



August 21, 2026

Re: Water and Sanitary Sewer Utility Engineering Consultant

Dear Vendor:

Stockton Borough is seeking proposals to award a consulting engineering services contract for the operation, maintenance and capital improvement program of both the Borough's water and sanitary sewer utilities. The Borough intends to utilize a "fair and open" procurement process for this solicitation and award of this contract.

Respondents must have a minimum of 10 years experience in the area of operation and maintaining both water and sanitary sewer utility systems. Respondents shall outline this experience providing three examples where their firm employed similar services to those requested herein. And respondents shall provide three professional references for their experience in connection with operating and maintaining a water utility.

Standardized submission requirements and selection criteria are enclosed.

Sincerely,

Borough of Stockton

Enclosure

**BOROUGH OF STOCKTON
NOTICE TO VENDORS
FAIR AND OPEN PROCUREMENT PROCESS**

The Borough of Stockton is soliciting proposals to perform or furnish the following professional engineering services which are more fully described in the proposal packets available via e-mail and/or from the Clerk's Office of the Borough **at 2 South Main Street, Stockton**, New Jersey 08559 and which are available from said office weekdays between the hours of Tuesday: 3:00PM – 6:00PM

Wednesday: 9:00AM – 11:00AM

Friday: 9:00AM – 11:00AM, telephone number 609-397-0070, e-mail clerk@stocktonboronj.us. Proposals must be submitted in the form provided in the proposal packet.

Water and Sanitary Sewer Utility Engineering Consultant

Proposal packets are available via e-mail from the Stockton Borough Clerk's Office at clerk@stocktonboronj.us, which office is located at 2 South Main Street, Stockton, New Jersey 08559.

This proposal is being solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq. Proposals must be submitted in the forms provided in the proposal packet.

Sealed responses to these requests shall be delivered to the Borough's Clerk's Office at 2 South Main Street, Stockton on or before 10:00 AM on September 4, 2026. The envelope containing a proposal shall be plainly marked on the outside of the sealed envelope to show the services for which the proposal is submitted, i.e. (Engineering and Support Services for the Water and Sanitary Utility Systems) as listed above.

All contracts pursuant to the fair and open process will be awarded by a majority vote of the Borough Council at a public meeting. The Borough reserves the right to award one contract or reject all proposals no later than 60 days following the receipt of proposals.

A vendor awarded a contract under these procedures shall be required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27-1.1 et seq. (Equal Employment Opportunity Laws and Regulations), the Americans With Disabilities Act of 1990, P.L. 2004, c.19, the New Jersey Local Unit Pay-to-Play Law (N.J.S.A. 19:44A-20.4 et seq.), and the New Jersey Campaign Contributions and Expenditure Reporting Act (N.J.S.A. 19:44A-1 et seq.). All vendors shall submit Business Registration Certificates issued pursuant to N.J.S.A. 52:32-44 with proposals. Pursuant to N.J.S.A. 40A:11-23, the Borough is prohibited from receiving bids/proposals on Mondays or any day directly following a State or Federal Holiday. Further information as to these requirements are contained in the proposal packets available in the Clerk's Office.

Laurie Courter
Municipal Clerk

BOROUGH OF STOCKTON
Water and Sanitary Sewer Utility Engineering Consultant Selection Criteria

The Borough of Stockton seeks proposals from professional engineering firms and intends to award one professional services agreement hereunder pursuant to N.J.S.A. 40A:11-5(1)(a)(i) based on the proposal that is most advantageous to the Borough, price and other factors considered.

Qualified engineering firms are required to submit the following documentation as part of their proposals:

1. The name and qualifications of the individual(s) who will perform the services;
2. Experience and reputation in the particular field with a minimum of 10 years;
3. Three examples of where the individual performed similar services;
4. Demonstrated ability to perform the required services in a timely manner (including familiarity with the subject matter, attendance at meetings, etc.);
5. All fees and expenses, including hourly rates of individuals completing the work;
6. Three professional references; and
7. Any other information to support the qualifications of the entity and its proposal.

Applicants will be eliminated from consideration if they do not meet applicable Federal, State or Municipal legal requirements. Where Federal or State law regulations require a procedural step(s) at variance with these procedures, the Federal or State requirements shall govern.

All contracts pursuant to the fair and open process will be awarded by a majority vote of the Borough Council at a public meeting.

The services for which proposals are sought:

Water and Sanitary Sewer Utility Engineering Consultant and Project Manager

The Water and Sanitary Sewer Utility Engineering Consultant and Project Manager for Stockton Borough is a contracted position outside the role of municipal engineer who will work under the direction of the Mayor or their appointee in conjunction with the DPW Advisor, licensed operators and the Borough Engineer to serve the utility's engineering needs, operating and maintaining the utility, coordinate utility consultants, assist in regulatory compliance, provide planning and construction management for a

multi-year capital program, prepare engineer-level RFPs and I-bank application, review and provide recommendations for construction drawings for project bidding.

The following tasks will fall under the purview of this position.

- Water Storage Tank replacement
- Capital Improvement Plan for both water and sewer utilities
- PFAS mitigation
- Lead service line remediation
- Valve identification and exercise program
- Drinking water well expansion
- Water main rehabilitation
- Water meter improvements
- Sanitary sewer and structure rehabilitation
- Wastewater Inflow and Infiltration
- Distribution and collection system upgrades
- Maintain records of all pertinent documents of the water and sewer utility
- GIS management
- Other assigned tasks as may be independently contracted for and directed by the Mayor and Council

BOROUGH OF STOCKTON

STANDARDIZED SUBMISSION REQUIREMENTS AND SELECTION CRITERIA

FAIR AND OPEN PUBLIC SOLICITATION PROCESS FOR PROFESSIONAL AND OTHER SERVICES

The Borough of Stockton is seeking sealed submissions in response to a Public Notice for the Solicitation of Professional and Other Service Agreements.

The selection criteria to be used in awarding contracts shall include the following criteria, in the order of importance, with qualifications being highest in rank and so forth:

1. The qualifications of the individual(s) who will perform the services;
2. Experience and reputation in the particular field with a minimum of 10 years;
3. Three examples of where the individual performed similar services;
4. Ability to perform the required services in a timely manner (including familiarity with the subject matter, attendance at meetings, etc.);
5. Competitiveness of rates (fees and expenses);
6. Strength of professional references; and
7. Other factors, if determined to be in the best interests of the Borough.

Please Note this Additional Requirement:

Professional services entities shall submit one (1) original and two (2) additional sets of their sealed submission on or before **10:00 a.m. – September 4, 2026.**

BOROUGH OF STOCKTON

INFORMATION FOR PROFESSIONAL SERVICES ENTITIES **FAIR AND OPEN PUBLIC SOLICITATION PROCESS**

1.1 Receipt and Opening of Submissions

Owner and Project

The Borough of Stockton, Hunterdon County, New Jersey (hereinafter called the "OWNER") invites submissions for the service(s) mentioned in the Public Notice for Solicitation.

Time and Place of Submission Openings

Borough Clerk and/or her designated representative will receive submissions at the time and place mentioned in the Public Notice for Solicitation, and at such time and place submissions will be publicly opened and read aloud.

Submissions Not in Compliance

The OWNER may waive any informality or reject any and/or all submissions, in accordance with the Fair and Open Public Solicitation Process for Professional Service(s) pursuant to P.L. 2004, c.19 (N.J.S.A.19:44A-20.4, et seq.)

Withdrawing Submissions

Submissions forwarded to the Borough Clerk and/or her designated representative before the time of opening of submissions may be withdrawn upon written application of the professional services entity who or which shall be required to produce evidence showing that he/she are or they represent the principal or principals involved in the submission. Submissions may not be withdrawn within twenty-four (24) hours of the stipulated time for opening of submissions.

1.2 Qualifications of Professional Services Entities

Individuals Performing Tasks

Names and roles of the individuals who will perform the tasks and descriptions of their education and experience similar to the services contained herein.

Past Performance

Documented past performance of same and/or similar service.

Description of Abilities

Description of ability to provide the services in a timely fashion (including staffing, familiarity and location of key staff).

Cost Details

The cost details including the overall costs and hourly rates of each of the individuals who will be performing services and all expenses.

1.3 Preparation of Submissions

Completion of Submissions

Each submission must be provided in a succinct typewritten letter and signed by the professional services entity or principal thereof and shall contain the name, address and telephone number of the professional services entity. Each submission shall be contained in a sealed envelope addressed to the Borough of Stockton, 2 South Main Street, Stockton, New Jersey 08559, or in the preprinted envelope supplied with the submission package when available, and said envelopes shall specify the Title and Number for which the submission is provided. The submission is to be clearly marked "Sealed Submission Enclosed" and must be delivered at the place and time required or mailed so as to be received prior to the opening time set in the advertisement. Submissions received after the hour herein named or in unsealed envelopes shall not be considered.

The OWNER will not be responsible for submissions forwarded through the United States Mail or any delivery service if lost in transit at any time before submission opening, or if hand delivered to incorrect location.

The submission shall be accompanied by (1) a Non-Collusion Affidavit, (2) a Disclosure of Ownership Form, (3) an Insurance Requirement Acknowledgement Form, (4) a Mandatory Equal Employment Opportunity Notice Acknowledgment, (5) a Professional Services Entity Information Form, (6) Disclosure of Investment Activities in Iran (7) Certification of Non-Involvement in Prohibited Activities in Russia or Belarus, and (8) submission letter as described above

All forms listed above (#1 through #8) shall be completed in their entirety.

Errors in Submissions

If applicable, in the event there is a discrepancy between the unit prices and the extended totals, the unit prices shall govern or if between the correct sum or the extended totals and the total submission submitted, the correct sum shall govern. Amounts written in words shall govern over the amounts written in numerals.

1.4 Time for Award of Contract

The OWNER shall award the contract or reject all submissions within such time as may be specified in the invitation for submission, but in no case more than sixty (60) days, except that the submissions of any professional services entities who consent thereto may, at the request of the contracting unit, be held for consideration for such longer period as may be agreed.

The award of the contract for this service will not be made unless the Borough's Chief Financial Officer has certified the necessary funds.

1.5 Modifications of Submissions

Any professional services entity may withdraw and resubmit his/her submission by mail, courier or hand delivery at any time prior to the schedules closing time for receipt of submissions. The OWNER, prior to the closing time, must receive such communication. The communication should not reveal the submission price but should provide the addition to or subtraction from or other modification so that the OWNER will not know the final price(s) or term(s) until the sealed submission is opened.

1.6 Rejection of submission

Multiple Submissions Not allowed

More than one submission from an individual, a firm or partnership, a corporation or association of principals under the same or different names shall not be considered.

Unbalanced Submissions

Submissions, which are obviously unbalanced, may be rejected at the option of the Owner.

Right to Reject Submissions

The right is reserved to reject any or all submissions in whole or in part if not in compliance with the standardized submission requirements.

Right to Waive Informalities Reserved

The OWNER expressly reserves the right to waive any informality in any submission, and to accept the submission, which in the OWNER'S judgment serves its best interests

Professional Services Entity Referred to Laws

The attention of the professional services entity is especially directed to the provisions of Federal, State, County and Local Government Statutes and regulations that may apply to the work.

1.7 Payment

Checks are processed by the Borough of Stockton approximately once a month. It is necessary that approved signed vouchers be accompanied by an invoice and be submitted 3 weeks in advance of the next scheduled Borough Council meeting date to permit sufficient time for the Council to review and approve payment.

1.8 Transitional Period

In the event that a new contract has not been awarded prior to the contract expiration date, it shall be incumbent upon the professional services entity to continue the contract under the same terms and conditions until a new contract(s) can be completely operational. At no time shall this transition period extend more than ninety (90) days beyond the expiration date of the contract.

1.9 Facsimile Documents Provided in a Submission

Under no circumstances, on submission documents requiring authorized signatures, will the OWNER accept documents provided through facsimile machine.

1.10 Contract Compliance and Equal Employment Opportunity in Public Contracts

Professional services entities are required to comply with the requirements of N.J.S.A. 10:5-31, et seq. and N.J.A.C. 17:27, et seq.

1.12 General Requirements/Information

The professional services entity shall guarantee any or all material and services under these specifications. Defective or inferior items shall be replaced at the expense of the professional services entity.

It is understood by the professional services entity that this submission is provided on the basis of standardized submission requirements prepared by the BOROUGH OF STOCKTON and the fact that any professional services entity is not familiar with these standardized submission requirements or conditions will not be accepted as an excuse.

The Borough of Stockton expects the water and sanitary sewer utility engineering consultant and project manager to work on a full-time basis, under the supervision of the

Mayor and their appointee in conjunction with the DPW Advisor, licensed operators and the Borough Engineer.

NO MINIMUM PAYMENT IS IMPLIED OR GUARANTEED.

The BOROUGH OF STOCKTON reserves the right to cancel any contract entered into, for the convenience of the BOROUGH, upon thirty (30) days written notice.

This solicitation is for a year contract for services from the date in which the contract is awarded.

EVALUATION

The Borough of Stockton seeks proposals from professional engineering firms and intends to award one professional services agreement hereunder pursuant to N.J.S.A. 40A:11-5(1)(a)(i) based on the proposal that is most advantageous to the Borough, price and other factors considered.

Qualified engineering firms are required to submit the following documentation as part of their proposals:

1. The name and qualifications of the individual(s) who will perform the services;
2. Experience and reputation in the particular field with a minimum of 10 years;
3. Three examples of where the individual performed similar services;
4. Demonstrated ability to perform the required services in a timely manner (including familiarity with the subject matter, attendance at meetings, etc.);
5. All fees and expenses, including hourly rates of individuals completing the work;
6. Three professional references; and
7. Any other information to support the qualifications of the entity and its proposal.

BOROUGH OF STOCKTON

CHECKLIST

**PROFESSIONAL SERVICE TITLE: Water and Sanitary Sewer Utility
Engineering Consultant**

SUBMISSION DATE: On or Before 10:00 a.m. – September 4 , 2026

The following items, shall be provided with the receipt of sealed submissions:

1. Non-Collusion Affidavit..... _____
2. Disclosure Of Ownership Form..... _____
3. Mandatory Equal Employment Opportunity Notice _____
4. Professional Service Entity Information Form..... _____
5. Insurance Requirement Acknowledgment Form..... _____
6. Certification of Non-Involvement in in Russia or Belarus _____
7. Letter Setting Forth Qualifications And Proposal..... _____

The following item shall be provided prior to award of contract:

1. Copy Of Your **Business Registration Certificate** As Issued By The State
Of New Jersey, Department Of Treasury, Division Of Revenue..... _____
2. Disclosure of Investment Activities in Iran..... _____

REMINDER:

Please submit one (1) original and two (2) additional sets of the sealed submission.

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY

COUNTY OF _____

ss:

I, _____ residing in _____
(name of affiant) (name of municipality)
in the County of _____ 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 _____
(title or position) (name of firm)
the bidder making this Proposal for the bid
entitled _____, and that I executed the said
(title of bid proposal)

proposal with full authority to do so that said bidder 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; and that all statements contained in said proposal and in this affidavit are true and correct, and made with full knowledge that the Borough of Stockton 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 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 _____
(name of firm)

_____.

Signature

Type or print name of affiant under signature

Subscribed and sworn to
Before me this day

_____, 20

Notary Public of New Jersey

My Commission expires _____

(seal)

DISCLOSURE OF OWNERSHIP

N.J.S.A. 52:25-24.2 reads in part that “no corporation or partnership shall be awarded any contract by the State, County, Municipality or School District, or any subsidiary or agency thereof, unless prior to the receipt of the submission of the corporation or partnership, there is provided to the public contracting unit a statement setting forth the names and addresses of all individuals who own 10% or more of the stock or interest in the corporation or partnership.”

- 1) If the professional service entity is a *partnership*, then the statement shall set forth the names and addresses of all partners who own a 10% or greater interest in the partnership.
- 2) If the professional service entity is a *corporation*, then the statement shall set forth the names and addresses of all stockholders in the corporation who own 10% or more of its stock of any class.
- 3) If a corporation owns all or part of the stock of the corporation or partnership providing the submission, then the statement shall include a list of the stockholders who own 10% or more of the stock of any class of that corporation.
- 4) If the professional service entity is other than a corporation or partnership, the contractor shall indicate the form of corporate ownership as listed below.

COMPLETE ONE OF THE FOLLOWING STATEMENTS:

I. Stockholders or Partners owning 10% or more of the company providing the submission:

NAME:

ADDRESS:

II. No Stockholder or Partner owns 10% or more of the company providing this submission:

SIGNATURE: _____ DATE: _____

III. Submission is being provided by an individual who operates as a sole submission:

SIGNATURE: _____ DATE: _____

IV. Submission is being provided by a corporation or partnership that operates as a (check one of the following):

____ Limited Partnership ____ Limited Liability Corporation
____ Limited Liability Partnership ____ Subchapter S Corporation

SIGNATURE: _____ DATE: _____

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY NOTICE
(N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.)

GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS

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

The successful professional service entity shall submit to the BOROUGH OF STOCKTON 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 vendor 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. 17:27-1.1 et seq.;
OR
- (c) A photocopy of an Employee Information Report (Form AA302) provided by the Division of Contract Compliance and distributed to the BOROUGH OF STOCKTON to be completed by the vendor in accordance with N.J.A.C. 17:27-1.1 et seq.

The successful professional service entity may obtain the Employee Information Report (AA302) from the BOROUGH OF STOCKTON during normal business hours.

The successful professional service entities must submit the white and canary copies of the AA302 (Employee Information Report) to the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts Division. The pink Public Agency copy is submitted to the BOROUGH OF STOCKTON, and the gold Vendor copy is retained by the professional service entity.

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

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

COMPANY: _____
SIGNATURE: _____ PRINT NAME: _____
TITLE: _____ DATE: _____

PROFESSIONAL SERVICE ENTITY INFORMATION FORM

If the Professional Service Entity is an *INDIVIDUAL*, sign name and give the following information:

Name: _____
Address: _____
Telephone No.: _____ Social Security No.: _____
Fax No.: _____ E-Mail: _____
If individual has a *TRADE NAME*, give such trade name: _____
Trading As: _____ Telephone No.: _____

If the professional Service Entity is an *PARTNERSHIP*, give the following information:

Name of Partners: _____
Firm Name: _____
Address: _____
Telephone No.: _____ Federal ID No.: _____
Fax No.: _____ E-Mail: _____
Social Security No.: _____
Signature of authorized agent: _____

If the Professional Service Entity is *INCORPORATED*, give the following information:

State under whose laws incorporated: _____
Location of principal office: _____
Telephone No.: _____ Federal ID No.: _____
Fax No. _____ E-Mail: _____

Name of agent in charge of said office upon whom notice may be legally served:

Telephone No.: _____ Name of Corporation: _____
Signature: _____ By: _____
Title: _____ Address: _____

INSURANCE REQUIREMENTS AND ACKNOWLEDGEMENT FORM

Certificate(s) of Insurance shall be filed with the Purchasing Office upon award of contract by the Borough Council.

The minimum amount of insurance to be carried by the Professional Service Entity shall be as follows:

PROFESSIONAL LIABILITY INSURANCE

Limits shall be a minimum of \$1,000,000.00 each claim and \$1,000,000.00 aggregate each policy period

Acknowledgement of Insurance Requirement:

(Signature) (Date)

(Print Name and Title)

**CERTIFICATION OF NON-INVOLVEMENT IN PROHIBITED ACTIVITIES IN RUSSIA OR
BELARUS**

Pursuant to N.J.S.A. 52:32-60.1, et seq. (L. 2022, c. 3) any person or entity (hereinafter "Vendor"¹) that seeks to enter into or renew a contract with a contracting unit subject to the Local Public Contracts Law for the provision of goods or services, or the purchase of bonds or other obligations, must complete the certification below indicating whether or not the Vendor is identified on the Office of Foreign Assets Control (OFAC) Specially Designated Nationals and Blocked Persons list, available here: <https://sanctionssearch.ofac.treas.gov/>. If the Department of the Treasury finds that a Vendor has made a certification in violation of the law, it shall take any 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.

I, the undersigned, certify that I have read the definition of "Vendor" below, and have reviewed the Office of Foreign Assets Control (OFAC) Specially Designated Nationals and Blocked Persons list, and having done so certify:

{Check the Appropriate Box}

☐

A. That the Vendor is not identified on the OFAC Specially Designated Nationals and Blocked Persons list on account of activity related to Russia and/or Belarus.

OR

☐

B. That I am unable to certify as to "A" above, because the Vendor is identified on the OFAC Specially Designated Nationals and Blocked Persons list on account of activity related to Russia and/or Belarus.

OR

☐

C. That I am unable to certify as to "A" above, because the Vendor is identified on the OFAC Specially Designated Nationals and Blocked Persons list. However, the Vendor is engaged in activity related to Russia and/or Belarus consistent with federal law, regulation, license or exemption. A detailed description of how the Vendor's activity related to Russia and/or Belarus is consistent with federal law is set forth below.

(Attach Additional Sheets If Necessary.)

Signature of Vendor's Authorized Representative

Date

¹ Vendor means: (1) A natural person, corporation, company, limited partnership, limited liability partnership, limited liability company, business association, sole proprietorship, joint venture, partnership, society, trust, or any other nongovernmental entity, organization, or group; (2) Any governmental entity or instrumentality of a government, including a multilateral development institution, as defined in Section 1701(c)(3) of the International Financial Institutions Act, 22 U.S.C. 262r(c)(3); or (3) Any parent, successor, subunit, direct or indirect subsidiary, or any entity under common ownership or control with, any entity described in paragraph (1) or (2).

Print Name and Title of Vendor's Authorized Representative

Vendor's FEIN

Vendor's Name

Vendor's Phone Number

Vendor's Address (Street Address)

Vendor's Fax Number

Vendor's Address (City/State/Zip Code)

Vendor's Email Address

ATTENTION ALL PROFESSIONAL SERVICE ENTITIES

On June 29, 2004, Governor McGreevey signed P.L. 2004, c.57, Business Registration of Contractors with Government Agencies into law. Effective September 1, 2004, all business organizations that do business with a local contracting agency (i.e. Borough of Stockton) are required to be registered with the State of New Jersey, Department of Treasury, Division of Revenue, and provide proof of that registration to the contracting agency before the contracting agency may enter into a contract with the business.

A “Business Organization” means an individual, partnership, association, joint stock company, trust, corporation or other legal business entity a successor thereof.

P.L. 2009, c.315 (A-557/S2366): Reforms Business Registration Certificate Filing: permits filing prior to award of contracts if not filed with bid. Effective with bids received and contracts awarded after January 18, 2010.

- The law now allows the Business Registration Certificate to be filed anytime prior to award of the contract and the bidder had to have obtained the Business Registration Certificate prior to receipt of bids.

Further information may be obtained by visiting the following web site at the State of New Jersey: www.nj.gov/treasury/revenue/busreqcert.htm

Goods & Services Contracts (including purchase orders):

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

- 1) The contractor shall provide written notice to its subcontractors and suppliers to submit proof of business registration to the contractor;
- 2) Prior to receipt of final payment from a contracting agency, a contractor must submit to the contracting agency an accurate list of all subcontractors or attest that none were used;
- 3) During the term of this contract, the contractor 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 contractor, 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 is available by calling (609) 292-9292.

AMERICANS WITH DISABILITIES ACT OF 1990

EQUAL OPPORTUNITY FOR INDIVIDUALS WITH DISABILITY

The CONTRACTOR and the BOROUGH OF STOCKTON (herein referred to as the BOROUGH) do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 ("The Act") (42 U.S.C.S. 12101 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 thereto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the BOROUGH pursuant to this contract, the CONTRACTOR agrees that the performance shall be in strict compliance with the Act. In the event 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 Borough in any action or administrative proceeding commenced pursuant to this Act. The CONTRACTOR shall indemnify, protect, and save harmless the BOROUGH, 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 violations. 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 BOROUGH's grievance procedure, the CONTRACTOR agrees to abide by any decision of the BOROUGH, which is rendered pursuant to, said grievance procedure. If any action or administrative proceeding results in an award of damages against the BOROUGH's or if the BOROUGH 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 BOROUGH 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 BOROUGH or any of its agents, servants, and employees, the BOROUGH shall expeditiously forward or have forwarded to the CONTRACTOR every demand, complaint, notice, summons, pleading, or other process received by the BOROUGH or its representatives.

It is expressly agreed and understood that any approval by the BOROUGH 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 BOROUGH or its representatives.

It is further agreed and understood that the BOROUGH 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 BOROUGH from taking any other actions available to it under any other provisions of this Agreement or otherwise at law.

EXHIBIT A

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

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

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

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

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

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

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

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

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

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

Employee Information Report Form AA302 (electronically provided by the Division and distributed to the public agency through the Division's website at www.state.nj.us/treasury/contract_compliance)

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance 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 Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27**.

(REVISED 4/10)

DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

Bid/Proposal Number: _____

Bidder/Offeror: _____

PART 1: CERTIFICATION

BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX.

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

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

PLEASE CHECK THE APPROPRIATE BOX:

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

OR

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

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

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

PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. FOR ADDITIONAL ENTRIES, PLEASE ATTACH A SEPARATE PIECE OF PAPER.

Name _____

Relationship to Bidder/Offeror _____

Description of Activities _____

Duration of Engagement _____

Anticipated Cessation Date _____

Bidder/Offeror Contact Name _____

Contact Phone Number _____

PLEASE SIGN FOR PART 1 AND/OR PART 2:

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

Full Name (Print): _____

Signature: _____

Title: _____

Date: _____