LAKEWOOD Board of Education
LAKEWOOD, New Jersey

PUBLIC WORKS

Bid Specifications
&
General Requirements
For

Assistant School Business Administrator/Board Secretary
Mr. Kevin Campbell

LAKEWOOD BOARD OF EDUCATION
Business Office
200 Ramsey Avenue
Lakewood, NJ 08701

BID 18-1920
NONPUBLIC SCHOOLS
REPLACEMENT WINDOWS & DOORS
2019-2020 SCHOOL YEAR

Submission Date:
Wednesday, October 30, 2019 11:00 a.m.

LAKEWOOD BOARD OF EDUCATION

REQUEST FOR BIDS
PUBLIC WORKS

Bid Advertisement

The LAKEWOOD Board of Education of LAKEWOOD, New Jersey, hereby advertises for competitive bids in accordance with N.J.S.A. 18A:18A-21(a) (b)

Bid No. 18-1920 **NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS**

Bidders shall be prequalified by the New Jersey Division of Property Management and Construction in the trade categories listed below:

Trade Category #	Title
C011	**DOORS & HARDWARE**
C012	**WINDOWS**

All necessary bid specifications and bid forms may be secured upon written request to:

Mr. Kevin Campbell
Interim Business Administrator
Lakewood Board of Education
200 Ramsey Ave
Lakewood, New Jersey, 08701
dpiasentini@lakewoodpiners.org
fax: 732-905-3687

Bids must be sealed and delivered to the Office of the School Business Administrator/Board Secretary of the LAKEWOOD Board of Education ***on or before*** date and time indicated below. The envelope to bear the following information:

Title: **NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS**
Bid No.: **18-1920**
Name and Address of the Bidder
Date: **Wednesday, October 30, 2019**
Time: **11:00 a.m.**

The bid opening process will begin on the above advertised date and time at the Board Offices 200 Ramsey Ave. Lakewood, New Jersey 08701. Bids may also be submitted to the Assistant School Business Administrator/Board Secretary or his designee at the bid opening meeting, prior to the

advertised date and time. On the advertised date and time, the Assistant School Business Administrator/Board Secretary shall publicly receive and open all bids. ***No bids shall be received after the time designated in the advertisement***. (N.J.S.A. 18A:18A-21(b)). **The Board of Education does not accept electronic (e-mail) submission of bids but requires the submission of a USB Flash drive or CD of proposal with your paper submission.**

All bidders are required to comply with the requirements of N.J.S.A. 10:5-31 et seq., Affirmative Action Against Discrimination (N.J.A.C. 17:27-1 et seq.) An Initial Project Workforce Report will be required from the successful contractor. (Form AA-201).

Contractors bidding on this project are to comply with the requirements of the Prevailing Wage Rate Determination pursuant to N.J.S.A. 34:11-56.25.

A bidder on a public works project for a Board of Education where the cost of the work exceeds $20,000.00 must first have been qualified by the Department of the Treasury, Division of Property Management and Construction, pursuant to N.J.S.A. 18A:18A-27 through 33, and shall submit with his bid a Prequalification Affidavit, a copy of a valid and active NOTICE OF CLASSIFICATION, a certified copy of a Total Amount of Uncompleted Contracts Form and an Affidavit that subsequent to the latest such statement submitted by him, there has been no material adverse change in his qualification information except as set forth in said Affidavit.

Each bid shall be accompanied by a bid bond, cashier's check or certified check made payable to the Lakewood Board of Education, for ten percent (10%) of the amount of the total bid, however, not to exceed $20,000.00.

Corporate bidders are required by law (Chapter 33, Laws of 1977) to submit a list of names and addresses of all stockholders owning 10% or more of their stock.

The bid package will also include other documents that must be completed and returned with the bid. Failure to comply with Instructions to Bidders and to complete and submit all required forms, may be cause for disqualification and rejection of the bid.

All contractors named in this proposal, shall possess a valid Contractor's Registration Certificate pursuant to N.J.S.A. 34:11-56.48 et seq., at the time the proposal is received by the Board of Education.

The Lakewood Board of Education reserves the right to reject any or all bids, pursuant to N.J.S.A. 18A:18A-18, N.J.S.A. 18A:18A-2(s), (t), (x), (y), 18A:18A-4(a-c), and N.J.S.A. 18A:18A-22, and to waive any informalities that may be in the best interest of the board.

Mr. Kevin Campbell
Assistant School Business Administrator/Board Secretary

Ethics in Purchasing

School District Responsibility

Recommendation of Purchases

It is the desire of the Board of Education to have all Board employees and officials practice exemplary ethical behavior in the procurement of goods, materials, Technology & Hardware, and services.

School district officials and employees who recommend purchases shall not extend any favoritism to any vendor. Each recommended purchase should be based upon quality of the items, service, price, delivery, and other applicable factors in full compliance with N.J.S.A. 18A:18A-1 et seq.

Solicitation/Receipt of Gifts – Prohibited

School district officials and employees are prohibited from soliciting and receiving funds, gifts, materials, goods, services, favors, and any other items of value from vendors doing business with the Board of Education or anyone proposing to do business with the Board of Education.

Vendor Responsibility

Offer of Gifts, Gratuities -- Prohibited

Any vendor doing business or proposing to do business with the Board of Education, shall neither pay, offer to pay, either directly or indirectly, any fee, commission, or compensation, nor offer any gift, gratuity, or other thing of value of any kind to any official or employee of the Board of Education or to any member of the official's or employee's immediate family.

Vendor Influence -- Prohibited

No vendor shall cause to influence or attempt to cause to influence, any official or employee of the Board of Education, in any manner which might tend to impair the objectivity or independence of judgment of said official or employee.

Vendor Certification

Vendors or potential vendors will be asked to certify that no official or employee of the Board of Education or immediate family members are directly or indirectly interested in this request or have any interest in any portions of profits thereof. The vendor participating in this request must be an independent vendor and not an official or employee of the Board of Education.

LAKEWOOD BOARD OF EDUCATION

ADVISORY INFORMATION FOR BIDDERS

1. PROMPTNESS OF BID SUBMITTAL

It is the responsibility of the bidder to ensure that their bid is presented in a sealed envelope to the Office of the School Business Administrator/Board Secretary or designee, prior to the advertised bid date and time. The advertised bid date and time for this bid is on **Wednesday, October 30, 2019 @ 11:00 a.m.** No bids shall be received after the time designated in the bid advertisement. No extensions or exceptions will be made. The Business Office is opened Monday through Wednesday from 8:00 am – 4:00 pm according to the school calendar and 8:00 am – 3:00 pm during the summer. Access to the Business Office may be delayed because of security clearance and/or the slowness of the elevator to the third floor of the Administration Building. Bidders may also submit bids to the School Business Administrator/Board Secretary or his designee at the bid opening meeting, prior to the advertised bid opening date and time. Once again, bids will not be received after the time designated in the advertisement.

2. PARKING

Parking in the vicinity of the Board of Education Administration Building is at a premium. ***Allow enough time to locate a parking space.*** Be prepared to park two or three blocks from the Board Offices.

3. MAIL

Mail is brought to the Board Offices in mailbags, approximately 11:00 am each day. The mail is then sorted within the district system, by departments. The Business Office routinely receives its mail at approximately 11:30 a.m.

4. UPS / FED EX / AND OTHER EXPRESS DELIVERY SERVICES

Deliveries of this type usually begin at 11:00 a.m. These items are brought only to the receptionist at the main building entrance. The receptionist then calls the various departments with a request to pick up their items. There may be some delay in getting bids to the Business Office on the top floor because of security clearance and/or the slowness of the elevator to the Third Floor of the Administration Building.

5. HAND DELIVER BIDS – SUGGESTED PRACTICE

Keeping the aforementioned items in mind, the Board suggests that bidders arrange to hand deliver their bid to the Office of the School Business Administrator/Board Secretary, and personally turn it in to the Office before the advertised date and time. Please understand that bids arriving after the advertised bid date and time, for any reason, cannot be accepted, opened or considered.

Submission of Original Bid; One Copy of the Bid and one copy on USB Flash Drive or CD.
All bids are to be submitted in duplicate; one (1) original; one (1) copy in a sealed labeled envelope and one (1)copy on a USB flash drive or CD.

LAKEWOOD BOARD OF EDUCATION

BID CHECKLIST (A)

NAME OF BIDDER _____

A. Bid packages must be submitted in duplicate on the proposed forms as provided, and in the manner designated. The Board of Education will accept one original bid package and one copy of the bid package. Please include all items, organized as follows:

1. Addenda, Acknowledgement
2. Bid Proposal Form
3. Bid Guarantee (Bid Bond, Cashier's Check, or Certified Check)
4. Bidder Comment Form - Optional
5. Business Registration Certificate -- New Jersey (at time of contract award)
6. Certificate (Consent) from Surety
7. Chapter 271 Political Contribution Disclosure Form
8. Contractor Questionnaire / Certification
9. Contractor's Registration Certification
10. Disclosure of Investment Activities in Iran
11. Equipment Certification
12. Non-Collusion Affidavit
13. Notice of Classification Form
14. Prequalification Affidavit - (Projects over $20,000 in accordance with N.J.S.A. 18A:18A-26 et seq.)
15. Prevailing Wages Certification
16. Stockholders'/Partnership Disclosure Affidavit, and Ownership Declaration
17. Subcontractor's Disclosure Statement and all required attachments for subcontractors.
18. Total Amount of Uncompleted Contracts Form – Certified (DPMC Form 701)

Failure to submit the above listed documents, as indicated, with the bid package may be cause for rejection of the entire bid for being non-responsive (N.J.S.A. 18A:18A:2(y)).

LAKEWOOD BOARD OF EDUCATION

BID CHECKLIST (B)

B. Reminder Checklist

As a courtesy, the Office of the School Business Administrator/Board Secretary has prepared this reminder checklist to items pertaining to this bid. The checklist is not considered to be all-inclusive. Bidders are to read and become familiar with all instructions outlined in the bid package.

Item	Yes	No
1. Have you verified your pricing to ensure accuracy?		
2. Have you answered every question fully and accurately?		
3. Have you signed all your documents (**blue ink**)? No facsimile signature.		
4. Have you prepared all documents for submission?		
5. Did you make a copy of the bid package for your records?		
6. Did you make a duplicate copy of the bid for the Board of Education?		
7. Did you submit a signed Bid Guarantee? Signed Consent of Surety?		
8. Did you correctly address the envelope?		
9. Have you allowed ample time for the bid to reach the Business Office?		

LAKEWOOD BOARD OF EDUCATION

GENERAL SPECIFICATIONS

Mr. Kevin Campbell
Assistant School Business Administrator/Board Secretary

LAKEWOOD BOARD OF EDUCATION

Title of Bid: NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS

INSTRUCTIONS TO BIDDERS

1. **BIDS ARE TO BE SUBMITTED TO:**

Kevin Campbell
Assistant Business
Administrator Lakewood
Board of Education 200
Ramsey Ave
Lakewood, New Jersey 08701

BY: **11:00 a.m.** PREVAILING TIME ON: **Wednesday, October 30, 2019**

by mail, delivery service or in person. Bids that are submitted are to be sealed and will be unsealed and announced at the bid opening meeting.

2. **Bid Packages to be Submitted in Duplicate**. Bids must be placed in a *sealed* envelope/package marked as shown below on the front of the envelope/package. Bid packages must be submitted **in duplicate** on the proposed bid submittal forms as provided, and in the manner designated. The Board of Education requires one original bid package, one duplicate copy of the bid package and one USB Flash Drive or CD of the bid. The extra copies are necessary for processing of the bids. Bidders should also keep a complete copy of the bid packet, exactly as submitted.

Envelope Label Information:

District:	**Lakewood Board of Education**
Bid Number:	**BID 18-1920**
Project:	**NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS**
Bid Date:	**Wednesday, October 30, 2019**
Bid Time:	**11:00 a.m.**
Bidder:	*Name of Company*
	Address
	City, State Zip

Failure to properly label the bid envelope may be cause for the rejection of the bid.

The Board of Education does not accept electronic (e-mail) submission of bids.

3. BID OPENING MEETING

All bids will be publicly received and unsealed by the School Business Administrator/Board Secretary opened at the above address and read beginning at **11:00 a.m.** on **Wednesday, October 30, 2019.** Bidders and/or their authorized agents, and the general public are invited to be present at the bid opening. It is the responsibility of each bidder to ensure that their bid is complete and presented to the School Business Administrator/Board Secretary prior to the advertised bid date and time. No bids shall be received or accepted by the Board of Education after the advertised bid date and time. (N.J.S.A. 18A:18A:21(b))

BIDDING REQUIREMENTS

4. AFFIRMATIVE ACTION REQUIREMENTS

Pursuant to N.J.A.C. 17:27-3.6 (a) (1) after notification of award, but prior to signing a construction contract, the contractor shall submit to the Public Agency Compliance Officer and the Division of Contract Compliance an initial project workforce report (Form AA-201) provided to the public agency by the Division for distribution to and completion by the contractor, in accordance with N.J.A.C.17:27-7.

All bidders should familiarize themselves with N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. MANDATORY AFFIRMATIVE ACTION LANGUAGE CONSTRUCTION CONTRACTS, if awarded a contract, your company/firm will be required to comply with the above requirements.

All relevant questions should be related to: Division of Contract Compliance/EEO
Department of the Treasury / P.O.
209 Trenton, New Jersey 08625-0209
(609) 292-5473

5. AMERICAN GOODS

In accordance with N.J.S.A. 18A:18A-20, only manufactured products of the United States, wherever available, and where possible are to be used with this project.

6. AMERICANS WITH DISABILITIES ACT

The contractor must comply with all provisions of the Americans with Disabilities Act (ADA), P.L 101-336, in accordance with 42 U.S.C. S121 01 et seq.

7. ANTI-BULLYING BILL OF RIGHTS—REPORTING OF HARRASSMENT, INTIMIDATION AND BULLYING—CONTRACTED SERVICE

The contracted service provider shall comply with all applicable provisions of the New Jersey Anti-Bullying Bill of Rights Act—N.J.S.A. 18A:37-13.1 et seq., all applicable code and regulations, and the Anti-Bullying Policy of the Board of Education. The district shall provide

to the contracted service provider a copy of the board's Anti-Bullying Policy.

In accordance with N.J.A.C. 6A:16-7.7 (c), a contracted service provider, who has witnessed, or has reliable information that a student has been subject to harassment, intimidation, or bullying shall immediately report the incident to any school administrator or safe schools resource officer, or the School Business Administrator/Board Secretary.

8. ANTI-DISCRIMINATION PROVISIONS—N.J.S.A. 10:2-1

N.J.S.A. 10:2-1. Antidiscrimination provisions. Every contract for or on behalf of the State or any county or municipality or other political subdivision of the State, or any agency of or authority created by any of the foregoing, for the construction, alteration or repair of any public building or public work or for the acquisition of materials, equipment, Technology & Hardware or services shall contain provisions by which the contractor agrees that:

a. In the hiring of persons for the performance of work under this contract or any subcontract hereunder, or for the procurement, manufacture, assembling or furnishing of any such materials, equipment, Technology & Hardware or services to be acquired under this contract, no contractor, nor any person acting on behalf of such contractor or subcontractor, shall, by reason of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex, discriminate against any person who is qualified and available to perform the work to which the employment relates;

b. No contractor, subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee engaged in the performance of work under this contract or any subcontract hereunder, or engaged in the procurement, manufacture, assembling or furnishing of any such materials, equipment, Technology & Hardware or services to be acquired under such contract, on account of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex;

c. There may be deducted from the amount payable to the contractor by the contracting public agency, under this contract, a penalty of $50.00 for each person for each calendar day during which such person is discriminated against or intimidated in violation of the provisions of the contract; and

d. This contract may be canceled or terminated by the contracting public agency, and all money due or to become due hereunder may be forfeited, for any violation of this section of the contract occurring after notice to the contractor from the contracting public agency of any prior violation of this section of the contract.

No provision in this section shall be construed to prevent a board of education from designating that a contract, subcontract or other means of procurement of goods, services, equipment or construction shall be awarded to a small business enterprise, minority business enterprise or a women's business enterprise pursuant to P.L.1985, c.490 (C.18A:18A-51 et seq.).

9. ALTERNATIVE DISPUTE RESOLUTION PROCESS

All disputes relating to construction contracts or relating to contracts for engineers or architects, surveyors, design or skilled services relating to construction contracts for prompt payment issues shall be submitted to the following Alternative Dispute Resolution process ("ADR"):

All disputes shall first be submitted to the architect of record, if there is one, for a determination. If thirty (30) days pass without a determination by the architect or a determination is made that does not resolve the dispute, then the claims shall be submitted for non-binding mediation by a single mediator.
The mediation shall be held where the project is located before a mediator who is mutually acceptable to the parties. The parties shall share the mediator's fees equally. If the dispute is submitted for mediation the neutral party involved must demonstrate knowledge of the Public School Contracts Law.

Nothing shall prevent either party from seeking injunctive or declaratory relief in court at any time.
The alternative dispute resolution practices required by this section shall not apply to disputes concerning the bid solicitation process, or to the formation of contracts.

The Bidder further agrees to include a similar provision in all agreements with independent contracts and consultants retained for the project and to require all independent contractors to include similar mediation provisions in all agreements with subcontractors, suppliers or fabricators so retained, thereby providing for mediation as the primary method for dispute resolution between the parties to those agreements. The arbitration of claims is expressly excluded under this Contract.

If the parties cannot resolve their dispute through the mediation process, the parties are free to file an action in the appropriate court of law.

10. BID GUARANTEE (N.J.S.A. 18A:18A-24) ☒**REQUIRED** ☐NOT REQUIRED

Bidders shall submit with their bid package a bid guarantee made payable to the LAKEWOOD Board of Education ("Board"). The guarantee shall be in the form of a certified check, cashier's check or bid bond in the amount of 10% of the bid, but not in excess of $20,000. Such deposit shall be forfeited upon refusal of a bidder to execute a contract. Any bid in the form of a check shall be returned when the contract is executed and surety (performance) bond filed with the Board of Education. The bid guarantee check for unsuccessful bidders, if requested, will be returned as soon after the bid opening as possible, but in no event later than (10) days after the bid opening.

Please note: *Uncertified business checks, personal checks or money orders are not acceptable*.

All bid bonds submitted must be signed and witnessed with original signatures. The Board will not accept facsimile or rubber stamp signatures on the bid bond**. Failure to sign the bid bond by either the Surety or Principal shall be deemed cause for disqualification of the bid.**

The Attorney-in-Fact who executes the bond on behalf of the surety shall affix to the bond a certified and current copy of the Power of Attorney. The Board of Education will only accept bid bonds from companies that are licensed and qualified to do business in the State of New Jersey. Such a list may be available upon request to the State of New Jersey, Department of Banking and Insurance, P.O. 325, Trenton, New Jersey 08625. **Failure to submit a bid guarantee shall be cause for disqualification and rejection of bid.**

Please note: The name, address and phone number of the Bond Underwriter as well as the Bond Number shall be included with all bonds submitted to the Board of Education.

11. BID PROPOSAL FORM

All bids are to be written in by typewriter or ink in a legible manner on the official Bid Proposal Form. Any bid price showing any erasure or alteration must be initialed by the bidder in ink, at the right margin next to the altered entry. Failure to initial any erasure or alteration may be cause to disqualify that particular bid entry. If the disqualified entry is a required one, the entire bid may be subject to rejection, so please fill out all entries with care.

The Bid Proposal Form must be duly signed by the authorized representative of the company, at the end of the Bid Proposal Form. **Failure to sign the Bid Proposal Form may be cause to disqualify the entire bid.** If the Bid Proposal Form contains more than one sheet, then bidders are requested to affix the company name and address on each intervening sheet between the front sheet and the signature sheet which already bear the company information.
The Board of Education will not consider any bid on which there is any alteration to, or departure from, the bid specifications. Bidders are not to make any changes on the Bid Proposal Form, or qualify their bid with conditions differing from those defined in the contract documents. If bidders do make changes on the Bid Proposal Form, except as noted above for initialed clerical mistakes, it may be cause to disqualify that particular bid as non-responsive. (N.J.S.A. 18A:18A-2(y))

The bidder also conveys by submitting a bid that the company he represents is financially solvent, experienced in and competent to perform the type of work so specified.

12. BIDDER COMMENT SHEET

This form is for the Bidder's use in offering voluntary alternates, or other comments intended to afford the Board information or opportunities to improve the quality of the project, without invalidating the bid proposal. It may *not* be used to take exception to specific conditions of the project defined in the contract documents which the Bidder does not like. The bid

provided must be based upon the plans and specifications, and all contract conditions, as stated. If these documents or conditions contain some untenable item, or extremely expensive provision, for example, to which the Bidder wishes to raise objection, this must be done at the pre-bid meeting, or in writing to the Architect through the question process outlined in the Instructions to Bidders. Such inquiries will have response issued by addendum only, and the resulting decision circulated to all bidders of record.

13. BRAND NAME OR EQUIVALENT

Whenever the Board of Education requests a brand name for a particular item, it will consider a "brand name or equivalent". If the bidder desires to bid an equivalent item the bidder shall do the following:

a. On the Bid Proposal Form, write in **BLUE ink** next to the item requested, the bidder's substitute item, including brand name, model number and full description of item. This is the only change to the Bid Proposal Form the Board will accept.

b. When a sample is required the bidder shall provide the sample item must be provided before or at the time of the bid opening. With the sample item shall be a paper, brochure or illustrative literature outlining the brand/manufacturer name, model number and full description of item.

c. If a sample is not required, the Board requires a brochure, pamphlet, or illustrative literature that outlines the specifications of the item including manufacturer's name, model number, etc.

d. Failure to provide a sample item or literature about substitute bids when requested may be cause for disqualification of that item from the bid.

e. It is the responsibility of the bidder to demonstrate equivalency of items offered.

Please note: Bidders are to only bid brand name or equivalent. The Board will not accept multiple bids on individual items.

ITEMS BID MUST BE COMPATIBLE TO EXISTING SYSTEM IN SCHOOL IF APPLICABLE

14. BIDDER'S RESPONSIBILITY FOR BID SUBMITTAL

It is the responsibility of the bidder to ensure that their bid is presented to the Board of Education and officially received before the advertised date and time of the bid. It is understood and agreed upon that any person in the Board of Education will be absolved from responsibility for the premature opening of any bid not properly labeled and sealed. Failure to properly label the bid envelope may be cause for the rejection of the bid.

15. BUSINESS REGISTRATION CERTIFICATE (N.J.S.A. 52:32-44**)**

Pursuant to N.J.S.A. 52:32-44 as amended, all bidders or companies providing responses for requested proposals, shall submit with their response package a copy of their "New Jersey Business Registration Certificate" as issued by the Department of Treasury of the State of New Jersey.

The Lakewood Board of Education requests that all respondents for this bid/proposal submit a current New Jersey Business Registration Certificate with the bid/proposal.

Failure to provide the New Jersey Business Registration Certification prior to the award of contract will be cause for the rejection of the entire bid or proposal.

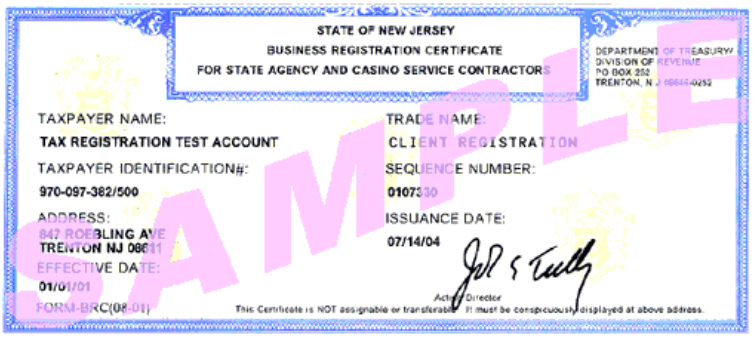
16. GOODS, SERVICES AND CONSTRUCTION CONTRACTS

N.J.S.A. 52:32-44 imposes the following requirements on contractors and all subcontractors:

A contractor shall provide the contracting agency with the business registration of the contractor and that of any named subcontractor prior to the time a contract, purchase order, or other contracting document is awarded or authorized. At the sole option of the contracting agency, the requirement that
a contractor provide proof of business registration may be fulfilled by the contractor providing the contracting agency sufficient information for the contracting agency to verify proof of registration of the contractor, or named subcontractors, through a computerized system maintained by the State.

A subcontractor named in a bid or other proposal made by a contractor to a contracting agency shall provide a copy of its business registration to any contractor who shall provide it to the contracting agency pursuant to the provisions of subsection b. of this section. No contract with a subcontractor shall be entered into by any contractor under any contract with a contracting agency unless the subcontractor first provides the contractor with proof of a valid business registration. For bids and requests for proposals, the contracting agency must retain the proof of business registration in the file where documents relating to the contract are maintained. For all other contracts, proofs of business registration shall be maintained in an alphabetical file.

The contractor shall maintain and submit to the contracting agency a list of subcontractors and their addresses that may be updated from time to time during the course of the contract performance. A complete and accurate list shall be submitted before final payment is made for goods provided or services rendered or for construction of a construction project under the contract. A contracting agency shall not be responsible for a contractor's failure to comply with this subsection.
A contractor or a contractor with a subcontractor that has entered into a contract with a contracting agency, and each of their affiliates, shall collect and remit to the Director of the Division of Taxation in the Department of the Treasury the use tax due pursuant to the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-1 et seq.) on all their taxable sales of tangible personal property delivered into this State.


STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE
FOR STATE AGENCY AND CASINO SERVICE CONTRACTORS

DEPARTMENT OF TREASURY
DIVISION OF REVENUE
PO BOX 252
TRENTON, NJ 08646-0252

TAXPAYER NAME:
TAX REGISTRATION TEST ACCOUNT

TRADE NAME:
CLIENT REGISTRATION

TAXPAYER IDENTIFICATION#:
970-097-382/500

SEQUENCE NUMBER:
0107330

ADDRESS:
847 ROEBLING AVE
TRENTON NJ 08611

ISSUANCE DATE:
07/14/04

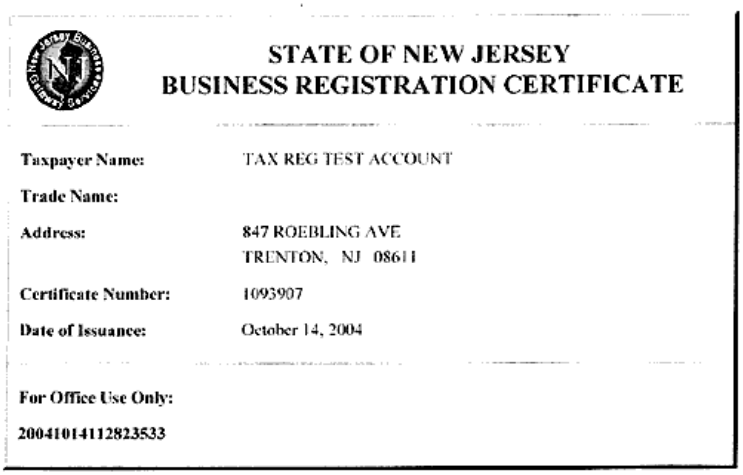
EFFECTIVE DATE:
01/01/01

Acting Director

FORM-BRC(08-01)

This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.

SAMPLE


STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name: TAX REG TEST ACCOUNT

Trade Name:

Address: 847 ROEBLING AVE
TRENTON, NJ 08611

Certificate Number: 1093907

Date of Issuance: October 14, 2004

For Office Use Only:

20041014112823533

SAMPLES OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATES

All respondents are urged to submit with their response, a copy of their firm's New Jersey Business Registration Certificate. Failure to submit the Certificate PRIOR TO THE AWARD of contract will result in the rejection of the proposal.

17. CERTIFICATE FROM SURETY COMPANY (N.J.S.A. 18A:18A-25) ☒**REQUIRED** ☐NOT REQUIRED

Each bidder must submit with his bid a certificate from a surety company stating that the surety company will provide the contractor with a performance bond in an amount equal to the amount of the contract (N.J.S.A. 18A: 18A-25). Such surety company must be licensed and qualified to do business in the State of New Jersey. All certificate (consent) of surety documents must be signed with original signatures.

The Board will not accept facsimile or rubberstamp signatures. The certificate (consent) of surety, together with a power of attorney must be submitted with the bid.

Failure to submit or failure to sign the certificate (consent) of surety shall be cause for disqualification and rejection of bid.

18. CHALLENGES TO BID SPECIFICATIONS (N.J.S.A. 18A:18A-15)

Any prospective bidder who wishes to challenge a bid specification shall file such challenges in writing with the School Business Administrator/Board Secretary no less than three (3) days prior to the opening of bids. Challenges filed after that date shall be considered void and having no impact on the Board of Education or the award of a contract.

19. CHANGE ORDERS (N.J.A.C. 6A:26-4.9, 4.10 et seq.) (N.J.A.C. 5:30-11.1 et seq.)

Board of Education Approval Required; Prior to Issuance of Change Order (N.J.A.C. 5:30-11.2)

Change orders may be approved by the Board of Education in an amount up to twenty percent (20%) when necessitated by one of the following:

- Emergencies consistent with N.J.S.A. 18A:18A-7;
- Unforeseeable physical conditions; or
- Minor modifications to the project/scope that achieve cost savings, improve service or resolve construction conditions.

Division of Finance (NJDOE) Approval

All other change orders shall be approved by the Division of Finance (NJDOE) when extraordinary circumstances exist such as:

- Change order amounts greater than twenty percent (20%);
- Change orders that eliminate or affect the project scope; or
- Change orders that affect the number, size, configuration, location or use of educational spaces.

Contractors are prohibited to perform any change order unless so directed in writing by the Board of Education.

20. CONTRACTS

A. Award of Contract; Rejection of Bid

The contract shall be awarded, if at all, to the lowest responsible bidder as determined by the Board of Education, pursuant to N.J.S.A. 18A:18A-18 (c), 18A:18A-2(s), (t), (x), (y), 18A:18A-4(a), 18A:18A-22. The Board of Education reserves the right to reject any or all bids as authorized by the Public School Contracts Law, and to waive any informalities the Board feels are in the best interests of the Board. Pursuant to N.J.S.A. 18A:18A- 36 (a), the Board of Education shall award

the contract or reject all bids within sixty (60) days of the advertised date and time noting the exception highlighted in the law.

☐The Board intends to award the contract to the lowest bidder on a line by line basis based on the cost for the first year.

☒ The Board intends to award contracts on a **school by school basis** to the lowest bidder based upon the **lowest total cost received per bid form for each school.** Bidders are encouraged to bid all schools however bidders, **DO NOT** have to bid all schools to be considered responsive and eligible for award.

Bidders will only be considered for award of a school provided they have bid each item for that school. Hence, incomplete bids for a school shall be considered non-responsive and the bidder ineligible to receive award for that school.

Contract Term:

The term of the contract will be from date of award through June 30, 2020. There will be two timelines for this award. The initial timeline will be from date of award through June 30, 2020 and the dollar amount will be based on the Nonpublic School Security Grant allocation per school for the 2019-2020 school year. All work for the initial timeline must be completed by August 15, 2020. The second timeline will be from July 1, 2020 through June 30, 2021 (subject to availability of funds) and the dollar amount will be based on the Nonpublic School Security Grant allocation per school for the 2020-2021 school year. All work for the second timeline must be completed by June 30, 2021.

B. Equal Prices

Pursuant to N.J.S.A. 18A:18A-37(d) when two or more bidders submit equal prices and the prices are the lowest responsible bids, the Board may award the contract to the vendor whose response, in the discretion of the Board, is the most advantageous, price and other factors considered.

C. Return of Contracts and Related Contract Documents

Upon written notification of award of contract by the Board of Education, the contractor shall sign and execute a formal contract agreement between Board of Education and Contractor and return the executed contracts along with:

1. Performance Bond in the total amount of the contract.
2. Insurance Certificate with the Board of Education named as an additional insured.
3. Affirmative Action Form AA-201 - Initial Project Workforce Report - Yellow copy.
4. Other required documents as may be outlined in bid specifications.

The above documents may also be required for submission with the official Notice to Proceed. The contracts and related documents shall be returned to the Office of the School Business Administrator/Board Secretary within **ten (10) days of receipt of notification**.

Failure to execute the contract and return said contract and related required documents within the prescribed time may be cause for the annulment of award by the Board with the bid security becoming property of the Board of Education.

D. Alterations of Contract

The Board of Education reserves the right to alter or amend the contract by adding to or subtracting from the work herein specified, such additions or omissions being done under the general conditions of these specifications and the terms of the Contract. No changes shall be permitted from the specifications except that the same be in writing and the amount of the extra compensation or credit stipulated therein. Refer to Change Order Section #15.

E. Term of Contract

The contractor, to whom the contract is awarded, will be required to do and perform the work/services and to provide and furnish the materials in connection therewith in accordance with the plans and specifications on or before the date listed in the Technical Specifications.

F. Purchase Order Required

No contractor shall commence any public works project until he is in receipt of an approved purchase order authorizing work to begin. (See Notice (Authorization) to Proceed)

21. CONTRACTOR'S REGISTRATION EVIDENCE

A. Valid Certificate – Receipt of Bid

All contractors must adhere to the provisions of the Public Works Contractor Registration Act – N.J.S.A. 34:11-56.48 et seq. **The PWCRA requires that "*No contractor shall bid on any contract for public work . . . unless the contractor is registered pursuant to this act.*"** The law requires that all contractors and sub-contractors named in the proposal possess a valid certificate at the time the proposal is received by the contracting unit, in this case the Board of Education.

B. Submission of Certificate – Receipt of Bid; Prior to Award

All bidders shall submit with the bid package or prior to the award of contract, a current Public Works Contractor Registration Certificate that was issued prior to the receipt of the bid.

The contractor who most likely is to be considered for the contract award, must submit a copy of the current Public Works Contractor Registration Certificate, and if applicable, copies of certifications of all listed subcontractors, prior to the award of contract. If the contractor fails to provide copies of certificates prior to the award of contract, the bid may be rejected as non-responsive.

For more information contact: Contractor Registration Unit
Division of Wage and Hour Compliance

New Jersey Department of Labor & Workforce Development PO Box 389
Trenton, New Jersey 08625-0389
Tel: 609-292-9464
Fax: 609-633-8591
E-mail: contreg@dol.state.nj.us
Web site: www.nj.gov/labor/lsse/lspubcon.html

22. CONTRACTOR/VENDOR REQUIREMENTS—OFFICE OF THE NEW JERSEY STATE COMPTROLLER

Contractors/vendors doing business with the board of education are reminded of the following legal requirements pertaining to the Office of the New Jersey State Comptroller:

A. Access to Relevant Documents and Information—N.J.S.A. 52:15C-14 (d)

Private vendors or other persons contracting with or receiving funds from a unit in the Executive branch of State government, including an entity exercising executive branch authority, independent State authority, public institution of higher education, or unit of local government or board of education shall upon request by the State Comptroller provide the State Comptroller with prompt access to all relevant documents and information as a condition of the contract and receipt of public monies. The State Comptroller shall not disclose any document or information to which access is provided that is confidential or proprietary. If the State Comptroller finds that any person receiving funds from a unit in the Executive branch of State government, including an entity exercising executive branch authority, independent State authority, public institution of higher education, or unit of local government or board of education refuses to provide information upon the request of the State Comptroller, or otherwise impedes or fails to cooperate with any audit or performance review, the State Comptroller may recommend to the contracting unit that the person be subject to termination of their contract, or temporarily or permanently debarred from contracting with the contracting unit.

B. Maintenance of Contract Records—N.J.A.C. 17:44-2.2

Relevant records of private vendors or other persons entering into contracts with covered entities are subject to audit or review by OSC pursuant to N.J.S.A. 52:15C-14(d).

The contractor/vendor to whom a contract has been awarded, shall maintain all documentation related to products, transactions or services under this contract for a period of five years from the date of final payment. Such records shall be made available to the New Jersey Office of the State Comptroller upon request.

23. CRIMINAL HISTORY BACKGROUND CHECKS--REQUIRED

The contractor and all subcontractors for the project shall provide to the school district (Supervisor of Grants or School Business Administrator/Board Secretary) evidence or proof that each worker assigned to the project that comes in regular contact with students, has had a criminal history background check, and that said check indicates that no criminal history record information exists on file for that worker.

The determination of "regular contact with students" will be made by the school district. Failure to provide a proof of criminal history background check for any contractor or subcontractor employee coming in regular contact with students may be cause for breach of contract.

If it is discovered during the course of the contract that a contractor or subcontractor employee has a disqualifying criminal history or the employee has not had a criminal history background check, that employee is to be removed from the project immediately.

24. DEBARMENT, SUSPENSION, OR DISQUALIFICATION – (N.J.A.C. 17:19-4.1)

The Board of Education will not enter into a contract for work with any person, company or firm that is on the State Department of Labor and Workforce Development; Prevailing Wage Debarment List, or the State of New Jersey Consolidated Debarment Report (www.state.nj.us/treasury/debarred) or the Federal System for Award—SAM.gov.

All bidders are required to submit a sworn statement indicating whether or not the bidder is, at the time of the bid, included on the State Department of Labor and Workforce Development; Prevailing Wage Debarment List or the State of New Jersey Consolidated Debarment Report, or the Federal Debarred Vendor List--Excluded Parties List System, through the System for Award Management portal—SAM.gov.

25. DELIVERY

FOB DESTINATION, FREIGHT PREPAID- The contractor, to whom the contract is awarded, retains title and control of goods and selects the carrier and is responsible for the risk of transportation; title passes to the Board of Education upon delivery and ownership by the Board; the successful bidder pays and bears the costs of all freight and delivery charges. The Board of Education recognizes the following form of delivery:

Items are to be delivered to the contractor's place of business. Items are NOT to be delivered to the Lakewood Board of Education or to any of the non-public school sites. The following procedures are to be followed with all equipment PRIOR to installation:

I. All equipment is to be brought by the contractor to the Lakewood Board of Education's shipping and receiving warehouse located in the rear of Lakewood High School at 200 Ramsey Ave.

II. The equipment is ONLY to be brought on Wednesdays between the hours to be determined.
III. The equipment will be inspected, counted and tagged by District personnel as all equipment is and shall remain the property of the Lakewood Board of Education.
IV. The contractor is to stay with the equipment, observe the inspection and then deliver the equipment to the subject school.
V. All inspections must be scheduled a minimum of forty-eight (48) hours in advance with Mr. James Trischitta. Please contact him at 732-364-2400 x7046

DELIVERY GUARANTEE:
The contractor agrees to deliver the item(s) so listed in the bid specifications within the prescribed number of days also outlined in the bid specifications. Failure to deliver the designated items within the prescribed period of time shall cause the Board of Education to deduct penalties as per the schedule listed in the general specifications.

26. DOCUMENTS, MISSING/ILLEGIBLE

The bidder shall familiarize himself with all forms provided by the Board that are to be returned with the bid. If there are any forms either missing or illegible, it is the responsibility of the bidder to contact the School Business Administrator/Board Secretary during regular business hours or the architect of the project as outlined in the bid advertisement for duplicate copies of the forms. This must be done before the bid date and time. The Board accepts no responsibility for duplicate forms that were not received by the bidder in time for the bidder to submit with his bid.

*Forms provided by the Board of Education that must be returned with bid are referenced in the proceeding checklist.

27. DOCUMENT SIGNATURES – ORIGINAL; BLUE INK

All documents returned to the Board shall be signed in ink (blue) with an original signature. Failure to sign and return all required documents with the bid package may be cause for disqualification and for the bid to be rejected pursuant to N.J.S.A. 18A:18A-2(y) (non-responsive). The Board will not accept facsimile or rubber stamp signatures.

- Acknowledgement of Addenda
- Bid Proposal Form
- Bidder Comments Form
- Chapter 271 Political Disclosure Form
- Contractor Questionnaire/Certification
- Contractor's Registration Certification
- Equipment Certification
- Iran Disclosure of Investment Activities

- Non Collusion Affidavit
- Prequalification Affidavit
- Prevailing Wages Certification
- Stockholders' /Partnership Disclosure Affidavit/Ownership Declaration
- Subcontractor's Disclosure Statement

Checklist of Required Documents (Forms Provided in Bid Package)

Please check your bid package for these forms!

Reminder – Original Bid and One Copy of Bid Package and a USB Flash drive.

Bid packages are to be submitted in duplicate on the proposed forms as provided and the manner designated. The Board of Education will accept one original bid package, one copy of the bid package.

28. ESTIMATED QUANTITIES

It is the intention of the Board of Education to order the quantities of items listed on the Bid Proposal Form. Bidders are notified that the aforementioned quantities are estimated quantities that the Board intends to purchase and are not to be relied upon as the actual quantity to be purchased. There may be some deviation to the number of items actually ordered due to budgeting and financial constraints on the school district.

29. EQUIPMENT CERTIFICATION (N.J.S.A. 18A:18A-23)

Each bidder shall provide a certification showing that he owns, leases or controls all the necessary equipment required by the specifications. If the bidder is not the actual owner or lessee of any such equipment, he shall submit a certificate stating the source from which the equipment will be obtained and shall obtain a certificate from the owner and person in control of the equipment, definitely granting to the bidder the control of the equipment required during such time as may be necessary for the completion of that portion of the contract for which it is necessary.

The certificates are to be submitted with the bid. If the contract involves the installation of a manufactured system which requires the contractor to have special knowledge or training, or to be specifically certified by the manufacturer to install their system, this form is used to submit such required evidence of the bidder's approval from the manufacturer.

30. EXAMINATION OF SPECIFICATIONS, ACKNOWLEDGEMENT

The bidder, by submitting a proposal, acknowledges that he has carefully examined the bid specifications, documents, addenda (if any), and the site; and that from his investigation, he has satisfied himself as to the nature and location of the work, the general and local conditions and all matters which may in any way affect the work or its performance, and

that as a result of such examination, he fully understands the intent and purpose thereof, his obligations thereunder, and that he will not make any claim for, or have any right to damages, because of the lack of any information.

Each bidder submitting a bid for a service contract shall include in his bid price all labor, materials, equipment, services, and other requirements necessary, or incidental to, the completion of the work, and other pertinent work as hereinafter described, in accordance with the bid specifications and documents.

31. FALSE MATERIAL REPRESENTATION – (N.J.S.A. 2C:21-34-97(b))

A person commits a crime if the person knowingly makes a material representation that is false in connection with the negotiation, award or performance of a government contract. If the contract amount is for $25,000.00 or above, the offender is guilty of a crime of the second degree. If the contract amount exceeds $2,500.00, but is less than $25,000.00, the offender is guilty of a crime of the third degree. If the contract amount is for $2,500.00 or less, the offender is guilty of a crime of the fourth degree.

32. FORCE MAJEURE

Neither party shall be liable in damages for any failure, hindrance or delay in the performance of any obligation under this Agreement if such delay, hindrance or failure to perform is caused by conditions beyond the control of either party, including, but not limited to, Acts of God, flood, fire, war or the public enemy, explosion, government regulations whether or not valid (including the denial or cancellation of any export or other necessary license), court order, state funding, or other unavoidable causes beyond the reasonable control of the party whose performance is affected which cannot be overcome by due diligence.

Vendors, and/or contractors who have a contract with the Board of Education to provide goods or services cannot unilaterally claim an increase in the cost of the contract because of Force Majeure.

33. INSURANCE AND INDEMNIFICATION ☒ **Required** ☐ **Not Required**

The bidder to whom the contract is awarded for any service work or construction work shall secure, pay the premiums for and keep in force until the contract expires, insurance of the types and amounts listed below:

General Liability	$2,000,000. General Aggregate $2,000,000. Products $1,000,000. Bodily Injury, Property Damage & Personal Injury Combined $1,000,000. Each Occurrence $ 100,000 Pollution Cleanup

	$ 50,000. Fire Damage
	$ 5,000. Medical Expense
Excess Umbrella Liability	$4,000,000
	$1,000,000 Sexual Harassment
Comprehensive Automobile Liability Coverage	$1,000,000 Combined Single Limit Bodily Injury/Property Damage

(A) Insurance Certificate – When Required

- The contractor shall present to the Board of Education an insurance certificate in the above types and limits before any work or service begins.
- Automobile liability insurance coverage shall be included for any vehicle used by the contractor.
- The certificate holder shall be as follows:

Lakewood Board of Education
c/o Office of the School Business Administrator/Board Secretary
200 Ramsey Ave.
Lakewood, New Jersey 08701

Additional Insured Clause-- The contractor must include the following clause on the insurance certificate.

"Lakewood Board of Education is named as an additional insured"

OTHER INSURANCES

WORKERS COMPENSATION Evidence of adequate Workers Compensation Insurance as required by the laws of the State of New Jersey and the United States, must be available for perusal. The minimum limits are the following, unless a greater amount is required by law:

Bodily Injury by Accident	$1,000,000. Each Accident
Bodily Injury by Disease	$1,000,000. Policy Limit
Bodily Injury by Disease	$1,000,000. Each Employee
Contract Liability	Same as General Liability

(B) Indemnification

The contractor shall assume all risk of and responsibility for, and agrees to indemnify, defend, and save harmless the Board and its agents, employees and Board members, from and against any and all claims, demands, suits, actions, recoveries, judgments and costs and expenses (including, but not limited to, attorney's fees) in connection therewith on account of the loss of life or property or injury or damage to any person, body or property of any person or persons whatsoever, which shall arise from or result directly or indirectly from the work and/or materials supplied under this contract or the performance of services by the contractor under the agreement or by a party for the whole contract is liable. This

indemnification obligation is not limited by, but is in addition to, the insurance obligations contained in this agreement.

The Contractor is to assume all liability of every sort incident to the work, including property damage caused by him or his men or by any subcontractor employed by him or any of the subcontractor's men.

(C) ***Builders Risk*** ☒**Applicable** ☐**Not Applicable**

The contractor shall obtain and pay for within their bid, a Builder's Risk Policy providing coverage for all risk of physical loss or damage to the property in an amount equal to the total project value, less excavations and foundations.

The policy must be maintained for the duration of the project from the beginning of construction until:

(i) written acceptance by architect, or substantial completion, and

(ii) a temporary certificate of occupancy or certificate of occupancy has been issued.

A copy of the policy must be delivered to the Board of Education before construction begins. All of the contractor's policies, with the exception of workers' compensation, shall be endorsed naming the Board of Education, its elected and appointed officials, and employees as additional insureds. The contractor must also name the State of New Jersey, the NJSDA, the NJDOE, and the architect and staff as additional insured with respect to the work.

34. INTERPRETATIONS AND ADDENDA (N.J.S.A. 18A:18A-21(c) (2))

No interpretation of the meaning of the specifications will be made to any bidder orally. Every request for such interpretations should be made in writing to the School Business Administrator/Board Secretary and must be received at least ten (10) business days, not including Saturdays, Sundays and holidays, prior to the date fixed for the opening of bids to be given consideration. Any and all interpretations and any supplemental instructions will be distributed in the form of written addenda to the specifications. The addenda will be provided in accordance with N.J.S.A. 18A:18A-21(c) (2) to the bidder by certified mail or certified fax no later than seven (7) days, Saturdays, Sundays, or holidays prior to the date for acceptance of the bids. All addenda so issued shall become part of the contract document.

35. IRAN DISCLOSURE OF INVESTMENT ACITIVITIES- (N.J.S.A**.** 18A:18A-49.4)

The LAKEWOOD Board of Education, pursuant to N.J.S.A. 18A:18A-49.4, shall implement and comply with Public Law 2012, c.25, Disclosure of Investment Activities in Iran—N.J.S.A. 52:32-55 et seq.

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 a certification attesting, under penalty of perjury, that neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the 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 Divisions website http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf.

If the Board determines that a person or entity has submitted a false certification concerning its engagement in investment activities in Iran under section 4 of P.L.2012, c.25 (C.52:32-58), the board shall report to the New Jersey Attorney General the name of that person or entity, and the Attorney General shall determine whether to bring a civil action against the person to collect the penalty prescribed in paragraph (1) of subsection a. of section 5 of P.L.2012, c.25 (C.52:32-59).

In addition, bidders 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 on the lower portion of the enclosed form.

The Board has provided within the specifications, a Disclosure of Investments Activities certification form for all persons or entities, that plan to submit a bid, respond to a proposal, or renew a contract with the board, to complete, sign and submit with the proposal.

Failure to complete, sign and submit the Disclosure of Investment Activities in Iran form with the bid/proposal shall be cause for rejection of the proposal.

36. LIABILITY – COPYRIGHT

The contractor (vendor) shall hold and save the Board of Education, its officials and employees, harmless from liability of any nature or kind for or on account of the use of any copyrighted or uncopyrighted composition, secret process, patented or unpatented invention, article or appliance furnished or used in the performance of his contract.

37. LIQUIDATED DAMAGES

The contractor agrees to substantially complete this public works project to the complete satisfaction of the Board of Education by the stated contract completion date or within the number of working days so specified in the contract.

Failure to complete the project within the specified time frame or contract completion date shall lead to the Board of Education assessing liquidated damages against the contractor in accordance with and pursuant to N.J.S.A. 18A:18A-41 and 18A:18A-19.

For each calendar day thereafter that the work included under this contract remains uncompleted in accordance with the provision of the contract or not completed to the satisfaction of the Board of Education, the Board shall assess liquidated damages as follows:

Amount of Contract *Range of Amount*	Liquidated Damages
$ 1 and less than $ 19,999	$ 100.00 per calendar day
$ 20,000 and less than $ 50,000	$ 200.00 per calendar day
$ 50,001 and less than $ 100,000	$ 300.00 per calendar day
$ 100,001 and less than $ 250,000	$ 500.00 per calendar day
$ 251,001 and less than $ 500,000	$ 1,000.00 per calendar day
$ 500,000 and less than $1,000.00	$ 2,000.00 per calendar day
$ 1,000,000 and over	$ 2,500.00 per calendar day

The Board may assess liquidated damages by deducting the amount from monies which may due or become due to the contract.

The Board may also assess the contractor additional damages for costs the Board may incur because each day the project remains uncompleted. These costs include but are not limited to:

- Construction management fees
- Architect/engineer fees
- District administrative costs
- Any inspector or inspectors necessarily employed by the Board of Education on the work, for any number of days in excess of the number allowed in the specifications

The Board of Education may also assess against all monies owed to the contractor, liquidated damages for the violation of any terms and conditions of the contract or agreement by the contractor or the failure to perform said contract or agreement in accordance with its terms and conditions or the terms or conditions of the "Public School Contracts Law," in accordance with and pursuant to N.J.S.A. 18A:18A-19 and 18A:18A-41.

38. MAINTENANCE BONDS ☒ **Required** ☐ Not Required

When required by the Board of Education, the contractor shall furnish a Maintenance Bond for the total sum of the contract price, indemnifying the Board of Education against defects in installation, device and/or system for a period of one (1) year after the completion of the work, general wear and tear excepted.

The condition of this obligation is such that if the successful contractor shall indemnify and hold harmless the Board of Education from and against all losses, costs, damages and expenses, whatsoever, which the Board may suffer or compelled to pay by reason of the failure of the successful contractor to indemnify the Board against defects in installation, device and/or system for a period of one (1) year after the completion of the work.

The Board also requires that the awarded contractor provide a maximum of four (4) hours of training to each school for each device, system and/or software installed as a result of this bid.

39. NON-COLLUSION AFFIDAVIT (N.J.S.A. 52:34-15)

A notarized Non-Collusion Affidavit shall be submitted with the bid/proposal. The bidder/respondent has to certify that he has not directly or indirectly, entered into any agreement, participated in any collusion, discussed any or all parts of this proposal with any potential bidders, or otherwise taken any action in restraint of free, competitive bidding in connection with the above named bid, and that all statements contained in said Proposal and in this affidavit are true and correct, and made with full knowledge that the Board of Education relies upon the truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract for the said bid.

The respondent has to 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 of bona fide established commercial or selling agencies maintained by the respondent.

The Lakewood Board of Education has provided a Non-Collusion Affidavit form here within the specifications package. All respondents are to complete, sign, have the signature notarized and submit the form with the proposal response.

Failure to submit the Non-Collusion Affidavit with the proposal may be cause for the disqualification of the proposal.

40. NOTICE (AUTHORIZATION) TO PROCEED (N.J.S.A. 18A:18A-36(b))

The contractor shall not perform any work, or provide any services, materials, Technology & Hardware until a Notice (Authorization) to Proceed is received from the Office of the School Business Administrator/Board Secretary. (N.J.S.A. 18A:18A-36(b)).

The Board of Education only recognizes the receipt by the contractor of an approved signed purchase order as a Notice to Proceed. No word of mouth, phone, fax, e-mail, letter or other form of communication to proceed is a valid Notice to Proceed.

It is the intention of the Board to officially notify the Contractor, to whom the contract was awarded, through a Notice to Proceed letter issued by the School Business

Administrator/Board Secretary. A purchase order will accompany the Notice to Proceed letter. The contractor shall submit certain documents to the Board as so requested in the Notice to Proceed letter.

41. PAYMENTS

Every effort will be made to pay vendors and contractors within thirty (30) to sixty (60) days provided the Board of Education receives the appropriate documentation including but not limited to:

- Signed voucher by vendor
- Packing slips
- Invoices

Payment will be rendered upon completion of services or delivery of full order to the satisfaction of the Board of Education, unless otherwise agreed to by written contract or mandated by State Law*. The Board may, at its discretion make partial payments.

All payments are subject to approval by the Board of Education at a public meeting. Payment may be delayed from time to time depending on the Board of Education meeting schedule.

* See N.J.S.A. 18A:18A-40.1--Public Works Contracts

42. PAYMENT, PARTIAL, WITHHOLDING

A. Contract Thresholds; Partial Payments/Withholding

1. Contracts – Less than $100,000 – Lump Sum Payment
   Public works contracts less than $100,000 shall be paid in one lump total sum, upon completion of the project and to the satisfaction of the Board of Education.

2. Contracts – Exceeding $100,000 – Monthly Payments
   Public works contracts that exceed $100,000 shall be paid with partial payments on a Monthly basis for work that was completed to the satisfaction of the Board of Education.
   (Ref. N.J.S.A. 18A:18A-40.1)

3. Withholding of Monies – Percentage to be Withheld
   The Board of Education shall withhold the following percentages of outstanding balances of monies owed to contractors:

   Balances Exceeding $500,000 -- Two (2%) Per Cent
   Balances Less than $500,000 -- Five (5%) Per Cent

   The amounts withheld shall be returned to the contracts upon fulfillment of the terms of the contract. (Ref. N.J.S.A. 18A:18A-40.1)

B. Prompt Payment

The Board of Education will provide payment in accordance with the "Prompt Payment" law as codified in N.J.S.A. 2A:30A-1 et seq. All payments to contractors are subject to approval by the Board of Education at a public meeting.

All bills submitted to the Board for approval and payment pursuant to N.J.S.A. 2A:30A-1 et seq. must comply with the following provisions. The "billing date" shall be the date that the contractor signs the certification on the voucher/purchase order that the work has been performed. These bills include all bills for improvements to real property and contracts for engineers, architects, surveyors, design or skilled services relating to construction work.

Bills that are required to be approved by an engineering or architecture firm (prior to submission to the Board for approval) for purposes of confirmation of successful completion of construction work, shall be approved or disapproved within twenty (20) days of submission of same to the architect or engineer. If bills are disapproved or monies withheld from payment, the notice of the reason for same shall be given within the same twenty (20) days to the contract.

The Board must approve payment of all bills. For the Board to consider a bill for approval it must be submitted to the School Business Administrator/Board Secretary at least two weeks prior to a scheduled/or re-scheduled Board meeting date. If the Board, or any agent or officer of the Board, determines that the bill is not approved then notice of the disapproval shall be sent to the contractor with five (5) days of the Board meeting on which the bill was listed for approval.
If the bill is approved by the Board, then payment shall be made to the contractor with seven (7) days of the Board meeting as per the "payment cycle."

43. PERFORMANCE BOND/CONTRACT AMOUNT (N.J.S.A. 2A:44-143/2A:44-147)

A. The contractor shall furnish a Performance and Payment Bond in a sum of at least one hundred percent (100%) of the total amount payable by the terms of his Contract. Such written guarantee shall be made payable to the Lakewood Board of Education and shall be in the form required by Statute. Attached to the performance bond shall be a Surety Disclosure Statement and Certification which shall be complete in all respects and duly acknowledged according to law. A model Surety Disclosure Statement and Certification is presented in the Appendix Section of this proposal.

B. Such bond shall further carry a stipulation that no advance, premature, excessive or delayed payments by the Board shall in any way affect the obligation of the Surety on its bond.

C. Such bond shall further stipulate that no payments made to the contractor, nor partial or entire use of occupancy of the work by the Board shall be an acceptance of any work or materials not in accordance with this Contract and the Surety shall be equally bound to the same extent as the Contractor.

D. It is expressly stipulated that the Surety for the Contractor on the project shall be obligated to make periodic inquiries of the Board at reasonable times, to determine whether its Principal has performed or was performing the Contract in accordance with all of its terms and conditions, particularly in relation to the progress payments scheduled under said Contract with the Board.

E. In the event the Contractor defaults or fails to perform or finish the work prescribed under the Contract for any reason whatsoever, it shall become the unqualified obligation the Surety for the defaulting contractor to complete the Contract in accordance with its terms following receipt of notice from the Board of such default.

F. The Board shall only accept one payment and performance bond to cover this public works contract. The performance bond shall contain language as found in N.J.S.A. 2A:44-14. The bond form language is presented in the Appendix Section of this proposal.

G. Such Performance and Payment Bond shall be executed and delivered to the Board of Education when so requested by the Notice to Proceed Letter or within ten (10) days after the award of contract.

H. The Board of Education will only accept performance bonds from surety companies that are licensed and qualified to do business in the State of New Jersey, and if the amount of the bond is $850,000 but not more than $3.5 million, the surety shall hold a current certificate of authority, issued by the United States Secretary of the Treasury pursuant to 31 U.S.C. 9305. (N.J.S.A. 2A:44-143 (b))

Please note: The name, address, and phone number of the Bond Underwriter as well as the Bond Number shall be included with all bonds submitted to the Board of Education and must be duly signed with original signatures.

44. POLITICAL CONTRIBUTIONS DISCLOSURE – REQUIREMENTS

Annual Disclosure

A business entity as defined by law is advised of its responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-20.13 (P.L. 2005 Chapter 271 section 3) if the business entity receives contracts in excess of $50,000 from public entities in a calendar year. It is the business entity's responsibility to determine if filing is necessary. Additional information on this requirement is available from the New Jersey Election Law Enforcement commission at 1-888-313-3532 or at www.elec.nj.us.

Chapter 271 Political Contribution Disclosure Form

Business entities (contractors) receiving contracts from a public agency that are NOT awarded pursuant to a "fair and open" process (defined at N.J.S.A. 19:44A-20.7) are subject to the

Provisions of P.L. 2005, c. 271, s.2 (N.J.S.A. 19:44A-20.26). This law provides that 10 days prior to the award of such a contract, the contractor shall disclose contributions to:

- any State, county, or municipal committee of a political party
- any legislative leadership committee*
- any continuing political committee (a.k.a., political action committee)
- any candidate committee of a candidate for, or holder of, an elective office:
  of the public entity awarding the contract
  of that county in which that public entity is located
  of another public entity within that county
  or of a legislative district in which that public entity is located or, when the public entity is a county, of any legislative district which includes all or part of the county.

The disclosure must list reportable contributions to any of the committees that exceed $300 per election cycle that were made during the 12 Months prior to award of the contract. See N.J.S.A. 19:44A-8 and 19:44A-16 for more details on reportable contributions.

The Lakewood Board of Education has provided a Chapter 271 Political Contribution Disclosure Form within the specifications package for use by the business entity. The Board has also provided a list of agencies to assist the contractor. The enclosed list of agencies is provided to assist the contractor in identifying those public agencies whose elected official and/or candidate campaign committees are affected by the disclosure requirement. It is the contractor's responsibility to identify the specific committees to which contributions may have been made and need to be disclosed. The disclosed information may exceed the minimum requirement.

The enclosed Chapter 271 Political Contribution Disclosure form, a content-consistent facsimile, or an electronic data file containing the required details (along with a signed cover sheet) may be used as the contractor's submission and is disclosable to the public under the Open Public Records Act.

POLITICAL CONTRIBUTIONS/AWARD OF CONTRACTS

Pursuant to N.J.A.C. 6A:23A-6.3 (a) (1-4) please note the following:

Award of Contract -- Reportable Contributions -- N.J.A.C. 6A:23A-6.3 (a) (1)
"No board of education will vote upon or award any contract in the amount of $17,500 or greater to any business entity which has made a contribution reportable by the recipient under P.L.1973, c83 (codified at N.J.S.A. 19:44A-1 et seq.) to a member of the board of education during the preceding one year period.

Contributions During Term of Contract – Prohibited -- N.J.A.C. 6A:23A-6.3 (a) (2-3)

"Contributions reportable by the recipient under P.L. 1973, c83 (codified at N.J.S.A. 19:44A-1 et seq.) to any member of the school board from any business entity doing business with the school district are prohibited during the term of the contract."

"When a business entity referred in 4.1(e) is a natural person, contribution by that person's spouse or child that resides therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity."

Chapter 271 Political Contribution Disclosure Form – Required -- N.J.A.C. 6A:23A-6.3 (a) (4)
All business entities shall submit with their bid/proposal package a completed and signed Chapter 271 Political Contribution Disclosure Form. The Chapter 271 form will be reviewed by the Board to determine whether the business entity is in compliance with the aforementioned N.J.A.C. 6A:23A-6.3 (a) (2) Award of Contract.

The Chapter 271 Political Contribution Disclosure form shall be submitted with the response to the bid/proposal or no later than ten (10) days prior to the award of contract. Failure to provide the completed and signed form shall be cause for disqualification of the bid/proposal.

45. PRE-QUALIFICATION OF BIDDERS

A. Pursuant to N.J.S.A. 18A:18A-26, 27 et seq., all bidders on any contract for public work(s) which the entire cost of the contract exceeds $20,000.00, must be pre-qualified by the Department of Treasury, Division of Property Management and Construction, as to character and amount of public work on which they may submit bids. No person shall be qualified to bid on any public work contract with the Board if he has not submitted a statement to the Department of Treasury, Division of Property Management and Construction which fully develops the financial ability, adequacy of plant and equipment, organization and prior experience of the prospective bidder, and such other pertinent and material facts, within a period of one year preceding the date of opening of the bids for such contract.

B. Every pre-qualified bidder must submit with his proposal, a notarized affidavit setting forth the type of work and the amount of work for which he has been qualified, that there has been no material adverse change in his qualification information, the total amount of completed work on contracts at the time and date of the classification. Any bid not including a copy of this affidavit shall be rejected as being non-responsive to bid requirements. (N.J.S.A. 18A:18A-32) (**Prequalification Affidavit**)

C. All bidders shall furnish satisfactory evidence that he and his subcontractors have sufficient means and experience in the type of work to complete the project in accordance with the bid specifications. A subcontractor listing and bidder's personnel and experience sheet shall be submitted to the Board as part of the bidding documents. Where the bidder intends to subcontract any portion of the project, the cost of which will exceed $20,000.00, the sub-contractor shall be pre-qualified to perform the work and the bidder shall submit the requisite documentation pertaining to the sub-contractor in accordance with Paragraphs A and B above. The Board may make such additional investigations as it deems necessary to determine the ability, competence and financial responsibility of the bidder to perform the work. The bidder shall furnish the Board with the information and data for this purpose upon request. The Board reserves the right to reject any bid if the information fails to establish to the Board's satisfaction that the bidder is properly qualified to carry out the obligations of the contract and to complete the work contemplated here.

D. **Notice Of Classification** (For Contracts Exceeding $20,000) (N.J.S.A. 18A:18A-26 et seq.)

Each bidder shall submit with his/her bid a copy of a valid and active Notice of Classification letter issued by the Department of Treasury, Division of Property Management and Construction as appropriate to the nature of the bid. Any bid submitted to a school board under the terms of New Jersey Statutes not including a copy of a valid and active classification letter shall be rejected as being non-responsive to bid requirements.

"The Board of Education, through its authorized agent, shall upon completion of the contract report to the State agency listed on the pre-qualification/classification letter as to the contractor's performance and shall furnish such report from time to time during performance if the contractor is then in default".

E. **Uncompleted Contracts** (For Contracts Exceeding $20,000) (N.J.A.C. 17:19-2.13)
The Board also requires that each bidder submit with his bid a certified Total Amount of Uncompleted Contracts form as prescribed by law. (Form DPMC 701)

F. **Prequalification Affidavit** (For Contracts Exceeding $20,000)
Pursuant to N.J.S.A. 18A:18A-32, every bidder shall submit with his bid a prequalification affidavit.

46. PREVAILING WAGES: CONSTRUCTION, ALTERATIONS, REPAIRS

The State of New Jersey Prevailing Wage Act, Chapter 150 Laws of 1963 with applicable wage rates for Ocean County as published by the Department of Labor and Workforce Development in conformance with N.J.S.A. 34:11-56:25, is hereby made a part of these Contract Documents. Copies of these wage rates may be obtained from the State Department of Labor and Workforce Development, and/or viewed at www.state.nj.us/labor, the Prevailing Wages Determination Section.

Certified Payrolls

Contractor agrees to submit to the Board of Education a certified payroll for each payroll period within ten (10) days of the payment of wages. Contractor further agrees that no payments will be made to the Contractor if certified payrolls are not received. It is the Contractor's responsibility to insure timely receipt by the district of certified payrolls.

Before final payment, the contractor shall furnish the Board of Education with an affidavit stating that all workers have been paid the prevailing rate of wages in accordance with State of New Jersey requirements. The contractor shall keep an accurate record showing the name, craft, or trade and actual hourly rate of wages paid to each workman employed by him in connection with this work. Upon request, the Contractor(s) and each Subcontractor shall file written statements certifying to the amounts then due and owing to any and all workmen for wages due on account of the work. The statements shall be verified by the oaths of the Contractor or Subcontractor, as the case may be.

Posting of Prevailing Wages

The contractor shall post the prevailing wage rates for each craft and classification involved in the work, including the effective date of any changes thereof, in prominent and easily accessible places at the Site of the work and in such place or places as used to pay workmen their wages. (Ref. 18A:7G-23 and N.J.S.A. 34:11-56.32. The bidder shall submit a Prevailing Wages Certification with its bid package.

47. QUALIFICATION OF BIDDERS - Contractor Questionnaire Certification Form

The Board of Education may make such investigations as it seems necessary to determine the ability of the bidder to perform the terms of the contract. The bidder shall complete a Contractor Questionnaire Certification Form and return same with the bid and shall furnish all information to the Board as the Board may require to determine the contractor's ability to perform the duties and obligations as outlined in these specifications.

All bidders are reminded that bids may be rejected as not being responsive pursuant to N.J.S.A. 18A:18A-2(y) and therefore bidders are asked to complete the Questionnaire and to provide any supporting documentation with the bid package.

48. RESIDENT CITIZENS; PREFERRED IN EMPLOYMENT ON PUBLIC WORKS CONTRACTS

All bidders are to familiarize themselves with N.J.S.A. 34:9-2, which requires the contractor of any public work project to give preference in employment on the project, to citizens of the state of New Jersey. If the terms and conditions of N.J.S.A. 34:9-2 are not complied with, the contract shall be voidable. The Board is obligated to file with the Commissioner of Labor, the names and addresses of all contractors holding contracts with this project.

49. RENEWAL OF CONTRACT; AVAILABILITY AND APPROPRIATION OF FUNDS

The Board of Education may, at its discretion, request that a contract that is subject to renewal, be renewed in full accordance with N.J.S.A. 18A:18A-42. The School Business Administrator/Board Secretary, may negotiate terms for a renewal of contract proposal and present such negotiated proposal to the Board of Education. The Board of Education is the final authority in awarding renewals of contracts. All multi-year contracts and renewals are subject to the availability and appropriation annually of sufficient funds as may be needed to meet the extended obligation.

50. RIGHT TO KNOW LAW

All potentially hazardous materials or substances must be properly labeled in full accordance with the New Jersey Right to Know Law - N.J.S.A. 34:5A-1 et seq. All contractors or vendors who need additional information about the New Jersey Right to Know Law are to contact the:

New Jersey Department of Health
Right to Know Program
CN 368
Trenton, New Jersey 08625-0368
rtk@doh.state.nj.us

51. STOCKHOLDERS' DISCLOSURE (N.J.S.A. 52:25-24.2)

No corporation, partnership or limited liability company, shall be awarded any contract nor shall any agreement be entered into for the performance of any work or the furnishing of any materials or Technology & Hardware, the cost of which is to be paid with or out of any public funds, by the State, or any county, municipality or school district, or any subsidiary or agency of the State, or of any county, municipality or school district, or by any authority, board, or commission which exercises governmental functions, unless prior to the receipt of the bid or accompanying the bid, of said corporation, said partnership, or said limited liability company, there is submitted a statement setting forth the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class or of all 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 of greater interest therein, as the case may be. If one or more such stockholder or partner or member is itself a corporation or partnership, or limited liability company, the stockholders holding 10 percent or more of that corporation's stock, or the individual partners owning 10 percent or greater interest in that partnership, or the members owning 10 percent or greater interest in that limited liability company, as the case may be, shall also be listed. The disclosure shall be continued until names and addresses of every non corporate stockholder, and individual partner, and member exceeding the 10 percent ownership criteria established in this act, has been listed.

To comply with this section, a bidder with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly

traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 percent or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest. N.J.S.A. 52:25-24.2—as amended P.L. 2016 c.43

The Lakewood Board of Education has provided within the specifications, a two (2) page form entitled:

STOCKHOLDER/PARTNERSHIP DISCLOSURE AND STATEMENT OF OWNERSHIP

All bidders/respondents are to completed, sign and submit both pages for the form.

Failure to complete, sign and submit the Stockholders' Disclosure Form with the bid/proposal, shall be cause for the disqualification of the bid/proposal.

52. SUBCONTRACTING: Subcontractor Disclosure Statement

Pursuant to N.J.S.A. 18A:18A-18(b) any bidder who bids for the overall contract and who will subcontract the following work:

- Plumbing and gas fitting work;
- Refrigeration, heating and ventilating systems and equipment;
- Electrical work, tele-data, fire alarm or security systems; and
- Structural steel and ornamental iron work;

The bidder shall identify the subcontractor that will be used on the form provided by the school district

Qualified Subcontractors

If the cost of the work done by the subcontractors exceeds $20,000.00, then said contractor shall be qualified in accordance with Article 6 N.J.S.A. 18A:18A-26 et seq. For those subcontractors in the four branches listed above, the bidder shall supply proof that the subcontractor is qualified by submitting with the bid the subcontractor's:

- Notice of Classification Form
- Total Amount of Uncompleted Contractor's Form—Certified (Form DPMC 701)

For all other subcontractors who will perform work valued in excess of $20,000.00, the bidder shall submit the evidence of the subcontractor's qualifications listed above within ten (10) days of receipt of notice of the award of contract.

Documents to be Submitted: All Subcontractors

The prime contractor (bidders) who will be using a subcontractor on any part of this bid, shall identify the subcontractor(s) on the appropriate form and submit with the bid package the following subcontractor documents at the time indicated in the box below:

SUBCONTRACTOR DOCUMENT SUBMISSIONS		
Estimated Value of Contract – Subcontractor	For Subcontractors in the four major branches listed above: *Submit With Bid*	For all other Subcontractors: *Submit Within ten (10 Days of Receipt of Notice of Award*
$2,000 through $5,999	Contractor's Registration Certificate	
$6,000 through $17,499	Contractor's Registration Certificate New Jersey Business Registration Certificate	
$17,500 through $19,999	Contractor's Registration Certificate New Jersey Business Registration Certificate Chapter 271 Political Contribution Disclosure Form	
$20,000 or more	Contractor's Registration Certificate New Jersey Business Registration Certificate Chapter 271 Political Contribution Disclosure Form Notice of Classification Total Amount of Uncompleted Contracts -- Certified	

Failure to identify in the Subcontractor's Disclosure Statement the names and addresses of any or all subcontractors required to be named in the bid, or to submit with the bid the appropriate documents for each such subcontractor, may be cause for the bid to be rejected as being non-responsive.

Contractors are reminded that the subcontractors listed on the forms provided by the school district may not be changed later, except in the case of failure in performance or other contract breach where a change is needed to protect the school district.

53. SUBCONTRACTING: PROHIBITIONS: HOLD HARMLESS

Prime contractors, with whom the Board of Education have an executed contract, may not subcontract any part of any work done for the Board without first receiving written approval from the Board. Contractors seeking to use subcontractors must first complete the Request to Sub Contract Form as provided by the Building Services Department.

Subcontractors Prohibited to Sub Contract

It is the responsibility of the prime contractor to ensure that no subcontractor who has received written permission to do work for the Board, subcontracts any of its/their work without first receiving written approval from the prime contractor **and** the Supervisor of Grants, Sara Garfunkel or his designee.

The prime contractor assumes all responsibility for work performed by subcontractors. The prime contractor must also provide to the Board Business Office the following documents secured from all approved subcontractors:

- Insurance Certificate as outlined in the bid specifications;
- Affirmative Action Evidence as outlined in the bid specifications;
- Written certification that the subcontractor shall adhere to prevailing wages as provided through New Jersey State Law;
- Evidence of Performance Security;
- Documents listed in the Subcontractor Document Submissions list.

In cases of subcontracting, the Board of Education shall only pay the prime contractor. It is the sole responsibility of the prime contractor to ensure that all subcontractors are paid. The Board of Education shall not be responsible for payments to subcontractors and shall be held harmless against any or all claims generated against prime contractors for non-payment to subcontractors.

Penalties – Unauthorized Subcontractors

The Board of Education shall deduct the amount of $1,000.00 (one thousand dollars) per day as a penalty, for each day a prime contractor uses a subcontractor without first receiving **written** permission from the Building Services Department.

54. TAXES; Contractor's Use of Board's Tax Exempt Status

As a New Jersey governmental entity, the Board of Education is exempt from the requirements under New Jersey state sales and use tax (N.J.S.A. 54:32B-1 et seq.), and does not pay any sales or use taxes. Bidders should note that they are expected to comply with the provisions of said statute and the rules and regulations promulgated thereto to qualify them for examinations and reference to any and all labor, services, materials and Technology & Hardware furnished to the Board of Education. Contractors may not use the Board's tax identification number to purchase Technology & Hardware, materials, service or equipment, for this project.

A contractor may qualify for a New Jersey Sales Tax Exemption on the purchase of materials, Technology & Hardware and services when these purchases are used exclusively to fulfill the terms and conditions of the contract with the Board of Education. All contractors are referred to New Jersey Division of Taxation–Tax Bulletin S&U-3 for guidance. Again, contractors are not permitted to use the Board's tax identification number to purchase Technology & Hardware, materials, services of equipment.

55. TERMINATION OF CONTRACT

If the Board determines that the contractor has failed to comply with the terms and conditions of the bid and/or proposal upon which the issuance of the contract is based or that the contractor has failed to perform said service, duties and or responsibilities in a timely, proper, professional

And/or efficient manner, then the Board shall have the authority to terminate the contract upon written notice setting forth the reason for termination and effective date of termination.

Termination by the Board of the contract does not absolve the contractor from potential liability for damages caused the District by the contractor's breach of this agreement. The Board may withhold payment due the contractor and apply same towards damages once established. The Board will act diligently in accordance with governing statutes to mitigate damages. Damages may include the additional cost of procuring said services or goods from other sources.

The contractor further agrees to indemnify and hold the District harmless from any liability to subcontractors or suppliers concerning work performed or goods provided arising out of the lawful termination of this agreement.

56. WITHDRAWAL OF BIDS

Before The Bid Opening

The School Business Administrator/Board Secretary may consider a written request from a bidder to withdraw a bid if the written request is received by the School Business Administrator/Board Secretary before the advertised time of the bid opening. Any bidder who has been granted permission by the School Business Administrator/Board Secretary to have his/her bid withdrawn cannot re-submit a bid for the same advertised bid project. That bidder shall also be disqualified from future bidding on the same project if the project is re-bid.

After The Bid Opening

The Board of Education may consider a written request from a bidder to withdraw a bid, if the written request is received by the School Business Administrator/Board Secretary within five (5) Business days after the bid opening. A request to withdraw a bid after the specified number of days will not be honored.

The contractor/vendor who wishes to withdraw a bid must provide a certification supported by written factual evidence that an error or omission was made by the contractor and that the error or omission was a substantial computational error or an unintentional omission or both.

The request to withdraw a bid after the bid opening may be reviewed by the School Business Administrator/Board Secretary, the Director of Facilities, other interested administrators; and the Architect/Engineer of Record for the project (if necessary) and/or the Board Attorney and a recommendation will be made to the Board of Education. If the Board of Education grants permission to have the bid withdrawn the contractor/vendor shall be disqualified from bidding on the same project if the project is re-bid. If the contractor/vendor fails to meet the burden of proof to have the bid withdrawn the request to withdraw the bid will be denied and if the contractor/vendor fails to execute the contract the bid guarantee will be forfeited and become property of the Board of Education.

57. EXPERIENCE

The Board of Education requires evidence from all bidders that they have completed work or projects of a similar nature as outlined in the bid package. Bidders are to provide evidence of satisfactory completion of work of similar nature as outlined in the bid from Public and/or Non-Public Schools in New Jersey within the past three (3) years.

58. NUMBER OF WORKING DAYS -- (N.J.S.A. 18A:18A-19)

The contractor agrees to substantially complete this public works project to the satisfaction of the Board of Education by September 30th, 2019 from the receipt of the official Notice to Proceed and purchase order.

59. TRADE CLASSIFICATION(S)

A. Bidder:

For the purpose of this Public Works bid, each bidder shall be classified by the State of New Jersey—Division of Property Management and Construction in thefollowing trade(s):

Classification Code	Classification Trade Name
C011	DOORS & HARDWARE
C012	WINDOWS

Proof of classification shall be submitted with the bid package in the form of a current Notice of Classification as issued by the New Jersey Division of Property Management and Construction.

B. Subcontractor:

For the purpose of this Public Works bid, each bidder shall use a subcontractor that is properly classified by the State of New Jersey—Division of Property Management and Construction in the following trade(s):

Classification Code	Classification Trade Name
C011	DOORS & HARDWARE
C012	WINDOWS

Proof of classification, in the form of a current Notice of Classification form, for each sub-contractor, shall be submitted by the bidder with the bid package for any estimated subcontractor work exceeding $20,000.00.

LAKEWOOD BOARD OF EDUCATION

BID DOCUMENTS AND REQUIRED DOCUMENTATION

All documents in this section shall be completed, signed and submitted with the bid package – Failure to submit the bid documents and other documents so specified may be cause to reject the bid for being non-responsive (N.J.S.A. 18A:18A-2(y)).

To be completed and signed below. *Return With Bid*

Kevin Campbell
Assistant Business Administrator
LAKEWOOD BOARD OF EDUCATION
200 RAMSEY AVE
LAKEWOOD, NJ 08701

Proposal Form

PRICE MUST INCLUDE DELIVERY, REMOVAL OF EXISTING DOORS AND INSTALLATION

Bid No. **18-1920** Proposal Date: **Wednesday, October 30, 2019 @ 11:00 A.M.**

I/we hereby submit the following proposal for **NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS** as specified in the bid specifications:

BID PROPOSAL 001- BAIS RIVKA ROCHEL	**$**_____
BID PROPOSAL 002- BAIS FAIGA	**$**_____
BID PROPOSAL 003- LAKEWOOD CHEDER	**$**_____
BID PROPOSAL 004- MESIVTA OHR CHAIM MEIR	**$**_____
BID PROPOSAL 005 - TIFERES CHAYA	**$**_____
BID PROPOSAL 006 - YESHIVA BAIS HATORAH	**$**_____
BID PROPOSAL 007 - YESHIVA BIRCHAS CHAIM	**$**_____
BID PROPOSAL 008 - YESHIVA ORCHOS CHAIM	**$**_____
BID PROPOSAL 009 - YESHIVA TORAS ARON	**$**_____
TOTAL OF BID AMOUNT:	**$**_____

** **VENDOR MUST PROVIDE INSTALLATION WHERE APPLICABLE. ANY PERMITS REQUIRED FOR THIS PROJECT ARE TO BE OBTAINED BY THE VENDOR**

Name of Company _____

Address _____

City, State, Zip _____

Telephone No._____Ext._____Fax No. _____

E-Mail : _____

Tax ID No. _____

Authorized Agent_____Date _____

Authorized Signature_____Date_____

BID FORM ATTACHMENT CHECKLIST
NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS

Bid Number: 18-1920 Name of Bidder_____

THE FOLLOWING CHECKLIST MUST BE PROPERLY COMPLETED WITH THE BID PACKAGE AND SUBMITTED TO THE LAKEWOOD BOARD OF EDUCATION AS PART OF THE BID DOCUMENTS:

Bidder's Proposal (Bid Form Attached)	☐
Acknowledgement of Addenda (Bid Form Attachment #1)	☐
Bidder's Comment Form (Bid Form Attachment #2)	☐
Political Contribution Form (Bid Form Attachment #3)	☐
Contractor/Vendor- Questionnaire Certification (Bid Form Attachment #4)	☐
Current Public Works Contractor Registration Act Certificate (P.L. 1999, c. 238) (New Jersey Department of Labor and Workforce Development) (Attach to Bid Form Attachment #5)	☐
Equipment Certification (Bid Form Attachment #6)	☐
Disclosure of Investment Activities in Iran (Bid Form Attachment #7)	☐
Non-Collusion Affidavit (Bid Form Attachment #8)	☐
Pre-Qualification Affidavit (Bid Form Attachment #9)	☐
Compliance with New Jersey Prevailing Wage Act (Bid Form Attachment #10)	☐
Ownership Disclosure Certificate (Bid Form Attachment #11)	☐
Sub-Contractor's Identification Statement (Bid Form Attachment #12)	☐

Americans with Disabilities Act of 1990 (Attachment #13) ☐

Equal Employment Opportunity Mandatory Language (Attachment #14) ☐

Affirmative Action Questionnaire or Certificate of Employee Information Report (Bid Form Attachment #15) ☐

Affidavit of No Material Adverse Change of Circumstances (Bid Form Attachment #16) ☐

DPMC Notice of Classification (New Jersey Dept. of Treasury) (Attach to Bid Form Attachment #17) ☐

Total Amount of Uncompleted Contracts (Bid Form Attachment #18) ☐

Affidavit Regarding List of Debarred, Suspended and Disqualified Bidders (Bid Form Attachment #19) ☐

Certificate of Authority (Bid Form Attachment #20) ☐

Consent of Surety (Bid Form Attachment #21) ☐

Bid Bond, Certified Check, Cashier's Check, or any combination thereof, in an amount no less than ten percent (10%) of the total amount of the bid, not to exceed $20,000.00 (attach to Bid Form Attachment #22) ☐

Current Business Registration Certificate (New Jersey Dept. of Treasury) (Attach to Bid Form Attachment #23) must submit <u>at time of contract award.</u> ☐

Current required Trade License(s), if applicable (ATTACH TO SUBCONTRACTOR IDENTIFICATION STATEMENT) ☐

If out of State general contractor and/or subcontractor, attach Certificate of Authority To perform work in New Jersey (attach to Bid Form Attachment #24) ☐

Right to Know (Attachment #25) ☐

REQUIRED FORMS FOR SUBCONTRACTORS LISTED IN N.J.S.A. 18A:18A-18

DPMC Notice of Classification (New Jersey Dept. of Treasury) ☐

Current Public Works Contractor Registration Act Certificate (P.L. 1999, c. 238) ☐

Current Business Registration Certificate (New Jersey Dept. of Treasury) must submit at time of contract award. ☐

Total Amount of Uncompleted Contracts (Form DPMC 701) ☐

Trade License(s), if applicable ☐

FAILURE TO COMPLETE AND SUBMIT ALL OF THE ABOVE DOCUMENTS MAY RESULT IN REJECTION OF YOUR BID.

By placing a checkmark in the boxes provided, I hereby acknowledge having read and fully understand all the requirements of each of the documents referenced herein.

I certify that the forgoing statements are true and I am aware that if any such statements are willfully false, I may be subject to punishment.

Bidder's Authorized Representative:

Name:_____ Title:_____

Signature:_____ Date:_____

<u>This form must be submitted with the Bid</u>

To be completed, signed and returned with Bid

ACKNOWLEDGEMENT OF ADDENDUM

BID FORM ATTACHMENT #1

NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS

Bid No. **18-1920** Bid Date **Wednesday, October 30, 2019**

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

ADDENDA NO.	ISSUING DATES
_____	_____
_____	_____
_____	_____
_____	_____

☐ **No Addenda Received**

Name of Company _____

Address _____ P.O. Box _____

City, State, Zip Code _____

Name of Authorized Representative _____

Signature _____ Date _____

BIDDER'S COMMENT FORM

Bid Form Attachment #2
NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS

Bid No. **18-1920** Bid Date **Wednesday, October 30, 2019**

This form is for Bidder's use in offering voluntary alternates, or other comments intended to afford the Board information or opportunities to improve the quality of the project, without invalidating the bid proposal. It may *not* be used to take exception to specific conditions of the project defined in the contract documents which the Bidder does not like. The bid provided must be based upon the plans and specs, and all contract conditions, as stated. If these documents or conditions contain some untenable item, or extremely expensive provision, for example, to which the Bidder wishes to raise objection, this must be done at the pre-bid meeting, or in writing to the Architect through the question process outlined in the Instructions to Bidders. Such inquiries will have response issued by addendum only, and the resulting decision circulated to all bidders of record. Inquires raised too close to the bid date will not be able to be answered.

_____

_____

_____

_____

Name of Company _____

Address _____

City, State, Zip _____

Name of Authorized Representative _____

Signature_____ Title_____ Date _____

To be completed, signed and returned with Bid

BID FORM ATTACHMENT #3

LAKEWOOD Board of Education

Chapter 271
Political Contribution Disclosure Form

(Contracts that Exceed $17,500.00)
Ref. N.J.S.A. 19:44-20.26

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that _____ (**Business Entity**) has made the following **reportable** political contributions to any elected official, political candidate or any political committee as defined in N.J.S.A. 19:44-20.26 during the twelve (12) Marchs preceding this award of contract:

Reportable Contributions

Date of Contribution	Amount of Contribution	Name of Recipient Elected Official/ Committee/Candidate	Name of Contributor

The Business Entity may attach additional pages if needed.

☐ **No Reportable Contributions** (Please check (✓) if applicable.)

I certify that _____ (Business Entity) made no reportable contributions to any elected official, political candidate or any political committee as defined in N.J.S.A. 19:44-20.26.

Certification

I certify, that the information provided above is in full compliance with Public Law 2005—Chapter 271.

Name of Authorized Agent

_____

Signature_____
Title_____
Business
Entity_____

Non-Public School Security Supplies & Installation **Bid No**: **18-1920**

271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Contractor Instructions

Business entities (contractors) receiving contracts from a public agency that are NOT awarded pursuant to a "fair and open" process (defined at N.J.S.A. 19:44A-20.7) are subject to the provisions of P.L. 2005, c. 271, s.2 (N.J.S.A. 19:44A-20.26). This law provides that 10 days prior to the award of such a contract, the contractor shall disclose contributions to:

- any State, county, or municipal committee of a political party
- any legislative leadership committee*
- any continuing political committee (a.k.a., political action committee)
- any candidate committee of a candidate for, or holder of, an elective office:
    - of the public entity awarding the contract
    - of that county in which that public entity is located
    - of another public entity within that county
    - or of a legislative district in which that public entity is located or, when the public entity is a county, of any legislative district which includes all or part of the county

The disclosure must list reportable contributions to any of the committees that exceed $300 per election cycle that were made during the 12 Marchs prior to award of the contract. See N.J.S.A. 19:44A-8 and 19:44A-16 for more details on reportable contributions.

N.J.S.A. 19:44A-20.26 itemizes the parties from whom contributions must be disclosed when a business entity is not a natural person. This includes the following:

- individuals with an "interest" ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit
- all principals, partners, officers, or directors of the business entity or their spouses
- any subsidiaries directly or indirectly controlled by the business entity
- IRS Code Section 527 New Jersey based organizations, directly or indirectly controlled by the business entity and filing as continuing political committees, (PACs).

When the business entity is a natural person, "a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity." [N.J.S.A. 19:44A-20.26(b)] The contributor must be listed on the disclosure.

Any business entity that fails to comply with the disclosure provisions shall be subject to a fine imposed by ELEC in an amount to be determined by the Commission which may be based upon the amount that the business entity failed to report.

The enclosed list of agencies is provided to assist the contractor in identifying those public agencies whose elected official and/or candidate campaign committees are affected by the disclosure

requirement. It is the contractor's responsibility to identify the specific committees to which contributions may have been made and need to be disclosed. The disclosed information may exceed the minimum requirement.

The enclosed form, a content-consistent facsimile, or an electronic data file containing the required details (along with a signed cover sheet) may be used as the contractor's submission and is disclosable to the public under the Open Public Records Act.

The contractor must also complete the attached Stockholder Disclosure Certification. This will assist the agency in meeting its obligations under the law. **NOTE: This section does not apply to Board of Education contracts.**

[1] N.J.S.A. 19:44A-3(s): "The term "legislative leadership committee" means a committee established, authorized to be established, or designated by the President of the Senate, the Minority Leader of the Senate, the Speaker of the General Assembly or the Minority Leader of the General Assembly pursuant to section 16 of P.L.1993, c.65 (C.19:44A-10.1) for the purpose of receiving contributions and making expenditures."

P.L. 2005, c.271

(Unofficial version, Assembly Committee Substitute to A-3013, First Reprint*)

AN ACT authorizing units of local government to impose limits on political contributions by contractors and supplementing Title 40A of the New Jersey Statutes and Title 19 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

40A:11-51 1. A. A county, municipality, independent authority, board of education, or fire district is hereby authorized to establish by ordinance, resolution or regulation, as may be appropriate, measures limiting the awarding of public contracts therefrom to business entities that have made a contribution pursuant to P.L.1973, c.83 (C.19:44A-l et seq.) and limiting the contributions that the holders of a contract can make during the term of a contract, notwithstanding the provisions and parameters of sections 1 through 12 of P.L.2004, c.19 (C. 19:44A-20.2 et al.) and section 22 of P.L.1973, c.83 (C.19:44A-22).

b. The provisions of P.L.2004, c.19 shall not be construed to supersede or preempt any ordinance, resolution or regulation of a unit of local government that limits political contributions by business entities performing or seeking to perform government contracts. Any ordinance, resolution or regulation in effect on the effective date of P.L.2004, c.19 shall remain in effect and those adopted after that effective date shall be valid and enforceable.

c. An ordinance, resolution or regulation adopted or promulgated as provided in this section shall be filed with the Secretary of State.

19:44A-20.26 2. A. Not later than 10 days prior to entering into any contract having an anticipated value in excess of $17,500, except for a contract that is required by law to be publicly advertised for bids, a State agency, county, municipality, independent authority, board of education, or fire district shall require any business entity bidding thereon or negotiating therefor, to submit along with its bid or price quote, a list of political contributions as set forth in this subsection that are reportable by the recipient pursuant to the provisions of P.L.1973, c.83 (C.19:44A-l et seq.) and that were made by the business entity during the preceding 12 March period, along with the date and amount of each contribution and the name of the recipient of each contribution. A business entity contracting with a State agency shall disclose contributions to any State, county, or municipal committee of a political party, legislative leadership committee, candidate committee of a candidate for, or holder of, a State elective office, or any continuing political committee. A business entity contracting with a county, municipality, independent authority, other than an independent authority that is a State agency, board of education, or fire district shall disclose contributions to: any State, county, or municipal committee of a political party; any legislative leadership committee; or any candidate committee of a candidate for, or holder of, an elective office of that public entity, of that county in which that public entity is located, of another public entity within that county, or of a legislative district in which that public entity is located or, when the public entity is a county, of any legislative district which includes all or part of the county, or any continuing political committee.

The provisions of this section shall not apply to a contract when a public emergency requires the immediate delivery of goods or services.

b. When a business entity is a natural person, a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by: all principals, partners, officers, or directors of the business entity or their spouses; any subsidiaries directly or indirectly controlled by the business entity; or any political organization organized under section 527 of the Internal Revenue Code that is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee, shall be deemed to be a contribution by the business entity.

c. As used in this section:
"business entity" means a natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other state or foreign jurisdiction;

"interest" means the ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit, as appropriate; and

P.L. 2005,c271 **Page 2**

"State agency" means any of the principal departments in the Executive Branch of the State Government, and any division, board, bureau, office, commission or other instrumentality within or created by such department, the Legislature of the State and any office, board, bureau or commission within or created by the Legislative Branch, and any independent State authority, commission, instrumentality or agency.

d. Any business entity that fails to comply with the provisions of this section shall be subject to a fine imposed by the New Jersey Election Law Enforcement Commission in an amount to be determined by the commission which may be based upon the amount that the business entity failed to report.

19:44A-20.13 3. A. Any business entity making a contribution of money or any other thing of value, including an in-kind contribution, or pledge to make a contribution of any kind to a candidate for or the holder of any public office having ultimate responsibility for the awarding of public contracts, or to a political party committee, legislative leadership committee, political committee or continuing political committee, which has received in any calendar year $50,000 or more in the aggregate through agreements or contracts with a public entity, shall file an annual disclosure statement with the New Jersey Election Law Enforcement Commission, established pursuant to section 5 of P.L.1973, c.83 (C.19:44A-5), setting forth all such contributions made by the business entity during the 12 Marchs prior to the reporting deadline.

b. The commission shall prescribe forms and procedures for the reporting required in subsection a. of this section which shall include, but not be limited to:

(P) the name and mailing address of the business entity making the contribution, and the amount contributed during the 12 Marchs prior to the reporting deadline;

(2) the name of the candidate for or the holder of any public office having ultimate responsibility for the awarding of public contracts, candidate committee, joint candidates committee, political party committee, legislative leadership committee, political committee or continuing political committee receiving the contribution; and

(3) the amount of money the business entity received from the public entity through contract or agreement, the dates, and information identifying each contract or agreement and describing the goods, services or equipment provided or property sold.

c. The commission shall maintain a list of such reports for public inspection both at its office and through its Internet site.

d. When a business entity is a natural person, a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by: all principals, partners, officers, or directors of the business entity, or their spouses; any subsidiaries directly or indirectly controlled by the business entity; or any political organization organized under section 527 of the Internal Revenue Code that is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee, shall be deemed to be a contribution by the business entity.

As used in this section:
"business entity" means a natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other state or foreign jurisdiction; and

"interest" means the ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit, as appropriate.

e. Any business entity that fails to comply with the provisions of this section shall be subject to a fine imposed by the New Jersey Election Law Enforcement Commission in an amount to be determined by the commission which may be based upon the amount that the business entity failed to report.

4. This act shall take effect immediately.
* Note: Bold italicized statutory references of new sections are anticipated and not final as of the time this document was prepared. Statutory compilations of N.J.S.A. 18A:18A-51 is anticipated to show a reference to N.J.S.A. 40A:11-51 and to N.J.S.A.19:44A-20.26.

-

List of Agencies with Elected Officials Required for Political Contribution Disclosure

N.J.S.A. 19:44A-20.26

County Name: Ocean

State: Governor, and Legislative Leadership Committees

Legislative District #s: 9, 10, & 30

State Senator and two members of the General Assembly per district.

County:

Freeholders County Clerk Sheriff Surrogate

Municipalities (Mayor and members of governing body, regardless of title):

Barnegat Light Borough
Barnegat Township
Bay Head Borough
Beach Haven Borough
Beachwood Borough
Berkeley Township
Brick Township
Dover Township
Eagleswood Township
Harvey Cedars Borough
Island Heights Borough
Jackson Township
Lacey Township
Lakehurst Borough
Lakewood Township
Lavallette Borough
Little Egg Harbor Township
Long Beach Township
Manchester Township
Mantoloking Borough
Ocean Gate Borough
Ocean Township
Pine Beach Borough
Plumsted Township
Point Pleasant Beach Borough
Point Pleasant Borough
Seaside Heights Borough
Seaside Park Borough
Ship Bottom Borough
South Toms River Borough
Stafford Township
Surf City Borough
Tuckerton Borough

Boards of Education (Members of the Board):

Barnegat Township
Bay Head Borough
Beach Haven Borough
Berkeley Township
Brick Township
Central Regional
Eagleswood Township
Island Heights Borough
Jackson Township
Lacey Township
Lakehurst Borough
Lakewood Township
Lavallette Borough
Little Egg Harbor Township
Long Beach Island
Manchester Township
Mantoloking
Ocean Gate Borough

Ocean Township
Pinelands Regional
Plumsted Township
Point Pleasant Beach Borough
Point Pleasant Borough
Seaside Heights Borough
Seaside Park Borough
Southern Regional
Stafford Township
Toms River Regional
Tuckerton Borough

Fire Districts (Board of Fire Commissioners):

Brick Township Fire District No. 1
Brick Township Fire District No. 2
Brick Township Fire District No. 3
Dover Township Fire District No. 1
Dover Township Fire District No. 2
Jackson Township Fire District No. 1
Jackson Township Fire District No. 2
Jackson Township Fire District No. 3
Jackson Township Fire District No. 4
Lakewood Township Fire District No. 1
Little Egg Harbor Township. Fire District No. 1
Little Egg Harbor Township Fire District No. 2
Little Egg Harbor Township Fire District No. 3
Plumsted Township Fire District No. 1

To be completed, signed and returned with Bid

LAKEWOOD Board of Education

Bid Form Attachment #4

CONTRACTOR QUESTIONNAIRE/CERTIFICATION

NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS

Bid No. **18-1920** Bid Date **Wednesday, October 30, 2019**

Name of Company _____

Street Address _____ P.O. Box _____

City, State, Zip _____

Business Phone Number ( ) _____ Extension _____

Emergency Phone Number ( ) _____

FAX NO. ( ) _____ E-Mail _____

FEIN No. _____

Questionnaire

1. How many years have you been engaged in the contracting business under your present firm or trading name?

   _____ Years

2. Have you ever failed to complete any work awarded to your company?

   ☐ Yes ☐ No

   If yes, explain _____

   _____

   ___

3. Have you ever defaulted on a contract?

   ☐ Yes ☐ No

   If yes, explain _____

   _____

4. Have you or other principals of your company been debarred, suspended, proposed for debarment, declared ineligible, or voluntary excluded from participation in any public works projects by any federal, state, or local agencies, including any **"prior negative experience** " disqualification pursuant to N.J.S.A. 18A:18A-4 (b) (c)?

   ☐ Yes ☐ No

   If yes, explain _____

   _____

(Form continued on next page)

Contractor Questionnaire/Certification—page 2

Return With Bid

NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS

Bid No. **18-1920** Bid Date **Wednesday, October 30, 2019**

_____
Name of Company

Experience – Educational Facilities:

The Board of Education requires evidence from all bidders that they have completed work or projects of a similar nature as outlined in the bid package. Bidders are to provide evidence of satisfactory completion of work of similar nature as outlined in the bid from Public and/or Non-Public school districts in New Jersey within the past three (3) years. Bidders are to complete the section on experience and provide supporting documentation with the bid package.

C. Title of Work/Project: _____

Name of School District: _____

Name of School Official: _____ Title _____

Phone Number _____ E-Mail _____

Date(s) of Project: _____

D. Title of Work/Project: _____

Name of School District: _____

Name of School Official: _____ Title _____

Phone Number _____ E-Mail _____

Date(s) of Project: _____

E. Title of Work/Project: _____

Name of School District: _____

Name of School Official: _____ Title _____

Phone Number _____ E-Mail _____

Date(s) of Project: _____

References

Architects—List names of architects that you have worked with on projects within the last five (5) years.

	Firm	Principal	Phone Number
1.			
2.			
3.			

(Form continued on next page)

Contractor Questionnaire/Certification—page 3 ***Return With Bid***

NONPUBLIC SCHOOLS DOOR & WINDOW

Bid No. **18-1920** **REPLACEMENTS** Bid Date **Wednesday, October 30, 2019**

_____
Name of Company

Bank—List name of principal bank with which your company does business.

Bank	Officer	Phone Number

Trade—List names of companies within your trade with which your company does business:

	Firm	Principal	Phone Number
1.			
2.			
3.			

(Form continued on next page)

To be completed, signed and returned with Bid

Contractor Questionnaire/Certification—page 4

NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS

Bid No. **18-1920** Bid Date **Wednesday, October 30, 2019**

Name of Company

Certifications

- ***Debarment***
  I certify that the entity listed on the form or any person employed by this entity, are not presently on the following:
  - New Jersey Department of Treasury – Consolidated Debarment Report
  - New Jersey Department of Labor – Prevailing Wage Debarment List
  - Federal Debarred Vendor List—System for Award Management (SAM.gov)

- ***Direct/Indirect Interests***
  I declare and certify that no member of the LAKEWOOD Board of Education, nor any officer or employee or person whose salary is payable in whole or in part by said Board of Education or their immediate family members are directly or indirectly interested in this bid or in the Technology & Hardware, materials, equipment, work or services to which it relates, or in any portion of profits thereof. If a situation so exists where a Board member, employee, officer of the board has an interest in the bid, etc., then please attach a letter of explanation to this document, duly signed by the president of the firm or company.

- ***Gifts; Gratuities; Compensation***
  I declare and certify that no person from my firm, business, corporation, association or partnership offered or paid any fee, commission or compensation, or offered any gift, gratuity or other thing of value to any school official, board member or employee of the Board of Education.

- ***Vendor Contributions***
  I declare and certify that I fully understand N.J.A.C. 6A:23A-6.3 (a) (1-4) concerning vendor contributions to school board members.

- ***False Material Representation***
  I further certify that I understand that it is a crime in the second degree in New Jersey to knowingly make a material representation that is false in connection with the negotiation, award or performance of a government contract.

_____
President or Authorized Agent

_____
Signature

To be completed, signed and returned with Bid

CONTRACTOR REGISTRATION CERTIFICATION

Bid Form Attachment #5

NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS

Bid No. **18-1920** Bid Date **Wednesday, October 30, 2019**

It is the determination of the Board of Education that this is a public works project that in total will exceed $2,000.00 (two thousand dollars), therefore pursuant to the Public Works Contractor Registration Act – N.J.S.A. 34:11-56.48 et seq., no contractor shall bid on any project for public works unless the contractor is registered pursuant to the act.

I certify that our company understands that the project of the Board of Education requires that all contractors and subcontractors listed in this proposal possess a valid Contractor Registration Certificate at the time the proposal is received by the Board and furthermore certify that I will provide copies of the valid certificate prior to the award of contract.

Name of Company_____

Authorized Agent_____

Authorized Signature_____

To be completed, signed and returned with Bid

EQUIPMENT CERTIFICATION

Bid Form Attachment #6

NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS

Bid No. **18-1920** Bid Date: **Wednesday, October 30, 2019**

In accordance with N.J.S.A. 18A:18A-23, I hereby certify that

A) _____ *(Name of Company)* owns all the necessary equipment as required by the specifications and to complete the specified public work project.

Or

B) _____ *(Name of Company)* leases or controls all the necessary equipment as required by the specifications and to complete the specified public work project.

PLEASE NOTE: If your company is not the actual owner of the equipment, **you shall submit with the bid**

A certificate stating the source from which the equipment will be obtained and Obtain and submit with the bid a certificate from the owner and person in control of the equipment, definitely granting to the bidder the control of the equipment required during such time it may be necessary for the completion of that portion of the contract for which said equipment will be necessary.

Name of Company _____

Authorized Agent _____

Authorized Signature _____

To be completed, signed and returned with Bid

Bid Form Attachment #7

STATE OF NEW JERSEY -- DIVISION OF PURCHASE AND PROPERTY
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

Quote 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 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 Division'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 Director finds a person or entity to be in violation of 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

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 because 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.

EACH BOX WILL PROMPT YOU TO PROVIDE INFORMATION RELATIVE TO THE ABOVE QUESTIONS. PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, CLICK THE "ADD AN ADDITIONAL ACTIVITIES ENTRY" BUTTON.

Name _____ Relationship to Bidder/Offeror _____

Description of Activities _____

Duration of Engagement _____ Anticipated Cessation Date _____

Bidder/Offeror Contact Name _____ Contact Phone Number _____

ADD AN ADDITIONAL ACTIVITIES ENTRY

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; that the State of New Jersey 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 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, 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 State, permitting the State to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): _____ Signature: _____

Do Not Enter PIN as a Signature

Title: _____ Date: _____

To be completed, signed and returned with Bid

NON-COLLUSION AFFIDAVIT

Bid Form Attachment #8

NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS

Re: Bid Proposal for the Lakewood Board of Education. Bid No. **18-1920**

STATE OF _____ Bid Date: **Wednesday, October 30, 2019**

:ss:

COUNTY OF _____

I, _____ of the City of _____

in the County of _____ and the State of _____

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

I am _____ (Position in Company)

of the firm of _____ and the bidder making the Proposal for the above names contract, and that I executed the said Proposal with full authority so to do; that I have not, directly or indirectly, entered into any agreement, participated in any collusion, discussed any or all parts of this proposal with any potential bidder, or otherwise taken any action in restraint of free, competitive bidding in connection with the above named bid, and that all statements contained in said Proposal and in this affidavit are true and correct, and made with full knowledge that the Board of Education relies upon the truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract for the said bid.

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 of bona fide established commercial or selling agencies maintained by

_____

(Print Name of Contractor)

Subscribed and sworn to: _____

(**SIGNATURE OF CONTRACTOR**)

before me this _____ day of _____, _____.

March Year

_____ _____

NOTARY PUBLIC SIGNATURE **Print Name of Notary Public**

My commission expires _____, _____. **– Seal –**

March Day Year

To be completed, signed and returned with Bid

PRE-QUALIFICATION AFFIDAVIT

Bid Form Attachment #9

NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS

Bid No. **18-1920** Bid Date: **Wednesday, October 30, 2019**

The below affidavit must be submitted with your bid for projects over $20,000.00 pursuant to N.J.S.A. 18A:18A-32:

I,_____of the City of _____

in the County of_____and the State of _____

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

No Material Adverse Change in Qualification—N.J.S.A. 18A:18A-32

I am_____(*Position in Company*), and the bidder for the above named project and the answers to the following statements are true and correct and that there has been no material adverse change in the qualification information subsequent to the latest statement submitted as required (N.J.S.A. 18A:18A-32 et seq.) as amended, except as set forth herewith:

Notice of Classification

_____*(*Name of Company) is classified by the State of New Jersey under Chapter 105, Laws of 1962, as amended. This Classification became effective _____

(Date)

Type of Contract/Trade Classified: _____

_____

Classification Approved Amount $ _____

A copy of my valid and active prequalification/classification certificate from the Department of Treasury, Division of Property Management and Construction is attached.

Total Amount of Uncompleted Contracts

The total amount of uncompleted work on contracts is $_____

_____

A copy of the company's Total Amount of Uncompleted Contracts form is required to be submitted with the bid.

_____ _____

Signature of Authorized Representative **Date**

Sworn and subscribed to before me this_____day of_____in the Year_____.

_____ _____ Notary Public of _____

Signature of Notary **Print Name of Notary**

My Commission Expires:_____ **-SEAL-**

March Day Year

This affidavit does not take the place of the "Notice of Classification" or the "Total Amount of Uncompleted Contracts" issued by the State of New Jersey, both of which must be submitted with the bid package of each bidder.

To be completed, signed and returned with Bid

PREVAILING WAGES CERTIFICATION

Bid Form Attachment # 10
NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS

Bid No. **18-1920** Bid Date **Wednesday, October 30, 2019**

It is the determination of the Board of Education that this is a public works project that in total will exceed $2,000.00 (two thousand dollars), therefore prevailing wages rules and regulations apply as promulgated by the New Jersey Prevailing Wage Act and in conformance with N.J.S.A. 34:11-56:25.

CERTIFICATION

P. I certify that our company understands that this project of the Board of Education requires prevailing wages to be paid in full accordance with the law.

2. I further certify that all subcontractors named in this bid understand that this project requires the subcontractor to pay prevailing wages in full accordance with the law.

NOTIFICATION OF VIOLATIONS – New Jersey Department of Labor

Has the bidder or any person having an "interest" with the bidder, been notified by the New Jersey Department of Labor by notice issued pursuant to N.J.S.A. 34:11-56:37 that he/she has been in violation for failure to pay prevailing wages as required by the New Jersey Prevailing Wage Act within the last five (5) years?

* Yes_____ No _____

*If yes, please attach a signed document explaining any/or all administrative proceedings with the NJDOL within the last five (5) years.

Please include any pending administrative proceedings with the NJ Department of Labor, if any.

Submission of Certified Payroll Records

All certified payroll records are to be submitted to the person named below who is coordinating the activities for the project:

James Trischitta

Name of Company_____

Authorized Agent_____

Authorized Signature_____

***To be completed,* signed and returned with Bid**

OWNERSHIP DISCLOSURE

Bid Form Attachment #11

NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS

No corporation, partnership or limited liability company, shall be awarded any contract nor shall any agreement be entered into for the performance of any work or the furnishing of any material or Technology & Hardware, the cost of which is to be paid with or out of any public funds, by the State or any county, municipality or school district, or any subsidiary or agency of the State, or by an authority, board or commission which exercises governmental functions, unless prior to the receipt of the bid or accompanying the bid of said corporation, said partnership, said limited liability company, there is submitted a statement setting forth the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock of any class, or of all 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. If one or more such stockholder, partner or member is itself a corporation or partnership or limited liability company, the stockholder holding 10 percent or more of that corporation's stock or the individual partners owning 10 percent or greater interest in that partnership, or the members owning 10 percent or greater interest in that limited liability company as the case may be, shall also be listed. The disclosure shall be, continued until names and addresses of every non-corporate stockholder, and individual partner, and member exceeding the 10 percent ownership criteria established in this act, has been listed.

To comply with this section, a bidder with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 percent or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest. N.J.S.A. 52:25-24.2—as amended P.L. 2016 c.43

Please check one type of Ownership, complete the form, and execute where provided.

☐ Corporation--	☐ Limited Partnership--
☐ Partnership--	☐ Limited Liability Company.--
☐ Sole Proprietorship--	☐ Limited Liability Partnership--
☐ Sub Chapter S Corp.--	☐ Other-_____

IT IS MANDATORY THAT THIS FORM BE COMPLETED AND SUBMITTED WITH BID/PROPOSAL. In the event that there are no persons who own ten percent or more of the stock or ownership of the bidder, then such fact should be certified below as part of this disclosure.

Name of Company _____

List of Owners with Ten Percent (10%) or More Interest

Owner's Name	Home Address

NOTE: If you need more space than that provided above, please use an extra sheet for furnishing the above required information for any remaining persons or entities.

Signature _____ ***Date*** _____

This form shall be completed, signed and submitted with the bid/proposal. The form continues on the next page.

STOCKHOLDER/PARTNERSHIP DISCLOSURE AND STATEMENT OF OWNERSHIP (cont.)

If your firm is not a corporation and/or partnership, please explain below how your firm is organized and include a list of the various principals.

Our firm, _____, is organized

_____

Names of Principals Title

_____

_____

_____

_____

_____

Use additional paper if needed. Check here ☐ if additional sheets are attached.

Name of Company _____

Address _____

City, State, Zip _____

Authorized Agent _____ Title _____

_____

SIGNATURE OF AUTHORIZED AGENT

This Form must be submitted with the Bid.

BID FORM ATTACHMENT #12

NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS

Bid No. 18-1920

SUBCONTRACTOR IDENTIFICATION STATEMENT

In accordance with N.J.S.A. 18A:18A-18, for a single overall bid only, the following information **MUST** be provided for all subcontractors to whom you will subcontract the furnishing of 1) plumbing and gas fitting and all kindred work, 2) heating and ventilating systems and equipment, 3) electrical work, and 4) structural steel and ornamental iron work.

Instructions: List below any proposed subcontractors that will perform work in the above-listed categories, including the subcontractor's name, business address, and State license number, if applicable. Where a subcontractor is not listed for one of these trades, a bidder will be deemed to have elected to perform the trade work with bidder's own workforce, provided bidder is qualified to perform such work by the DPMC.

_____

Plumbing and gas fitting (if a subcontract, name subcontractor)

_____

Heating and ventilating systems and equipment (if a subcontract, name subcontractor)

_____

Electrical work (if a subcontract, name subcontractor)

_____

Structural Steel and ornamental iron work (if a subcontract, name subcontractor)

I certify that the forgoing statements are understood and the information provided is true, and I am aware that if any such statements are willfully false, I may be subject to punishment.

*** NOTE: PURSUANT TO N.J.S.A. 18A:18A-18(b), EACH SUBCONTRACTOR MUST BE QUALIFIED IN ACCORDANCE WITH N.J.S.A. 18A:18A-26 (DPMC). ATTACH CURRENT TRADE LICENSES IF APPLICABLE.**

Bidder's Authorized Representative

Name: _____

Signature: _____ Date: _____

APPENDIX A

AMERICANS WITH DISABILITIES ACT OF 1990
Equal Opportunity for Individuals with Disability Bid
Form Attachment # 13

The contractor and the Board of Education (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. S121 01 et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant there unto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the owner pursuant to this contract, the contractor agrees that the performance shall be in strict compliance with the Act. In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the owner in any action or administrative proceeding commenced pursuant to this Act. The contractor shall indemnify, protect, and save harmless the owner, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The contractor shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the owner's grievance procedure, the contractor agrees to abide by any decision of the owner which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the owner, or if the owner incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the contractor shall satisfy and discharge the same at its own expense.

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

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

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

EXHIBIT B
MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
N.J.S.A. 10:5-31 et seq. (P.L.1975, c.127)
N.J.A.C. 17:27-1.1 et seq.
CONSTRUCTION CONTRACTS Bid
Form Attachment #14

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 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.

When hiring or scheduling workers in each construction trade, the contractor or subcontractor agrees to make good faith efforts to employ minority and women workers in each construction trade consistent with the targeted employment goal prescribed by N.J.A.C. l7:27-7.2; provided, however, that the Dept. of LWD, Construction EEO Monitoring Program, may, in its discretion, exempt a contractor or subcontractor from compliance with the good faith procedures prescribed by the following provisions, A, B, and C, as long as the Dept. of LWD, Construction EEO Monitoring Program is satisfied that the contractor or subcontractor is employing workers provided by a union which provides evidence, in accordance with standards prescribed by the Dept. of LWD, Construction EEO Monitoring Program, that its percentage of active "card carrying" members who are minority and women workers is equal to or greater than the targeted employment goal established in accordance with N.J.A.C. 17:27-7.2. The contractor or subcontractor agrees that a good faith effort shall include compliance with the following procedures:

(A) If the contractor or subcontractor has a referral agreement or arrangement with a union for a construction trade, the contractor or subcontractor shall, within three business days of the contract award, seek assurances from the union that it will cooperate with the contractor or subcontractor as it fulfills its affirmative action obligations under this contract and in accordance with the rules promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et. seq., as supplemented and amended from time to time and the Americans with Disabilities Act. If the contractor or subcontractor is unable to obtain said assurances from the construction trade union at least five business days prior to the commencement of construction work, the contractor or subcontractor agrees to afford equal employment opportunities minority and women workers directly, consistent with this chapter. If the contractor's or subcontractor's prior experience with a construction trade union, regardless of whether the union has provided said assurances, indicates a significant possibility that the trade union will not refer sufficient minority and women workers consistent with affording equal employment opportunities as specified in this chapter, the contractor or subcontractor agrees to be prepared to provide such opportunities to minority and women workers directly, consistent with this chapter, by complying with the hiring or scheduling procedures prescribed under (B) below; and the contractor or subcontractor further agrees to take said action immediately if it determines that the union is not referring minority and women workers consistent with the equal employment opportunity goals set forth in this chapter.

(B) If good faith efforts to meet targeted employment goals have not or cannot be met for each construction trade by adhering to the procedures of (A) above, or if the contractor does not have a referral agreement or arrangement with a union for a construction trade, the contractor or subcontractor agrees to take the following actions:

(l) To notify the public agency compliance officer, the Dept. of LWD, Construction EEO Monitoring Program, and minority and women referral organizations listed by the Division pursuant to N.J.A.C. 17:27-5.3, of its workforce needs, and request referral of minority and

women workers;

(2) To notify any minority and women workers who have been listed with it as awaiting available vacancies;

(3) Prior to commencement of work, to request that the local construction trade union refer minority and women workers to fill job openings, provided the contractor or subcontractor has a referral agreement or arrangement with a union for the construction trade;

EXHIBIT B (Continued)

(4) To leave standing requests for additional referral to minority and women workers with the local construction trade union, provided the contractor or subcontractor has a referral agreement or arrangement with a union for the construction trade, the State Training and Employment Service and other approved referral sources in the area;

(5) If it is necessary to lay off some of the workers in a given trade on the construction site, layoffs shall be conducted in compliance with the equal employment opportunity and nondiscrimination standards set forth in this regulation, as well as with applicable Federal and State court decisions;

(6) To adhere to the following procedure when minority and women workers apply or are referred to the contractor or subcontractor:

(i) The contactor or subcontractor shall interview the referred minority or women worker.

(ii) If said individuals have never previously received any document or certification signifying a level of qualification lower than that required in order to perform the work of the construction trade, the contractor or subcontractor shall in good faith determine the qualifications of such individuals. The contractor or subcontractor shall hire or schedule those individuals who satisfy appropriate qualification standards in conformity with the equal employment opportunity and non-discrimination principles set forth in this chapter. However, a contractor or subcontractor shall determine that the individual at least possesses the requisite skills, and experience recognized by a union, apprentice program or a referral agency, provided the referral agency is acceptable to the Dept. of LWD, Construction EEO Monitoring Program. If necessary, the contractor or subcontractor shall hire or schedule minority and women workers who qualify as trainees pursuant to these rules. All of the requirements, however, are limited by the provisions of I below.

(iii) The name of any interested women or minority individual shall be maintained on a waiting list, and shall be considered for employment as described in (i) above, whenever vacancies occur. At the request of the Dept. of LWD, Construction EEO Monitoring Program, the contractor or subcontractor shall provide evidence of its good faith efforts to employ women and minorities from the list to fill vacancies.

(iv) If, for any reason, said contractor or subcontractor determines that a minority individual or a woman is not qualified or if the individual qualifies as an advanced trainee or apprentice, the contractor or subcontractor shall inform the individual in writing of the reasons for the determination, maintain a copy of the determination in its files, and send a copy to the public agency compliance officer and to the Dept. of LWD, Construction EEO Monitoring Program.

(7) To keep a complete and accurate record of all requests made for the referral of workers in any trade covered by the contract, on forms made available by the Dept. of LWD, Construction EEO Monitoring Program and submitted promptly to the Dept. of LWD, Construction EEO Monitoring Program upon request.

(C)The contractor or subcontractor agrees that nothing contained in (B) above shall preclude the contractor or subcontractor from complying with the union hiring hall or apprenticeship policies in any applicable collective bargaining agreement or union hiring hall arrangement, and, where required by custom or agreement, it shall send journeymen and trainees to the union for referral, or to the apprenticeship program for admission, pursuant to such agreement or arrangement. However, where the practices of a union or apprenticeship program will result in the exclusion of minorities and women or the failure to refer minorities and women consistent with the targeted county employment goal, the contractor or subcontractor shall consider for employment persons referred pursuant to (B) above without regard to such agreement or arrangement; provided further, however, that the contractor or subcontractor shall not be required to employ women and minority advanced trainees and trainees in numbers which result in the employment of advanced trainees and trainees as a percentage of the total workforce for the construction trade, which percentage significantly exceeds the apprentice to journey worker ratio specified in the applicable collective bargaining agreement, or in the absence of a collective bargaining agreement, exceeds the ratio established by practice in the area for said construction trade. Also, the contractor or subcontractor agrees that, in implementing the procedures of (B) above, it shall, where applicable, employ minority and women workers residing within the geographical jurisdiction of the union.

After notification of award, but prior to signing a construction contract, the contractor shall submit to the public agency compliance officer and the Dept. of LWD, Construction EEO Monitoring Program an initial project workforce report (Form AA-201) electronically provided to the public agency by the Dept. of LWD, Construction EEO Monitoring Program, through its website, for distribution to and completion by the contractor, in accordance with N.J.A.C. 17:27-7. The contractor also agrees to submit a copy of the Marchly Project Workforce Report once a March thereafter for the duration of this contract to the Dept. of LWD, Construction EEO Monitoring Program, and to the public agency compliance officer.

The contractor agrees to cooperate with the public agency in the payment of budgeted funds, as is necessary, for on-the-job and/or off-the job programs for outreach and training of minorities and women.

(D)The contractor and its subcontractors shall furnish such reports or other documents to the Dept. of LWD, Construction EEO Monitoring Program as may be requested by the Dept. of LWD, Construction EEO Monitoring Program 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 Dept. of LWD, Construction EEO Monitoring Program for conducting a compliance investigation pursuant to N.J.A.C. 17:27-1.1 et seq.

(Revised: January, 2016)

INSTRUCTIONS FOR COMPLETING THE INITIAL PROJECT

WORKFORCE REPORT – CONSTRUCTION (AA201)

DO NOT COMPLETE THIS FORM FOR GOODS AND/OR SERVICE CONTRACTS

1. **Enter the Federal Identification Number assigned to the contractor by the Internal Revenue Service, or if a Federal Employer Identification Number has been applied for but not yet issued, or if your business is such that you have not or will not receive a Federal Identification Number, enter the social security number assigned to the single owner or one partner, in the case of a partnership.**

2. **Note: The Department of Labor & Workforce Development, Construction EEO Monitoring Program will assign a contractor ID number to your company. This number will be your permanently assigned contractor ID number that must be on all correspondence and reports submitted to this office.**

3. **Enter the prime contractor's name, address and zip code number.**

4. **Check box if Company is Minority Owned or Woman Owned**

5. **Enter the complete name and address of the Public Agency awarding the contract. Include the contract number, date of award and dollar amount of the contract.**

6. **Enter the name and address of the project, including the county in which the project is located.**

7. **Note: A project contract ID number will be assigned to your firm upon receipt of the completed Initial Project Workforce Report (AA201) for this contract. This number must be indicated on all correspondence and reports submitted to this office relating to this contract.**

8. **Check "Yes" or "No" to indicate whether a Project Labor Agreement (PLA) was established with the labor organization(s) for this project.**

9. **Under the Projected Total Number of Employees in each trade or craft and at each level of classification, enter the total composite workforce of the prime contractor and all subcontractors projected to work on the project. Under Projected Employees enter total minority and female employees of the prime contractor and all subcontractors projected to work on the project. Minority employees include Black, Hispanic, American Indian and Asian, (J=Journeyworker, AP=Apprentice). Include projected phase-in and completion dates.**

10. **Print or type the name of the company official or authorized Equal Employment Opportunity (EEO) official include signature and title, phone number and date the report is submitted.**

This report must be submitted to the Public Agency that awards the contract and the Department of Labor & Workforce Development, Construction EEO Compliance Monitoring Program after notification of award, but prior to signing the contract.

THE CONTRACTOR IS TO RETAIN A COPY AND SUBMIT COPY TO THE PUBLIC AGENCY AWARDING THE CONTRACT AND FORWARD A COPY TO:

NEW JERSEY DEPARTMENT OF LABOR & WORKFORCE DEVELOPMENT
CONSTRUCTION EEO COMPLIANCE MONITORING UNIT
P.O. BOX 209
TRENTON, NJ 08625-0209
(609) 292-9550

(Revised: January, 2016)

Official Use Only

Assignment

Code

STATE OF NEW JERSEY

DEPARTMENT OF LABOR & WORKFORCE DEVELOPMENT
CONSTRUCTION EEO COMPLIANCE MONITORING PROGRAM

FORM AA-201
Revised 11/11

INITIAL PROJECT WORKFORCE REPORT CONSTRUCTION

For instructions on completing the form, go to: http://www.state.nj.us/treasury/contract_compliance/pdf/aa201ins.pdf

1. FID NUMBER

2. CONTRACTOR ID NUMBER

3. NAME AND ADDRESS OF PRIME CONTRACTOR

(Name)

(Street Address)

(City) (State) (Zip Code)

4. IS THIS COMPANY MINORITY OWNED [ ] OR WOMAN OWNED [ ]

5. NAME AND ADDRESS OF PUBLIC AGENCY AWARDING CONTRACT

Name:
Address:

CONTRACT NUMBER DATE OF AWARD DOLLAR AMOUNT OF AWARD

6. NAME AND ADDRESS OF PROJECT

Name:
Address:

7. PROJECT NUMBER

COUNTY

8. IS THIS PROJECT COVERED BY A PROJEC
LABOR AGREEMENT (PLA)? YES

9. TRADE OR CRAFT	PROJECTED TOTAL EMPLOYEES				PROJECTED MINORITY EMPLOYEES				PROJECTED PHASE - IN DATE	PROJECTED COMPLETION DATE
	MALE		FEMALE		MALE		FEMALE			
	J	AP	J	AP	J	AP	J	AP		
1. ASBESTOS WORKER										
2. BRICKLAYER OR MASON										
3. CARPENTER										
4. ELECTRICIAN										
5. GLAZIER										
6. HVAC MECHANIC										
7. IRONWORKER										
8. OPERATING ENGINEER										
9. PAINTER										
10. PLUMBER										
11. ROOFER										
12. SHEET METAL WORKER										
13. SPRINKLER FITTER										
14. STEAMFITTER										
15. SURVEYOR										
16. TILER										
17. TRUCK DRIVER										
18. LABORER										
19. OTHER										
20. OTHER										

Sample -- AA201

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

(Signature)

10. (Please Print Your Name) (Title)

(Area Code) (Telephone Number) (Ext.) (Date)

Bid Form Attachment #15

AFFIRMATIVE ACTION QUESTIONNAIRE

NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS

Bid No. 18-1920 **Bid Date: Wednesday, October 30, 2019 at 11:00 a.m.**

This form is to be completed and returned with the bid. However the Board will accept in lieu of lthis 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/teasury/contract compliance/

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

Department of Treasury
Division of Public Contracts/EEO Compliance
P.O. Box 209
Trenton, NJ 08625-0002

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 within seven (7) days of the notice of the intent to award the contract or the signing of the 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:_____

BID FORM ATTACHMENT # 16
BID NO. 18-1920
NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS

AFFIDAVIT OF NO MATERIAL ADVERSE CHANGE OF CIRCUMSTANCES

This Affidavit must be submitted with the bid for Public School work pursuant to N.J.S.A. 18A:18A-32

State of_____)

:SS:

County of_____)

_____being duly sworn, according to law, deposes and says that he/she is _____of _____
And that the answers to the following statements are ture and correct and that there has beenl no ma terial adverse change in the qualification information subsequent to the latest statement submitted as required under Chapter 105, Laws of 1962 (N.J.S.A. 18A:18A-27 et seq.) as amended, except as set forth herewith:

_____is classified by the State of New Jersey under Chapter 105, Laws of 1962, as amended. This classified became effective_____, and will expire_____

Type of Contract/Trade classified:

Approved Amount _____

A copy of my valid and active Prequalification/Classification Certificate from the Department of Treasury, Division of Property Management and Construction is attached.

The total amount of uncompleted work on contracts is $_____

I hereby certify, under penalty as provided by law, that there is not now pending any litigation or other action that may jeopardize my rating, status or contract limits from their current levels and that at the time of the bid submission, the value of all outstanding incomplete contracts does not exceed this firm's existing aggregate rating limit.

SIGNATURE ON FOLLOWING PAGE

_____
Name of Company

_____
Signature of Authorized Representative

_____
Name and Title

Sworn to before
this_____Day of
_____, 2019

Notary Public of_____
My Commission expires___/___/___.

THIS FORM MUST BE SUBMITTED WITH THE BID

BID FORM ATTACHMENT #17

NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS

BID NO. 18-1920

NOTICE OF CLASSIFICATION FORM

The Bidder shall attach a copy of its New Jersey Department of Treasury DPMC Notice of Classification and a copy of each listed subcontractor's DPMC Notice of Classification.

The DPMC Notice(s) of classification must be submitted with the Bid

BID FORM ATTACHMENT #18

NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS

BID NO. 18-1920

TOTAL AMOUNT OF UNCOMPLETED CONTRACTS

The bidder shall attach a completed and signed Total Amount of Uncompleted Contracts form and a copy of each listed subcontractor's Uncompleted Contracts form. Extra copies of DPMC's Total Amount of Uncompleted Contract form are attached.

DPMC forms for the bidder and any subcontractors listed on Bid Attachment Form **#17, must be submitted with the bid.**

BID FORM ATTACHMENT #19

BID NO 18-1920

NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS

AFFIDAVIT REGARDING LIST OF DEBARRED, SUSPENDED OR DISQUALIFIED BIDDERS

I,_____of the organization/firm of

_____in the (City, Town, Borough)
of_____State of_____and being of full age, being duly sworn according to law on my oath depose and say that:

I am the bidder seeking to provide the work for this project, and that I executed the said bid submission with full authority to do so; that said bidder is not at the time of the making this bid included on the State of New Jersey's, New Jersey State Treasurer's, the New Jersey Economic Development Authority's, the New Jersey Schools Development Authority's or the Federal Government's List of Debarred, Suspended or Disqualified Bidders as a result of action taken by any State or Federal Agency.

Bidder's Authorized Representative:

Name:_____
(*Printed/Typed)*

Title:_____
(Printed/Typed)

Representing:

_____
Company/Agency(Printed/Typed)

Subscribed and sworn to before
me this_____day of 2017

By:_____
(signature)

(Seal) Notary Public New Jersey

Date:_____

(Seal) Notary Public New Jersey

Date:_____

Specify Other State (_____)
My Commission expires_____, 20___.

BID FORM ATTACHMENT #20

NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS

BID NO. 18-1920

CERTIFICATE OF AUTHORITY

If the bidder or any subcontractor is not based in the State of New Jersey, the bidder shall attach a copy of its Certificate of Authority to perform work in New Jersey.

BID FORM ATTACHMENT #21
BID NO. 18-1920
NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS

CONSENT OF SURETY

KNOW ALL MEN BY THESE PRESENTS, That for valuable consideration, the receipt whereof is hereby acknowledged,

_____(Name of Surety)

A corporation of the State of_____and authorized to do business in the State of New Jersey, with offices at_____(address of Surety), certifies that application has been made to the Surety by:

_____

_____
(name and address of bidder)

And satisfactory arrangements have been completed by which the undersigned Surety has agreed, that if the Bidder is awarded the Overall Contract Work for the

LAKEWOOD BOARD OF EDUCATION

Project: NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS BID 18-1920

The undersigned Surety will execute and furnish to the Lakewood Board of Education the Performance/Payment Bond upon the terms and conditions stated in the Instructions to Bidders, equal to 100% of the Contract Sum, which bond(s) shall be conditioned for the faithful performance on the part of the Bidder and its subcontractors of the terms and conditions of the Contract according to the drawings and specifications on which the bid is made and for the payment of all lawful claims of beneficiaries defined by N.J.S.A. 2A:44-143 for labor performed and materials.

Attach the usual proof of authority of _____
Officers of Surety Company to execute SURETY COMPANY
This consent

By:_____
Authorized Agent
Print or type name and title below signature

FAILURE TO COMPLETE AND SUBMIT THE APPROPRIATE CONSENT OF SURETY WITH THE BID WILL RESULT IN REJECTION OF THE BID.

Bid Form Attachment #22
NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS

BID NO. 18-1920

BID GUARANTEE

The bidder shall attach a Bid Bond, Certified Check, Cashier's Check, or any combination thereof, in an amount no less than ten percent (10%) of the total amount of the bid, not to exceed $20,000.

THE BID BOND, CERTIFIED CHECK OR CASHIER'S CHECK MUST BE SUBMITTED WITH THE BID.

BID FORM ATTACHMENT #23
NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS

BID NO 18-1920

BUSINESS REGISTRATION CERTIFICATE

The bidder should attach a copy of its current Business Registration Certificate and a copy of each listed subcontractor's current Business Registration Certificate. Failure to provide a Business Registration Certificate before the time for the award of the contract will result in rejection of the Bid.

Bid Form Attachment #24

NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS

Bid No. 18-1920

CERTIFICATE OF AUTHORITY

If the bidder or any subcontractor is not based in the State of New Jersey, the bidder shall attach a copy of its Certificate of Authority to perform work in New Jersey.

Bid Form Attachment #25
NONPUBLIC SCHOOLS DOOR & WINDOW REPLACEMENTS

Bid No. 18-1920

BID SPECIFICATIONS FOR THE LABELING OF LIQUID, POWDER AND GASEOUS SUPPLIES DELIVERED TO THE BOARD OF EDUCATION

RIGHT TO KNOW

1. All products that you deliver to the Lakewood Township Public School District Board of Education must be labeled in accordance with the New Jersey Right to Know Law (N.J.S.A.) 34:54-1 et seq.)

   A. The label must list the five (5) predominant ingredients and any hazardous chemicals in the product.
   B. Next to each chemical name will be the CAS number of that chemical.
   C. The label must be attached to each container (bottle, box, can, bucket, etc.)

1. Material Safety Data Sheets (MSDSs) must accompany the first shipment of product.

2. The Board of Education reserves the right to reject any shipment not in compliance with the above specifications.

LAKEWOOD
Board of Education

Appendix Section

A. Model Performance Bond Form - *Sample*

B. Surety Disclosure Statement and Certification - *Sample*

Model Performance Bond Form
N.J.S.A. 2A:44-147

SAMPLE

2A:44-147. The bond required by this article shall be in substantially the following form:

"Know all men by these presents, that we, the undersigned as principal and as sureties, are hereby held and firmly bound unto in the penal sum of dollars, for the payment of which well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors and assigns.

"Signed this ..... day of ..... , 20..... .

"The condition of the above obligation is such that whereas, the above named principal did on the ..... day of ....., 20 ....., enter into a contract with , which said contract is made a part of this the bond the same as though set forth herein;

"Now, if the said ..... shall well and faithfully do and perform the things agreed by ..... to be done and performed according to the terms of said contract, and shall pay all lawful claims of beneficiaries as defined by N.J.S.2A:44-143 for labor performed or materials, provisions, provender or other Technology & Hardware or teams, fuels, oils, implements or machinery furnished, used or consumed in the carrying forward, performing or completing of said contract, we agreeing and assenting that this undertaking shall be for the benefit of any beneficiary as defined in N.J.S.2A:44-143 having a just claim, as well as for the oblige herein; then this obligation shall be void; otherwise the same shall remain in full force and effect; it being expressly understood and agreed that the liability of the surety for any and all claims hereunder shall in no event exceed the penal amount of this obligation as herein stated.

"The said surety hereby stipulates and agrees that no modifications, omissions or additions in or to the terms of the said contract or in or to the plans or specifications therefor shall in anywise affect the obligation of said surety on its bond."

Recovery of any claimant under the bond shall be subject to the conditions and provisions of this article to the same extent as if such conditions and provisions were fully incorporated in the form set forth above.

L.1951 (1st SS), c.344; amended 1996, c.81, s.6.

Surety Disclosure Statement and Certification
N.J.S. A. 2A:44-143

SAMPLE

SURETY DISCLOSURE STATEMENT AND CERTIFICATION

....., surety(ies) on the attached bond, hereby certifies(y) the following:

(1) The surety meets the applicable capital and surplus requirements of R.S.17:17-6 or R.S.17:17-7 as of the surety's most current annual filing with the New Jersey Department of Insurance.

(2) The capital (where applicable) and surplus, as determined in accordance with the applicable laws of this State, of the surety(ies) participating in the issuance of the attached bond is (are) in the following amount(s) as of the calendar year ended December 31, ... (most recent calendar year for which capital and surplus amounts are available), which amounts have been certified as indicated by certified public accountants (indicating separately for each surety that surety's capital and surplus amounts, together with the name and address of the firm of certified public accounts that shall have certified those amounts):

.....

.....

.....

(3) (a) With respect to each surety participating in the issuance of the attached bond that has received from the United States Secretary of the Treasury a certificate of authority pursuant to 31 U.S.C. 9305, the underwriting limitation established therein and the date as of which that limitation was effective is as follows (indicating for each such surety that surety's underwriting limitation and the effective date thereof):

.....

.....

.....

(b) With respect to each surety participating in the issuance of the attached bond that has not received such a certificate of authority from the United States Secretary of the Treasury, the underwriting limitation of that surety as established pursuant to R.S.17:18-9 as of (date on which such limitation was so established) is as follows (indicating for each such surety that surety's underwriting limitation and the date on which that limitation was established):

.....

.....

.....

(4) The amount of the bond to which this statement and certification is attached is $ .....

(5) If, by virtue of one or more contracts of reinsurance, the amount of the bond indicated under item (4) above exceeds the total underwriting limitation of all sureties on the bond as set forth in items (3)(a) or (3)(b) above, or both, then for each such contract of reinsurance:

(a) The name and address of each such reinsurer under that contract and the amount of that reinsurer's participation in the contract is as follows:.....

.....

.....

.....; and

(b) Each surety that is party to any such contract of reinsurance certifies that each reinsurer listed under item (5)(a) satisfies the credit for reinsurance requirement established under P.L.1993, c.243 (C.17:51B-1 et seq.) and any applicable regulations in effect as of the date on which the bond to which this statement and certification is attached shall have been filed with the appropriate public agency.

CERTIFICATE

(to be completed by an authorized certifying agent

for each surety on the bond)

I ..... (name of agent), as ..... (title of agent) for ..... (name of surety), a corporation/mutual insurance company/other (indicating type of business organization) (circle one) domiciled in ..... (state of domicile), DO HEREBY CERTIFY that, to the best of my knowledge, the foregoing statements made by me are true, and ACKNOWLEDGE that, if any of those statements are false, this bond is VOIDABLE.

.....

(Signature of certifying agent)

.....

(Printed name of certifying agent)

.....

(Title of certifying agent)

L.1951 (1st SS), c.344; amended 1979, c.408; 1989, c.316; 1991, c.454; 1995, c.38, s.2; 1995, c.384, s.1; 1996, c.81, s.2.

TO All Bidders:

REMINDER!

Did you sign all of the bid documents?

All bid documents returned to the Board shall be signed with original signatures. Please try to use **blue ink.**

The Board will not accept facsimile or rubber stamp signatures.

Failure to sign and submit all bid documents may be cause for disqualification and rejection of the bid.

TECHNICAL

SPECIFICATIONS

& PROPOSAL FORMS

Kevin Campbell,
Assistant Business
Administrator

Note	Item	Make or Equivalent	Part number	Quantity	Cost Per Unit	Extended Cost
	Supply and Install					
	Double Awning over double window	United	60"x54" bronze anodized aluminum, soft coat, 1" obscured	32		
			glass low E, screens, fully welded 24' awnings.			
	Stucco Panels	Shedlorado	Remove existing glass. Install 1" stucco panesl on 6 leafs.	1		
All debris must be removed from job site. All windows caulked with commercial						
					Total Bid Amount	
Location		**Hours of Installation**				
Bais Avrohom		Monday-Thursday				
915 New Hampshire Ave		9:00 AM- 5:00 PM				
Lakewood, NJ						
Point of Contact						
Name	Rabbi Wulliger					
Contact Info.						
Name of Bidder		**Vendor**				
Signature of Bidder		**Date**				

Note	Item	Make or Equivalent	Part number	Quantity	Cost Per Unit	Extended Cost
	Double Awning over double window	United	56"x54" bronze anodized aluminum, soft coat, 1" Tempered	32		
			glass low E, screens, fully welded 24' awnings.			
	Triple Awning over triple window	United	108"x54" bronze anodized aluminum, soft coat, 1" Tempered	9		
			glass low E, screens, fully welded 24' awnings.			
					Total Bid Amount	

All debris must be removed from job site. All windows caulked and sealed.

Location		**Hours of Installation**	
YESHIVA TORAS ARON		Monday-Thursday	
500 Summer Ave.		9:00 AM- 5:00 PM	
Lakewood, NJ			
Point of Contact			
Name	R. Ehrman		
Contact Info.	732-363-9980		
Name of Bidder		**Vendor**	
Signature of Bidder		**Date**	