

HIGHER EDUCATION PUBLIC-PRIVATE PARTNERSHIP PROGRAM
APPLICANT
CERTIFICATION

_____ [insert full name], hereby certifies the following:

1. I am a _____ [insert title] of _____ [insert name of state or county college] (the "Applicant") seeking the Authority's approval of a public-private partnership project for the rehabilitation or construction and operation of a _____ (the "Project") under the New Jersey Economic Stimulus Act of 2009.
2. The Applicant currently owns the land (or has site control of the land) that will be used for the project, and the Applicant will continue to own the land for the duration of the project (i.e., for the period governed by the lease and partnership agreement).
3. The lease included in the application is the current version of the document negotiated between the applicant and the private partner and contains all relevant and material terms.
4. The partnership agreement included in the application is the current version of the document negotiated between the Applicant and the private partner and contains all relevant and material terms.
5. The _____ agreement(s) included in the application is(are) the current version of the document(s) negotiated between the Applicant and the private partner and contains (contain) all relevant and material terms of the partnership between the Applicant and the private partner and the lease terms for the property.
6. The project will be one-hundred percent (100%) privately financed (development and operations) and will have no impact on the Applicant's capital and operating budgets for the duration of the project under the lease and partnership agreements.
7. The financing commitments included in the application are the current versions of the documents negotiated between the private partner and the funding source and contains all relevant and material terms.
8. The partnership and/or lease agreement between the Applicant and the private partner include provisions governing the following items required by the Act:

- a. Each worker employed in the construction, rehabilitation, or building maintenance services of facilities by a private entity that has entered into a public-private partnership agreement with a State or county college shall be paid no less than prevailing wage.
 - b. All construction projects under a public-private partnership agreement entered into pursuant to this section shall contain a project labor agreement.
 - c. The general contractor, construction manager, design-build team, or subcontractor for a construction project proposed [under the Act] shall be registered pursuant to the provisions of P.L.1999, c.238 (C.34:11-44 56.48 et seq.), and shall be classified by the Division of Property Management and Construction to perform work on a public-private partnership higher education project.
 - d. Where no public fund has been established for the financing of a public improvement, the chief financial officer of the Applicant shall require the private entity for whom the public improvement is being made to post, or cause to be posted, a bond guaranteeing prompt payment of moneys due to the contractor, his or her subcontractors and to all persons furnishing labor or materials to the contractor or his or her subcontractors in the prosecution of the design and construction on the public improvement.
 - e. The Project shall contain a long-range maintenance plan and shall specify the expenditures that qualify as an appropriate investment in maintenance.
 - f. All contracts to implement a long-range maintenance plan pursuant to this paragraph shall contain a project labor agreement.
 - g. Where no public fund has been established for the financing of a public improvement, the chief financial officer of the Applicant shall require the private entity for whom the public improvement is being made to post, or cause to be posted, a bond guaranteeing prompt payment of moneys due to the contractor, his or her subcontractors and to all persons furnishing labor or materials to the contractor or his or her subcontractors in the prosecution of the maintenance on the public improvement.
9. The project schedule included in the application is current and contains all the required tasks and milestones to complete the project within five years of receiving the Authority's approval.
 10. Upon receiving the Authority's approval, the Applicant will file quarterly reports until the final certificate of occupancy is issued for the Project.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Date: _____

Name: _____

Title: _____

Sworn to and subscribed before me this _____ day of _____, 20_____

Notary Public