

BOROUGH OF HIGHLANDS
LEGAL NOTICE
NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed bids will be received by the Borough Administrator or Clerk, for the Borough of Highlands, County of Monmouth, State of New Jersey on **June 13, 2023 at 11:00am** prevailing time at Borough Highlands 42 Shore Dr., Highlands, NJ 07732, New Jersey at which time and place bids will be opened and read in public for:

COMMUNITY RATING SYTEM (CRS) COORDINATOR

Specifications and other bid information may be obtained at the Office of the Municipal Clerk/Administrator, Borough Highlands 42 Shore Dr., Highlands, NJ 07732, NJ 07732 during regular business hours, Monday through Friday 8:30am to 4:00pm. or by visiting WWW.HIGHLANDSBOROUGH.ORG.

If a bidder is requesting specifications through the mail, bidder must include their company name, full business address, business phone number, e-mail if available. The Borough of Highlands disclaims any responsibility for specifications forwarded by mail. It is the sole responsibility of the respondent to be knowledgeable of all addenda related to the procurement. Respondents shall comply with the said requirements with the BID. All Bid Addenda shall be published in the Asbury Park Press and on the Borough website no later than seven days, Saturdays, Sundays, and holidays excepted, prior to the date for acceptance of bids. Therefore, all interested respondents should check the newspapers and website from now through the Bid opening. It is the sole responsibility of the respondent to be knowledgeable of all addenda related to the procurement.

1. This solicitation will be awarded via a Fair and Open Process in accordance with N.J.S.A. 19:44A-20.5 et seq.
2. Bidder must be registered with the State of New Jersey at the time of the contract award. Bidders will be required to present a copy of their Business Registration Certificate (BRC).
3. Bidders must provide an Ownership Disclosure Affidavit with the bid proposal; failure to provide the same is a non-waivable defect.
4. Bidders must comply with N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27
5. Price and other factors considered.

Responses one (1) original with original signatures and two (2) flash drives containing exact copies of the original submission.

Michael F Muscillo, MPA
Borough Administrator

Publication date: **May 25, 2023**



REQUEST FOR PROPOSALS (RFP) FOR A COMMUNITY RATING SYSTEM (CRS) COORDINATOR FOR HIGHLANDS, NJ

I. PURPOSE OF RFP

The Borough of Highlands invites the submittal of responses to this RFP from qualified individuals or firms to provide CRS Coordination as herein outlined.

Project Background

The Borough of Highlands is seeking to join the CRS program. CRS is a voluntary program of the National Flood Insurance Program. Through the CRS, communities that are undertaking floodplain management activities that exceed the minimum floodplain management requirements of the NFIP earn reductions in the flood insurance premiums of their residents resulting in more affordable flood insurance. But more than this, by applying a whole community approach to floodplain management, the CRS contributes to community resilience, increased insurance coverage, public safety and the protection of floodplain natural functions. These benefits are evident in participating communities and collectively nationwide. Downtown Highlands is primarily in the AE12 and AE14 Flood Zones. The Borough sits upon three-quarters of a square mile along the Shrewsbury River.

Objectives

The Borough of Highlands proposes to retain a highly-qualified, capable individual or firm to provide coordination to enter into the CRS program. The Borough requests qualifications from individuals or firms in preparing all research and coordination with Borough Officials, Monmouth County Planning, ISO, FEMA and any other agencies needed to secure entry into the CRS Program. The Borough will give prime consideration to individual or the firm with significant, current experience in successfully entered into the CRS program.

Scope of Work

The selected individual or firm will be required to perform the following services to be specified more fully in a contract agreement to be negotiated after selection.

1. Satisfy Class 9 Prerequisites
2. Attend meeting required to submit the CRS Application
3. Gather necessary documentation
4. Submit Application
5. Be present for the Verification Visit

II. REQUIREMENTS OF VENDORS

All applicants must include the following information in their proposal:

1. Names and statements of qualifications of chief officers of the entity or corporation.
2. Names and statements of qualifications of the person or persons who will be handling the account on a day-to-day basis.
3. Estimated response time and typical protocol for handling responses
4. References from existing clients, especially those in state or municipal government.

5. If government references are available, name and contact information of purchasing agent or Finance Office contact.
6. Copy of completed Borough of Highlands pay-to-play forms, available from Borough Clerk's office.
Applications that do not include these forms will be considered incomplete and not considered.
7. Name of at least one client that discontinued service with the vendor in the past three years.
8. Statement of vendor's ability to abide by a government purchasing schedule, which may take up to six weeks to make payment.
9. Statement that vendor shall provide staff during regular Borough business hours on one (1) day of each week of each month during the term of the contract to assist the Township with the subject network. As part of its proposal, the vendor shall be required to provide a fee proposal with and without this staffing requirement.

III. TERMS, CONDITIONS AND REQUIREMENTS

Note: Once the Borough selects a proposal, the parties will be required to execute a contract.

A. Vendor and Borough Ethics

The Borough and persons who/that provide services to it are governed by the Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et seq., and ethics policies adopted by the Borough. In particular, proposers are put on notice that the Borough employees, as well as members of their immediate family and business organizations in which they have an interest, are prohibited from soliciting or accepting gifts, favors, loans, services, promise of future employment or other thing of value from any person or entity which has a contract with the Borough or the Borough employee has reason to believe that the person or entity may be awarded a contract with the Borough.

B. Insurance Requirements

The proposer selected to provide the services described in this RFQ/RFP are required to maintain the following policies of insurance during the term of the contract:

- Not less than the minimum Workers' Compensation and Employer's Liability insurance required by New Jersey law.
- Commercial General Liability including Products/Completed Operations liability coverage for Personal Injury and Property Damage of not less than one million dollars (\$1,000,000) for each occurrence and two million dollars (\$2,000,000) annual aggregate.
- Professional Liability insurance in the amount of one million dollars (\$1,000,000) for each wrongful act/two million dollars (\$2,000,000) aggregate.

C. New Jersey Business Registration Requirements

The following provisions apply to the contract for this RFQ/RFP unless the proposer is (a) a not-for-profit business or (b) a body corporate and politic of the State of New Jersey.

For the purpose of this Agreement, the following terms have the meanings stated below. "Affiliate" means an entity that (a) directly, indirectly, or constructively controls another entity, (b) is directly, indirectly or constructively controlled by another entity or (c) is subject to the control of a common entity if it owns, directly or individually, more than 50% of the ownership interest in the common entity.

"Agreement" means this RFQ/RFP, executed by the proposer and the Township.

"Business organization" means an individual, partnership, association, joint stock company, trust, corporation

or other legal business entity or successor thereof. It also includes any affiliates of the business organization. It does not include government agencies or organizations organized as non-profit entities.

"Proof of registration" means a copy of the organization's "Business Registration Certificate" issued by the New Jersey Treasury Department, Division of Revenue. No other form is valid.

"Subcontractor" means any business organization that (a) is not the Proposer and (b) knowingly provides goods or performs services for a Proposer or another subcontractor in the fulfillment of the Proposer's responsibilities pursuant to this Agreement.

C1. The proposer shall submit proof of registration to the Borough.

C2. The proposer shall notify in writing all subcontractors that will provide services pursuant to this Agreement that each is required to provide proof of registration to the Township.

C3. Final payment pursuant to this Agreement shall not be owed to the proposer until the proposer has submitted (a) an accurate list of all subcontractors that provided services pursuant to this Agreement and (b) proof of registration for each or, in the alternative, the proposer has certified that no subcontractors provided services in connection with this Agreement.

C4. A business organization that fails to provide a copy of business registration as required pursuant to section 1 of P.L. 2001, c.134 (C.52:32-44 et al.) or subsection e. or f. of section 92 of P.L. 1977, c.110 (C.5:12-92), or that provides false business registration information under the requirements of either of those sections, shall be liable for a penalty of \$25 for each day of violation, not to exceed \$50,000, for each business registration copy not properly provided pursuant to this Agreement.

IV. SELECTION PROCESS

All interested parties are requested to provide a detailed written proposal indicating how the services will be provided and by whom and the cost for same.

An evaluation committee that will include the Business Administrator, Chief of Police, Director of Public Works and representatives from the Municipal Clerk and of the Office of the Mayor will evaluate proposals according to competitive criteria, with cost, vendor experience, response time, qualifications of responding personnel, and ability to follow New Jersey public procurement laws and procedures to be considered. **All proposals must include daytime contact information for the primary person who would be handling the account for the Borough of Highlands.**

Please submit one original and two (2) thumb drives of your proposal and the attached questionnaires, either in person or postmarked to Borough Administrator, Borough of Highlands/RFP IT Services, 42 Shore Drive, Highlands, NJ 07732, no later than June 13, 2023, at 11:00am prevailing local time.

Any questions about the requirements can be directed to Michael Muscillo, (732) 872-1224 x203, or mmuscillo@highlandsborough.org

V. CONDITIONS GOVERNING PROPOSALS

The Borough of Highlands is not responsible for any proposals that are lost, wrongly addressed, misdirected or otherwise undeliverable.

The Borough of Highlands is not responsible for any costs incurred in preparing submissions of responses to this RFP.

By submitting a proposal, a vendor agrees that it will not make any claims for or have any right to damages because of any misrepresentation or lack of information.

All materials, proposals and contents submitted during the review process will become the property of the Borough of Highlands except in cases mutually agreed upon by the parties.

**BOROUGH OF HIGHLANDS
BID DOCUMENT CHECKLIST**

FAILURE TO SUBMIT AND ACKNOWLEDGE (initial) EITHER OF THE TWO (2) “CHECKED” REQUIRED STATUTORY ITEMS (N.J.S.A. 40a:11-23.2) WILL RESULT IN REJECTION OF YOUR BID

| Required with <u>Bid</u> | Read, Signed & Submitted <u>Bidder's Initial</u> |
|--|---|
| <u>√</u> Ownership Disclosure Certification – Statutory | _____ |
| <u>√</u> Acknowledgement of Receipt of Addenda (complete enclosed form AND enclose signed copies of any/all Addenda with bid submission – Statutory | _____ |

The following checklist is for your reference only and is strictly to guide Bidders with required documentation; however, it may not include all specification requirements and does not relieve the bidder of the need to read and comply with the specifications.

- √ Non-Collusion Affidavit
- √ Required Evidence EEO/Affirmative Action Regulations Certificate of Questionnaire
- √ Certificate of Insurance naming Borough as additionally insured (from awarded Bidder with executed contracts)
- √ Business Entity Disclosure Certification completed & signed (Pay-to-Play)
- √ License(s) and/or Certification(s) if required by the specifications
- √ Past and present public entities represented
- √ Price Proposal
- √ Office Location
- √ State of New Jersey Business Registration Certificate -with bid submission OR prior to award
- √ Flash drive with PDF of Bid Response along with Printed Copied (reference Notice to Bidders)
- √ Disclosure of Investment Activities in Russia-Belarus and Iran

READ ONLY

- √ American with Disability Act of 1990 Language

STATEMENT OF OWNERSHIP
(OWNERSHIP DISCLOSURE CERTIFICATION)
N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.O. 2016, c.43)

THIS STATEMENT SHALL BE INCLUDED WITH ALL SUBMISSIONS

Failure of the bidder/proposer to submit the required information is cause
for automatic rejection of the bid or proposal

Name of Business: _____

Address of Business: _____

Name of person completing this form: _____

N.J.S.A. 52:25-24.2:

“No corporation, partnership or limited liability company shall be awarded any contract nor shall any agreement be entered into for the performance of any work or the furnishing of any materials or supplies, unless prior to the receipt of the bid or proposal or accompanying the bid or proposal of said corporation, said partnership or said limited liability company there is submitted a statement setting forth the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be.

If one or more such stockholder or partner or member is itself a corporation or partnership or limited liability company, the stockholders holding 10 percent or more of that corporation’s stock or the individual partners owning 10 percent or greater interest in that partnership or the members owning 10 percent or greater interest in that limited liability company, as the case may be, shall also be listed. The disclosure shall be continued until names and addresses of every non-corporate stockholder, and individual partner and ember, exceeding the 10 percent ownership criteria established in this act, has been listed.

To comply with this section, a bidder with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly traded entity as of the last annual filing with the Federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers or the filings that contain the information one each person that holds a 10 percent or greater beneficial interest.”

The Attorney General has advised that the provisions of N.J.S.A. 52:25-24.2, which refer to corporations and partnerships apply to limited partnerships, limited liability partnerships and Subchapter S Corporations.

THIS OWNERSHIP DISCLOSURE CERTIFICATION FORM SHALL BE COMPLETED, SIGNED AND NOTARIZED.

Part 1

Check the box that represents the type of business organization:

- ☐ Sole Proprietorship (skip Parts II and III, sign and notarize at the end)
- ☐ Non-Profit Corporation (skip Parts II and III, sign and notarize at the end)
- ☐ Partnership ☐ Limited Partnership ☐ Limited Liability Partnership ☐ Limited Liability Company
- ☐ For profit Corporation (including Subchapters C & S or Professional Corporation)
- ☐ Other (be specific):

Part II

I certify that the list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be.

OR

I certify that no one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein or that no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be.

Sign and notarize the form below, and, if necessary, complete the list below.

Name: _____

Name: _____

Address: _____

Address: _____

Name: _____

Name: _____

Address: _____

Address: _____

Name: _____

Name: _____

Address: _____

Address: _____

Part III – Any Direct or Indirect Parent Entity Which is Publicly Traded:

“To comply with this section, a bidder either any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly traded entity as of the last annual filing with the Federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 percent or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the Federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest.”

Pages attached with name and address of each publicly traded entity as well as the name and address of each person that holds a 10 percent or greater beneficial interest.

OR

Submit here the links to the Websites (URLs) containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent.

AND

Submit here the relevant page numbers of the filings containing the information on each person holding a 10 percent or greater beneficial interest.

(Affiant)

(Print name of affiant and title, if applicable)

Subscribed and sworn before me this _____ of
_____, 20_____.

(Notary Public

CORPORATE SEAL,
IF CORPORATION

My Commission expires: _____

**BOROUGH OF HIGHLANDS
MONMOUTH COUNTY, NEW JERSEY**

ACKNOWLEDGMENT OF RECEIPT OF ADDENDA

The undersigned Bidder hereby acknowledges receipt of the following Addenda:

| Addendum Number | Dated | Acknowledge Receipt (initial) |
|------------------------|--------------|--------------------------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

☐ **No Addenda were received**

Acknowledged for: _____
(Name of Bidder)

By: _____
(Signature of Authorized Representative)

Printed Name: _____

Title: _____

**BOROUGH OF HIGHLANDS
MONMOUTH COUNTY, NEW JERSEY**

NON-COLLUSION AFFIDAVIT

State of New Jersey County of _____ ss:

I _____ residing in _____ in the County of _____
(name of affiant) (name of municipality)

_____ and State of _____ of full age, being duly sworn according to law on
my oath depose and say that:

I am _____ of the firm of _____, the bidder making this
(title or position) (name of firm)

Proposal for the bid proposal entitled _____, and that I executed the said Proposal with
(title of bid proposal)

full authority to do so that said bidder had not, directly or indirectly entered into any agreement(s), participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above named project; and that all statements contained in said Proposal and in this affidavit are true and correct, and made with full knowledge that the _____ relies upon the truth of the statements contained in said Proposal

(name of contracting unit)

and in this affidavit in awarding the contract for the said Project.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by

Signature

Type or print name of affiant under signature

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public Signature

My Commission expires _____ 20_____.

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

GOODS, GENERAL SERVICES, AND PROFESSIONAL SERVICES CONTRACTS

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

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

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

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

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

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

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

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

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

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

Letter of Federal Affirmative Action Plan Approval;

Certificate of Employee Information Report; or

Employee Information Report Form AA-302 (electronically provided by the Division and distributed to the public agency through the Division's website a

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Purchase & Property, CCAU, EEO Monitoring Program as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Purchase & Property, CCAU, EEO Monitoring Program for conducting a compliance investigation pursuant to N.J.A.C. 17:27-1.1 et seq.

(2016)

REQUIRED EVIDENCE AFFIRMATIVE ACTION REGULATIONS

N.J.S.A. 10:5-31 and N.J.A.C. 17:27

GOODS AND SERVICES CONTRACT
(INCLUDING PROFESSIONAL SERVICES)

This form is a summary of the successful bidder's requirement to comply with the requirement of comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27 et seq.

The successful bidder shall submit to the public agency, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence;

1. A photocopy of a valid letter from the U.S. Department of Labor that the Bidder has an existing federally-approved or sanctioned Affirmative Action Plan (good for one year from the date of the letter).
OR
2. A photocopy of approved Certificate of Employee Information Report issued in accordance with N.J.A.C. 17:27-4;
OR
3. An Employee information Report (Form AA302) completed with a copy to the N.J. Department of the Treasury with the appropriate fee.

NO FIRM MAY BE ISSUED A CONTRACT UNLESS IT COMPLIES WITH THE AFFIRMATIVE ACTION REGULATIONS OF N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27-1.

The following questions must be answered by all bidders:

1. Do you have a federally-approved or sanctioned Affirmative Action Program?
YES _____ NO _____
If yes, please submit a copy of such approval.
2. Do you have a Certificate of Employee Information Report Approval?
YES _____ NO _____
If yes, please submit a copy of such approval.

The undersigned Bidder certifies that he is aware of the commitment to comply with the requirements of P.L.1975, c.127 and agrees to furnish the required documentation pursuant to the law.

COMPANY: _____ SIGNATURE: _____

TITLE: _____

Note: A professional's bid must be rejected as non-responsive if a Bidder fails to comply with requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27, within the time frame.

BOROUGH OF HIGHLANDS

**BUSINESS ENTITY DISCLOSURE CERTIFICATION
"PAY TO PLAY"**

Executive Order 117. Documents may be in addition to the bid documents.
Please complete and enclose the following "Business Entity Disclosure Certification" page.

BUSINESS ENTITY DISCLOSURE CERTIFICATION
Required Pursuant to Borough of Highlands N.J.S.A. 19:44A-1, et seq.
BOROUGH OF HIGHLANDS

Part I-Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that pursuant to Highlands Borough the professional business entity named below is in compliance with all terms conditions, requirements and/or other obligations

Any vendor which enters in a contract or agreement with the Borough of Highlands or any department or agency thereof shall file a disclosure statement as follows prescribed by the Borough of Highlands identifying all reportable contributions to any Highlands Borough candidate for Mayor or Borough Council or officeholder or political committee required to be reported pursuant to N.J.S.A. 19:44A-1, et seq. Please continue on an additional sheet if necessary. If no reportable contributions have been made, please print "NONE" below.

| TO WHOM | BY WHOM | AMOUNT | DATE |
|---------|---------|--------|------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

Part II-Signature and Attestation:

By signing below, I understand and certify to the above and am aware that if I have misrepresented in whole or in part of this certification, I and/or the business entity, will be liable for any penalty permitted under the law.

Name of Business Entity: _____

Signature of Affiant: _____ Title: _____

Printed Name of Affiant: _____ Date: _____

Subscribed and sworn before me this _____ day of _____, 20____.

Notary Public

(Witnessed or attested by)

My Commission expires: _____

(Seal)

Prohibited Russia-Belarus Activities & Iran Investment Activities

Person or Entity

Part 1: Certification

COMPLETE PART 1 BY CHECKING ONE OF THE THREE BOXES BELOW

Pursuant to law, any person or entity that is a successful bidder or proposer, or otherwise proposes to enter into or renew a contract, for goods or services must complete the certification below prior to contract award to attest, under penalty of perjury, that neither the person or entity, nor any parent entity, subsidiary, or affiliate, is identified on the Department of Treasury's Russia-Belarus list or Chapter 25 list as a person or entity engaging in prohibited activities in Russia, Belarus or Iran. Before a contract for goods or services can be amended or extended, a person or entity must certify that neither the person or entity, nor any parent entity, subsidiary, or affiliate, is identified on the Department of Treasury's Russia-Belarus list. Both lists are found on Treasury's website at the following web addresses:

<https://www.nj.gov/treasury/administration/pdf/RussiaBelarusEntityList.pdf>
www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf.

As applicable to the type of contract, the above-referenced lists must be reviewed prior to completing the below certification.

A person or entity unable to make the certification must provide a detailed, accurate, and precise description of the activities of the person or entity, or of a parent entity, subsidiary, or affiliate, engaging in prohibited activities in Russia or Belarus and/or investment activities in Iran. The person or entity must cease engaging in any prohibited activities and provide an updated certification before the contract can be entered into.

If a vendor or contractor is found to be in violation of law, action may be taken as appropriate and as may be provided by law, rule, or contract, including but not limited to imposing sanctions, seeking compliance, recovering damages, declaring the party in default, and seeking debarment or suspension of the party.

CONTRACT AWARDS AND RENEWALS



I certify, pursuant to law, that neither the person or entity listed above, nor any parent entity, subsidiary, or affiliate appears on the N.J. Department of Treasury's lists of entities engaged in prohibited activities in Russia or Belarus pursuant to P.L. 2022, c. 3 or in investment activities in Iran pursuant to P.L. 2012, c. 25 ("Chapter 25 List"). I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. (Skip Part 2 and sign and complete the Certification below.)

CONTRACT AMENDMENTS AND EXTENSIONS



I certify, pursuant to law, that neither the person or entity listed above, nor any parent entity, subsidiary, or affiliate is listed on the N.J. Department of the Treasury's lists of entities determined to be engaged in prohibited activities in Russia or Belarus pursuant to P.L. 2022, c. 3. I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. (Skip Part 2 and sign and complete the Certification below.)

IF UNABLE TO CERTIFY



I am unable to certify as above because the person or entity and/or a parent entity, subsidiary, or affiliate is listed on the Department's Russia-Belarus list and/or Chapter 25 Iran list. I will provide a detailed, accurate, and precise description of the activities as directed in Part 2 below, and sign and complete the Certification below. Failure to provide such will prevent the award of the contract to the person or entity, and appropriate penalties, fines, and/or sanctions will be assessed as provided by law.

Part 2: Additional Information

PLEASE PROVIDE FURTHER INFORMATION RELATED TO PROHIBITED ACTIVITIES IN RUSSIA OR BELARUS AND/OR INVESTMENT ACTIVITIES IN IRAN.

You must provide a detailed, accurate, and precise description of the activities of the person or entity, or of a parent entity, subsidiary, or affiliate, engaging in prohibited activities in Russia or Belarus and/or investment activities in Iran in the space below and, if needed, on additional sheets provided by you.

Part 3: Certification of True and Complete Information

I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments there, to the best of my knowledge, are true and complete. I attest that I am authorized to execute this certification on behalf of the above-referenced person or entity.

I acknowledge that the <Name of Contracting Unit> is relying on the information contained herein and hereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the <Name of Contracting Unit> to notify the <Name of Contracting Unit> in writing of any changes to the answers of information contained herein.

I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification. If I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with the <Name of Contracting Unit> and that the <Name of Contracting Unit> at its option may declare any contract(s) resulting from this certification void and unenforceable.

| | | | |
|-------------------|--|-------|--|
| Full Name (Print) | | Title | |
| Signature | | Date | |

Borough of Highlands

BID PROPOSAL FORM

(Contract Title and Bid Number, if applicable)

(Description of goods/services being bid)

The undersigned, being authorized, proposes to furnish and deliver the above goods/services pursuant to the bid specification and made part hereof:

Amount in words

\$

Amount in numbers

Company Name

Address

Signature of Authorized Agent

Type or Print Name

Title: _____

Telephone Number

Date

Fax Number

Email address

**BOROUGH OF HIGHLANDS
COST DETAILS/SIGNATURE PAGE**

BID TITLE _____

| NAME AND TITLE OF EMPLOYEE WHO WILL PERFORM SERVICES ** | HOURLY RATES | EXPENSES | TIME ESTIMATE, IF APPLICABLE |
|--|---------------------|-----------------|---|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| Travel Time | | | |
| Fax | | | |
| Postage | | | |
| Copies | | | |
| Other: <i>please specify</i> | | | |
| Other: <i>please specify</i> | | | |

Please use additional sheet(s) if necessary.

Any fee or cost not specified in your proposal is to be included within the hourly fee proposed.

TOTAL COST, where appropriate, total cost “not to exceed” amount

\$_____ In words:_____

**Please include on a separate sheet the definition of the title used. The definition should reference the level of experience, licensing, and/or parameters of the job function.

Contract will be awarded by price and other factors considered.

The undersigned hereby declares that they have carefully examined the requirements of the specifications contained herein and propose the following for the Professional Services bid and if awarded the contract, he/she will provide services as specified by the Specifications.

SIGNATURE: _____

NAME PRINTED: _____

FIRM: _____

ADDRESS: _____

PHONE: _____ FAX: _____

EMAIL: _____

DATE: _____

FEE PROPOSAL TO PROVIDE THE SERVICES OUTLINED ABOVE

This fair and open process proposal is for the Request for Proposal/Request for Qualifications. Contract award(s) shall be made with reasonable promptness by written notice to that responsible bidder(s), whose bid proposal(s), conforming to this RFP/RFQ, is (are) most advantageous to the Borough, price and other factors considered.

OFFICE LOCATION – Please list complete address of servicing location:

PLEASE NOTE: EACH SPECIALTY APPLIED FOR MUST HAVE ITS OWN SUBMISSION WITH ALL REQUIRED DOCUMENTS. ONE SUBMISSION NOTING SEVERAL SPECIALTIES WILL NOT BE ACCEPTED.

**BOROUGH OF HIGHLANDS
MONMOUTH COUNTY, NEW JERSEY**

BUSINESS REGISTRATION OF PUBLIC BIDDERS

BUSINESS REGISTRATION CERTIFICATE

The New Jersey State Bidder Business Registration Program to local government contracts requires any "Business Organization" (meaning individual, partnership, association, joint stock company, trust, corporation, or other legal business entity or successor thereof) to submit a copy of their Business Registration Certificate when submitting a bid or proposal OR prior to award.

FAILURE TO DO SO IS A FATAL DEFECT THAT CANNOT BE CURED

GOODS AND SERVICES CONTRACTS

N.J.S.A. 52:32-44 imposes the following requirements on Bidders and all subcontractors that knowingly provide goods or perform services for a Bidder fulfilling this contract:

1. the Bidder shall provide written notice to its subcontractors to submit proof of business registration to the Bidder;
2. prior to receipt of final payment from a contracting agency, a Bidder must submit to the contracting agency an accurate list of all subcontractors or attest that none was used;
3. during the term of this contract, the Bidder and its affiliates shall collect and remit, and shall notify all subcontractors and their affiliates that they must collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act, (N.J.S.A. 54:32B-1 et seq.) on all sales of tangible personal property delivered into this State.

A Bidder, subcontractor or supplier who fails to provide proof of business registration or provides false business registration information shall be liable to a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration not properly provided or maintained under a contract with a contracting agency. Information on the law and its requirements are available by calling (609) 292-9292.



| STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE | |
|--|---------------------------------------|
| Taxpayer Name: | TAX REG TEST ACCOUNT |
| Trade Name: | |
| Address: | 847 ROEBLING AVE TRENTON, NJ 08611 |
| Certificate Number: | 1093907 |
| Date of Issuance: | October 14, 2004 |
| For Office Use Only: 20041014112823533 | |

SAMPLE OF BUSINESS REGISTRATION
CERTIFICATE (original and
downloaded version)

EITHER OF THE ABOVE
CERTIFICATES IS ACCEPTABLE
AND RESPONSIVE

DEBARRED, SUSPENDED AND DISQUALIFIED CONSULTANT AFFIDAVIT

STATE OF NEW JERSEY

COUNTY OF

I, _____ of the Borough of _____, in the County of _____ and the State of _____ being of full age, being duly sworn according to law on my oath depose and say:

I am _____, an officer of the firm(s) of _____, the Professional making the proposal for the above named work; I executed the said proposal with full authority to do so; said Professional at the time of making this proposal {as applicable, insert "is" or "is not"} included on the State of New Jersey, State Treasurer's List of Debarred, Suspended and Disqualified Professionals; and all statements contained in said proposal and in this affidavit are true and correct and made with the full knowledge that the Borough of Highlands as the Local Unit relies upon the truth of the statements contained in said proposal and in the statements contained in this affidavit in awarding the contract for said work:

- I. Has not been suspended, debarred, voluntarily excluded or determined ineligible by any Federal, state or local government agency within the past 3 years;
- II. Does not have a proposed debarment pending; and
- III. Has not been indicted, convicted, or had a civil judgment rendered against (it) by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

The undersigned further warrants that should the name of the firm making this proposal appear on the State Treasurer's List of Debarred, Suspended and Disqualified Consultants at any time prior to, and during the life of the contract, including the Guaranteed Period, that the Local Unit shall be immediately so notified by the signatory of this Eligibility Affidavit.

(Insert Exceptions - For any exception noted, indicate to whom it applies, initiating agency, and dates of action. Providing false information may result in criminal prosecution or administrative sanctions. If no exceptions, insert "None".)

Subscribed and Sworn

Before me this _____ day
of _____, 20_____.

Name and address of Consultant

Notary Public

My commission expires:_____

Name and Title of Affiant

Signature of Officer or Individual

APPENDIX A
AMERICANS WITH DISABILITIES ACT OF 1990
Equal Opportunity for Individuals with Disability

The contractor and the Borough of Highlands of Highlands, NJ, (hereafter "owner") do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") (42 U.S.C. 5121 01 et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant there unto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the owner pursuant to this contract, the contractor agrees that the performance shall be in strict compliance with the Act. In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the owner in any action or administrative proceeding commenced pursuant to this Act. The contractor shall indemnify, protect, and save harmless the owner, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The contractor shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the owner's grievance procedure, the contractor agrees to abide by any decision of the owner which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the owner, or if the owner incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the contractor shall satisfy and discharge the same at its own expense.

The owner shall, as soon as practicable after a claim has been made against it, give written notice thereof to the contractor along with full and complete particulars of the claim, If any action or administrative proceeding is brought against the owner or any of its agents, servants, and employees, the *owner shall* expeditiously forward or have forwarded to the contractor every demand, complaint, notice, summons, pleading, or other process received by the owner or its representatives.

It is expressly agreed and understood that any approval by the owner of the services provided by the contractor pursuant to this contract will not relieve the contractor of the obligation to comply with the Act and to defend, indemnify, protect, and save harmless the owner pursuant to this paragraph.

It is further agreed and understood that the owner assumes no obligation to indemnify or save harmless the contractor, its agents, servants, employees and subcontractors for any claim which may arise out of their performance of this Agreement. Furthermore, the contractor expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the contractor's obligations assumed in this Agreement, nor shall they be construed to relieve the contractor from any liability, nor preclude the owner from taking any other actions available to it under any other provisions of the Agreement or otherwise at law.