

The Town of West New York, NJ
Request For Proposals
Federal Grant Consultant Services
For the Period January 1, 2024 to December 31, 2024
Proposal Due Date: November 28, 2023 at 11:00 a.m.

Introduction

The Town of West New York (“Town”) seeks Proposals in accordance with the Competitive Contract procedures (N.J.S.A. 40A:11-4.1 et seq.) from firms that wish to serve as federal grant consultant, as directed by the Corporation Counsel, the Board of Commissioners or other appropriate official within the Town for a contract period from January 1, 2024 through December 31, 2024. The successful firm must have significant experience in representing New Jersey municipalities in preparing grant applications. The initial term of the contract for these services will be from January 1, 2024 through December 31, 2024. The contract may be extended up to four one-year extensions. The total contract term shall not exceed 5 years from date of commencement.

All candidates are required to comply with N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27, as amended (Affirmative Action), and shall submit proof of business registration with the New Jersey Division of Taxation (P.L. 2004, C.57) prior to the award of contract, but preferably with their proposal.

Questions regarding this RFP should be directed to the Town of West New York’s Temporary Qualified Purchasing Agent (TQPA) Jonathan DeJoseph at (201) 295-5147, or by e-mail at jdejoseph@westnewyorknj.org.

Questions regarding this RFP must be received no later than 10 business days prior to the proposal due date. Questions received after this time period may not be considered.

Updates, amendments and/or addenda to the RFP will be issued on the Town’s website no later than seven (7) business days prior to the date scheduled for the receipt of proposals. Proposers are required to acknowledge receipt of any issued updates/amendments/addenda. Failure to do so will result in rejection of your proposal. Proposers must check the Town’s website prior to completing their response for any posted addenda, notices, or clarification

The successful candidate will provide the Town with services related, but not necessarily limited to, the below services.

Scope and Description of Services

The Town is interested in entering into a contract with a qualified vendor who is able to provide Federal Grant Consultant Services as described herein, and in accordance with all laws applicable to providing such services.

The Town reserves the right to award the contract for the performance of these services in the manner which is most advantageous to the Town, price and other factors considered.

Once awarded, this contract shall be managed and enforced by the West New York Purchasing Agent. All inquiries, invoices and all paperwork submitted for payment shall be directed to the Town of W.N.Y, Purchasing Department, and 428-60th Street, West New York, NJ 07093.

Respondents shall provide on the Official Proposal Form their pricing to provide the Services.

Services to be provided by the vendor shall include, but not be limited to, the following:

1. Prepare formal appropriation request documentation for West New York projects, in accordance with documentary formats and timetables required by the Appropriations Committees and cognizant Authorizing Committees of the U.S. House of Representatives and U.S. Senate with respect to the Congressional authorization and appropriations legislative process. Also, prepare appropriation request documentation and related supportive materials requested or required by individual Members of Congress and U.S. Senators through whom such federal appropriations or authorization requests are to be submitted on behalf of West New York for consideration and action by the U.S. House of Representatives and the U.S. Senate.
2. Serve as legislative liaison with cognizant House and Senate professional staff, and professional staff of the Appropriations Committees and cognizant Authorizing Committees of the U.S. House of Representatives and the U.S. Senate regarding West New York projects for which federal appropriations or authorizations are requested.
3. Prepare evidentiary materials and supportive documentation required to be submitted to assist evaluation of federal appropriations and authorizations requests for West New York projects by the Appropriations Committees and cognizant Authorizing Committees of the U.S. House of Representatives and the U. S. Senate.
4. Conduct research that may be required to support specific federal appropriations or authorizations requests for West New York projects proposed for appropriations or authorization funding, including legislative precedents for proposed West New York projects established through appropriations and authorization legislation enacted in prior fiscal years.
5. Be a liaison, as may be required, to facilitate coordination between House and Senate legislative staffs with respect to inclusion of earmarked funding for West New York projects in Conference Committee proceedings which are convened to resolve differences between House and Senate-passed versions of federal appropriations legislation, and also with respect to inclusion of West New York projects in the Conference Report(s) issued by the Congress on such federal appropriations legislation.
6. Be a liaison with cognizant Congressional and Executive Branch program officials with respect to formal application and budgetary documentation required to be submitted following Congressional approval of federal appropriations earmarked for West New York projects.
7. Provide technical assistance that may be required by the Town relative to pre-award application requirements, post-award reporting requirements and compliance features/requirements of federal programs under which funding is appropriated by Congress for West New York projects.
8. Provide assistance as may be necessary to enable the Town to identify federal discretionary grant programs which could provide additional funding assistance to support projects and activities that address specific needs and priorities identified by the Town, particularly with respect to community revitalization and economic development, enhancement of public safety emergency response capability for the Town, and improvement of transportation infrastructure. Also provide technical assistance to designated Town to assist development of competitive proposals/grant applications which properly reflect evaluation criteria, program priorities, budgetary considerations, applicable compliance features and regulatory/statutory requirements, and policies of the cognizant federal grantor agency(ies).
9. Provide assistance as may be necessary to enable the Town to identify foundation and/or

corporate grant programs which could provide additional funding assistance for West New York projects, and also provide technical assistance to designated Town of West New York staff to assist development of competitive proposals/grant applications which properly reflect pertinent evaluation criteria, program priorities, budgetary considerations and policies of the grantor foundation or corporate grantor.

10. Provide direct liaison with cognizant Federal and officials responsible for the administration of grant program funding assistance to the Town, to facilitate timely and accurate communication on applications submitted and projects undertaken by the Town.

11. Provide related professional assistance as may be required by the Town to resolve questioned costs; disputed issues and adverse technical findings resulting from Federal or State monitoring or audit examinations of Federal and State programs monitored by the Town.

12. Any other matters as directed by the Town.

Insurance

The successful candidate shall be required to comply with the following insurance requirements:

- a. The Contractor shall be required to carry full insurance including comprehensive general liability; workman's compensation insurance; which shall cover all operations of the Contractor, its employees, agents and servants hereunder, and; motor vehicle and equipment used by the Contractor in connection with the Contractor's operations under the Contract; Contractor shall provide professional liability (errors& omissions) insurance for claims arising from any negligent performance of contractors' services pursuant to the agreement in the amount of \$1,000,000 per claim. Said insurance, by endorsement, shall fully protect the Town of West New York from liability.
- b. All policies shall be endorsed to name the Town of West New York as an additional insured. Certificates evidencing that the Town of West New York has been named an additional named insured, and evidencing the required insurance coverage, shall be filed with the Town Clerk prior to the commencement of operations hereunder by the Contractor.

The following Certificates of Insurance must be furnished:

- I. Worker's Compensation;
Part Two – Statutory
- II. Comprehensive General Liability:
 - A. Minimum limits: \$1,000,000.00;
Combined Single Limit Coverage to include: Premise / Operations; Independent Contractors; Product / Completed Operations; Contractual; Personal Injury; Broad Form Property Damage;
Town of West New York as additional insured.
 - B: Comprehensive General Liability must be maintained for at least one year after completion of the contract and its

acceptance by the Town of West New York.

III. Professional Liability Insurance (Errors & Omissions)

A. Contractor shall provide professional liability (errors& omissions) insurance for claims arising from any negligent performance of contractors' services pursuant to the agreement in the amount of \$1,000,000 per claim.

The certificate of insurance shall designate the Town of West New York as an additional insured and shall contain a thirty (30) day notice of cancellation whereby the Town Clerk will be provided with a written notification of cancellation. Said insurance must be paid for a minimum of six (6) months into the contract period at the time of the contract.

It is understood and agreed that the Contractor is an independent Contractor and not an employee of the Town of West New York.

The Contractor agrees to indemnify and hold harmless the Town of West New York, the Board of Commissioners of the Town of West New York, and all of its officers, agents and employees of and from any and all liability for damages for injury to person and property, including death and against and from all suits and actions and all costs, damages and change of whatsoever kind of nature, including attorneys' fees to which the Town of West New York maybe put for or on account of any injury or alleged injury to person, including death, or property, resulting from the performance of the Contractor's operations under this Contract, or by or in consequence of any neglect or omission on the part of the Contractor in the performance of operations under the Contract, whether such operations, or in the absence thereof, be by the Contractor or anyone directly or indirectly employed by the Contractor.

The Contractor shall hold the Town of West New York harmless for damages to the Contractor's Equipment utilized during the term of this Contract.

Programs of self-insurance are not acceptable.

Payment

The vendor shall be required to sign the Town's contract, which will incorporate the terms and provisions of this RFP and which will be maintained on file in the Office of the Town Clerk. Vendor payment will be made on a monthly basis. A purchase order will be issued from the Town for these services. With each purchase order, a voucher will be submitted for vendor signature. The vendor will sign the voucher and return it, along with its invoice, to the Town's Finance Office. Promptness in submitting vouchers is of advantage to the vendor. Payment will not be made without signed purchase orders and invoices.

Proposal Information and Qualifications

Each interested candidate shall submit the following information with their proposals.

PROPOSALS SHALL NOT BE SUBJECT TO NEGOTIATION:

1. Address of principal place of business and all other offices and corresponding telephone and fax numbers for all individuals assigned to perform the services;
2. Description of owner's education, experience, qualifications, number of years with the firm and a description of their experience with projects similar to those described above, including experience related to providing animal shelter services for municipalities;
3. At least three (3) references which must have knowledge of your service similar to that requested. Services to public entities is preferred;
4. The organization's ability to provide the services in a timely fashion (including staffing, familiarity and location of key staff);
5. Cost details, including rates and fees, broken down into specific services to be provided, a flat fee or fee schedule, the names of each of the individuals who will perform the services and the time estimates for each individual, all expenses, and where appropriate, total cost of "not to exceed" amount;
6. Any other information which the interested organization deems relevant;
7. Business Registration Certificate (to be provided prior to the award of contract but preferably with the proposal);
8. State whether your company/firm is presently involved in a lawsuit and whether it has been sued in the last five (5) years. If so, provide a description of each matter.
9. All other documentation as required by the RFP, including:
 - a. Questionnaire (form provided)
 - b. Vendor Information Sheet (form provided)
 - c. Letter of Qualification (form provided)
 - d. Letter of Intent (form provided)
 - e. Acknowledgment of Addenda (form provided)
 - f. Disclosure of Investment Activities in Iran (form provided)
 - g. Ownership Disclosure Statement (form provided)
 - h. Non-Collusion Affidavit (form provided)
 - i. Non-Debarment Form – NJ (form provided)
 - j. Collusion Affidavit – Federal Form (form provided)
 - k. Affirmative Action Questionnaire (form provided)
 - l. Americans with Disabilities Act (form provided)
 - m. Minority and Women Business Entity Form (form provided)

****** FAILURE TO INCLUDE WITH THE PROPOSAL ANY OF THE ABOVE ITEMS MAY CONSTITUTE A MATERIAL DEFECT CAUSING REJECTION OF THE PROPOSAL. THE TOWN RESERVES THE RIGHT TO WAIVE ANY INFORMALITY/NON-MATERIAL DEFECT IN ANY PROPOSAL SUBMISSION.**

Selection Evaluation Criteria – Award of Contract

It is the intention of the Town of West New York to award a contract to the respondent whose response is the most advantageous to the Town, price and other factors considered, based upon the below evaluation criteria.

Evaluation of proposals: It should be understood by each respondent submitting a proposal that the nature of this request is such that a detailed scope of work or description of the services performed do not necessarily ensure a high or even moderate level of satisfaction or acceptability by the Town’s recipient of services. Thus, the Town must select a proposal that not only meets and conforms to the SOW included in the RFP, but also offers clear reasonable assurance of successfully meeting the needs of the Town. The criteria that will be considered in evaluating proposals are the criteria as detailed in the following table below. They are weight based upon importance to the Town. Points shall be awarded based on the information contained in the proposal for each category as listed below on a scale of 1-5, with 5 being the highest score and 1 being the lowest, as follows: 5 = Excellent, 4= Above Average, 3= Average 2= Poor, 1= Fail.

After the points are awarded by the evaluator, the weighting factor will be applied and thus a total score will be calculated. Based upon that score, the Evaluation Committee will then recommend a Contractor to the Board of Commissioners for award of contract. The highest score shall be the basis for the contract award. Each area of evaluation should be addressed in detail in the vendor’s proposal. Criteria provided below:

The Evaluation Criteria used in awarding a contract or agreement for the services as described herein shall include:

Criteria	Weighting Factor	Points 1-5 (5 is the highest)
1- TECHINCAL CRITERIA Vendor’s proposal demonstrates a clear understanding of the scope of work and related objectives	10%	1-5
2- MANAGEMENT CRITERIA History and experience in performing similar work. Availability of personnel, facilities, and equipment. Qualification and experience of personnel. Significant experience representing Government entities of similar budget.	25%	1-5
3- PAST EXPERIENCE & PERFORMANCE References, including Prior Experience in the Town of West New York, or similar entity	40%	1-5
4 – COST CRITERIA	25%	1-5

Submission Requirements/Proposal Due Date

Sealed proposals will be publicly opened by the Town Clerk in her offices at West New York Town Hall, West New York Town Hall, 428 60th Street, West New York, New Jersey, 07093, at 11:00 a.m. on November 28, 2023. Please ensure that your proposal arrives prior to the acceptance time. Proposals received after that date and time will not be considered.

Adelinnny Plaza, Town Clerk
Town of West New York
428 60th Street
West New York, New Jersey, 07093

Please submit one original and one (1) copy of the proposal. Use white 8 1.2” x 11” paper.

QUESTIONNAIRE

Please answer the following questions.

List two (2) public agencies presently or previously contracted to whom you provide or have provided the services as herein specified. Include a reference contact name and telephone number.

1. _____

2. _____

How many employees does your company presently employ? _____

How many years has your company been providing this service? _____

Has your company ever failed to complete any contract with regard to any of the services herein described?

Yes _____ No _____. If yes, provide details here: _____

Name and telephone numbers of personnel who can be contacted if problems or emergencies arise:

1) _____

2) _____

Name and telephone number of an individual who can be contacted at all times if service information is requested:

1) _____

2) _____

VENDOR INFORMATION SHEET

In order to assure that all future correspondence is directed to the correct address and to expedite future payments, the following information must be provided with this Request for Proposal:

Name of Business:

Correspondence Address, including zip code:

Purchase Order Address, including zip code:

Payment Address, including zip code:

Telephone Number: _____

Facsimile Number: _____

Cellular Number: _____

**LETTER OF QUALIFICATION
(To be Typed on Respondent's Letterhead.
NO MODIFICATIONS MAY BE MADE TO THIS LETTER)**

Town Clerk Adelinn Plaza
Municipal Building
428-60th Street (Room #2)
West New York, New Jersey 07093

Dear Ms. Plaza:

The undersigned have reviewed our Qualification Statement-Proposal submitted in response to the Request for Proposals (RFP) issued by the Town of West New York ("Town"), dated *(Insert Date)* in connection with the Town's need for Federal Grant Consultant Services.

We affirm that the contents of our Qualification Statement-Proposal (which Qualification Statement-Proposal is incorporated herein by reference) are accurate, factual and complete to the best of our knowledge and belief and that the Qualification Statement-Proposal is submitted in good faith upon express understanding that any false statement may result in the disqualification of *(Insert Name of Respondent)*

Chief Executive Officer

Chief Financial Officer

Dated: _____ Dated: _____

Respondent shall sign and complete the spaces as provided above. If a joint venture, partnership or other formal organization is submitting a Qualification Statement-Proposal, each participant must execute this Letter of Qualification

LETTER OF INTENT

STATE OF NEW JERSEY
COUNTY OF _____ ss:

I _____ certify that I am the _____ of the firm of _____, the Respondent submitting Qualifications in response to a Request for same from the Town in regards to Federal Grant Consultant Services. I further certify that:

1. I executed said Proposal with full authority so to do;
2. All statements contained in the Submission and in this affidavit are accurate, factual and complete, and made with full knowledge that the Town of West New York is relying upon the truth of the statements contained in the Submission and the statements contained in this affidavit in evaluating Respondent’s Qualifications;
- 3 Respondent has not, directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above-named project through participation with any other person, firm or party;
4. Respondent agrees to participate in good faith in the procurement process as described in the RFP and to adhere to the Town’s procurement schedule;
5. Respondent acknowledges that all costs incurred by it in connection with the preparation and submission of the Qualification Statement-Proposal and any proposal prepared and submitted in response to the RFP, or any negotiation which results therefrom, shall be borne exclusively by the Respondent. In no event shall the Town have any liability to Respondent for any costs incurred by the Respondent for the Qualification Statement-Proposal;
6. Respondent acknowledges and agrees that the Town may modify, amend, suspend and/or terminate the procurement process in its sole judgment; and
7. Respondent is aware that any contract executed with respect to the services referred to in the RFP must comply with the applicable affirmative action and similar laws, and agrees to take such actions as may be required to comply with such applicable laws in the event that a contract is formed.

(Signature of Respondent) _____

SUBSCRIBED AND SWORN TO
BEFORE ME THIS _____ DAY OF 20 _____

NOTE: THIS FORM MUST BE COMPLETED, NOTARIZED AND RETURNED WITH THIS PROPOSAL

ACKNOWLEDGEMENT OF ADDENDA

CC RFP – Federal Grant Consultant Services for the Town of West New York, NJ

The proposer acknowledges receipt of the hereinafter enumerated Addenda which have been issued during period of proposing and agrees that said Addenda shall become a part of this contract. The proposer shall list below the numbers and issuing dates of the Addenda.

<u>ADDENDA NO.</u>	<u>ISSUING DATES</u>
_____	_____
_____	_____
_____	_____
_____	_____

No Addenda Received

Name of Company _____

Address _____ P.O. Box _____

City, State, Zip Code _____

Name of Authorized Representative _____

Signature _____ Date _____

NOTE: THIS FORM MUST BE COMPLETED, NOTARIZED AND RETURNED WITH THIS PROPOSAL

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY

COUNTY OF _____ ss:

I certify that I am _____ of the firm of _____, the Respondent submitting the Qualification Statement in response to the within Request for Qualifications, and that I executed said Qualification Statement with full authority so to do; that said Respondent has not, directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competition in connection with the within Request for Qualifications; and that all statements contained in the Respondent’s Qualification Statement and in this affidavit are true and correct, and made with full knowledge that the Town of West New York will rely/relies upon the truth of the statements contained in said Qualification Statement and in the statements contained in this affidavit in awarding the contract(s) for the services sought in the within Request for Qualifications.

I further warrant that no person or selling agency has been employed to solicit or secure a contract for the services sought in the within Request for Qualification upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, except bona fide employees of the Respondent or as may be permitted by law.

Dated this ____ day of _____, 20__

(Name of Organization)

(Title of Person Signing)

(Signature)

SUBSCRIBED AND SWORN TO
BEFORE ME THIS DAY _____ OF 20

NOTARY PUBLIC OF

MY COMMISSION EXPIRES: 20

NOTE: THIS FORM MUST BE COMPLETED, NOTARIZED

AND RETURNED WITH THIS PROPOSAL
NJ STATE DEBARMENT AFFIDAVIT

STATE OF NEW JERSEY/ _____
Specify, if Other

COUNTY OF _____

_____, of the (City, Town, Borough) of _____
_____ 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 Proposer making the Proposal for the above contract, and that I executed the said Proposal with full authority to do so; that said Proposer is not at the time of the making this bid included on the New Jersey State Department of Labor and Workforce Development; Prevailing Wage Debarment List, or the State of New Jersey Consolidated Debarment Report or the Federal Debarred Debarment List.

Name of Contractor

By: _____
(Signature of Authorized Representative)

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

(Seal) Notary Public of New Jersey/
Specify Other State
My Commission Expires _____, 20 ____

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**

If your firm is awarded a contract your company/firm will be required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27. The following language, subject to any amendments by law or regulation, will be incorporated into any contract issued for the services advertised:

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 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, gender identity or expression, disability, nationality 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 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, where applicable, will send to each labor union or representative or 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, 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 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, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

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

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report Employee

Information Report Form AA302

The contractor and its subcontractors shall furnish such reports or other documents to the Div. of Contract Compliance & EEO 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 Div. of Contract Compliance & EEO for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

AFFIRMATIVE ACTION QUESTIONNAIRE

This form is to be completed and returned with the proposal. However, the Town will accept in lieu of this Questionnaire, Affirmative Action Evidence Employee Information Report stapled to this page.

- 1. Our company has a federal Affirmative Action Plan approval. Yes No

If yes, please attach a copy of the plan to this questionnaire.

- 2. Our company has a N.J. State Certificate of Employee Information Report Yes No

If yes, please attach a copy of the certificate to this questionnaire.

- 3. If you answered **“NO”** to both questions No. 1 and 2, you must apply for an Affirmative Action Employee Information Report – Form AA302.

Please visit the New Jersey Department of Treasury website for the Division of Public Contracts Equal Employment Opportunity Compliance:

www.state.nj.us/treasury/contract/compliance/

- a. Click on “Employee Information Report”
- b. Complete and submit the form with the appropriate payment to:

Department of Treasury
Division of Purchase and Property
Contract Compliance and Audit Unit
EEO Monitoring P.O. Box 206
Trenton, NJ 08625-0206

All fees for this application are to be paid directly to the State of New Jersey. A copy shall be submitted to the Board of Education prior to the execution or award of contract.

I certify that the above information is correct to the best of my knowledge.

Name: _____

Signature _____

Title _____ Date _____

Name of Company _____

Address _____

City, State, Zip _____

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

The contractor and the Town of West New York, (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.

AMERICANS WITH DISABILITIES ACT OF 1990
Equal Opportunity for Individuals with Disability (continued)

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.

Representative's Name/Title

(Print): _____

Representative's
Signature: _____

Name of
Company: _____

Tel. No.: _____

Date: _____

AFFIRMATIVE ACTION COMPLIANCE NOTICE

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

GOODS AND SERVICES CONTRACTS
(INCLUDING PROFESSIONAL SERVICES)

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

The successful Contractor 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:

- (a) *A photocopy of a valid letter that the contractor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);*

OR

- (b) *A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-4;*

OR

- (c) *A photocopy of an Employee Information Report (Form AA302) provided by the Division and distributed to the public agency to be completed by the contractor in accordance with N.J.A.C. 17:27-4.*

The successful vendor may obtain the Affirmative Action Employee Information Report (AA302) from the contracting unit during normal business hours.

The successful vendor(s) must submit the copies of the AA302 Report to the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (Division). The Public Agency copy is submitted to the public agency, and the vendor copy is retained by the vendor.

The undersigned vendor certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27 and agrees to furnish the required forms of evidence.

The undersigned vendor further understands that his/her Proposal shall be rejected as non-responsive if said contractor fails to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27.

COMPANY: _____ SIGNATURE: _____

PRINT NAME: _____ TITLE: _____

DATE: _____

MINORITY/WOMAN BUSINESS ENTERPRISE (MWBE)
Questionnaire for Bidders

The Town of West New York, in accordance with the stated policy of non-discrimination and equal employment opportunity in the Municipal Code, recognizes a goal of awarding 20% of the dollar amount of total town procurement to minority and woman owned business enterprises. To assist us in monitoring our achievement of this goal, please indicate below whether your company is or is not a minority owned and/or woman owned business, and return this form with your bid proposal.

Business Name: _____

Address: _____

Telephone No.: _____

Contact Name: _____

Please check applicable category:

Minority Owned Minority & Woman Owned
 Woman Owned Neither

Definition of Minority Business Enterprise

Minority Business Enterprise means a business which is a sole proprietorship, partnership or corporation at least 51% of which is owned and controlled by persons who are African American, Hispanic, Asian American, American Indian or Alaskan native, defined as follows:

African American: a person having origins in any of the black racial groups of Africa

Hispanic: a person of Mexican, Puerto Rican, Central or South American or other non-European Spanish culture or origin regardless of race.

Asian: a person having origins in any of the original peoples of the Far East, South East Asia, Indian subcontinent, Hawaii or the Pacific Islands.

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

Woman Business Enterprise: a business which is a sole proprietorship, partnership or corporation at least 51% of which is owned and controlled by a woman or women.

MANDATORY BUSINESS REGISTRATION LANGUAGE
Non Construction Contracts

All contractors and subcontractors must provide a Business Registration Certificate when seeking to do business with the State of New Jersey, and other public agencies in this state. Failure to submit proof of registration requires mandatory rejection of a bid as a non-waivable defect. Proof of registration must be received before the contract is issued for non-bid contracts; such as contracts exempt from public bidding that are over the bid threshold, professional services, and extraordinary unspecifiable services, and purchase orders that are under the bid threshold. For non-bid contracts only, if proof has been filed through a previous contract, the contracting agency may waive resubmission.

“New Jersey Business Registration Requirements”

N.J.S.A. 52:32-44(1)(b) No contract shall be entered into by any contracting agency unless the contractor provides a copy of its business registration in accordance with the following schedule:

- (1) In response to a request for bids or a request for proposals, at the time a bid or proposal is submitted;
or
- (2) For all other transactions, before the issuance of a purchase order or other contracting document.
In its sole discretion, the contracting unit may waive this requirement if a business registration has been previously provided to the contracting agency.

N.J.S.A. 52:32-44(1)(c) A subcontractor shall provide a copy of its business registration to any contractor who shall forward it to the contracting agency. No contract with a subcontractor shall be entered into by any contractor under any contract with the contracting agency unless the subcontractor first provides proof of valid business registration. The contracting agency shall file all business registrations received by the contracting agency with other procurement documents related to the contract.

For the term of the contract, the contractor and each of its affiliates and a subcontractor and each of its affiliates [N.J.S.A. 52:32-44(g)(3)] shall collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act on all sales of tangible personal property delivered into this State, regardless of whether the tangible personal property is intended for a contract with a contracting agency.

N.J.S.A. 54:49-4.1 A business organization that fails to provide a copy of a business registration as required pursuant to section 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. 100 (C5:12-92), or that provides false business registration information under the requirements of either of those section, 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 under a contract with a contracting agency.

DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

BID SOLICITATION/PROPOSAL

TITLE _____

VENDOR/BIDDER

NAME _____

Pursuant to N.J.S.A. 52:32-57, et seq. (P.L. 2012, c.25 and P.L. 2021, c.4) any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must certify that neither the person nor entity, nor any of its parents, subsidiaries, or affiliates, is identified on the New Jersey Department of the Treasury’s Chapter 25 List as a person or entity engaged in investment activities in Iran. The Chapter 25 list is found on the Division’s website at <https://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Vendors/Bidders must review this list prior to completing the below certification. If the Director of the Division of Purchase and Property or the Town of West New York finds a person or entity to be in violation of the law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party

CHECK THE APPROPRIATE BOX

I certify, pursuant to N.J.S.A. 52:32-57, et seq. (P.L. 2012, c.25 and P.L. 2021, c.4), that neither the Vendor/Bidder listed above nor any of its parents, subsidiaries, or affiliates is listed on the New Jersey Department of the Treasury’s Chapter 25 List of entities determined to be engaged in prohibited activities in Iran.

OR

I am unable to certify as above because the Vendor/Bidder and/or one or more of its parents, subsidiaries, or affiliates is listed on the New Jersey Department of the Treasury’s Chapter 25 List. I will provide a detailed, accurate and precise description of the activities of the Vendor/Bidder, or one of its parents, subsidiaries or affiliates, has engaged in regarding investment activities in Iran by completing the information requested below

Entity Engaged in Investment Activities

Relationship to Vendor/
Bidder _____

Description of
Activities _____

Duration of
Engagement _____

Anticipated Cessation
Date _____

Attach Additional Sheets If Necessary

CERTIFICATION

I, the undersigned, certify that I am authorized to execute this certification on behalf of the Vendor/Bidder, that the foregoing information and any attachments hereto, to the best of my knowledge are true and complete. I acknowledge that the Town of West New York is relying on the information contained herein, and that the Vendor/Bidder is under a continuing obligation from the date of this certification through the completion of any contract(s) with the State to notify the State in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification. If I do so, I will be subject to criminal prosecution under the law, and it will constitute a material breach of my agreement(s) with the Town, permitting the Town to declare any contract(s) resulting from this certification void and unenforceable.

Signature

Dated

Print Name and Title

This form is to be completed, certified and submitted prior to the award of contract.

STATEMENT OF OWNERSHIP DISCLOSURE

N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

This statement shall be completed, certified to, and included with all bid and proposal submissions. Failure to submit the required information is cause for automatic rejection of the bid or proposal.

Name of Organization: _____

Organization Address: _____

Part I Check the box that represents the type of business organization:

- Sole Proprietorship (skip Parts II and III, execute certification in Part IV)
- Non-Profit Corporation (skip Parts II and III, execute certification in Part IV)
- For-Profit Corporation (any type) Limited Liability Company (LLC)
- Partnership Limited Partnership Limited Liability Partnership (LLP)
- Other (be specific): _____

Part II

- 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. **(COMPLETE THE LIST BELOW IN THIS SECTION)**

OR

- 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 no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. **(SKIP TO PART IV)**

(Please attach additional sheets if more space is needed):

Name of Individual or Business Entity	Home Address (for Individuals) or Business Address

Part III DISCLOSURE OF 10% OR GREATER OWNERSHIP IN THE STOCKHOLDERS, PARTNERS OR LLC MEMBERS LISTED IN PART II

If a bidder has a direct or indirect parent entity which is publicly traded, and any person holds a 10 percent or greater beneficial interest in the publicly traded parent entity as of the last annual federal Security and Exchange Commission (SEC) or foreign equivalent filing, ownership disclosure can be met by providing links to the website(s) containing the last annual filing(s) with the federal Securities and Exchange Commission (or foreign equivalent) that contain the name and address of each person holding a 10% or greater beneficial interest in the publicly traded parent entity, along with the relevant page numbers of the filing(s) that contain the information on each such person. **Attach additional sheets if more space is needed.**

Website (URL) containing the last annual SEC (or foreign equivalent) filing	Page #'s

Please list the names and addresses of each stockholder, partner or member owning a 10 percent or greater interest in any corresponding corporation, partnership and/or limited liability company (LLC) listed in Part II **other than for any publicly traded parent entities referenced above**. The disclosure shall be continued until names and addresses of every noncorporate stockholder, and individual partner, and member exceeding the 10 percent ownership criteria established pursuant to N.J.S.A. 52:25-24.2 has been listed. **Attach additional sheets if more space is needed.**

Stockholder/Partner/Member and Corresponding Entity Listed in Part II	Home Address (for Individuals) or Business Address

Part IV Certification

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

Full Name (Print):		Title:	
Signature:		Date:	

END OF RFP