

**FORMS FOR BIDS AND RFP'S – see attached documents**

1. Include your valid New Jersey Business Registration Certificate
2. "Valid" Certificate of Employee Information Report that covers full calendar year of service
3. Mandatory Affirmative Action Document – "For Goods and Professional Services" or for construction projects "For Contractors and Construction Services"
4. Insurance Certificate

# BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY

## PROFESSIONAL SERVICE CONTRACT PROPOSAL / QUALIFICATION AND COSTS SUBMISSION FORM

Please provide the name and address of Submitting Firm, Individual or Entity:

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Please indicate the Professional Service/ Title for which you are Submitting:

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*Note: In responding to these questions you may attach additional sheets as necessary. Please be sure to CLEARLY reference all additional sheets or relevant attachments under the appropriate question or area. Material not clearly referenced will not be considered.*

**1. Is your firm willing and able to perform the scope of services set forth in the Notice of Solicitation for Professional Services and the Solicitation Package for the above Professional Service / Title?**

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**2. If the answer to question 1 is “No”, then please explain any exceptions, clarifications or limitations to the scope of services that your firm is willing and able to provide?**

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## CHECKLIST

The following **MANDATORY** items, as indicated below, shall be provided with the receipt of sealed submissions with your quotation, RFP or bid:

1. Non-Collusion Affidavit - **must be signed and Notarized**..... \_\_\_\_\_
2. Disclosure of Ownership Form - **must be signed** ..... \_\_\_\_\_
3. Professional Service Entity Information Form ..... \_\_\_\_\_
4. Copy of your *Business Registration Certificate* as issued by the State of New Jersey Department of Treasury, Division of Revenue ..... \_\_\_\_\_
5. Affirmative Action "For Goods and Professional Services" ..... \_\_\_\_\_  
(use the one for Contractors for construction projects)
6. Pay to Play Statement ..... \_\_\_\_\_
7. Valid Certificate of Employee Information Report valid for year(s) of service.. \_\_\_\_\_

I certify that I am an authorized representative of the firm or business named below and offer on behalf of the firm to provide the professional services set forth herein in accordance with this submission form and the terms of the solicitation and submission materials noted above. I further certify that the information contained in and attached to this submission is true to the best of my knowledge and belief, with the understanding that it will be relied upon as such by the public entity to which it is being submitted.

Firm: \_\_\_\_\_ Date: \_\_\_\_\_  
Firm Name (Print or Type):

BY: \_\_\_\_\_  
Authorized Representative \_\_\_\_\_  
Signature

Authorized Representative \_\_\_\_\_  
Print Name Print Title

Telephone #: \_\_\_\_\_ Fax #: \_\_\_\_\_

E-Mail \_\_\_\_\_

***\*ITEMS 1 THROUGH 7 ABOVE - IF MISSING MAY SUBJECT YOUR PROPOSAL TO REJECTION***

**NON-COLLUSION AFFIDAVIT**

State of New Jersey

County of \_\_\_\_\_ ss:

I, \_\_\_\_\_ residing in \_\_\_\_\_  
( name of affiant) (name of municipality)  
in the County of \_\_\_\_\_ and State of \_\_\_\_\_ of full  
age, being duly sworn according to law on my oath depose and say that:

I am \_\_\_\_\_ of the firm of \_\_\_\_\_  
(title or position) (name of firm)

\_\_\_\_\_ the bidder making this Proposal for the bid  
entitled \_\_\_\_\_, and that I executed the said proposal with  
(title of bid proposal)

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

and in the statements contained in this affidavit in awarding the contract for the said project.

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

Subscribed and sworn to  
before me this \_\_\_\_ day \_\_\_\_\_

Signature

of \_\_\_\_\_, 20\_\_ \_\_\_\_\_  
(print name of affiant under signature)

\_\_\_\_\_  
Notary public of New Jersey  
My Commission expires: \_\_\_\_\_  
(Seal)



## DISCLOSURE OF OWNERSHIP FORM

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

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

### **COMPLETE ONE OF THE FOLLOWING STATEMENTS:**

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

NAME: ADDRESS:

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SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

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

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

#### **III. Submission is being provided by an individual who operates as a sole proprietorship:**

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

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

\_\_\_\_\_ Limited Partnership \_\_\_\_\_ Limited Liability Corporation  
\_\_\_\_\_ Limited Liability Partnership \_\_\_\_\_ Subchapter S Corporation

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

## PROFESSIONAL SERVICE ENTITY INFORMATION FORM

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

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Social Security No.: \_\_\_\_\_

Fax No.: \_\_\_\_\_ E-Mail: \_\_\_\_\_

If individual has a TRADE NAME, give such trade name:

Trading As: \_\_\_\_\_ Telephone No.: \_\_\_\_\_

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

Name of Partners: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Federal I.D. No.: \_\_\_\_\_

Fax No.: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Social Security No.: \_\_\_\_\_

Signature of authorized agent: \_\_\_\_\_

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

State under whose laws incorporated: \_\_\_\_\_

Location of principal office: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Federal I.D. No.: \_\_\_\_\_

Fax No.: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Signature: By: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

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

**“GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS”**

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

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

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

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

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

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

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

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

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

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

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302

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

\_\_\_\_\_  
**Name of Firm, Individual or Entity**

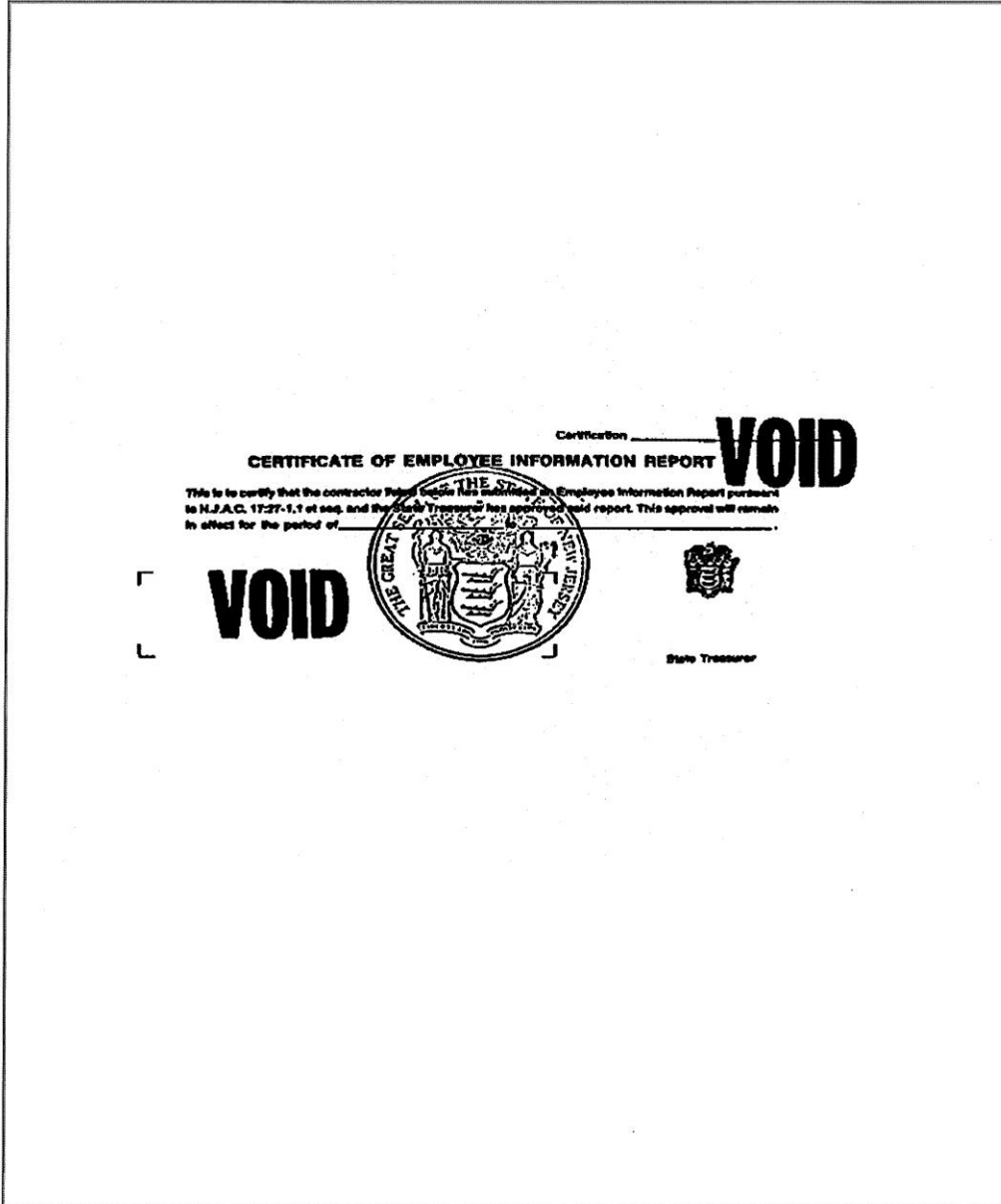
**Address of firm:** \_\_\_\_\_

\_\_\_\_\_  
**Date Attest:** \_\_\_\_\_

**INSERT A COPY OF YOUR CERTIFICATE OF EMPLOYEE INFORMATION REPORT HERE. SAMPLE OF WHAT IT IS SHOWN BELOW:**

Attachment # 6

**SAMPLE CERTIFICATE OF EMPLOYEE INFORMATION REPORT**



**DISCLOSURE OF CONTRIBUTIONS TO NEW JERSEY  
ELECTION LAW ENFORCEMENT COMMISSION (ELEC)**

N.J.S.A. 19:44A-20.27 establishes a new disclosure requirement for business entities. It requires that, when a business entity has received in any calendar year \$50,000 or more in public contracts with public entities, it must file an annual report with the Election Law Enforcement Commission (ELEC). The report shall disclose any 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.

The report will include all reportable contributions made by the business entity during the 12 months prior to the reporting deadline. ELEC will be promulgating a form and procedures for filing commencing in January 2007. ELEC can also impose fines for failure to comply with this requirement.

While the local unit has no role in this process, it is recommended that all bid or proposal specifications and contracts should include language notifying business entities of their potential obligation under the law. Such language could read as follows:

Starting in January 2007, all business entities are advised of their responsibility to file an annual disclosure statement of political contributions with the New Jersey Election Law Enforcement Commission (ELEC) pursuant to N.J.S.A. 19:44A-20.27 if they receive contracts in excess of \$50,000 from public entities in a calendar year. Business entities are responsible for determining if filing is necessary. Additional information on this requirement is available from ELEC at 888-313-3532 or at [www.elec.state.nj.us](http://www.elec.state.nj.us).

**PLEASE SUBMIT A COPY OF YOUR ELEC REPORT IF YOU RECEIVED \$50,000 OR MORE IN PUBLIC CONTRACTS AS DESCRIBED ABOVE.**

**IF YOU HAVE NOT RECEIVED MORE THAN \$50,000 OR MORE IN PUBLIC CONTRACTS PLEASE INDICATE HERE: \_\_\_\_\_ I/WE/THE FIRM HAS NOT RECEIVED MORE THAN \$50,000 IN PUBLIC CONTRACTS AS DESCRIBED ABOVE.**

**ORDINANCE NO. 1728**

**AN ORDINANCE REGULATING POLITICAL CONTRIBUTIONS IN THE BOROUGH OF SOUTH PLAINFIELD;**

**WHEREAS**, it is in the public interest and in furtherance of the policy of the Borough of South Plainfield that, in addition to insuring full compliance with the New Jersey Campaign Contributions and Expenditures Act, P.L. 2005 C.271 which authorizes a municipality to enact an Ordinance to limit political campaign contributions to Borough elected officials and candidates for Borough elective office by professional business entities who may benefit from a business relation with the Borough.

**NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY AS FOLLOWS;**

Section 1. No professional business entity that submits a bid or enters into negotiations for, or agrees to any agreement or contract with the Borough for professional services, banking or insurance coverage services or any other consulting services shall make a monetary or in-kind campaign contribution in excess of \$300.00 for a primary election and \$300.00 for a general election to a candidate for or the holder of a Borough elective office or the campaign committee or political action committee of a candidate for or the holder of a Borough elective office or County of Middlesex party committee or political municipal committee supporting such candidate or holder of a Borough elective office between one year before the start of negotiations or submittal of the bid relative to such an agreement or contract, whichever is earlier, and the termination of negotiations or the completion of the agreement or contract, whichever is later. Any group of individuals forming a professional business entity under this section, including such principals, partners, officers, their spouse and any child, parent, or sibling living in the same home of the entity in the aggregate, may not annually contribute for any purpose in excess of \$2,500 to all Borough candidates and Borough office holders, and all Borough political parties and political action committees of all Borough candidates and Borough office holders combined.

Section 2. No individual or professional business entity doing business with the Borough, included banking and insurance coverage services or any other consulting services, or any principal, partner or member of any such entity, shall make a monetary or in kind contribution in excess of \$300.00 for a primary election and \$300.00 for a general election to a candidate for or the holder of a Borough elective office or the campaign committee or political action committee of a candidate for or the holder of a Borough elective office or County of Middlesex party committee or political municipal committee supporting such candidate or holder of a Borough elective office. Any group of individuals forming a professional business entity under this section, including such principals, partners, officers, their spouse and any child, parent, or sibling living in the same home of the entity in the aggregate, may not annually contribute for any purpose in excess of \$2,500 to all Borough candidates and office holders, and all Borough political parties and political action committees of all Borough candidates and Borough office holders combined.

Section 3. An individual or professional business entity may cure a violation of Sections 1 or 2 if no later than 30 days following the day of the primary election or general election next following the date on which the contribution is made, the individual or professional business seeks and receives reimbursement of the prohibited contribution.

Section 4. An individual or professional business entity found to knowingly fail to reveal or misrepresent a monetary or in kind campaign contribution in excess of \$300.00 for a primary election and \$300.00 for a general election or a professional business entity in excess of \$2,500.00 for a primary election or for a general election, given to a candidate for or the holder of a Borough elective office or the campaign committee or political action committee of a candidate for or the holder of a Borough elective office or County of Middlesex party committee supporting such candidate or holder of a Borough elective office shall be considered to be in breach of the terms of any agreement or contract between that professional business entity and the Borough then in effect and shall be subject to the penalties prescribed in Section 5 and any other penalties prescribed by law.

Section 5. An individual or professional business entity found to be in violation of Sections 1, 2, 3, or 4 will be disqualified from eligibility for future contracts, agreements or development applications with the Borough for a period of four (4) calendar years from the date of the determination of the violation by the Borough Council and in addition shall have any contract or agreement with the Borough then in effect terminated immediately.

Section 6. All monetary or in kind contributions made by any individual or professional business entity as defined under this ordinance shall not be deemed a violation of this Ordinance if that contribution was made before the effective date of this Ordinance. Any individual or professional business entity as defined in Sections 1 or 2 shall provide a sworn statement to the governing body that a political contribution has not been made in violation of the provisions of this Ordinance and this shall be a continuing obligation during the duration of the contract or development application as appropriate.

Section 7. The Borough Clerk shall provide a candidate for elective office with a copy of this Ordinance at such time as such candidate requests a petition for said office.

Section 8. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance shall be and the same are hereby repealed.

Section 9. If any section, paragraph, subdivision or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 10. This Ordinance shall take effect upon final passage and publication as provided by law.  
Adopted 5/2/2006

## **CERTIFICATION OF COMPLIANCE**

**I, \_\_\_\_\_ from the firm of \_\_\_\_\_ on  
this date of \_\_\_\_\_ do hereby confirm and attest that I have  
read and understand the Borough of South Plainfield's Ordinance 1728  
contained herein and shall comply herewith.**