SOUTH JERSEY PORT CORPORATION



An agency of the State of New Jersey

REQUEST FOR SEALED QUALIFICATIONS FOR

PROFESSIONAL SERVICES UNDER A FAIR AND OPEN PROCESS

AUDITING SERVICES

SOUTH JERSEY PORT CORPORATION JOSEPH A. BALZANO TERMINAL 101 JOSEPH A. BALZANO BLVD. CAMDEN, NJ 08103

PROPOSAL DEADLINE DATE: Wednesday, December 5, 2018 by 10:00 a.m.

TABLE OF CONTENTS

Cover Sheet	1
Table of Contents	2
Information to Respondents	3
Request for Proposal – Professional Services Auditing	4
Section 1 – Introduction	5
Section 2 – Administrative and Contractual Information	6
Section 3 – Schedule of Activities	14
Section 4 – Scope of Services	15
Section 5 – Proposal, Preparation and Format	16
Section 6 – Proposal and Form Information	19
Section 7 – Proposal Evaluation Factors	20
Exhibits Q1 through Q20 attached acknowledgement form	

INFORMATION TO RESPONDENTS

Advertisement

Sealed proposals/qualifications shall be received in accordance with Public Advertisement as required by law. A copy of said notice is attached hereto and made part of these specifications.

All professional contracts for Auditing Services shall be advertised in the Gloucester County Times, Burlington County Times, Courier Post and on the SJPC web site and the State Procurement web site.

Submission of Proposals

All proposals must be submitted in a sealed envelope(s) bearing on the outside the name of the proposer, address and the name of the professional service for which the proposal is submitted. Bids must be addressed to the attention of:

SOUTH JERSEY PORT CORPORATION c/o Director Jonathan S. Gershen BALZANO MARINE TERMINAL 101 JOSEPH A. BALZANO BLVD. CAMDEN, NJ 08103

Receipt of Qualifications

The SJPC assumes no responsibility for delays in any form of courier, mail, or deliveries services etc. that may cause the bid not to be received at the time and place indicated in the advertisement. All late bids will be rejected according to the law. Any bid may be withdrawn prior to the time for openings of the bid. Bid Number SJPC-AS120518.

Proposals Forwarded through the Mail

Must contain the following statement on the envelope:

"THIS IS A SEALED REQUEST FOR PROPOSAL AND SHALL NOT BE OPENED AND READ UNTIL, WEDNESDAY, DECEMBER 5, 2018 AT 10:00 A.M. BY DIRECTOR JONATHAN S. GERSHEN OR HIS DESIGNEE." BID NUMBER SJPC-AS120518

Reservation

The SJPC reserves the right to reject all proposals, to waive irregularities and technicalities, to request resubmissions, and to award proposals as the SJPC deems will best serve the interest of the SJPC.

Questions

Questions regarding this Request for Proposal may be directed, only in writing by certified mail, return receipt requested, to Director Jonathan S. Gershen c/o the South Jersey Port Corporation, Joseph A. Balzano Marine Terminal, 101 Joseph A. Balzano Blvd. Camden, NJ 08103.

Purpose:

The following procedures are designed to provide a fair and open process in awarding professional services based on qualifications, merit and cost effectiveness through accessible advertising. The object of this RFP is to provide proposers with a sufficient general outline of the Program requirements in order to enable the preparation of meaningful proposals.

Any person or firms (hereafter "Applicant/Proposer or Proposers) interested in providing **Professional Auditing Services** to the South Jersey Port Corporation (hereinafter "SJPC") may submit an application containing qualifications and a proposal (thereafter collectively referred to as "Proposal") in accordance with the requirements of this Request for Qualifications and Proposals for: **Professional Auditing Services: Bid Number SJPC-AS120518**

SECTION 1 - INTRODUCTION

Enclosed herewith is a Request for Proposal (RFP) by the South Jersey Port Corporation (SJPC) for the furnishing of expert professional auditing services. The scope of the services to be performed shall be set in this proposal.

The subject Program encompasses a thorough audit of the Corporation's comparative financial statements and will require the issuance of the formal report to the Board of Directors of the SJPC no later than the scheduled Board meeting in April of each year. Typically this meeting is scheduled for the fourth Tuesday of the month.

The work performed under this contract will be under the direct supervision of the SJPC Audit Committee; pursuant to NJ Executive Order 122 (2004).

Auditing services shall be appointed by the Board of Directors of the SJPC by a majority vote of a quorum of its members with a maximum of 5 years with a minimum of a 3 year term and the option of extending the term for another 2 years. The option of extending the appointment for an additional two (2) years will he under the same terms and rate as year 3, for years 4 and 5. In lieu of appointing an individual, the SJPC may appoint a firm. The Auditing Firm shall execute a written contract with the SJPC and shall receive such compensation as agreed upon by the SJPC. As stated above the SJPC Board by majority vote must approval the action item appointing the individual or firm for auditing services along with the Governor's approval of the action item and minutes of that board meeting is required before any contract can be awarded. The start date will commence once all necessary approvals are in place.

BACKGROUND

SJPC was created and exists and operates under the South Jersey Port Corporation Act, constituting Chapter 60 of the pamphlet laws of 1968 of the State of New Jersey, effective June 13, 1968, as amended and supplemented (as so amended and supplemented, the "Act") as an instrumentality of the State of New Jersey ("the State"). The corporation is empowered to

exercise its statutory functions within the South Jersey Port district which includes the counties of Burlington, Camden, Cape May, Cumberland, Gloucester, Mercer and Salem, and the lands and waters in the Delaware River and Delaware Bay contiguous thereto, subject to the right, title and interest of the State under the waters of the Delaware River and Delaware Bay. Under the Act, SJPC is empowered, among other things, to establish, acquire, construct, rehabilitate and improve, own and operate and maintain terminals at such locations within the district as it shall determine. SJPC owns, manages, and/or operates marine terminals being Joseph A. Balzano Marine Terminal and the Broadway Terminal in the City of Camden, the Port Salem Marine Terminal in the City of Salem, and the Paulsboro Marine Terminal in the Borough of Paulsboro. SJPC is the gran tee for Foreign Trade Zone #142. The Port Corporation reports to the State of New Jersey through the Department of Treasury.

(END of SECTION 1)

SECTION 2 - ADMINISTRATIVE AND CONTRACTUAL INFORMATION

Purpose

The objective of this RFP is to provide proposers with sufficient general outline of the Program requirements in order to enable the preparation of a meaningful proposal.

Scope

Proposers are hereby asked to propose services required to prepare a formal audit of all SJPC accounts. Additionally, proposers are asked to provide an hourly rate schedule for services which may be necessary but which are outside the specific auditing services required.

The RFP contains a scope of services section which is intended to clarify the SJPC's definition in terms of "Auditing Services and its associated procedures", and to outline the SJPC's management services needed as they are currently understood. The RFP does not attempt to define all the Programs needed, nor detail them; rather, the SJPC's intent is to allow proposers to recommend specific services based on professional assessments to the Program's needs, the SJPC's history and current capability. It is anticipated that a flexible approach will enable proposers to demonstrate their professional technical expertise to creatively address the SJPC's needs.

Auditing services shall be appointed by the Board of Directors of the SJPC by a majority vote of a quorum of its members with a maximum of 5 years with a minimum of a 3 year term and the option of extending the term for another 2 years. The option of extending the appointment for an additional two (2) years will be under the same terms and rate as year 3, for years 4 and 5. In lieu of appointing an individual, the SJPC may appoint a firm. The Auditing Firm shall execute a written contract with the SJPC and shall receive such compensation as agreed upon by the SJPC. As stated above the SJPC Board by majority vote must approval the action item

appointing the individual or firm for auditing services along with the Governor's approval of the action item and minutes of that board meeting is required before any contract can be awarded. The start date will commence once all necessary approvals are in place.

Issuing Agency

Inquiries concerning this RFP are to be submitted in writing to South Jersey Port Corporation, 101 Joseph A. Balzano Blvd. Camden NJ 08103, Attention Director Jonathan S. Gershen or fax to (856)-541-3374, clearly label "South Jersey Port Corporation Audit RFP Inquiry"

Inquiries

Closing Date to receive all inquiries is December 3, 2018.

Closing Date

Twenty copies (20) of the proposal shall be submitted personally, by mail, or delivered for receipt no later than Wednesday, December 5, 2018, by 10:00 a.m., addressed to South Jersey Port Corporation, 101 Joseph A. Balzano Blvd, Camden, NJ 08103 attention Director Jonathan S.Gershen. Bid submittals shall be sealed and contained the following statement on the envelope: This is a sealed bid for Auditing Services and shall not be opened. Please note: Timely delivery by courier may not be guaranteed. The responsibility for a timely delivery by the deadline is the responsibility of the proposer.

Proposals not delivered by the stated time and date shall not be considered unless the times and or date are extended by the SJPC Board.

The Proposal

To be considered, proposers shall submit a satisfactorily completed response to the RFP utilizing the format as provided for in the Scope of Services Section herein. It is anticipated that the proposals submitted will provide an intelligent, concise and precise delineation of the proposer's ability to meet all of the requirements of the SJPC as provided for in this RFP.

Signatures

An officer authorized to make binding commitments for those firms making proposals shall sign for each proposal.

Incurring Costs

The SJPC shall not be liable for any costs incurred by the proposer in the preparation of its proposal for the services requested by this RFP.

Addendum to RFP

In the event that, at any time prior to a final executed contract, it becomes necessary to revise any part of this RFP, or if additional information is necessary to enable the proposer to make an adequate interpretation of the provisions of this RFP, a supplemental to the RFP will be provided to each proposer.

Acceptance of Proposals

The SJPC intends to award a contract to the proposer that the SJPC deems best satisfies the needs of the SJPC. The RFP does not in any manner or form commit the SJPC to award any contract. The contents of the proposal may become a contractual obligation if, in fact the proposal is accepted and a contract entered into with the SJPC. The SJPC may award a contract solely on the basis of the proposal submitted without any additional negotiations. The SJPC shall reserve all rights to provide for additional negotiations if it deems in its best interests. Failure of the proposer to adhere to and/or honor any or all of the obligations of the proposal may result in cancellation of the award of the contract by the SJPC.

Rejection of Proposals

The SJPC reserves the right to reject any and all proposals or to negotiate separately with any proposer at any time in a manner or form that the SJPC deems necessary to serve the best interest of the SJPC. The SJPC shall not be deemed obligated at any time to award any contract to any proposer.

Final Contract

The Contract entered into with the successful proposer or proposers shall be contract that shall be satisfactory to the SJPC in accordance with the laws of the State of New Jersey. It is understood that the contract shall be awarded on the basis of a professional contract for services within the intent of the statutes and laws of the State of New Jersey.

Dissemination of Information

Information included in this document or in any way associated with this RFP is intended for use only for the proposer and the SJPC and is to remain the property of the SJPC. Under no circumstances shall any of said information be published, copied or used in replying to this RFP.

News Release

No news releases pertaining to this RFP or the services, study or program to which it relates shall be made without SJPC approval and then only in coordination with the issuing office.

Affirmative Action

The proposer shall be required to comply with all applicable affirmative and equal employment opportunity laws, orders, rules and regulations including, but not limited to, P.L. 1975, C.127 (N.J.A.C. 17:27). The successful proposer shall be required to submit the applicable Affirmative Action Forms as described herein with in seven (7) days after the receipt of the Authority's intent to award the contract.

Insurance Requirements

PROFESSIONAL SERVICE CONTRACTS

A. General Insurance Requirements

- 1. The Professional Services shall not commence until the Professional Service Contractor has obtained, at their own expense, all of the insurance as required hereunder and such insurance has been approved by the Port; nor shall the Professional Service Contractor allow any Subcontractor to commence work on any Port projects until all insurance required of the Subcontractor has been so obtained and approved by the Contractor. Approval of insurance required of the Professional Service Contractor will be granted only after submission to the Port, original certificates of insurance signed by the Port representatives of the insurers or, at the Ports request, certified copies of the required insurance policies.
- 2. The Professional Service Contractor shall require all Subcontractors to maintain during the term of the Contract commercial general liability insurance, business auto liability insurance, professional liability (if applicable), Pollution Liability (if applicable), and workers compensation and employers liability insurance at the same limits required of Professional Service Contractor
- 3. All insurance required herein, with the exception of the Professional / Errors and Omissions Liability Insurance shall be written on an "occurrence" basis and not a "claims-made" basis. For Professional Liability "claims-made" coverage:
 - a. The retroactive date must be on or prior to the start of work under this contract; and
 - b. The Subcontractor must purchase "tail coverage/an extended reporting period" or maintain coverage for a period of three years the required completed operations period.
- 4. The Port, its commissioners, agents, servants, employees and representatives shall be named as additional insured on the Contractor's liability (General Liability, Automobile Liability and Umbrella Liability insurance) insurance program with respect to the liability arising out of the Contractor's work (including products and completed operations as well as ongoing operations) and the certificate of insurance, or the certified policy, if required, must also state this. This coverage should be provided and evidence required for a period of two years after completion of the project.

- 5. All insurance policies required hereunder shall be endorsed to provide that the policy is not subject to cancellation, non-renewal, or material reduction in coverage until thirty (30) days prior written notice has been given to the Owner.
- 6. Insurance provided to the Port as specified herein shall be primary and non-contributory.
- 7. No acceptance and/or approval of any insurance by the Port shall be construed as relieving or excusing the Professional Service Contractor or the Professional Service Contractor's Surety from any liability or obligation imposed upon either or both of them by provisions of this Contract.
- 8. Any deductibles or self insured retention's of (\$10,000) or greater shall be disclosed by the Professional Service Contractor, and are subject to Ports written approval. Any deductible or retention amounts elected by the Professional Service Contractor or imposed by the Professional Service Contractor's insurer(s) shall be the sole responsibility of the Professional Service Contractor.
- 9. All insurance companies shall have an AM Best's rating of A- or better and be licensed to do business in the State of New Jersey.
- 10. There shall be no liability upon the Port, public officials, their employees, their authorized representatives, or agents either personally or as officials of the Port in carrying out any of the provisions of the Contract nor in exercising any power or authority granted to them by or within the scope of the Contract, it being understood that in all such matters they act solely as agents and representatives of the Port.
- 11. Waiver of Rights of Recovery and Waiver of Rights of Subrogation:
 - a. The Contractor and subcontractors waive all rights of recovery against the Owner and all the additional insureds for loss or damage covered by any of the insurance maintained by the contractor or subcontractor.
 - b. If any of the policies of insurance required under this contract require an endorsement to provide for the waiver of subrogation, then the named insured of such policies will cause them to be so endorsed.
- 12. Any type of insurance or any increase in limits of liability not described above which the contractor requires for its own protection or on account of statute shall be its own responsibility and at its own expense.

B. Professional Service Contractor Liability Insurance Requirements

The Professional Service Contractor shall purchase the following insurance coverage's for the minimum limits specified below or required by law.

• Commercial General Liability insurance for bodily injury, personal injury, and property damage including loss of use, etc. with minimum limits of:

\$1,000,000	each occurrence;
\$1,000,000	personal and advertising injury;
\$2,000,000	general aggregate; and
\$2,000,000	products/completed operation aggregate.

This insurance shall include coverage for all of the following

- Coverage is to be provided by the standard Commercial General Liability insurance policy ("Occurrence Form");
- General aggregate limit applying on a per project/ location basis;
- Liability arising from premises and operations;
- Liability arising from the actions of independent contractors;
- Contractual liability including protection for the Professional Service Contractor from bodily injury and property damage claims arising out of liability assumed under this Contract;
- Liability arising from the explosion, collapse or underground (XCU) hazards (If Applicable)
- Products/Completed Operations Coverage must be maintained for a period of at least two (2) years after final payment (including coverage for the Additional Insureds as set forth in these Insurance Requirements).
- **Business Auto Liability** insurance with a minimum limit of \$1,000,000 per accident and including, but not limited to, coverage for all of the following:
 - Liability arising out of the ownership, maintenance or use of any auto;
 - Auto non-ownership and hired car coverage
 - Contractual Liability Coverage (including Liability for Employee Injury assumed under a Contract as provided in the standard ISO policy form)
- Workers' Compensation insurance with statutory benefits as required by any state or federal
 law, including standard "other states" coverage; employer's liability insurance with minimum
 limits of:

\$1,000,000	each accident for bodily injury by accident;
\$1,000,000	each employee for bodily injury by disease; and
\$1,000,000	policy limit for bodily injury by disease.

- Including Waiver of Right to Recover from Others Endorsement (WC 00 0313) where permitted by state law.
- United States Longshore & Harbor Workers Act Coverage, where applicable; and
- Maritime Coverage under the Jones Act, where applicable.
- **Professional Liability:** Service Contractors (such as, but not limited to Architects, Engineers, Attorneys, Financial Advisors, Marketing Professionals, Physicians and Risk Management Consultants) shall provide professional liability and/or malpractice insurance with minimum limits of \$1,000,000.
- Umbrella Liability or Excess Liability insurance with minimum limits of:

\$5,000,000	per occurrence;
\$5,000,000	aggregate for other than products/completed operations and auto
	liability; and
\$5,000,000	products/completed operations aggregate.

Policy to apply excess of the Commercial General Liability (following form, Per Project / location), Commercial Automobile Liability and Employers Liability Coverage.

- Pollution Liability (If Applicable) Insurance
 - Occurrence/Claims Made Limit: \$1,000,000 per project
 - Insurance to be maintained for the duration of the work for a period of two years thereafter
 - No Exclusions for Silica, Asbestos or Lead.
 - Include Mold Coverage for full policy limit of liability.
- Watercraft and Aircraft Liability (If Applicable): If contractor utilizes any owned, used, leased, hired or borrowed watercraft or aircraft to complete their work in accordance with this Contract, the coverage shall be maintained.

```
Minimum Limits of Liability:
$2,000,000 Per Occurrence
$2,000,000 Aggregate
```

C. Indemnification

The Contractor shall protect, defend, indemnify and hold harmless the Port, and their agents and employees from and against all liability, (including liability for violation of any law or any common law duty) claims, damages, losses, and expenses including attorneys' fees arising in connection with, out of, or resulting from the performance of the work, provided that any such liability, claim, damage, loss or expense (i) is attributable to bodily injury, sickness, disease, or death, or to any statutory or regulatory rule designed to protect against such conditions, or to injury to or destruction of tangible property (other

than the work itself), and including the loss of the use resulting there from, and (ii) is caused by or results from, in whole or in part, any act or omission of the Contractor, any Subcontractor, Sub-subcontractor(s), anyone direct or indirectly employed by any of them or anyone for whose acts any of them may be liable, regardless of whether or not it is also caused by or results from any act or omission of any party indemnified hereunder.

In any and all claims against the Port or any of their agents or employees, by an employee of the Contractor, Subcontractor, or any Sub-subcontractor, or anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable, the indemnification obligation shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for any Contractor, Subcontractor or any Sub-subcontractor under Workmen's Compensation Acts, Disability Benefits Acts, or other Employee.

(END of SECTION 2)

SECTION 3 - SCHEDULE OF ACTIVITIES

<u>ITEM</u>	<u>DATE</u>
RFP Issue Date	Wednesday, November 21, 2018
Proposer Inquiry Deadline	Monday, December 3, 2018
Closing Date for Receiving Proposals	Wednesday, December 5, 2018 (10 a.m.)

(END of SECTION 3)

SECTION 4 -SCOPE OF SERVICES

The South Jersey Port Corporation invites proposals from accounting firms to serve as independent auditors. The services require independent auditor are as follows:

- 1) Provide an audit in accordance with generally accepted governmental auditing standards issued by the Comptroller General of the United States as may be periodically revised, and in accordance with all applicable state and federal rules, regulations, circulars and executive orders.
- 2) Audit of compliance with requirements of the U.S. with Office of Management and Budget circular A-133 (Single Audit).
- 3) Provide a management suggestion letter at the interim phase and conclusion of the audit

- 4) Issue a formal report to the Board of Directors of the SJPC no later than scheduled monthly board meeting in April of each year of the awarded contract.
- 5) Provide advice on an "as needed" basis throughout each of the contract years for questions that may arise concerning the financial accounting of the SJPC.
- 6) Other services as may be required including, but not limited to, the calculation of rebate arbitrage and the provision of an opinion thereon, review of official statements and providing comfort and covenant consent letters as may be required by the Corporation financing documents.
- 7) Auditing services shall be appointed by the Board of Directors of the SJPC by a majority vote of a quorum of its members with a maximum of 5 years with a minimum of a 3 year term and the option of extending the term for another 2 years. The option of extending the appointment for an additional two (2) years will he under the same terms and rate as year 3, for years 4 and 5. In lieu of appointing an individual, the SJPC may appoint a firm. The Auditing Firm shall execute a written contract with the SJPC and shall receive such compensation as agreed upon by the SJPC. As stated above the SJPC Board by majority vote must approval the action item appointing the individual or firm for auditing services along with the Governor's approval of the action item and minutes of that board meeting is required before any contract can be awarded. The start date will commence once all necessary approvals are in place.

(END of SECTION 4)

SECTION 5 – PROPOSAL PREPARATION AND FORMAT

General

Proposers under this RFP should clearly outline their comprehensive approach to fulfilling the requirements and fully describe their plans for treating each element in Scope of Services.

The format below must be followed for each firm's submission.

Format

Proposers shall respond to this RFP in accordance with the following format so as to ensure the submission of information essential to a comprehensive evaluation of the proposals. The content may be expanded, but the format must be adhered to. A minimum of twenty (20) copies of the proposal shall be submitted.

The proposal shall contain those items outlined below:

1) Proposal

A. Title Page

Shows the RFP subject, the name of the proposer's firm, local address, telephone number, names of the contact person, and the date.

B. Table of Contents

Includes a clear identification of the material by section and page number.

C. Letter of Transmittal and Executive Summary

Limit this to five pages.

- 1. Demonstrate the proposer's familiarity and understanding of the SJPC governance, facilities and financial structure and operations.
- 2. State the names of the persons who will be authorized to make representations for the proposer, their titles, addresses and telephone numbers.
- 3. State that the person signing the letter will be authorized to bind for the proposer.

D. Profile of the Proposer

- 1. State whether the firm is local, regional, national or international
- 2. State the location of the office from which the work is to be done and the number of partners, managers, supervisors, seniors and other professional staff employed by this office.
- 3. Describe the range of activities performed by the local office, such as governmental auditing (financial and compliance), accounting, tax service or management services.
- 4. List of recent financial/compliance audits of governmental entities.

E. **Peer Review**

1. It is mandatory that your firm have a qualified control review in order to perform this audit. Please submit a copy of the report with your proposal.

F. Mandatory Criteria

- 1. Affirm that the proposer meets the independence standards of Government Auditing Standards as revised.
- 2. Affirm that the proposer does not have a record of substandard audit work

G. Summary of Proposer's Qualifications

- 1. Provide a summary/overview of the firm and the firm's qualifications.
- 2. Identify the supervisors who will work on the audit, including staff from other than local office. Resume's including the relevant experience and continuing education for supervisory persons to be assigned to the audit, should be included.
- 3. Describe your recent auditing experience similar to the type of audit requested and give the names and telephone numbers of client officials.
- 4. The profile and response to the RFP in general should demonstrate the firm's ability and qualifications to conduct governmental audits, familiarity with Federal Laws, rules and regulations relevant to governmental audits.

H. Proposer's Approach to the Examinations

- 1. Submit a work plan showing how you will accomplish the scope of services defined in the Audit Requirements section of this request. The work plan should include time estimates for each significant segment of work and staff level to be assigned. Where possible, individual staff members may be named. The planned use of specialists should also be specific. The audit work plan should completely cover what audit work will be accomplished to allow the proposer to render:
 - a. An opinion of the financial statement
 - b. A report on the study and evaluation of internal control systems.
 - c. A report on test compliance with applicable laws and regulations.

2. The work plan should demonstrate an understanding of the audit requirements of the Single Audit (OMB Circular A-133)

I. Potential Conflicts of Interest

1. Note and describe any potential conflicts of interest arising from the representation of SJPC.

2. Pricing Information

For the work detailed in the Approach and Task Section of their proposal, proposers should include a recommended budget in the following form:

- 1. a) A flat fee for the Audit for each of the calendar years 2018, 2019, 2020 with the additional two (2) years 2021 and 2022 at the discretion of the SJPC Board and Governor's approval as outlined in this proposal.
 - b) Per hour fees for all staff necessary to provide advice on an as needed basis for each of the calendar years 2018, 2019, 2020, 2021 and 2022.

(END of SECTION 5)

SECTION 6 – PROPOSAL and FORM INFORMATION

This section contains requirements that must be completed

All portions of this RFP are considered to be part of the contract and shall be incorporated by reference.

Each proposal shall require the bidder or proposer to complete the forms and submit the documents attached or identified hereto as exhibits Q1 through Q20. Those attachments are as follows:

- Q1. Small Business Enterprise Questionnaire
- Q2. Mandatory Equal Employment Opportunity "Exhibit A" Language (Professional Services)
- Q3. Mandatory Equal Opportunity "Exhibit B" Language (if applicable)
- O4. Stockholder Disclosure Certification
- Q5. Non-Collusion Affidavit

- Q6. Debarred List Affidavit
- Q7. Affirmative Action Evidence for Procurement / Service
- Q8. Business Registration Certificate
- Q9. Set-Off for State Tax
- Q10. Acknowledgement of Receipt of Addenda Form (if applicable)
- Q11. Executive Order #129 Vendor Disclosure Form
- Q12. Executive Order #189 Vendor Code of Ethics Affidavit
- Q13. Executive Order #117 Two Year Chapter 51 / Vendor Certification & Disclosure of Political Contributions
- Q14. Executive Order #151 Contract Compliance
- Q15. Employee Information Report form AA302
- Q16. Ownership Disclosure Form (formerly E.O. #134)
- Q17. Prevailing Wage Notification
- Q18. Public Works Contract Registration
- Q19. Buy America Notice
- Q20. Pay to Play

(END of SECTION 6)

SECTION 7 – PROPOSAL EVALUATION FACTORS

- 1) Proposed fee for services and time needed to perform the audit and issue the year end financial package. **Maximum 20 points**.
- 2) Quality of response to RFP package. Maximum 5 points
- 3) Demonstrates ability and qualifications to conduct governmental audits. **Maximum 10 points.**
- 4) Quality of relevant services to the governmental audits. **Maximum 10 points.**

- 5) Familiarity with Federal laws, and regulations relevant to governmental audits. **Maximum 10 points.**
- 6) Demonstrated familiarity and understanding of South Jersey Port Corporation governmental audits. **Maximum 25 points.**
- 7) Organizational size, structure and location of offeror firm. Maximum 5 points.
- 8) Quality control report based on peer review. Maximum 10 points.
- 9) Audit plan. (Work performance, timing, assistance needed). Maximum 5 points.

(END of SECTION 7)

EXHIBIT #	EXHIBITS	CHECKLIST
Q1	Small Business Enterprise Questionnaire	
Q2	Mandatory Equal Employment Opportunity "Exhibit A" Language	
Q3	Mandatory Equal Opportunity "Exhibit B" Language (if Applicable)	
Q4	Stockholder Disclosure Certification	
Q5	Non-Collusion Affidavit	
Q6	Debarred List Affidavit	
Q7	Affirmative Action Evidence for Procurement/Service	
Q8	Business Registration Certificate	
Q9	Set-Off for State Tax	
Q10	Acknowledgment of Receipt of Addenda Form (if applicable)	
Q11	Executive Order #129 Vendor Disclosure Form	
Q12	Executive Order #189 Vendor Code of Ethics Affidavit	
	Executive Order #117 Two Year Chapter 51 / Vendor	
Q13	Certification & Disclosure of Political Contributions	
Q14	Executive Order #151 Contract Compliance	
Q15	Employee Information Report – Form AA302	
Q16	Ownership Disclosure Form (formerly E.O. #134)	
Q17	Prevailing Wage Notification	
Q18	Public Works Contract Registration	
Q19	Buy America Notice	
Q20	Pay to Play	

Small Business Enterprise Questionnaire South Jersey Port Corporation

FOR INFORMATIONAL PURPOSES

1

New Jersey's Small Business Set-Aside Program obligates the South Jersey Port Corporation to make 25% of all purchases for goods and services from small businesses. Firms classified, as Small Business Enterprises must be registered with the New Jersey Department of Commerce. Registration instructions can be obtained by visiting the State's website at:

http://www.state.nj.us/commerce/pdf/smvreg.pdf

This is not a Set-Aside bid; however South Jersey Port Corporation requires completion of this form to allow the South Jersey Port Corporation to track its Set-Aside obligations are pursuant to Executive Order #71 of former Governor James E. Mc Greevey and Executive Order #34 of our current Governor John S. Corzina.

The South Jersey Port Corporation requests the following:

Our firm is certified/registered with the State of New Jersey Set-Aside Program. Yes No (Circle One, attach a copy of the certification and enter certification number below)

Certification #	·
	Check Hero
SBE (Small Business Enterprise)	
MBE (Minority Business Enterprise)	Check Here
WBE (Woman Business Enterprise)	
None of the Above	

If yes, please provide Certification & Documentation of MBE & WBE.

NOTE: The South Jersey Port Corporation, being a body politic, <u>is not</u> subject to municipal, state, or federal taxes.

REQUIRED AFFIRMATIVE ACTION EVIDENCE FOR PROCUREMENT, PROFESSIONAL AND SERVICES CONTRACTS

All av

il successful vendors must submit one of the following within seven (7) days of the notice to intent to ward:
A photocopy of their Federal Letter of <u>Affirmative Action Plan Approval</u> .
OR OR
2. A photocopy of their Certificate of Employee Information Report.
<u>OR</u>
3. A completed Affirmative Action Employee Information Report (AA302)
PLEASE COMPLETE THE FOLLOWING QUESTIONNAIRE AS PART OF THE BID PACKAGE IN THE EVENT THAT YOU OR YOU'R FIRM IS AWARDED THIS CONTRACT.
1. Our company has a Federal Letter of Affirmative Action Plan Approval.
Yes No
2. Our company has a Certificate of Employee Information Report.
Yes No
 Our company has neither of the above. Please send Form AA302 (AFFIRMATIVE ACTION EMPLOYEE INFORMATION REPORT).
Check here
NOTE: This form will be sent only if your company is awarded the bid.
I certify that the above information is correct to the best of my knowledge.
NAME (Please type or print)
SIGNATURE
TITLE
DATE
PHONE #
FAX#

EXHIBIT A (revised 8/05)

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS

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

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex. Except with respect to affectional or sexual orientation, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex. Such action shall include, but not be limited to the following; employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination; rates 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 solicitation or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex.

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

The contractor 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 employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to 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, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex, and that it will

discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

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

In conforming with the applicable 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, creed, color, national origin, ancestry, marital status, affect ional or essual orientation or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

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

Letter of Federal Affirmative Action Plan Approval Certificate of Employee Information Report Employee Information Report Form AA302

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

EXHIBIT "B" P.L. 1975, C-127 (N.J.A.C. 17:27) MANDATORY AFFIRMATIVE ACTION LANGUAGE CONSTRUCTION CONTRACTS

Bidders are required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 (Affirmative Action), P.L. 1963. C150 (New Jersey Prevailing Wage Act), and Americans with Disabilities Act of 1990 (42 U.S.C. 12101, et. seq). The contractor is further notified that he must comply with P.L. 1977, c. 33, and submit a Disclosure Statement listing Stockholders with his bid.

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

- A. 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 or affectional or sexual orientation. The contractor will take animitative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status or sex such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer recruitment or recruitment advertising, layoff or termination; rates 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 Compilance Officer setting forth provisions of this nondiscrimination clauser.
 - B. 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 or serc
 - C. The contractor or subcontractor, where applicable, will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment;
 - D. The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to P.L, 1975, c. 127, as amended and supplemented from time to time.
 - E. When scheduling workers in each construction trade, the contractor or subcontractor agrees to attempt in good faith to employ minority and female workers in each construction trade consistent with the applicable employment goal prescribed by N.J.A.C. 17:27-7.3; provided, however, that the Affirmative Action Office may, in its discretion, exempt a contractor or subcontractor from compliance with the good faith procedures prescribed by 1, 2 and 3 below, as long as the Affirmative Action Office is satisfied that the contractor is scheduling workers provided by a union which provides evidence, in accordance with standards prescribed by the Affirmative Action Office, that its percentage of active "card carrying" members who are minority and female workers is equal to or greater than the applicable employment goal prescribed by N.J.A.C. 17:27-7.3, promulgated by the Treasurer pursuant to P.L. 1975, c, 127, as amended and supplemented from time to time. The contractor or subcontractor agrees that a good faith effort shall include compliance with the following procedures:
 - a. If the contractor or subcontractor has a referral agreement or arrangement with a union for a construction trade, the contractor or subcontractor shall, within three days of the contract award, seek assurances from the union that it will cooperate with the contractor or subcontractor as it fulfills its affirmative action obligations under this contract and in accordance with the rules promulgated by the Treasurer pursuant to P.L., 1975, c, 127, as supplemented and amended from time to time. If the contractor or subcontractor is unable to obtain said assurances from the construction trade union at least five days prior to the commencement of construction work, the contractor or subcontractor agrees to attempt to hire minority and female workers directly, consistent with the applicable employment goal. If the contractor's or subcontractor's prior experience with a construction trade union, regardless of whether the union has

provided said assurances, indicates a significant possibility that the trade union will not refer sufficient minority and female workers consistent with the applicable employment goal, the contractor or subcontractor agrees to be prepared to hire minority and female workers directly, consistent with the applicable employment goal, by complying with the hiring procedures prescribed under (c) below; and the contractor or subcontractor further agrees to take said action immediately if it determines or is so notified by the Affirmative Action office that the union is not referring minority and female workers consistent with the applicable employment goal.

- b. If the scheduling of a workforce consistent with the employment goal has not or cannot be achieved for each construction trade by adhering to the procedures of (b) above, or if the contractor does not have a referral agreement or arrangement with a union for a construction trade, the contractor or subcontractor agrees to take the following actions consistent with the applicable county employment goals:
 - To notify the Public Agency Compliance Officer, Affirmative Action Office, and at least one approved minority referral organization of its manpower needs, and request referral of minority and female workers.
 - II. To notify any minority and female workers who have been listed with it as awaiting available vacancies
 - III. Prior to commencement of work, to request the local construction trade union, if the contractor or subcontractor has a referral agreement or arrangement with union for the construction trade, to refer minority / female workers to fill jobs;
 - IV. To leave standing requests for additional referral to minority and female workers with the local construction trade union, if the contractor or subcontractor has a referral agreement or arrangement with a union for the construction trade, the State training and employment service and other approved referral sources in the area until such time as the workforce is consistent with the employment goal;
 - V. If it is necessary to lay off some of the workers in a given trade on the construction site, to assure, consistent with the applicable State and Federal statutes and court decisions, that sufficient minority and female employees remain on the site consistent with the employment goal; and to employ any minority and female workers so laid off by the contractor or any other construction site in the area on which its workforce composition is not consistent with an employment goal established pursuant to rules implementing P.L. 1975, c. 127;
 - VI. To adhere to the following procedure when minority and female workers apply or are referred to the contractor, or subcontractor:
 - i. If said Individuals have never previously received any document or certification signifying a level of qualification lower than that required, the contractor or subcontractor shall determine the qualifications of such individuals and if the contractor's or subcontractor's workforce in each construction trade is not consistent with the applicable employment goal, it shall employ such persons which satisfy appropriate qualification standards; provided however that a contractor or subcontractor shall determine that the individual lease possesses the skills and experience recognized by any worker skills and experience classification determination which may have been made by a union, apprentice program or a referral agency, provided the referral agency is acceptable to the Affirmative Action Office and provided further, that, if necessary, the contractor or subcontractor shall hire minority and fernale workers who qualify as trainees pursuant to these rules. All of these requirements however, art limited by the provisions of (D) below.
 - ii. If the contractor's or subcontractor's workforce is consistent with the applicable employment goal, the name of said female or minority group individual shall be maintained on a waiting list for the first consideration, in the event the contractor's or

subcontractor's work force is no longer consistent with applicable employment goal,

- iii. If, for any reason, said contractor or subcontractor determines that a minority individual or a female is not qualified or if the individual qualifies as an advanced trainee or apprentice, the contractor or subcontractor shall inform the individual in writing with the reasons for the determination, maintain a copy in its files, and send a copy to the Affirmative Action Office.
- VII. To keep a complete and accurate record of all requests made for the referral of workers in any trade covered by the contract, on forms made available by the Affirmative Action Office and submitted promptly to that office upon request,
- F. The contractor or subcontractor agrees that nothing contained in (B) above shall preclude the contractor or subcontractor from complying with the hiring hall or apprenticeship provisions in any applicable collective bargaining agreement or hiring hall arrangement, and, where required by custom or agreement, it shall send journeyman and trainees to the union for referral, or to the apprenticeship program for admission, pursuant to such agreement or arrangement; provided, however, that where the practices of a union or apprenticeship program will result in the exclusion of minorities and females or the failure to refer minorities and females consistent with the county employment goal, the contractor or subcontractor shall consider for employment persons referred pursuant to (B) above without regard to such agreement or arrangement; provided further, however, that the contractor or subcontractor shall not be required to employ female and minority advanced trainees and trainees in numbers which result in the employment of, advanced trainees and trainees as a percentage of the total workforce for the construction trade, which percentage significantly exceeds the apprentice to journey worker ratio specified in the applicable collective bargaining agreement, or in the absence of a collective bargaining agreement, exceeds the ratio established by practice in the area for said construction trade. Also, the contractor or subcontractor agrees that, in implementing the procedures of (B) above, it shall, where applicable, employ minority and female workers residing within the geographical jurisdiction of the union.
 - G. The contractor agrees to complete an Initial Project Manning Report on forms provided by the Affirmative Action office or in the form prescribed by the Affirmative Action Office and submit a copy of said form at time of award of construction-contract and to submit a copy of the Monthly Project Manning Report once a month thereafter for the duration of this contract to the Affirmative Action Office and to the Public Agency Compliance Officer. The contractor agrees to cooperate with the public agency in the payment of budgeted funds, as is necessary, for on-the-job and off-the-job programs for outreach and training of minority and female trainees employed on the construction projects.
 - H. The contractor and its subcontractors shall furnish such reports or other documents to the Affirmative Action Office 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 affirmative action office for conducting a compliance investigation pursuant to Subchapter 10 of the Administration Code (NJAC 17:27)

END OF SECTION

STOCKHOLDER DISCLOSURE CERTIFICATION This Statement Shall Be Included with Bid Submission

I certify that the list below co	ontains the names and home addresses of all stockholders used and outstanding stock of the undersigned.
I certify that no one stockholder undersigned	OR owns 10% or more of the issued and outstanding stock of the
heck the box that represents the type o	f business organization:
Partnership	Corporation
Limited Partnership	Limited Liability Corporation Limited Liability Partnership
Subchapter S Corporation	raucisnip
Sign and notarize the form below, and if	necessary, complete the stockholder list below.
Stockholders:	€.
Name:	Name:
Home Address:	Home Address:
Name:	Name:
Home Address:	Home Address:
Name:	
Home Address:	
	Notarization Section
Subscribed and swom before me this	
Notary Public of	(Sea

NON-COLLUSION AFFIDAVIT

	of the City/Township of in the	
(officer name title)	in the	
ounty of	and the State of	of full
ge, being duly swom according to	and the State of o law on my oath depose and say that:	
am an officer of the firm of		
	(name of bidding firm)	
contained in this affidavit in awa	sey Port Corporation relies upon the truth of rding the contract for the said project.	nie praremente
contained in this affidavit in awar I further warrant that no person secure such contract upon a brokerage or contingent fee exc	rding the contract for the said project. Is or selling agency has been employed or retain agreement or understanding for commissivent bona fide established	ned to solicit, or
contained in this affidavit in awar I further warrant that no person secure such contract upon a brokerage or contingent fee exc	rding the contract for the said project. Is or selling agency has been employed or retain agreement or understanding for commission agreement or understanding for commission agreement.	ned to solicit, or
contained in this affidavit in award further warrant that no person secure such contract upon a brokerage or contingent fee excalling agencies maintained by.	rding the contract for the said project. Is or selling agency has been employed or retain agreement or understanding for commission agreement.	ned to solicit, or
contained in this affidavit in award I further warrant that no person secure such contract upon a brokerage or contingent fee exciselling agencies maintained by. (Insert name of blds)	rding the contract for the said project. Is or selling agency has been employed or retain agreement or understanding for commission agreement or understanding for commission agency bona fide employees or bona fide established der)	ned to solicit, or
further warrant that no person secure such contract upon a brokerage or contingent fee exc selling agencies maintained by. (Insert name of blds)	rding the contract for the said project. Is or selling agency has been employed or retain agreement or understanding for commission agency bona fide employees or bona fide established der) Identity (1)	ned to solicit, or
further warrant that no person secure such contract upon a brokerage or contingent fee exc selling agencies maintained by. (Insert name of blds) (Insert address of bld) (signature of affia)	rding the contract for the said project. Is or selling agency has been employed or retain agreement or understanding for commission agency bona fide employees or bona fide established der) Identity (1)	ned to solicit, or
contained in this affidavit in awar I further warrant that no person secure such contract upon a brokerage or contingent fee exc selling agencies maintained by. (Insert name of blds (Insert address of bld (signature of affia)	rding the contract for the said project. Is or selling agency has been employed or retain agreement or understanding for commission commission and the employees or bona fide established der) Identity and the contract for the said project. Identity agency has been employed or retain the said project. Identity agency has been employed or ret	ned to solicit, or

STATE OF NEW JERSEY DEBARRED LIST AFFIDAVIT

STATE:	NEW JERSEY			
COUNTY OF:				
l,	(officer name title)	of the City/Township of		in
the County of _ duly sworn Acco	nding to law on my oath d	and the State of epose and say that:	of full	age, being
i am an officer o	f the firm of	59		
***************************************	(name of bidding	firm)		
Jersey, State contained in sithe South Jersey Proposal and The undersign Treasurer's Life of this Contraso notified by The undersign suspension a pursuant to	Treasurer's List of Debar aid Proposal and in this a ey Port Corporation, as to the statements contained further warrants that st of Debarred, Suspendent, including Guarantee Fithe signatory of this Eligible understands that the dordisqualification in contains the signature of the signature.	the time of making this bid is med, Suspended and Disqualifie affidavit are true and correct, and the Owner, relies upon the truth ed in this affidavit in awarding the should the name of the firm med and Disqualified Bidders at a Period, that the South Jersey Poblity Affidavit. The firm making the bid as Coontracting with the South Jersey any of the acts listed therein	ed Bidders; and that it made with the full it of the statements come contract for said value contract for said value anytime prior to, and it Corporation shall entractor is subject a Port Corporation, if	all statements knowledge that contained in said vork. ar on the State d during the life be immediately to disbarment, if the Contractor,
***************************************	(insert name of bidder)			
	(Insert address of bidder	ח		
	(signature of affiant)			
(type or p	int name and title of affiant (under signature)		
		Notarization Section		
Subscribed:	and swom before me this	day of2	20	
Notary Publi	c of			(Pa-1)
My Commis	sion Expires			(Seal)

STATE OF NEW JERSEY DEPARTMEMENT OF THE TREASURY

DIVISION OF PUBLIC CONTRACTS EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE

EQUALEMI IMMAR-201 IMMAR-2000 INITIAL PROJ	OF NEVI								25	
D EQUALEM PRIMAR-201 WHERP 98/08 INITIAL PROJ									Official Use	Only
EQUALEMI IMMAR-201 IMMAR-2000 INITIAL PROJ	WISION OF A	/JER	SEY						Assignment	
MAAA-201 Maa-21000 INITIAL PRO.									Assidamnese.	
weet 10/06 INITIAL PROJ	PLOYMENT C	PPORTU	INTTY CO	MPLIA	NCE				Cade	
	ECT WOR	FORCE	REPOR	T CON	E STRUC	TION				
or instructions on completing the							tract c	omplian	ce/pdf/aa201ins.p	df
FID NUMBER	- Division of		O PRINCIPLE						GENCY AWARDING C	
	L. Cost	INTER STATE	and hardwards	-ra	Namer		unicas ui	- LURITATE W	CHARLE AMARILING C	ain inaci
NAME AND ADDRESS OF PRIME CO	TRACTOR	S 8			Addres	51		1.8		
(Name)					COMPA	ACT NUM	BERL D	ATE OF AU	MARD DOLLAR A	MOUNT OF AWARD
(Street Address)		4			B. MAME	ано ар	DRESS O	F PROJECT		7. PROJECT NUMBER
					Name Addre					
					Audie	- -				
CHYI . 18 THIS COMPANY MINORITY OWNE	(Slate) DIIORWA	-	ZIP Code) MNIEN (,	COUNTY				8. 18 THIS PROJECT LABOR AGREEMEN	COVERED BY A PROJ
TRADE OR CRAFT			EMPLOYEE		-		YEMPLOY	T-5	The second secon	PROJECTED, COMPLETION
	MALE	Trans of	FEMALE		MALE		FEMALE		PROJECTED PRIASE-IN	
		AP	1	AP		AP	J.	AP	DATE	DATE
. ASBESTOS WORKER . BRICKLAYER OR MASON					<u> </u>		<u> </u>	-	ļ,	
CARPENTER		 	 		-	 	-	ļ	 	
I. ELECTRICIAN	_	 	 		-	ļ	 	-		
. GLAZIER	_	 	 		·	 	-			
				 	ш.	ļ	<u> </u>	ļ	JH.	
. HVAC MECHANIC				1			1			
. HVAC MECHANIC . IRONWORKER	-		-							
. IRONWORKER		ļ								
. IRONWORKER I. OPERATING ENGINEER										
. IRONWORKER I. OPERATING ENGINEER I. PAINTER										
. IRONWORKER . OPERATING ENGINEER . PAINTER 0. PLUMBER 1. ROOFER 2. SHEET METAL WORKER										
IRONWORKER OPERATING ENGINEER PAINTER O. PLUMBER 1. ROOFER										
. IRONWORKER . OPERATING ENGINEER . PAINTER 0. PLUMBER 1. ROOFER 2. SHEET METAL WORKER										·
. IRONWORKER . OPERATING ENGINEER . PAINTER 0. PLUMBER 1. ROOFER 2. SHEET METAL WORKER 3. SPRINKLER FITTER										
. IRONWORKER . OPERATING ENGINEER . PAINTER 0. PLUMBER 1. ROOFER 2. SHEET METAL WORKER 3. SPRINKLER FITTER 4. STEAMFITTER 5. SURVEYOR 6. TILER										
. IRONWORKER . OPERATING ENGINEER . PAINTER 0. PLUMBER 1. ROOFER 2. SHEET METAL WORKER 3. SPRINKLER FITTER 4. STEAMFITTER 5. SURVEYOR 6. TILER 7. TRUCK DRIVER										
. IRONWORKER . OPERATING ENGINEER . PAINTER 0. PLUMBER 1. ROOFER 2. SHEET METAL WORKER 3. SPRINKLER FITTER 4. STEAMFITTER 5. SURVEYOR 6. TILER 17. TRUCK DRIVER 8. LABORER										
. IRONWORKER . OPERATING ENGINEER . PAINTER 0. PLUMBER 1. ROOFER 2. SHEET METAL WORKER 3. SPRINKLER FITTER 4. STEAMFITTER 5. SURVEYOR 6. TILER 7. TRUCK DRIVER										

STATE OF NEW JERSEY DEPARTMENT OF THE TREASURY

DIVISION OF PUBLIC CONTRACTS EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE

FORM AA202

M AA-202 Deed 1848			(5)				Stat	te C	f Ne Public Co	w Je	rse)	ŗ								
						Equ	al Emplo	ymani Ymani	Opportus	uwasa iny Comp	ofiance									
ONTHLY PROJECT	WORKE	irce re	PORT - (ONST	RUCI	ION														
								3.FID p	e SS Num	ber							99			
							A fferen	3 5 - 6			77									
								4. Reporting Period												
(AK)								L. Public Agency Awarding Contract Date of Americ												
												.				0				
(06)									& Name and Location of Project County							7. Project iD Humber				
(dut)			(STOATE)		in, cueri			 .							-					
			CLASSI	Γ	11.M2H	KADPAIR	DYES:		70 - 115	# TOTAL	IR WOR	E UN RI	0.000	14条件领	AV 664	H CIN	WORK HELS		16 D.M. %	
F CONTRACTOR PARIE	T-LEGICIPAL	III. THAIDS	SECUTION SEE	TOTAL	L	E.	p.	4	F.	₩Ż ÓŁ	£àcrt*	À	4.	A	ž.	RHAL	Ą	1	k.	L APPL
MAKENTONE	confixit	OUAT	MANISSI	liberat	frict	HOSENHOL	WOM!	MAN	LENATER	EMP.	HÖLIR HOLIR HÖLIR H HÖLIR HÖLIR HÖLIR HÖLIR HÖLIR HÖLIR HÖLIR HÖLIR HÖLIR HÖLIR HÖLI	zike zozi	ANN	15 (10 MM). 1888	Assi As (as lativist)	HEERE HEERE	MIFF. DALMS	PERMUT Notices	ARF Ar Cit, Reill'	14 (AF)
			1	 	-															
			AP													<u> </u>				-
																				_
			1															 	-	
			AP															-		-
															<u> </u>					\vdash
			1																	
			AP																	
																	<u> </u>			
			j																	
			AP																	
																		-		
			j																	
			AP															-		
OMPLETED BY PRINT OR TYP	Ę												<u> </u>				<u> </u>	<u> </u>	!	

[DATE]

(TELEPHONE HUMBER)

(AFEA CODE)

STATE OF NEW JERSEY DEPARTMENT OF THE TREASURY

DIVISION OF PUBLIC CONTRACTS EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE

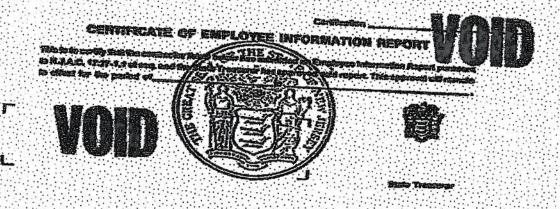
Employee Information Report Form AA302 Form AA302 Rev. 10/08 STATE OF NEW JERSEY Division of Public Contracts Equal Employment Opportunity Compliance EMPLOYEE INFORMATION REPORT

IMPORTANT- BEAD INSTRUCTIONS ON BACK OF FORM CARBULLY BEFORE COMPLETING FORM. TYPE OR PRINT IN SHARP BALLPOINT PER. FAILURE TO PROCEETLY COMPLETE THE ENTIRE FORM AND SUBMIT THE REQUIRED \$ 150,00 FEE MAY DELAY ISSUANCE OF YOUR CERTIFICATE, DO NOT SUBMIT EDG-1 REPORT FOR SECTION 8, ITEM 11. SECTION A - COMPANY IDENTIFICATION I. FED. NO. OR SOCIAL SECURITY 2 TYPE OF HUSINESS 3. TOTAL NO. EMPLOYEES IN THE ENTIRE 1.MFG 12. SERVICE 13. WHOLESALE 4. RETAIL 13. OTHER 4. COMPANY NAME 5. STREET COUNTY ZIP CODE 6. NAME OF PARENT OR APPLIATED COMPANY (IF NONE, SO INDECATE) CITY STATE 7. CHECK ONE: IS THE COMPANY: ☐ SINGLE-ESTABLISHMENT EMPLOYER ☐ MULTI-ESTABLISHMENT EMPLOYER 8. IF AULTH-ESTABLISHMENT EMPLOYER STATE THE NUMBER OF ESTABLISHMENTS IN NO 9. TOTAL NUMBER OF EXPLOYERS AT ESTABLISHMENT WHICH HAS BEEN AWARDED THE CONTRACT 10. PUBLIC AGENCY AWARDING CONTRACT COUNTY ZIP CODE Official Use Only DATE RECEIVED INAUG-DATE ASSIGNED CERTIFICATION NUMBER SECTION B - EMPLOYMENT DATA umpurany and pert-time umployeas ON YOUR OWN PAYROLL. Faster the appropriate fig. use on all lime and in all col no employees in a particular category, enter a seen. Include ALL amployees, not just those in minority non-mi nority extegories, in columns 1, 2, & 3. DOMOTSUMANT ALL EMPLOYEES
COL. 1 COL. 2
TOTAL MALE PERMANENT MINORITY AND MINORITY EMP COL. 3 CATEGORIES PEMALE No. 2 4-33 NIXIN LACE HISPANIC INDIAN ASIAN HISPANIC INDIAN ASTAN Officials! Manage Professional Yechnicians Sales Workers Office & Clorical Centiworkers (Skilled) Operatives (Semi-skilled) Laborers (Unskilled) Sarvics Works TOTAL Total employment roun pro Raport (if any) Tamparary & 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!

12. HOW WAS INFORMATION AS TO RACE OR ETHNIC GROUP IN SECTION B OBTAINED!

13. HOW WAS INFORMATION AS TO RACE OR ETHNIC GROUP IN SECTION B OBTAINED! 14. IS THIS THE FIRST Employee Information Report Submitted? 13. IF NO, DATE LAST REPORT SUBMITTED MO. DAY YEAR 13. DATES OF PAYROLL PERIOD USED 1. YES | 1. NO SECTION C-SIGNATURE AND IDENTIFICATION 16. NAME OF PERSON COMPLETING FORM (Print or Type) SIGNATURE THE MO | DAY | YEAR 17. ADDRESS NO. & STREET CITY COUNTY ZIP CODE PHONE (AREA CODE, NO EXTENSION) STATE

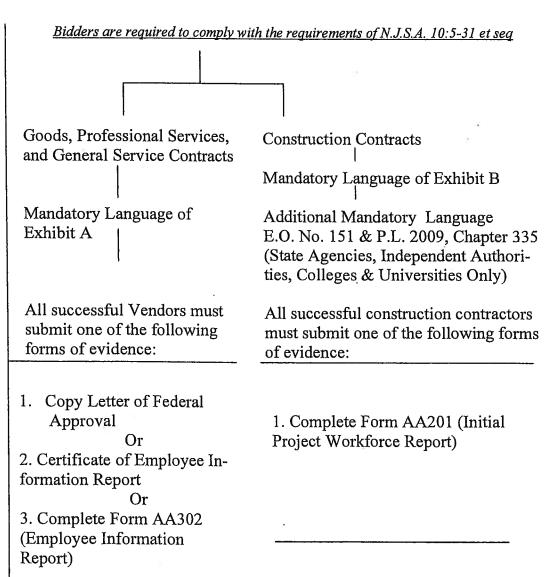
SAMPLE CERTIFICATE OF EMPLOYEE INFORMATION REPORT



EQUAL EMPLOYMENT OPPORTUNTIY/AA PUBLIC CONTRACT COMPLIANCE PROCEDURES FLOW CHART

EEO/AA Procedures In Awarding Public Contracts

- Include Mandatory Language in advertisements for receipt of bids, solicitation and/or request for proposals.
- Include appropriate Mandatory Language in contracts and bid specifications.
- Obtain Required EEO/AA evidence from contractor or vendor.



EEO/AA Evidence must be submitted after notification of award, but prior to signing of a goods and services contract

EEO/AA Evidence must be submitted after notification of award, but prior to signing of a construction contract

BUSINESS REGISTRATION CERTIFICATE

"Pursuant to the terms of N.J.S.A. 52:32-44, all bidders/proposers are required to submit with their bid, proof of valid business registration issued by the Division of Revenue in the Department of the Treasury. Failure to submit proof of registration is considered cause for mandatory rejection of bids (a non-waivable defect). No contract shall be entered into by the South Jersey Port Corporation unless the contractor first provides proof of valid business registration. In addition, the successful bidder/proposer is required to receive from any subcontractor it uses for services under this contract, proof of valid business registration with the Division of Revenue. No Subcontract shall be entered into by any contractor under this or any contract with the South Jersey Port Corporation unless the subcontractor first provides proof of valid business registration."

If you are already registered go to http://www.state.ni.us/nibgs/index.html to obtain a copy of your Business Registration Certificate.

All questions regarding this requirement should be referred to the Division of Revenue hotline @ 609-292-1730.

PLEASE ATTACH COPY OF YOUR NJ BUSINESS REGISTRATION CERTIFICATE BELOW

NOTICE TO ALL BIDDERS SET-OFF FOR STATE TAX

Please be advised that pursuant to P.L. 1995, c. 159, effective January 1, 1996 and notwithstanding any provision of the law to the contrary, whenever any taxpayer, partnership or S corporation under contract to provide goods or services or construction projects to the State of New Jersey or its agencies or instrumentalities, including the legislative and judicial branches of State government, is entitled to payment for those goods or services at the same time a taxpayer, partner or shareholder of that entity is indebted for any State tax, the Director of the Division of Taxation shall seek to set-off that taxpayer's or shareholder's share of the payment due to the taxpayer, partnership or S corporation. The amount set-off shall not allow for the deduction of any expenses or other deductions which might be attributable to the taxpayer, partner or shareholder subject to set -off under this act.

The Director of Division of Taxation shall give notice to the set-off to the taxpayer and provide an opportunity for a hearing with thirty (30) days of such notice under the procedures for protests established under R.S. 54:49-18. No requests for conference, protest, or subsequent appeal to the Tax Court from any protest under this section shall stay the collection of the indebtedness. Interest that may be payable by the State pursuant to P.L. 1987, c. 184 (c.52:32-32 et seq.) to the taxpayer, shall be stayed.

"I HAVE BEEN ADVISED OF THIS NOTICE"
COMPANY
SIGNATURE
NAME
TITLE .
DATE

ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA FORM

The undersigned bidder/proposer hereby acknowledges receipt of the following notices, revisions, or addenda to the bid advertisement, specifications or bid documents. By indicating date of receipt, bidder acknowledges the submitted bid takes into account the provisions of the notice, revision or addendum. Note that the local unit's record of notice to bidders shall take precedence and that failure to include provisions of changes in a bid proposal may be subject for rejection of the bid.

Addendum	"	w Received fax, pick-up		Date Receive
Acknowledged by bidde	er:			
Name of Bidder:				
By Authorized Represe	ntative:			
Signature:		······································		-A
Printed Name:			10	
Title:				

Date:

VENDOR DISCLOSURE FORM EXECUTIVE ORDER #129

Please advised in accordance with Executive Order #129, the South Jersey Port Corporation has developed this form under the policy and procedures directed under this Order. The State contracting agencies must consider the requirements of New Jersey's contracting laws, the best interests of the State of New Jersey and its citizens, as well as applicable federal and international requirements.

The State contracting agencies shall ensure that all vendors seeking to enter into any contract in which services are procured on behalf of the State of New Jersey must disclose:

- a. The location by country where services under the contract will be performed; and
- b. Any subcontracting of services under the contract will be performed; and subcontracted services will be performed.

Code of Ethics for Vendors EXECUTIVE ORDER # 189

The South Jersey Port Corporation considers the maintenance of public trust and confidence essential to its proper functioning, and accordingly has adopted this vendors' Code of Ethics. Vendors who do business with SJPC must avoid all situations where propriety or financial interests, or the opportunity for financial gain, could lead to favored treatment for any organization or individual. Vendors must also avoid circumstances and conduct which may not constitute actual wrongdoing, or a conflict of interest, but might nevertheless appear questionable to the general public, thus compromising the integrity of SJPC.

This code is based upon the principles established in Executive Order 189 and laws governing the Executive Commission on Ethical Standards. N.J.S.A: 52:13D et seq., which, while not strictly applicable to contractors, provides general guidance in this area. Also, this code has been established pursuant to the authority embodied in N.J.S.A. 27:25A et seq., and for good cause.

This Code of Ethics shall be made part of each Request for Proposal (RFP) promulgated by the SJPC and be attached to every contract and agreement to which the SJPC is a party. It shall be distributed to all parties who presently do business with SJPC and, to the extent feasible, to all those parties anticipated doing business with SJPC.

- 1. No vendor shall employ any SJPC officer or employee in the business of the vendor or professional activity in which the vendor is involved with the SJPC officer or employee.
- No vendor shall offer or provide any interest, financial or otherwise, direct or indirect, in the business of the vendor or professional activity in which the vendor is involved with the SJPC officer or employee.
- 3. No vendor shall cause or influence, or attempt to cause or influence any SJPC officer or employee in his or her official capacity in any manner which might tend to impair the objectivity or independence of judgment of the SJPC official or employee.
- 4. No vendor shall cause or influence, or attempt to cause or influence any SJPC officer or employee to use or attempt to use his or her official position to secure any unwarranted privileges or advantages for that vendor or for any other person.
- 5. No vendor shall offer any SJPC officer or employee any gifts or favor, service or other thing of value under circumstances from which it might be reasonably inferred that such gift, service or other thing of value was given or offered for the purpose of influencing the recipient in the discharge of his or her official duties. In addition, officers or employees of the SJPC will not be permitted to accept breakfasts, lunches, dinners, alcoholic beverages, tickets to entertainment and/or sporting events or any other item which could be construed having more than nominal value.

NOTE: This section would permit an SJPC officer or employee to accept food or refreshment of relatively low monetary value provided during the course of a meeting, conference or other occasion where the employee is proper in attendance (for example – coffee, Danish, tea, or soda served during conference break).

Acceptance of unsolicited advertising or promotional material of nominal value (such as inexpensive pens, pencils, or calendars) would be permitted.

Any questions as to what is or is not acceptable or what constitutes proper conduct for an SJPC officer or employee should be referred to the SJPC's Ethics Liaison Officer or his or her designee.

6. This code is intended to augment, not to replace, existing administrative orders and the current SJPC Code of Ethics.

*Vendor is defined as any general contractor, subcontractor, consultant, person, firm, corporation or organization engaging in seeking to do business with the SJPC.

South Jersey Port Corporation.	
	*
endor	
Fitle:	



State of New Jersey

Division of Purchase and Property

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

Q. 13

						174417		
Ge	neral	Informati	on	For AG	ENCY USE OF	VLY		
Sol	licitatio	n, RFP or (Contract No.		Award A	mount		
		n of Servic						
Age	ency (Contact ir	rformation					
Age	ency				Contect	Person		
Pho	one Nu	mber				pm		
					Agency			
Part 1	l: Ve	ndor Info	rmation					
Full	Legal	Business N	lame					
			(Including tra	de name if applicabl	e)	 		
Bus	iness	Туре	Corporation	Umited F	artnership [Profession	al Corporation General Partnershi	in
			Limited Liability	Company	Sole Proprie		Limited Liability Partnership	-
Add	ress 1					•	L. J	•
City				State			Phone	
Vend	lor Ema	ii			Vendor FE			
Part 2	Pul	dic I aw 2						
		y as follows	005, Chapter 51/	Executive Old	er 117 (2008) Çe	ertification		
1.	inclu	ding in-kin		Danv or organizat	ion contributions	any contrib	se contributions are attributable to ution of money, pledge of contributi elow that would bar the award of a	
a)	With	in the prec	eding 18 months,	the below-named	person or organiza	ation has not	made a contribution to:	
5	(i)	Any cand or <i>Lieute</i>	lidate committee an nant Governor ,	d/or election fund	of any candidate f	or or holder o	of the public office of Governor	
	(ii) (iii)	Any State	e, county, <i>municipa</i> Hative leadership c	i political party co committee.	mmittee; OR			
b)	Durin contri	g the term bution to	of office of the cu	rrent Governor(:	s), the below-name	ed person or	organization has not made a	
	(i) (ii)	With State	idate, committee an , county or <i>municip</i> encement of said G	Pai political party (of the Governor o committee nominal	r <i>Lieutenant</i> ing such Gov	Governor, OR vernor in the election preceding	
c)	Withli perso	n the 18 m n or organi	onths immediately zation has not made	prior to the first	day of the term o	of office of t	he Governor(s), the below-named)

(i) Any candidate, committee and/or election fund of the Governor or Lieutenant Governor, OR
Any State, county, municipal political party committee of the political party nominating the successful gubernatorial
candidate(s) in the last gubernatorial election.
 PLEASE NOTE: Prior to November 15, 2008, the only disqualifying contributions include those made by the vendor or a principal owning

PLEASE NOTE: Prior to November 15, 2008, the only disqualifying contributions include those made by the vendor or a principal owning or controlling 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) to any candidate committee and/or election fund of the Governor or to any state or county political party within the preceding 18 months, during the term of office of the current Governor or within the 18 months immediately prior to the first day of the term of Office of Governor.

Part 3: Disclosure of Co	ntributions Made		Q. 13
Check this box if no r	eportable contributions have been made by the	e above-named business (entity
Nome of Posiniant	Address of Recipient	· · · · · · · · · · · · · · · · · · ·	
Date of Contribution	Amount of Contribution		
Type of Contribution (i.e. curr			
Contributor Name		287	
Relationship of Contributor to	the Vender		
Contributor Address	the Vendor		
City	State	7:_	
	If this form is not being completed electronically, p as necessary. Otherwise click "Add a Contribution	Zip lease attach pages for additional c "to enter additional contributions.	ontributions

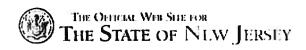
D--- 7 -4 7

CH51 1 R1/21/2009

Part 4: Certification I have read the instructions accompanying this form prior to completing this certification on bell certify that, to the best of my knowledge and belief, the foregoing statements by me are true, are willfully false, I am subject to punishment. I understand that this certification will be in effect for two (2) years from the date of appridoes not change and/or additional contributions are not made. If there are any changes is contributions are made, a new full set of documents are required to be completed and submitted Disclosure, the person or entity named herein acknowledges this continuing reporting responsis (CHECK ONE BOX A, B or C) (A)	I am aware that if any of the statements roval, provided the ownership status in the ownership of the entity or additional ed. By submitting this Certification and ibility and certifies that it will adhere to it.
certify that, to the best of my knowledge and belief, the foregoing statements by me are true. are willfully false, I am subject to punishment. I understand that this certification will be in effect for two (2) years from the date of apprentice apprentice. If there are any changes is contributions are made, a new full set of documents are required to be completed and submitted Disclosure, the person or entity named herein acknowledges this continuing reporting responsis (CHECK ONE BOX A, B or C) (A) am certifying on behalf of the above-named business entity and all individuals and/or attributable to the entity pursuant to Executive Order 117 (2008).	I am aware that if any of the statements roval, provided the ownership status in the ownership of the entity or additional ed. By submitting this Certification and ibility and certifies that it will adhere to it.
loes not change and/or additional contributions are not made. If there are any changes is contributions are made, a new full set of documents are required to be completed and submitted disclosure, the person or entity named herein acknowledges this continuing reporting responsible CHECK ONE BOX A, B or C) A) I am certifying on behalf of the above-named business entity and all individuals and/or attributable to the entity pursuant to Executive Order 117 (2008).	n the ownership of the entity or additional ed. By submitting this Certification and ibility and certifies that it will adhere to it.
A) am certifying on behalf of the above-named business entity and all individuals and/or attributable to the entity pursuant to Executive Order 117 (2008). B) am certifying on behalf of the above-named business entity only.	entities whose contributions are
B) I am certifying on behalf of the above-named business entity only.	r entities whose contributions are
C) I am certifying on behalf of an individual and/or entity whose contributions are attributa	
	able to the vendor.
Signed Name Print Name	
Phone Number Date	·
Title/Position	
Agency Submission of Forms	
e agency should submit the completed and signed Two-Year Vendor Certification in the property of the agency should submit the completed and signed Two-Year Vendor Certification in the property of the agency state of the agency state of the agency state on the agency state on the agency of the ag	us, or regular mail at Chapter 51 R
The state of the s	
	8

Dags 2 of 2

CH51_1 R1/21/2009



Governor Chris Christie • Lt Governor Kim Guadagno
Search

NJHome I Services A to Z I Departments/Agencies I FAQs

State of New Jersey Executive Order #151 Governor Jon S. Corzine

Return to EO Index

WHEREAS, New Jersey is one of the most racially, culturally, and ethnically diverse states in the United States, and this diversity is reflected in the leaders and owners of its businesses, in the leaders and members of the labor movement, and in the employees in every segment of the workforce; and

WHEREAS, the State's business community includes multi-national enterprises, industrial, commercial, and small business sectors; and

WHEREAS, the State's thousands of small businesses, each with fewer than 100 employees, together generate almost 40% of the jobs in the State; and

WHEREAS, small, minority, and women-owned business enterprises have historically been underrepresented in the receipt of State contract awards; and

WHEREAS, the State's workforce provides New Jersey's multinational enterprises, its industrial, commercial, and small business sectors, and its public and not-for-profit sectors with highly educated, highly skilled, and highly motivated employees, who contribute to the prosperity of the State while supporting their families; and

WHEREAS, in response to the current national recession, the United States Congress enacted the American Recovery and Reinvestment Act of 2009 (ARRA), which will increase federal spending at the State and local levels by approximately \$10 billion, and will fully fund certain work in the State, and partially fund other State projects; and

WHEREAS, given the recession and unemployment levels in New Jersey, it is imperative that every sector of the economy be offered the opportunity to benefit from the federal economic recovery funds and the State's own spending; and

WHEREAS, many of the State's businesses have significant public construction contracts and other contracts to provide goods or services to government and many others would like the opportunity to compete for these contracts to expand their businesses while serving the public; and

WHEREAS, residents of the State of New Jersey deserve a government that provides equal opportunity for all contractors to compete to submit winning bids on public contracts; and

WHEREAS, residents of the State of New Jersey, especially during these difficult economic times, deserve a government that does everything it can to expand job opportunities, particularly for men and women who are entering the workforce, who have experienced difficulties entering the workforce, or who have recently become unemployed or underemployed; and

WHEREAS, the State created an internet site, http://www.recovery.nj.gov, which outlines the allocation of New Jersey's share of economic recovery funds under the ARRA; and

10/00/0011

WHEREAS, to spend ARRA funds transparently and ensure that those seeking work have a fair chance to obtain ARRA-funded employment, State agencies and entities should be required to post all State and ARRA-funded jobs on the State Job Bank internet site, http://NJ.gov/JobCentralNJ, to allow New Jersey residents to identify these employment opportunities; and

WHEREAS, the State must procure its construction services, goods, and other services as efficiently as possible, with transparency in the processing, selection, and awarding of public contracts; and

WHEREAS, robust competition for public contracts ensures that the government of the State of New Jersey obtains the construction services, goods, and other services it needs to perform its vital functions with maximum cost effectiveness; and

WHEREAS, broad and sustained efforts to notify all potential bidders of opportunities to contract with government should be encouraged to promote competition for public contracts, thus benefiting the public fisc; and

WHEREAS, the State of New Jersey commissioned the State of New Jersey Construction Services Disparity Study 2000 – 2002 (October 2005) and the State of New Jersey Disparity Study of Procurement in Professional Services, Other Services, and Goods and Commodities (June 2005), and both studies documented significant disparities between the firms ready, willing, and able to do business with the State, and those firms actually awarded contracts by State departments, agencies, authorities, colleges, and universities, as a result of which this Administration created through Executive Order No. 34 (2006) the Division of Minority and Women Business Development ("Division of M/W Business Development"); and

WHEREAS, Executive Order No. 34 charged the Director of the Division of M/W Business Development with monitoring programs to increase the participation of minority and women-owned businesses in the State's purchasing and procurement processes; and

WHEREAS, since its inception, the Division of M/W Business Development, working with the Department of the Treasury's Office of Supplier Diversity ("OSD"), has identified strategies to increase the number of small and minority and women-owned businesses interested in and eligible to benefit from state procurement activity; and

WHEREAS, the Division of M/W Business Development and OSD have increased outreach to and expanded the ability of these businesses to fulfill bid requirements for state contracts; and

WHEREAS, the Division of Public Contracts Equal Employment Opportunity Compliance in the Department of the Treasury (Division of Contract Compliance) monitors the employment of women and minorities with businesses that contract with government in an effort to ensure that contractors and vendors make good faith efforts to hire minorities and women in accordance with targeted goals based on the United States Census' workforce availability statistics;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

- 1. All members of the public should be afforded the opportunity to benefit from the federal economic recovery funds and associated state spending, and in particular, this Administration re-affirms the State's commitment, expressed in statute and regulation, that every public contract, whether for construction services, goods, or other services, shall provide equal employment opportunity for women and minorities.
- 2. The Commissioners of the Departments of Community Affairs, Education, Environmental Protection, and Transportation; the President of the Board of Public Utilities; and the executive directors of the Schools

Development Authority and the Economic Development Authority are directed to meet with members of the Governor's office, the Department of the Treasury, and representatives of the United States Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) to ensure that those departments receiving the bulk of federal economic recovery funds will provide the OFCCP their complete cooperation in complying with its mandates.

- 3. The Division of Contract Compliance shall be the entity within the Executive Branch responsible for determining whether minorities and women have been offered a fair opportunity for employment on State contracts. Executive branch departments and agencies, independent authorities, and State colleges and universities are directed to cooperate fully with the Division of Contract Compliance's enforcement efforts, consistent with law, and to award public contracts only to those businesses that agree to comply with equal employment opportunity and affirmative action requirements.
- 4. The Division of Contract Compliance shall work cooperatively with the OFCCP, including sharing its workforce data to the maximum extent permitted by law, to assist the OFCCP in its enforcement efforts.
- 5. When not restricted by any other State or federal law, the Division of Contract Compliance shall determine whether each of the State entities whose performance it monitors (the "Reporting Agencies" listed in Appendix A to this Order) properly allocated and released to the Department of Labor and Workforce Development, as authorized by law, one-half of one percent of the total cost of a construction contract of \$1,000,000 or more, to be used by the department for the New Jersey Builders Utilization Initiative for Labor Diversity program to train minorities and women for employment in construction trades. This provision shall apply to those construction contracts where the funding for the contract consists entirely of appropriated funds or a combination of funds from appropriated funds and other sources.
- 6. As a result of the aforementioned significant disparities in employment of minorities and women on construction sites and within the construction trades, all construction contracts entered into and funded, in whole or in part, by the State shall include mandatory EEO/AA contract language (in the form of Appendix B to this Order) that requires contractors to make a good faith effort to recruit and employ minorities and women as required by provisions of the Administrative Code, including but not limited to N.J.A.C. 17:27-3.6 to 3.8, and 17:27-7.3 and 7.4. In addition to the language set forth in Appendix B, such construction contracts shall contain the contractual language as required by N.J.A.C. 17-27-3.6, 3.7, and 3.8. As to the portion of each contract that is State funded, the language of the contract shall provide, consistent with Appendix B, that payment may be withheld for failure of the contractor to demonstrate to the satisfaction of the Reporting Agency that the required good faith effort was made. Failure of a contractor to satisfy the good faith effort requirement of its contract may also subject it to assessments imposed pursuant to findings of the Division of Contract Compliance in the Department of the Treasury, in accordance with N.J.A.C. 17:27-10.
- 7. Except as described in subparagraphs (a) and (b) of this paragraph, each Executive Branch agency that is a recipient of federal economic recovery funds pursuant to ARRA shall include in any contract, grant, or agreement funded in whole or in part with ARRA funds a clause requiring subrecipients, contractors, subcontractors, local education agencies, and vendors to post all job openings created pursuant to the contract, grant, or agreement on the State's Job Bank at least 14 days before hiring is to commence. The clause shall state: "Since the funds supporting this contract, grant, or agreement are provided through the American Recovery and Reinvestment Act of 2009 (ARRA), the subrecipient, contractor, subcontractor, local education agency, or vendor will post any jobs that it creates or seeks to fill as a result of this contract, grant, or agreement. The subrecipient, contractor, subcontractor, local education agency, or vendor will post jobs to the New Jersey State Job Bank by submitting a job order using the form available at http://NJ.gov/JobCentralNJ, notwithstanding any other posting the subrecipient, contractor, subcontractor, local education agency, or vendor might make. Any advertisements posted by the subrecipient, contractor, subcontractor, local education agency, or vendor for positions pursuant to this contract, grant, or agreement

must indicate that the position is funded with ARRA funds."

- a. Posting shall not be required where the employer intends to fill the job opening with a present employee, a laid-off former employee, or a job candidate from a previous recruitment, where pre-existing, legally binding collective bargaining agreements provide otherwise, or where an exception has been granted to the Reporting Agency by the Department of Labor and Workforce Development.
- b. Nothing in this Order shall be interpreted to require the employment of apprentices if such employment may result in the displacement of journey workers employed by any employer, contractor or subcontractor.
- 8. All local government entities and local education agencies that have received or will receive directly from a federal agency federal economic recovery funds are strongly encouraged to require their contractors and subcontractors to post job openings on the State's Job Bank at least 14 days before hiring is to commence. Moreover, all New Jersey employers that enter into contracts funded with ARRA funds received by a local government entity or a local education agency directly from a federal agency are likewise strongly encouraged to post job openings created pursuant to the ARRA.
- 9. The Division of M/W Business Development shall send to the Reporting Agencies the contractual language set forth in Appendix C of this Order. Provisions of this contractual language have been shown to have a significant impact on (a) increasing the number of small and minority and women-owned businesses aware of contracting opportunities with the State and (b) increasing the number of such businesses competing for contracts with the State or subcontracts with entities contracting with the State. The Division of M/W Business Development shall work with each Reporting Agency to ensure the reporting of and ensure compliance with contract-specific contracting and subcontracting goals for the Reporting Agency that are consistent with the availability percentages set forth in Appendix D. These goals should incorporate good faith effort requirements and should be adjusted annually, consistent with the availability of minority and women-owned businesses for which significant disparities in utilization have been demonstrated in each business category.
- 10. Each Reporting Agency shall:
- a. Inform the Division of M/W Business Development of contracting opportunities at the same time that it advertises or otherwise posts public notices of such opportunities, via consistent and timely upload of all-inclusive information to the bid opportunities database services managed by the Division of M/W Business Development. All pre-bid requirements shall be prominently advertised at the time of uploading to the Division of M/W Business Development databases;
- b. Actively and regularly use the databases and other on-line services managed and operated by the Division of M/W Business Development to identify additional potential bidders. Because these databases and on-line services identify minority and women-owned businesses known to and registered or certified with the Division of M/W Business Development, the ongoing use of these resources by buyers, procurement agents, and other purchasing staff shall be closely monitored by the Reporting Agency's senior management;
- c. Contact the businesses identified in the Division of M/W Business Development's databases and on-line services to provide them with notice of the contracting opportunities available through the Reporting Agency; and
- d. Report to the Division of M/W Business Development all payments and awards prime contractors have issued to subcontractors, identifying payments and awards to minority and women-owned businesses on at least a quarterly basis.
- 11. To the maximum extent practicable, and when not restricted by any other State or federal law, each

Reporting Agency shall incorporate the substance of the contractual language set forth in Appendix C into its contracts, while continuing to follow the particular State and federal laws and regulations governing its contracting and procurement practices.

- 12. Each Reporting Agency shall, where substitution of subcontractors or sub-consultants is permitted, promulgate policies governing the circumstances under which contractors or consultants may substitute subcontractors or sub-consultants named in bid proposals or otherwise identified as small or women or minority-owned business subcontractors, sub-consultants, or vendors ("Substitution Policies"). The Substitution Policies shall provide that:
- a. The contractor or consultant must notify and obtain approval from a small or women or minority-owned business subcontractor, sub-consultant, or vendor ("SMWBE contractor") before including that contractor in a bid proposal or similar contract-related submission;
- b. The contractor or consultant must notify and obtain authorization from the Reporting Agency before it substitutes a SMWBE contractor named in a bid proposal or other contract-related submission; and
- c. If the substitution is approved, the contractor or consultant shall make a good faith effort to utilize another SMWBE contractor in place of the previous SMWBE contractor.
- 13. Each Reporting Agency shall report to the Division of M/W Business Development when it has incorporated the language set forth in Appendix C in its contracts. It shall also report to the Division of M/W Business Development when it has adopted its Substitution Policy, where such policy is permitted. The Division of M/W Business Development shall report on the number of Reporting Agencies that have modified their contracts and adopted a Substitution Policy at three month intervals until all of the Reporting Agencies have completed incorporation of the contractual language set forth in Appendix C and, where legally permitted, adoption of the Substitution Policy.
- 14. Nothing in this Order shall modify existing law, state or federal, or authorize a Reporting Agency to amend, modify, or otherwise alter pre-existing legal obligations. Further, this Order shall be interpreted consistently with the ARRA, and the federal regulations and guidelines governing its implementation, and in the event of a conflict between this Order and federal law governing ARRA, the Order shall be interpreted to comply with federal law.
- 15. Within 90 days of the date of this Order, the Division of M/W Business Development shall prepare a Contracting Guide identifying the management practices that have the greatest success in: (a) increasing the number of small and minority and women-owned businesses made aware of contracting opportunities with the State; and (b) increasing the number of such businesses competing for contracts with the state or subcontracts with entities contracting with the state. As soon as practicable thereafter, the Division of M/W Business Development shall distribute the Contracting Guide to the Reporting Agencies.
- 16. As soon as practicable after its receipt of the Contracting Guide, each Reporting Agency shall implement those provisions that it views as most likely to have the greatest impact in increasing contracting opportunities for small and minority and women-owned businesses.
- 17. Within one year and ninety days of the effective date of this Order, the Division of M/W Business Development and the Division of Contract Compliance shall each prepare a report describing the Reporting Agencies' implementation of this Order. The Division of M/W Business Development and the Division of Contract Compliance each shall prepare a second report within one year of issuing its first report.
- 18. The Department of Labor and Workforce Development shall work together with all other Reporting Agencies that will receive ARRA funding and with the representatives of the United States Environmental

Protection Agency, the Federal Departments of Labor, Energy, Transportation, and Housing and Urban Development, and any other federal agencies distributing ARRA funds to:

- a. Coordinate with labor unions that will aggressively recruit minorities and women for apprenticeships and training opportunities;
- b. Increase outreach to and enrollment of minorities and women in apprenticeship, training, and related programs; and
- c. Ensure that, to the greatest extent possible under the law, minorities and women apprentices and trainees are working on State and ARRA-funded work sites.
- 19. The Department of the Treasury and other departments, agencies, and independent authorities shall, consistent with law, take steps to increase their engagement of small, minority, or women-owned or controlled banks and credit unions to meet their financial services needs.
- 20. This Order shall take effect immediately.

GIVEN, under my hand and seal this 28th day of August Two Thousand and Nine, and of the Independence of the United States, the Two Hundred and Thirty-Fourth.

/s/ Jon S. Corzine

Governor

[seal]

Attest:

/s/ Kay Walcott-Henderson

First Assistant Chief Counsel

APPENDIX A

LIST OF REPORTING AGENCIES

Board of Public Utility Commissioners
Casino Control Commission
Casino Reinvestment Development Authority
Commission on Higher Education
Commission on Science & Technology
Council on Affordable Housing
Department of Agriculture
Department of Military & Veterans' Affairs
Department of Banking & Insurance
Department of Children & Families
Department of Community Affairs
Department of Corrections

Department of Education

Department of Environmental Protection

Department of Health and Senior Services

Department of Human Services

Department of Labor and Workforce Development

Department of Law & Public Safety

Department of Public Advocate

Department of State

Department of Transportation

Department of the Treasury

Division of Property Management and Construction

Election Law Enforcement Commission

Fort Monmouth Economic Revitalization Planning Authority

Garden State Preservation Trust

Higher Education Student Assistance Authority

Kean University

Legalized Games of Chance Control Commission

Montclair State University

Motion Picture Commission

Motor Vehicle Commission

New Jersey City University

New Jersey Cultural Trust

New Jersey Institute of Technology

New Jersey Transit

NJ Building Authority

NJ Economic Development Authority

NJ Educational Facilities Authority

NJ Environmental Infrastructure Trust

NJ Health Care Facilities Financing Authority

NJ Highlands Council

NJ Housing & Mortgage Finance Agency

NJ Maritime Pilot and Docking Pilot Commission

NJ Meadowlands Commission

NJ Pinelands Commission

NJ Public Television & Radio (NJN) NJ Racing Commission NJ Redevelopment Authority

NJ Schools Development Authority

NJ Sports & Exposition Authority

NJ State Museum

NJ Turnpike Authority

NJ Water Supply Authority

North Jersey Transportation Planning Authority

North Jersey District Water Supply Commission

Office of Homeland Security

Office of Information Technology

Office of the Child Advocate

Office of the Inspector General

Office of the Public Defender

Ramapo College

Rowan University

Rutgers University

South Jersey Port Corporation

South Jersey Transportation Authority

South Jersey Transportation Planning Organization

State Agriculture Development Committee
State Economic Recovery Board For Camden
State Ethics Commission
State Employment & Training Commission
State Lottery Commission
Stockton College
The College of New Jersey
Thomas Edison State College
Transportation Trust Fund Authority
University of Medicine & Dentistry of New Jersey
William Paterson University

APPENDIX B

It is the policy of the [Reporting Agency] that its contracts should create a workforce that reflects the diversity of the State of New Jersey. Therefore, contractors engaged by the [Reporting Agency] to perform under a construction contract shall put forth a good faith effort to engage in recruitment and employment practices that further the goal of fostering equal opportunities to minorities and women.

The contractor must demonstrate to the [Reporting Agency]'s satisfaction that a good faith effort was made to ensure that minorities and women have been afforded equal opportunity to gain employment under the [Reporting Agency]'s contract with the contractor. Payment may be withheld from a contractor's contract for failure to comply with these provisions.

Evidence of a "good faith effort" includes, but is not limited to:

- 1. The Contractor shall recruit prospective employees through the State Job bank website, managed by the Department of Labor and Workforce Development, available online at http://NJ.gov/JobCentralNJ.
- 2. The Contractor shall keep specific records of its efforts, including records of all individuals interviewed and hired, including the specific numbers of minorities and women.
- 3. The Contractor shall actively solicit and shall provide the [Reporting Agency] with proof of solicitations for employment, including but not limited to advertisements in general circulation media, professional service publications and electronic media.
- 4. The Contractor shall provide evidence of efforts described at 2 above to the [Reporting Agency] no less frequently than once every 12 months.
- 5. The Contractor shall comply with the requirements set forth at N.J.A.C. 17:27.

APPENDIX C

It is the policy of the [Reporting Agency] that small businesses (each a "small business enterprise" or "SBE"), as determined and defined by the State of New Jersey, Division of Minority and Women Business Development ("Division") and the New Jersey Department of the Treasury ("Treasury") in N.J.A.C. 17:14 et seq. or other application regulation, should have the opportunity to participate in [Reporting Agency] Contracts.

To the extent the Firm engages subcontractors or sub-consultants to perform Services for the [Reporting Agency] pursuant to this Contract, the Firm must demonstrate to the [Reporting Agency]'s satisfaction that a good faith effort was made to utilize subcontractors and sub-consultants who are registered with the

Division as SBEs. Furthermore, the Reporting Agency shall be evaluated quarterly by the Division, based on its attainment of the Participation Goals set forth in the State of New Jersey Construction Services Disparity Study (October 2005) and the State of New Jersey Disparity Study of Procurement in Professional Services, Other Services, and Goods and Commodities (June, 2005). (These participation goals are set forth below.)

Evidence of a "good faith effort" includes, but is not limited to:

- 1. The Firm shall request listings of SBEs from the Division (609) 292-2146 and/or the [Reporting Agency] and attempt to contact same.
- 2. The Firm shall keep specific records of its efforts, including records of all requests made to the Division, the names of SBEs contacted, and the means and results of such contacts, including without limitation receipts from certified mail and telephone records. 3. The Firm shall actively solicit and shall provide the [Reporting Agency] with proof of solicitations of SBEs for the provision of Services, including advertisements in general circulation media, professional service publications and small business, minority-owned business or women-owned business focus media.
- 4. The Firm shall provide evidence of efforts made to identify categories of Services capable of being performed by SBEs.
- 5. The Firm shall provide all potential subcontractors and sub-consultants that the Firm has contacted pursuant to 2 or 3 above with detailed information regarding the scope of work of the subject contract.
- 6. The Firm shall provide evidence of efforts made to use the goods and/or services of available community organizations, consultant groups, and local, State, and federal agencies that provide assistance in the recruitment and placement of SBEs.

Furthermore, the Firm shall submit proof of its subcontractors' and/or sub-consultants' SBE registrations on the form attached as Exhibit ___, and shall complete such other forms as may be required by the [Reporting Agency] for State reporting as to participation.

Participation Goals

- 1. Construction Services Contracts/Subcontracts (including new construction and renovations, except routine building maintenance; residential and non-residential building construction; heavy construction, such as streets, roads and bridges; and special trade construction, such as fencing, HVAC, paving and electrical).
- (a) State Agencies/Authorities/Commissions

African Americans -- 6.3% Asian Americans -- 4.34%

(b) State Colleges and Universities

African Americans -- 6.3% Asian Americans -- 4.34% Caucasian Females -- 12.67%

2. Construction-Related Services Contracts/Subcontracts (including design services, such as architectural, engineering and construction management services, that are performed as part of a construction project).

State Colleges and Universities

African Americans -- 4.51% Asian Americans -- 7.11% Hispanics -- 4.09%

3. Professional Services (with the exception of those professional services deemed to be construction-related, all services that are of a professional nature and requiring special licensing, education degrees and/or very highly specialized expertise, including accounting and financial services, advertising services, laboratory testing services; legal services; management consulting services; technical services and training).

State Agencies/Authorities/Commissions/Colleges and Universities

African Americans -- 2.47% Asian Americans -- 1.47% Hispanics -- 1.1% Native Americans -- 0.07% Caucasian Females -- 3.74%

4. Other Services (any service that is labor-intensive and neither professional nor construction-related, including, but not limited to equipment rental; janitorial and maintenance services; landfill services; laundry and dry cleaning; maintenance and repairs; printing; real property services; security services; special department supplies; subsidy, care and support; telecommunications; and temporary help).

State Agencies/Authorities/Commissions/Colleges and Universities

African Americans -- 1.22% Asian Americans -- 0.85% Hispanics -- 0.67% Native Americans -- 0.05% Caucasian Females -- 1.96%

5. Goods and Commodities (equipment and consumable items purchased in bulk, or a deliverable product including, but not limited to automobiles and equipment; chemicals and laboratory supplies, construction materials and supplies; equipment parts and supplies; fuels and lubricants; janitorial and cleaning supplies; office equipment; office supplies; radio equipment; special department supplies; technical supplies; tires and tubes; traffic signals; and uniforms).

State Agencies/Authorities/Commissions/Colleges and Universities

African Americans - 2.71% Asian Americans - 1.74% Hispanics - 1.32% Native Americans - 0.10% Caucasian Females - 4.45%

Appendix D

Consistent with the findings of the State of New Jersey Construction Services Disparity Study (October 2005) and the State of New Jersey Disparity Study of Procurement in Professional Services, Other Services, and Goods and Commodities (June 13, 2005), each Reporting Agency should aspire to allocate a portion of its total contracting dollars in accordance with the following goals.

- 1. Construction Services Contracts/Subcontracts (including new construction and renovations, except routine building maintenance; residential and non-residential building construction; heavy construction, such as streets, roads and bridges; and special trade construction, such as fencing, HVAC, paving and electrical).
- (c) State Agencies/Authorities/Commissions

African Americans -- 6.3% Asian Americans -- 4.34%

(d) State Colleges and Universities

African Americans -- 6.3% Asian Americans -- 4.34% Caucasian Females -- 12.67%

2. Construction-Related Services Contracts/Subcontracts (including design services, such as architectural, engineering and construction management services, that are performed as part of a construction project).

State Colleges and Universities

African Americans -- 4.51% Asian Americans -- 7.11% Hispanics -- 4.09%

2. Professional Services (with the exception of those professional services deemed to be construction-related, all services that are of a professional nature and requiring special licensing, education degrees and/or very highly specialized expertise, including accounting and financial services, advertising services, laboratory testing services; legal services; management consulting services; technical services and training).

State Agencies/Authorities/Commissions/Colleges and Universities

African Americans -- 2.47% Asian Americans -- 1.47% Hispanics -- 1.1% Native Americans -- 0.07% Caucasian Females -- 3.74%

3. Other Services (any service that is labor-intensive and neither professional nor construction-related, including, but not limited to equipment rental; janitorial and maintenance services; landfill services; laundry and dry cleaning; maintenance and repairs; printing; real property services; security services; special department supplies; subsidy, care and support; telecommunications; and temporary help).

State Agencies/Authorities/Commissions/Colleges and Universities

African Americans -- 1.22% Asian Americans -- 0.85% Hispanics -- 0.67% Native Americans -- 0.05% Caucasian Females -- 1.96%

4. Goods and Commodities (equipment and consumable items purchased in bulk, or a deliverable product

Q14

including, but not limited to automobiles and equipment; chemicals and laboratory supplies, construction materials and supplies; equipment parts and supplies; fuels and lubricants; janitorial and cleaning supplies; office equipment; office supplies; radio equipment; special department supplies; technical supplies; tires and tubes; traffic signals; and uniforms).

State Agencies/Authorities/Commissions/Colleges and Universities

African Americans -- 2.71% Asian Americans -- 1.74% Hispanics -- 1.32% Native Americans -- 0.10% Caucasian Females -- 4.45%

> GIVEN, under my hand and seal this 28th day of August Two Thousand and Nine, and of the Independence of the United States, the Two Hundred and Thirty-Fourth.

/s/ Jon S. Corzine

Governor

[seal]

Attest:

/s/ Kay Walcott-Henderson

First Assistant Chief Counsel

Contact Us | Privacy Notice | Legal Statement & Disclaimers | Accessibility Statement

Statewide: NJ Home | Services A to Z | Departments/Agencies | FAQs Copyright © State of New Jersey, 1996-2010 This site is maintained by the New Jersey Office of Information Technology Form AA302 Rev; 11/11

STATE OF NEW JERSEY

Division of Purchase & Property Contract Compliance Audit Unit EEO Monitoring Program

EMPLOYEE INFORMATION REPORT

IMPORTANT-RIAD INSTRUCTIONS CAREFULLY BIFORE COMPLETING FORM. TAILURE TO PROPERLY COMPLETE THE FRUITE FORM AND TO SUBMIT THE BROURED STSMOD FFF MAY DELAY ISSUANCE OF YOUR CENTIFICATE. DO NOT SUBMIT FEO-1 REPORT FOR SECTION B, ITEM 11, For Instructions on completing the form, go to: http://www.state.olus/floatury/centre-1 sampliane-epiticas (0.00 p.g.).

province, state it state					TION A-CO	MPAN	/ IDENTI	FICATION	ON .				
I. FID. NO. OR SOCI	AI. SECURI	TY :	2. TYPE OF E	USINES	ıs		HOLESAI	1.2		EMPLOYER	S IN THE	ENTIRE	
4. COMPANY NAME	R												
5 STREET			cri	Υ		cor	YTY	ST	ATE	ZIP C	HCK		
6. NAME OF PARES	T OR AFFII	LIATED	OMPANY (II	NONE,	SOINDICATE)	CIT	Y	STA	TE	ZIP CO	DE	_
7. CHECK ONE: IS T	HE COMPA	NY, [I SINOLE	ESTABL	ISHMENT EMI	PLOYER		Ом	ILTI-ESTA	BLISHMENT	EMPLOY	iR_	_
8. IF MULTI-EST 9. TOTAL NUMBER 10. PUBLIC AGENC	OF EMPLO	YEES AT	PSTABLISH	ATE TI	HE NUMBER VIOCH HAS BE CITY	OF EN	ARDED T	IENTS I	RACT STA	TE	ZIP CC	DDE	- -
Official Use Only			DATH RECEI	VIID I	NAULIDATE		ASS	IONED C	ERTIFICAT	TON NUMB	ж		=
11. Report all penna- no employees in a par AN EEO-1 REPORT.				ces ON		YROLL	, Enter the	appropria					
201	ALL EMPLO	COL. 2	COL.3			ANENT A	MINORITY	NON-MIN	ORITY EM	PLOYEE BRE			
CATEGORIES	TOTAL (Culs 2 A3)	MALE	FEMALE	BLACE		AMER	ASIAN	NON MIN.	BLACK	HISPANIC	AMER.	ASIAN	NON MIN,
Officials/ Managers													
Professionals													
Technicians							13						
Sales Workers									1				
Office & Clerical	<u> </u>		1						L				
Craftworkers (Skilled)													
Operatives (Semi-skilled)													Ü
Laborers (Unskilled)				11									
Service Workers													
TOTAL													
Total employment From previous Report (if any)													
Temporary & Part- Time Employees		т	he data belo	w shall	NOT be includ	led in th	te ligure	for the	appropria	le culegori	a nhove.		
	<u></u>												
12. HOW WAS INFO			CE OR ETHE Record	de are 3. Other	OUP IN SECTION (Specify)	N В ОВТ	AINID	Empk	HIS THE F type informatical	tion	REPOR	O, DATE	TTED
13. DATES OF PAY From:	ROLL PERI	OD USED	To:	34				1.YES	☐ 2. N	ol ⁻			
			SE	CTION C	- SIGNATURE A	ND IDEN	ITIFICATIO)N					
16. NAME OF PERSO	ON COMPLE	TING FOI	RM (Print or T	ype)	SION	ATURE		יות	LE		DATE	DAY	YEAR
17, ADDRESS NO.	& STREET		СТҮ		COUN	ΠY	STA	TE ZI	P CODE 1	HONE (ARE	A CODE, N	IO ,EXTE	NSION)

· · · · · · · · · · · · · · · · · · ·	OWNERSHIP DISCLOSURE FORM						
		HUMBER OPEN DATE T-HIGHER			PAGE		
		HIDDER	1				
INSTRUCTIONS !	Provide balow the names, home address above, I' additional space is necessary	ises, datas of bitth, offices in L provide on an attached sin	eld and any ownership	interest of all officers of the f	lm named		
NAME	HOME ADDRESS	DATE OF BIRTH	OFFICE HELD	OWNERSHIP INTO	EREST Partnership)		
lifernation for the l	Provide below the runner, heme address y where come having a 1916 or greater inter testers of 1916 or more interest in that carp mans with 1996 or more interest in you willed to the Purchase Suress in connectin	oration or parental by If while i	ens abase 2 menerals 12	alion or passecrity, provide be wrise that information on an an ext the bottom of this form, it t fate, and complete the cutilizat	any the same lashed sheet, his form has lism belows		
NAME	HOME ADDRESS	DATE OF BIRTH	OFFICE HELD	OWNERSHIP INT (Sheres Owned or % of	EREST Pertnership)		
2. Hun any param- sinordariy pera- each fistanas) 3. Hun any persa- tanany of gree for each fishus	tive years from another company or cary stack a squares also better form reflectings is or extity thind in this form or its inter- orm maker by the State of Hero Jarzey, my or unity listed by this form or its attacks remark from blidding or contracting to pro-	homester town been arrested, of other state or the U.S. Govern material arrested to the U.S. Govern material arrested to the surpless of the services of	blorust in the firm identification or consideration of consideration of the consideration of	ted in a criminal or alled explanation for and ineligible by any distalled explanation	HO		
In the same	on extends a state of exploration for each in I, state or local likerace, permit or ether size may person or eachly listed in this form, is siding or litigating the brane of surpension or on.)						
CERTIFICATION: I, to beg duly soom upon my outs, healty represent and state that the foregoing information and any obselements thereto to the healt of my tradeling on true and complete. I adminishe that the State of New Jersey is relying on the information contained healt such and thereby acknowledge that I are not any contracts with the State to certify the State in writing aftergreet to the incomplete to the incomplete that I are near that it is a criminal offerent to make a false subment or streets had in the certification, and I I do say I recognize that I are subject to oriented provention under the law and that it will also considere a material transference by with the State of Herr lessey and that the State of the state of the state of the subject to oriented provention under the law and that it will also considere a material transference by.							
L heing duly auto all after faregoin	erland, confly that this Information supplied gateterests made by me as stress. I can ou	nhave, fectualing all diffusions per one than if any of the foregoing s	ger, is complete and correlated by majers	E to the best of my branchings. willuly false, I am subject to p	l contily that unishment,		
COMPANY NAME					(Spenture)		
ADDRESS:		PRINT OR TYPE			(Nama)		
FERVISHA		Data:					

PREVAILING WAGE ACT COMPLIANCE DECLARATION

The Contractor hereby agrees to comply in all respects with the New Jersey Prevailing Wage Act, Chapter 150, P.L. 1963 as amended. A copy of the prevailing wage rates pertaining to the work and issued by the New Jersey Department of Labor and Industry entitled, "Prevailing Wage Rate Determination", is attached at the close of this section, or is available upon request at the Offices of the South Jersey Port Corporation. Pursuant to N.J.S.A., 34:11-56.37 and 34:11-56.38, Prevailing Wage Act, no public works contract may be awarded to any contractor or subcontractor or to any firm, corporation or partnership in which they have an interest on the disbarred bidders list located at the end of this specification, or available upon request at the Offices of the South Jersey Port Corporation, until expiration date give. Workmen shall be paid not less than such prevailing wage rate. In the event it is found that any workman employed by the Contractor or any Subcontractor covered by the contract herein has been paid a rate of wages less than the prevailing rate required to be paid such contract, the Owner may terminate the Contractor's or Subcontractor's right to proceed with the work or such part of the work as to which there has been a failure to pay required wages and to prosecute the work to completion or otherwise. The Contractor and his sureties shall be liable to the Owner for any excess costs occasioned thereby.

Before final payment is made by or on behalf of the Owner any sum or sums due to the work, the Contract or Subcontractor shall file with the treasurer of the Owner, written statements in a form satisfactory to the Commissioner of Labor and Industry certifying to the amounts then due and owing from such contractor or subcontractor filing such statement to any and all workmen for wages due on account of the work, setting forth therein the name of the persons whose wages are unpaid and the amount due to each respectively which statement shall be certified by the oath of the Contractor or Subcontractor as the case may be in accordance with the said New Jersey Prevailing Wage Act.

The prevailing wage rate shall be determined by the Commissioner of Labor and Industry or his duly sufhorized deputy or representative.

The undersigned is an having	(individual) (partnership principal offices at) (corporation) under the Laws of the State of
	(Signed)	
	(Type or Print)	
	(Company Name)	
	(Address)	
	(Phone Number)	:
Address		
Signature		

COMPLIANCE WITH PUBLIC WORKS CONTRACTOR REGISTRATION ACT

The bidder shall comply with the Public Works Contractor Registration Act P.L. 1999, c 238 (N.J.S.A. 34:11-56.48, et seq.) on all bids for public works as defined in the law. Proof of compliance with this law when it applies, must be submitted with the bid.

	or
	Attached hereto is a copy of filed registration from and proof of payment of the registration fee pursuant to N.J.S.A. 34:11-56.55
	(Insert name of Bidder)
	(Insert Address of Bidder)
	(Signature of Affiant)
	(Type or Print Name and Title of Affiant)
	NOTARIZATION SECTION
9	Subscribed and sworn before me this day of, 20

BUY AMERICAN NOTICE

In the performance of the work under this contract the contractor and all subcontractors shall use only domestic materials. Builders may bid using non-domestic materials but shall specify wherever such non-domestic materials are bid the difference in cost between the domestic and non-domestic materials and shall explain any justification for the use of non-domestic materials such as but not limited to unavailability, inferiority, incompatibility, impracticality, increased cost of domestic materials, etc.

IMPORTANT NOTICE

NEW "PAY-TO-PLAY" RESTRICTIONS TO TAKE EFFECT NOVEMBER 15, 2008

Governor Jon S. Corzine recently signed Executive Order No. 117, which is designed to enhance New Jersey's efforts to protect the integrity of government contractual decisions and increase the public's confidence in government. The Executive Order builds on the provisions of P.L. 2005, c. 51 ("Chapter 51"), which limits contributions to certain political candidates and committees by for-profit business entities that are, or seek to become, State government vendors.

Executive Order No. 117 extends the provisions of Chapter 51 in two ways:

- 1. The definition of "business entity" is revised and expanded so that contributions by the following individuals also are considered contributions attributable to the business entity:
 - Officers of corporations and professional services corporations, with the term "officer" being defined in the same manner as in the regulations of the Election Law Enforcement Commission regarding vendor disclosure requirements (N.J.A.C. 19:25-26.1), with the exception of officers of non-profit entities;
 - Partners of general partnerships, limited partnerships, and limited liability partnerships and members of limited liability companies (LLCs), with the term "partner" being defined in the same manner as in the regulations of the Election Law Enforcement Commission regarding vendor disclosure requirements (N.J.A.C. 19:25-26.1); and
 - Spouses, civil union partners, and resident children of officers, partners, LLC members and persons owning or controlling 10% or more of a corporation's stock are included within the new definition, except for contributions by spouses, civil union partners, or resident children to a candidate for whom the contributor is eligible to vote or to a political party committee within whose jurisdiction the contributor resides.
 - Reportable contributions (those over \$300.00 in the aggregate) to legislative leadership committees, municipal political party committees, and candidate committees or election funds for Lieutenant Governor are disqualifying contributions in the same manner as reportable contributions to State and county political party committees and candidate committees or election funds for Governor have been disqualifying contributions under Chapter 51.

Executive Order No. 117 applies only to contributions made on or after November 15, 2008, and to contracts executed on or after November 15, 2008.

Updated forms and materials are currently being developed and will be made available on the website as soon as they are available. In the meantime, beginning November 15, 2008, prospective vendors will be required to submit, in addition to the currently required Chapter 51 and Chapter 271 forms, the attached Certification of Compliance with Executive Order No. 117.

Individual Certification of Compliance with Executive Order No. 117 (2008)

I hereby certify as follows:

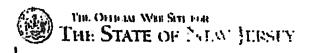
On or after November 15, 2008, I have not solicited or made any reportable contribution of money or pledge of contribution, including in-kind contributions or company or organization contributions, to the following:

a) Any candidate committee and/or election fund of the Governor;	
b) A State political party committee;	

- c) A legislative leadership committee;
- d) A county political party committee; or
- e) A municipal political party committee.

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.

Signed:		
Print Name:	Date:	



		Sear	C	h		٠,
emoHLM	1	Sorvices A to Z		Departments/Agencies	1	۴ı

State of New Jersey Executive Order #117 Governor Jon S. Corzine

Return to RO I

WHEREAS, the residents of New Jersey are entitled to a government that is effective, efficient, and free from corruption, favoritism, and waste; and

WHEREAS, in pursuit of those goals, a series of actions have been taken in New Jersey since 2004 – through legislation, executive order, and regulation — to protect the integrity of government contractual decisions and increase the public's confidence in government by prohibiting the awarding of government contracts to business entities that also are contributors to certain candidates and political parties; and

WHEREAS, among those actions were the issuance of Executive Order No. 134 (2004) and the codification of its provisions into statute in P.L.2005, c.51 (C.19:44A-20.13 et seq.) ("Chapter 51"); and

WHEREAS, since its adoption, Chapter 51 has significantly reduced the influence of contractor contributions in the process of awarding State government contracts and has proven to be an effective method of ensuring that merit and cost-effectiveness drive the government contracting process; and

WHEREAS, this administration is committed to ensuring the highest ethical standards in government contracting and rooting out corruption, favoritism, and waste; and

WHEREAS, experience has shown that additional measures are needed to ensure there is no dilution of t protections provided by Chapter 51 against the improper influence of political contributions on the proce of awarding State government contracts and to ensure compliance with the provisions of Chapter 51; and

WHEREAS, many State government contractors, particularly those that provide professional services, as business entities whose form of business organization and ownership structure are such that the political contribution limits in Chapter 51 apply to few if any of the individuals who own or control the entity; and

WHEREAS, the strong public interest in limiting political contributions by businesses that contract with State requires that the contribution limits in Chapter 51 be applied to such individuals and that those limi otherwise be applied in such a way that the purposes of Chapter 51 will be served regardless of the form business organization of the State government contractor; and

WHEREAS, because New Jersey's campaign finance laws permit large, and in some cases unlimited, political contributions to flow between and among various types of political committees and State officeholders, the effectiveness of the restrictions in Chapter 51 can be, and have been, undermined by the current ability of State government contractors to make large contributions to legislative leadership committees and municipal political party committees; and

WHEREAS, the Constitution of this State requires the Governor to manage the operations of State government effectively and fairly, uphold the law to ensure public order and prosperity, and confront and uproot malfeasance in whatever form it may take; and

WHEREAS, it is the Governor's responsibility to safeguard the integrity of the State government procurement process by ensuring that there is no dilution of the protections provided by Chapter 51 again the improper influence of political contributions on the process of awarding and overseeing the performs of State government contracts and that there be full compliance with the provisions of Chapter 51;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the author vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

- 1. For the purposes of this Order:
 - a. "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 and 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 partne 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 t 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, I 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 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: seq.) ("Chapter 51").

- b. "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 s made on or after the effective date of this Order.
- 2. Any Executive Branch department, agency, authority, or independent State authority charged with implementing and enforcing Chapter 51 shall apply its provisions to a "business entity" as defined Paragraph 1(a) of this Order in the same manner as those provisions apply to a "business entity" as defined in section 5 of Chapter 51.
- 3. Any Executive Branch department, agency, authority, or independent State authority charged with implementing and enforcing Chapter 51 shall apply its provisions to a contribution made to a legislative leadership committee or a municipal political party committee in the same manner as th provisions apply to a contribution to any candidate committee, election fund, or political party committee identified in Chapter 51.
- 4. Any Executive Branch department, agency, authority, or independent State authority charged with implementing and enforcing Chapter 51 shall apply its provisions to a contribution made to a candidate committee or election fund of any candidate for or holder of the office of Lieutenant Governor in the same manner as those provisions apply pursuant to Chapter 51 to a contribution to any candidate committee or election fund of any candidate for or holder of the office of Governor.
- 5. This Order shall take effect on November 15, 2008, and is intended to have prospective effect only This Order shall not apply to any contribution made prior to November 15, 2008.

GIVEN, under my hand and seal this 24th day of September, Two Thousand and Eight, and of the Independence of the United States, the Two Hundred and Thirty-Third.

/s/ Jon S. Corzine

Governor

[seal]

Attest:

/s/ Edward J. McBride, Jr.

Chief Counsel to the Governor

Contact Us | Privacy Notice | Legal Statement | Accessibility Statement

Statewide: NJ Home | Services A to Z | Departments Agencies | FAQs

Copyright O State of New Jersey, 1996-2008

This site is maintained by the New Jersey Office of Information Technology

Certification on Behalf of A Company, Partnership or Organization and All Individuals Whose Contributions are Attributable to the Entity Pursuant to Executive Order No. 117 (2008)

I hereby certify as follows:

or

On or after November 15, 2008, neither the below-named entity nor any individual whose contributions are attributable to the entity pursuant to Executive Order No. 117 (2008) has solicited or made any reportable contribution of money or pledge of contribution, including inkind contributions or company or organization contributions, to the following:

- a) Any candidate committee and/or election fund of the Governor;
- b) A State political party committee;
- c) A legislative leadership committee;
- d) A county political party committee; or
- e) A municipal political party committee.

I certify as an officer or authorized representative of the Company or Organization identified below 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.

Name of Company, Partnership or Organization:	
Signed:	Title:
Print Name:	Date:
(circle one)	(A) The Company, Partnership or Organization is the vendor;

(B) the Company, Partnership or Organization is a Principal (more than 10% ownership or control) of the vendor, a Subsidiary controlled by the vendor, or a Political Organization (e.g., PAC) controlled by the vendor.

*Please note that if the person signing this Certification is not signing on behalf of all individuals whose contributions are attributable to the entity pursuant to Executive Order No. 117 (2008), each of those individuals will be required to submit a separate individual Certification.