) documents:

- *Letter of Federal Affirmative Action Plan Approval*
- *Certificate of Employee Information Report*
- *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, Contract Compliance Audit Unit (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.**

(Trsry – REVISED 4-2010 / rels'd 12-2-2011)

EXHIBIT B

Business Registration Notice

All New Jersey and out of State business organizations must obtain a Business Registration Certificate (BRC) from the Department of the Treasury, Division of Revenue, prior to conducting business with the New Jersey Economic Development Authority ("NJEDA"). Proof of valid business registration must be submitted by a bidder with its bid proposal. Failure to submit such valid business registration with a bid will render the bid materially non-responsive. The business registration form (Form NJ-REG) can be found online at <http://www.state.nj.us/treasury/revenue/gettingregistered.htm#busentity>.

Definitions

"Affiliate" means any entity that (1) directly, indirectly, or constructively controls another entity, (2) is directly, indirectly, or constructively controlled by another entity, or (3) is subject to the control of a common entity. An entity controls another entity if it owns, directly or individually, more than 50% of the ownership in that entity.

"Business organization" means an individual, partnership, association, joint stock company, trust, corporation, or other legal business entity or successor thereof.

"Business registration" means a business registration certificate issued by the Department of the Treasury or such other form or verification that a contractor or subcontractor is registered with the Department of Treasury.

"Contracting agency" means the principal departments in the Executive Branch of the State Government, and any division, board, bureau, office, commission or other instrumentality within or created by such department, or any independent State authority, commission, instrumentality or agency, or any State college or university, any county college, or any local unit.

"Contractor" means a business organization that seeks to enter, or has entered into, a contract to provide goods or services with the NJEDA.

"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.

Requirements Regarding Business Registration Form

A contractor shall submit a copy of its business registration at the time of submission of its bid proposal in response to an RFP.

A subcontractor shall provide a copy of its business registration to any contractor who shall forward it to the NJEDA. No contract with a subcontractor shall be entered into by any contractor unless the subcontractor first provides proof of valid business registrations.

The contractor shall provide written notice to all subcontractors that they are required to submit a copy of their business registration to the contractor. The contractor shall maintain a list of the names of any subcontractors and their current addresses, updated as necessary during the course of the contract performance. The contractor shall submit to the NJEDA a copy of the list of subcontractors, updated as necessary during the course of performance of the contract. The contractor shall submit a complete and accurate list of the subcontractors to the NJEDA before a request for final payment is made to the NJEDA.

The contractor and any subcontractor providing goods or performing services under the contract, and each of their affiliates, shall, during the term of the contract, collect and remit to the Director

of the Division of Taxation in the Department of the Treasury the use tax due pursuant to the "Sales and Use Tax Act, P.L. 1966, c. 30 (N.J.S.A. 54:32B-1 et seq.) on all their sales of tangible personal property delivered into the State.

EXHIBIT H

BUILDING 2700 ACM ASSESSMENT

**PLEASE SEE NJEDA WEBSITE FOR THIS EXHIBIT AS POSTED
SEPARATELY**

EXHIBIT H

BUILDING 2700 ACM ASSESSMENT FLOOR PLANS

**PLEASE SEE NJEDA WEBSITE FOR THIS EXHIBIT AS POSTED
SEPARATELY**

EXHIBIT I

ASBESTOS RE-INSPECTION REPORT FOR BUILDING NO 2705



July 30, 2013

Mr. Charlie Goebel
Project Manager
Chenega Operation Services, LLC
P.O. Box 148
Oceanport, New Jersey 07757

BVNA Project No. 12012-000137.00
U.S. Army Fort Monmouth, Building 2705
Tinton Falls, New Jersey

Dear Mr. Goebel:

We are pleased to enclose Bureau Veritas North America, Inc.'s (BVNA) final report of the re-inspection of previously identified friable asbestos-containing materials (ACM) at the U.S. Army Fort Monmouth Building 2705 in Tinton Falls, New Jersey.

It is a pleasure to provide our services to you. If you have any questions, please call me at 732.225.6040, or email me at ilya.gedrich@us.bureauveritas.com.

Sincerely,

Ilya Gedrich, CIH
Senior Consultant
Health, Safety, and Environmental Services

IG

Enclosures

Asbestos Re-Inspection

U.S. Army Fort Monmouth, Building 2705 Tinton Falls, New Jersey

Report Date: July 30, 2013
BVNA Project No. 12012-000137.00

FINAL REPORT



**BUREAU
VERITAS**

For the benefit of business and people

Bureau Veritas North America, Inc.
Raritan Plaza I, 4th Floor
110 Fieldcrest Avenue
Edison, New Jersey 08837
732.225.6040
www.us.bureauveritas.com



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3.0 DESCRIPTION OF FACILITY.....	1
4.0 RECOMMENDATIONS AND COMMENTS.....	1
5.0 QUALITY ASSURANCE	2

Appendixes

- A EXISTING ASBESTOS SURVEY RECORDS
- B STAFF CREDENTIALS



1.0 INTRODUCTION

Chenega Operations Services, LLC (COS) retained Bureau Veritas North America, Inc. (BVNA) to conduct a re-inspection of previously identified friable asbestos-containing materials (ACM) in Building 2705 at U.S. Army Fort Monmouth in Tinton Falls, New Jersey. This project was performed in accordance with the scope of work described in BVNA's Proposal No. 1209.13.362, dated May 22, 2013.

Mr. Ilya Gedrich, CIH, of BVNA, conducted the assessment on June 6, 2013. Mr. Gedrich is a United States Environmental Protection Agency (USEPA)-accredited Asbestos Building Inspector and Management Planner. Ms. Wanda Green, Environmental Coordinator of Fort Monmouth, provided access and information during the project.

Appendix A of this report presents existing survey records available to BVNA at the time of the re-inspection. Appendix B of this report contains staff credentials.

2.0 DESCRIPTION OF RE-INSPECTION

On June 6, 2013, BVNA performed a re-inspection of previously identified friable ACM in Building 2705. Prior to the re-inspection BVNA reviewed existing asbestos survey records provided by Ms. Green. The reviewed documents included a copy of the asbestos survey report prepared by Weston Solutions and dated April 1993 and sampling records stored in the U.S. Army Fort Monmouth ACM database.

The purpose of the re-inspection was to review the physical condition of the previously identified friable ACM and to detect and document any changes that may have occurred since the initial identification. BVNA visually re-inspected and assessed the integrity of the readily accessible friable ACM. The table below summarizes the re-inspection findings. The purpose of the re-inspection did not include a survey of additional suspect ACM in the building.

Table 1

Location	ACM type	Quantity	Condition	Suggested response action
Mechanical Room	Pipe fitting	6 LF	Good	Maintain

3.0 DESCRIPTION OF FACILITY

Building 2705, located at U.S. Army Fort Monmouth in Tinton Falls, New Jersey, is a former laboratory/testing facility. The building is a one-story, 47,592 square foot structure constructed in 1971. The building exterior is vinyl siding. Interior finishes are gypsum drywall, floor tiles, carpeting and suspended ceiling. Records of asbestos abatement activities at the site were not provided to BVNA at the time of re-inspection.

4.0 RECOMMENDATIONS AND COMMENTS

As indicated within the body of this report, damaged friable ACM was not identified in Building 2705 at U.S. Army Fort Monmouth in Tinton Falls, New Jersey. A total of six (6) linear feet of ACM pipe fitting was observed. Based on the observations of the Building Inspector who performed the asbestos re-inspection, BVNA offers the following recommendations to COS.

- Maintain ACM identified in Table 1 in good condition and prevent the material from becoming disturbed. .



Note that this asbestos assessment is limited to those materials and areas previously identified and visually apparent at the time of the assessment. Furthermore, the assessment reflects conditions at the time of the assessment. Proper management of ACM requires that planned alterations and changes impacting asbestos be tracked and thorough records maintained. Additionally, periodic review of ACM in the building is necessary to track the condition of materials and determine appropriate actions.

5.0 QUALITY ASSURANCE

As a world leader in providing services that our clients depend on, we continually strive to provide the highest quality. This report has been reviewed as a part of our quality process.

This report submitted by:

Ilya Gedrich, CIH
Senior Consultant
Health, Safety, and Environmental Services

This report reviewed by:

Patrick A. Hand, CIH
Senior Project Manager
Health, Safety, and Environmental Services

July 30, 2013



APPENDIX A
EXISTING ASBESTOS SURVEY RECORDS

TABLE 2705.2

ASBESTOS-CONTAINING MATERIALS - BUILDING 2705, EW/RSTA

AREA	PIPE FITTINGS (EA)			PIPE RUNS (LF)			SPRAY/TROMELED CEILING (MSF)	FLOOR TILE (MSF)	BOILERS/ TANKS (MSF)	AIR HANDLING EQUIPMENT (MSF)	OTHER
	<4"	4-8"	9-14"	<4"	4-8"	9-14"					
AREA 1	-	-	-	-	-	-	-	4.90	-	-	-
AREA 2	-	-	-	-	-	-	-	3.30	-	-	-
AREA 3	-	-	-	-	-	-	-	4.90	-	-	-
AREA 4	-	-	-	-	-	-	-	2.45	-	-	-
AREA 5	-	-	-	-	-	-	-	4.90	-	-	-
EAST WALL OFFICES	-	-	-	-	-	-	-	1.80	-	-	-
FIRST FLR. HALLWAY	-	-	-	-	-	-	-	8.43	-	-	-
MECH ROOM	-	-	-	110	-	-	-	-	-	-	-
NORTH WALL OFFICES	-	-	-	-	-	-	-	3.46	-	-	-
SOUTH WALL OFFICES	-	-	-	-	-	-	-	3.46	-	-	-
WEST WALL OFFICES	-	-	-	-	-	-	-	1.80	-	-	-
TOTALS	-	-	-	110	-	-	-	39.40	-	-	-

* Other Material Present In Various Units Of Measure

- EA - Each
- LF - Linear Feet
- MSF - Thousand Square Feet

Table 2705.3

Other Asbestos-Containing Material - Building 2705, EW/RSTA
 Type Occupancy: Adults (Public)

Area	Material Type	Quantity (Unit)
No Other Asbestos-Containing Material Found in this Building		

- EA - Each
- LF - Linear Feet
- MSF - Thousand Square Feet

Building 2705 Sampling Information

Building Number

Building Description

Sq Ft

Building Contact

Phone Number

Sample Date

Sample ID

Sample Results

Sample Location

ERROR. Not a sample.

Miscellaneous Note

error. Not a sample.

[Sample Summary](#)

[Previous Screen](#)

Building 2705 Sampling Information

Building Number

Building Description

Sq Ft

Building Contact

Phone Number

Sample Date

Sample ID

Sample Results

Sample Location

Mechanical Room - Tank Insulation

Miscellaneous Note

Another sample (FK680) of the tank insulation also did not contain asbestos.

[Sample Summary](#)

[Previous Screen](#)

Building 2705 Sampling Information

Building Number

Building Description

Sq Ft

Building Contact

Phone Number

Sample Date

Sample ID

Sample Results

Sample Location

Mechanical Room - Tank Insulation

Miscellaneous Note

Another sample (FK678) of the tank insulation also did not contain asbestos.

[Sample Summary](#)

[Previous Screen](#)

Building 2705 Sampling Information

Building Number

Building Description

Sq Ft

Building Contact

Phone Number

Sample Date

Sample ID

Sample Results

Sample Location

First floor hallway. Other material. Brown, other, floor, strip.

Miscellaneous Note

First floor hallway.

[Sample Summary](#)

[Previous Screen](#)

Building 2705 Sampling Information

Building Number

Building Description

Sq Ft

Building Contact

Phone Number

Sample Date

Sample ID

Sample Results

Sample Location

Staging area first floor. Floor tile. Tan, other, 12x12 floor tile.

Miscellaneous Note

Staging area first floor.

[Sample Summary](#)

[Previous Screen](#)

Building 2705 Sampling Information

Building Number

Building Description

Sq Ft

Building Contact

Phone Number

Sample Date

Sample ID

Sample Results

Sample Location

Room 205. Acoustical wall tile. White, other, acoustical tile.

Miscellaneous Note

Room 205.

[Sample Summary](#)

[Previous Screen](#)

Building 2705 Sampling Information

Building Number

Building Description

Sq Ft

Building Contact

Phone Number

Sample Date

Sample ID

Sample Results

Sample Location

Miscellaneous Note

[Sample Summary](#)

[Previous Screen](#)

Sample Summary by Building for Positive Results

Building Number 2705
Floor First

SampleID FK681

Asbestos Product	Location of Sample	Percent Asbestos	Category of Asbestos	Condition	Amount Unit	GraphicID	Sample Date
Pipe Insulation	Mechanical Room	15%	RACM	Good	125 Linear Feet	F2705-1	3/20/1992

SampleID FK682

Asbestos Product	Location of Sample	Percent Asbestos	Category of Asbestos	Condition	Amount Unit	GraphicID	Sample Date
Floor Tile	First floor hallway. Floor tile. Tan, other, 12x12 floor tile.	1 %	Category 1 Nonfriable ACM	Good	8430 Surface Area		3/20/1992

Summary of Negative Samples By Building

Building Number 2705

SampleID FK000

Result	Location of Sample	Miscellaneous Notes	Sample Date
Negative	ERROR. Not a sample.	error. Not a sample.	3/20/1992

SampleID FK678

Result	Location of Sample	Miscellaneous Notes	Sample Date
Negative	Mechanical Room - Tank Insulation	Another sample (FK680) of the tank insulation also did not contain asbestos.	3/20/1992

Wednesday, May 15, 2013

SampleID FK680

Result	Location of Sample	Miscellaneous Notes	Sample Date
--------	--------------------	---------------------	-------------

Negative Mechanical Room - Tank Insulation Another sample (FK678) of the tank insulation also did not contain asbestos. 3/20/1992

SampleID FK683

Result	Location of Sample	Miscellaneous Notes	Sample Date
--------	--------------------	---------------------	-------------

Negative First floor hallway. Other material. Brown, other, floor, strip. First floor hallway. 3/20/1992

SampleID FK684

Result	Location of Sample	Miscellaneous Notes	Sample Date
--------	--------------------	---------------------	-------------

Negative Staging area first floor. Floor tile. Tan, other, 12x12 floor tile. Staging area first floor. 3/20/1992

SampleID FK685

Result	Location of Sample	Miscellaneous Notes	Sample Date
--------	--------------------	---------------------	-------------

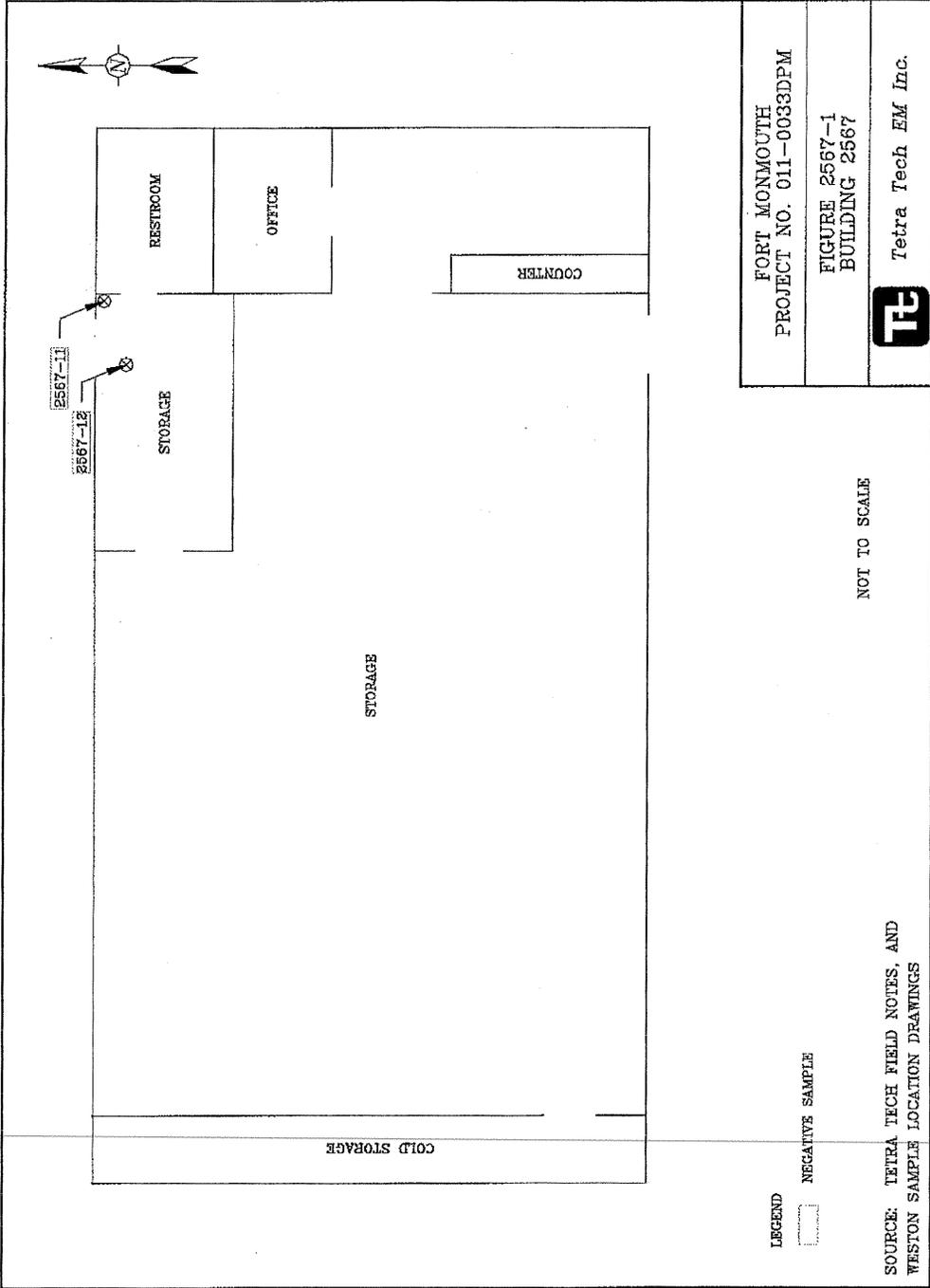
Negative Room 205. Acoustical wall tile. White, other, acoustical tile. Room 205. 3/20/1992

SampleID FK686

Result	Location of Sample	Miscellaneous Notes	Sample Date
--------	--------------------	---------------------	-------------

Negative Room 306. Acoustical wall tile. White, other, acoustical wall tile. Room 306. 3/20/1992

Wednesday, May 15, 2013



LEGEND

○ X NEGATIVE SAMPLE

SOURCE: TETRA TECH FIELD NOTES, AND WESTON SAMPLE LOCATION DRAWINGS

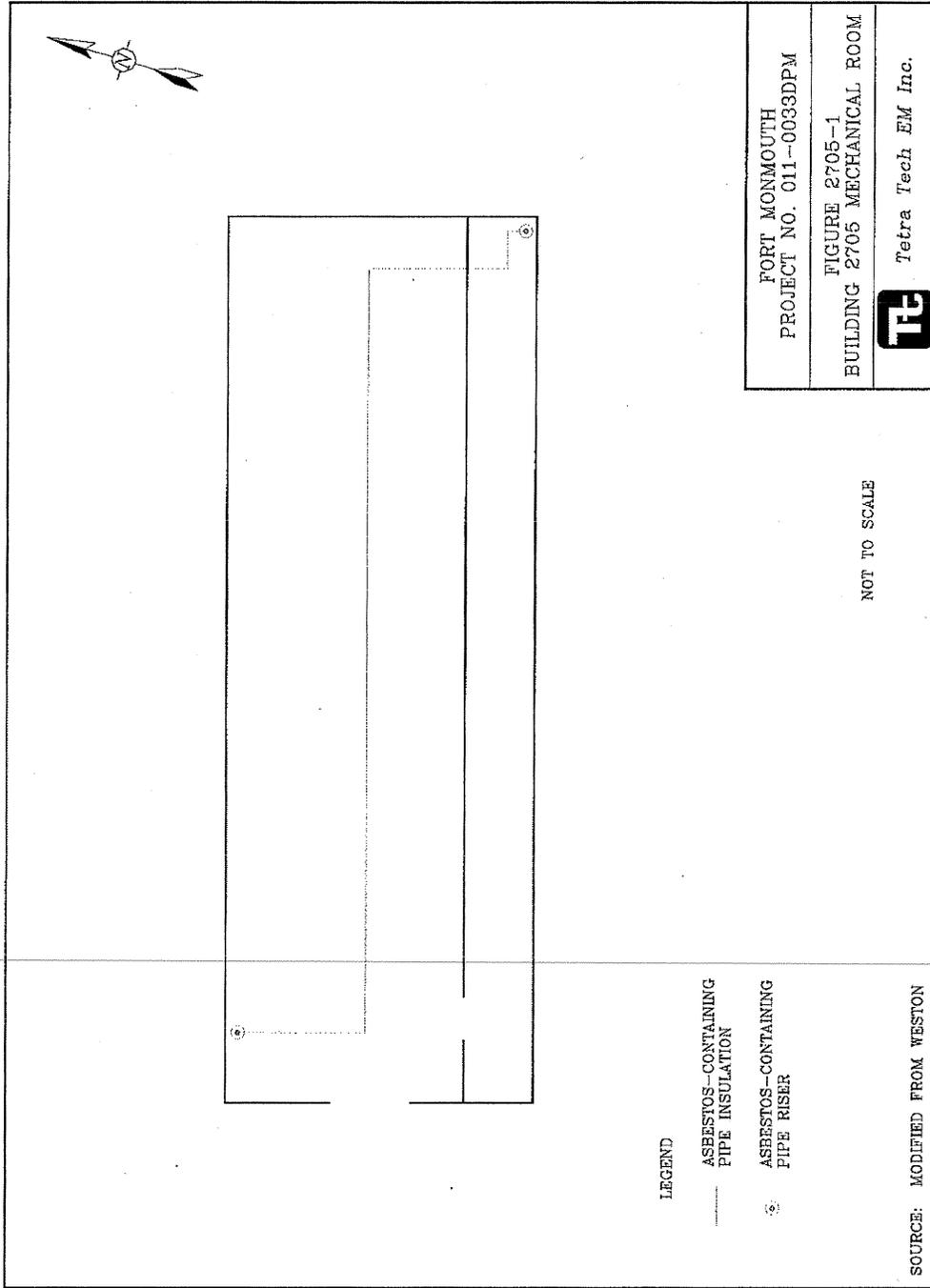
NOT TO SCALE

FORT MONMOUTH
PROJECT NO. 011-0033DPM

FIGURE 2567-1
BUILDING 2567



Tetra Tech EM Inc.



LEGEND

ASBESTOS-CONTAINING
PIPE INSULATION

⊙
ASBESTOS-CONTAINING
PIPE RISER

NOT TO SCALE

SOURCE: MODIFIED FROM WESTON

FORT MONMOUTH
PROJECT NO. 011-0033DPM

FIGURE 2705-1
BUILDING 2705 MECHANICAL ROOM



Tetra Tech EM Inc.

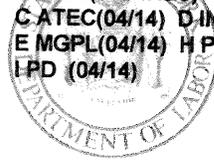


APPENDIX B
STAFF CREDENTIAL

STATE OF NEW YORK - DEPARTMENT OF LABOR
ASBESTOS CERTIFICATE



ILYA GEDRICH
CLASS(EXPIRES)
C-ATEC(04/14) D-INSP(04/14)
E-MGPL(04/14) H-PM (04/14)
LPD (04/14)



CERT# 02-00370
DMV# 541302464

MUST BE CARRIED ON ASBESTOS PROJECTS

EXHIBIT J

HOLD HARMLESS AGREEMENT

HOLD HARMLESS AGREEMENT

The firm of _____ "Firm" and/or its successors or assigns hereby assumes all responsibility for any injury to person or property resulting from the actions of FIRM or its officers, employees, agents, designees, invitees and patrons while in or on Fort Monmouth Building 2700, Albert J. Myer Center, and its environs ("the Property"). FIRM shall be liable to the United States Army ("Army") and the Fort Monmouth Economic Revitalization Authority ("FMERA") and covenants and agrees that it shall indemnify, defend and hold the Army and FMERA, and their officers, agents, servants and employees (the "Indemnified Parties") harmless against and from all liabilities, obligations, damages, penalties, claims, costs, charges, expenses and rights of action ("Action"), including without limitation reasonable attorney's fees and court costs, which shall or may be imposed or incurred by the Indemnified Parties at any time and from time to time by reason of any and all risks, loss or damage to property or injury to or death of persons, and any and all risks of other damage to whomsoever occurring, arising out of or in any way connected with FIRM' entry, or the entry of its agents, servants, employees, invitees or licensees, onto the Property, provided however, that FIRM shall not indemnify the Indemnified Parties for Actions arising from negligence or willful misconduct of the Indemnified Parties. FIRM further agrees to protect against and prevent any damage or loss to the Property, including but not limited to environmental contamination, and hereby agrees to pay for or repair any damage or loss to same arising from the activities of FIRM or its agents, servants, employees, invitees or licensees, on the Property.

FIRM NAME: _____

By: _____

Printed Name: _____

Title: _____

Date: _____

EXHIBIT K

CHECKLIST

**EXHIBIT K
PROPOSAL CHECKLIST AND/OR TABLE OF CONTENTS
CIVIL AND ENVIRONMENT ENGINEERING SERVICES
MYER CENTER, FORT MONMOUTH, TINTON FALLS, NJ
2016-RED-RFQ/P-ENG-060**

Number	Description	Mandatory or Recommended	Check if Included
1	PROPOSAL CHECKLIST AND/OR TABLE OF CONTENTS	RECOMMENDED	<input type="checkbox"/>
2	SIGNED FEE PROPOSAL (Exhibit A) TO INCLUDE HOURLY BILL RATE SCHEDULE (XIII 2 and 3)	MANDATORY	<input type="checkbox"/>
3	PROPOSER'S KEY STAFF (XII A)	MANDATORY	<input type="checkbox"/>
4	PROPOSER'S KEY PROJECT TEAM (XII B)	MANDATORY	<input type="checkbox"/>
5	PROPOSER'S EXPERIENCE AND QUALIFICATIONS FOR SIMILAR PROJECTS OF SIMILAR SCOPE (XII C)	MANDATORY	<input type="checkbox"/>
6	PROPOSER'S UNDERSTANDING OF THE SCOPE OF SERVICES (XII D)	MANDATORY	<input type="checkbox"/>
7	PROFESSIONAL SERVICES QUALIFICATIONS FORM (XIII 1)	MANDATORY	<input type="checkbox"/>
8	STAFFING CHART/PLAN LISTING ALL KEY INDIVIDUALS OF ENTIRE TEAM WITH ALL APPLICABLE SUB-CONSULTANTS (XIII 4)	MANDATORY	<input type="checkbox"/>
9	NARRATIVE – UNDERSTANDING OF SCOPE OF SERVICES (XIII 5)	MANDATORY	<input type="checkbox"/>
10	MANAGEMENT PHILOSOPHY (XIII 6)	MANDATORY	<input type="checkbox"/>
11	NAME, ADDRESS, FEDERAL EMPLOYER NUMBER (FEIN) OF THE FIRM AS WELL AS NAME, TITLE, TELEPHONE NUMBER AND E-MAIL ADDRESS FOR THE FIRM'S PRIMARY CONTACT (XIII 7)	MANDATORY	<input type="checkbox"/>
12	OWNERSHIP DISCLOSURE FORM	MANDATORY	<input type="checkbox"/>

**EXHIBIT K
 PROPOSAL CHECKLIST AND/OR TABLE OF CONTENTS
 CIVIL AND ENVIRONMENT ENGINEERING SERVICES
 MYER CENTER, FORT MONMOUTH, TINTON FALLS, NJ
 2016-RED-RFQ/P-ENG-060**

Number	Description	Mandatory or Recommended	Check if Included
13	DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN	MANDATORY	<input type="checkbox"/>
14	COVER LETTER SIGNED IN INK	RECOMMENDED	<input type="checkbox"/>
15	CERTIFICATE OF EMPLOYEE INFORMATION REPORT OR AA302 OR LETTER OF FEDERAL AFFIRMATIVE ACTION PLAN APPROVAL	RECOMMENDED	<input type="checkbox"/>
16	BUSINESS REGISTRATION FORM	RECOMMENDED	<input type="checkbox"/>
17	SET ASIDE INFORMATION FORM	RECOMMENDED	<input type="checkbox"/>
18	SOURCE DISCLOSURE CERTIFICATION	RECOMMENDED	<input type="checkbox"/>
19	ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA/Q&A FORM	RECOMMENDED	<input type="checkbox"/>
20	ADDITIONAL COMPLIANCE DOCUMENTATION	AS NOTED IN EXHIBIT F-1 THROUGH F-12	<input type="checkbox"/>