

**BID DOCUMENT SUBMISSION CHECKLIST
BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

Electrical Work
(Contract Title)

Failure to submit the following documents is a mandatory cause for the bid to be rejected (N.J.S.A. 40A:11-23.2). Checkmarks require submission with bid. Initial each item submitted with bid.

Checkmarks	Bidder's Initials
X A statement of corporate ownership, provided on company letterhead, pursuant to N.J.S.A. 52:25-24.2. To be provided in addition to Stockholders Disclosure Form noted below. See Item 26	
X If applicable, bidder's acknowledgment of receipt of any notice(s) or revisions(s) or addenda to an advertisement, specifications or bid document(s)	

Failure to submit the following documents may be a cause for the bid to be rejected. (N.J.S.A. 40A:11-23.1b) Checkmarks require submission with bid. Initial each item submitted with bid.

Checkmarks	Bidder's Initials
X Submission of fully executed Proposal, page 9	
X Submit Exception to Specification Sheet along with all available information, page 10	
X Submission of Stockholders Disclosure Form, page 11	
X Submission of Agreement of Surety, page 12, in the form attached as part of the bid specifications and signed by Surety Provider, see Item 19	
X Submission of Non-Collusion Affidavit, page 13 (must be notarized)	
X Submission of a Agreement of Safety Regulations Compliance, page 14	
X Submission of Affidavit regarding State Treasurer's list of debarred, suspended and disqualified bidders, page 15	
X Submission of Copy of Business Registration Certificate issued by the New Jersey Department of the Treasury, see page 18	
X Submission of Certificate of Insurance, Item 18	
X Submission of current State of New Jersey licensing, Item 20	
X Submission of Affirmative Action Evidence, item 24, Letter of Federal Approval, or Certificate of Employee Information Report, or Completed AA302 available from the Authority, pages 16 and 17.	
X All forms signed, certified and notarized as required	
X Properly addressed and sealed envelope.	

SIGNATURE: The undersigned authorized representative hereby acknowledges and has submitted the above listed requirements.

Name of Bidder: _____

Signature: _____ Date: _____

Print Name & Title: _____

THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
1551 Highway 88 West
Brick, New Jersey 08724
Phone: (732) 458-7000

BID SPECIFICATIONS

1. DATE AND PLACE OF OPENING OF BIDS:

Sealed bids for **Electrical Work** will be received at:

The Brick Township Municipal Utilities Authority
1551 Highway 88 West, Brick, N.J. 08724,

until **9:00 A.M.**, Prevailing Time, on **Tuesday, February 2, 2010** at which time they will be publicly opened and read. All interested parties are invited to attend. The Authority will not be responsible for bids forwarded by U.S. Mail and received after bid opening.

2. QUALIFICATIONS OF BIDDERS:

The Brick Township Municipal Utilities Authority (hereinafter "BTMUA") may make such investigation deemed necessary to determine the ability of the bidder to furnish and guarantee the delivery of the items specified and the bidder shall furnish to the BTMUA all such information and data for this purpose as the BTMUA may request. The BTMUA reserves the right to reject any bid if the evidence submitted by or investigation of such bidder fails to satisfy the BTMUA that such bidder is properly qualified to carry out the requirements of these specifications.

3. PREPARATION OF BIDS:

All bids shall be submitted in sealed envelopes addressed to the Executive Director, Brick Township Municipal Utilities Authority, 1551 Highway 88 West, Brick, New Jersey 08724 and marked "**Bid for Electrical Work.**"

Each bid must be delivered at the place and time required or mailed so as to be received prior to the opening time set in the advertisement. Bids received after the hour herein named or in unsealed envelope marked "confidential bid" or without the bidder's name on the outside thereof, may not be considered. The BTMUA will not be responsible for bids forwarded through the US. Mail if lost in transit at any time before bid opening or received after bid opening.

Each bid must be submitted on the prescribed form. All blank spaces for bid prices must be filled in, in ink or typewritten. Bidders shall not remove and submit the proposal pages separate from the volume of Contract Documents, including all pages correctly assembled. All exceptions must be listed on a separate page and explained.

4. OBLIGATION OF BIDDERS:

At the time of the opening of bids, each bidder will be presumed to have read and to be thoroughly familiar with the Contract Documents, including all Addenda. The failure or omission of any bidder to receive or examine any form, instrument or document shall in no way relieve any bidder from any obligation in respect to his bid.

5. MODIFICATIONS OF BIDS:

Any bidder may modify his bid by registered mail. Bids may not be modified within 24 hours of the stipulation of time of opening bids.

6. WITHDRAWAL OF BIDS:

Upon proper request and identification, bids may be withdrawn at any time prior to the designated time for the opening of bids. No bid may be withdrawn within 30 days after the actual date of the opening thereof.

7. MULTIPLE BIDS:

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

8. INTERPRETATION AND APPROVAL:

All items must be in strict accordance with the specifications and accepted bid, and will be subjected to the approval of the Executive Director. Should any dispute arise respecting the true construction and meaning of these specifications, same shall be decided by the above person, as the accredited representative of the BTMUA and his/her decision shall be final and conclusive. Each bidder must be known to be engaged in the business and well qualified to carry out his contract, and satisfactory testimonials to that effect must be furnished, if required.

The BTMUA reserves onto itself the right to reject any and all bids if deemed in the best interest of the Authority, and to waive immaterial informalities in any bid. Bidders are cautioned to examine all attached documents carefully and to execute and sign the proposal, non-collusion affidavit disclosure of ownership, affirmative action, and comply with surety requirements, if applicable. All information listed on the proposal checklist must be submitted with the package. The BTMUA may consider informal, any bid not prepared and submitted in accordance with the provisions hereof.

9. ADDENDA AND INTERPRETATIONS:

No interpretations of the meaning of the specifications of other contract documents will be made to any bidder orally. Every request for such interpretation should be in writing, addressed to the Executive Director, 1551 Highway 88 West, Brick, New Jersey 08724, and to be given consideration must be received at least five (5) days prior to the date fixed for the opening of bids. Any and all interpretations and any supplemental instructions will be in the form of written documents, at the respective addresses furnished for such purpose, not later than three days prior to the date fixed for the opening of bids. Failure of any bidder to receive any such addendum or interpretation shall not relieve any bidder from any obligation under this bid as submitted. All addenda so issued shall become part of the contract documents.

10. TIME TO AWARD CONTRACT:

The BTMUA shall have sixty (60) days from the receipt of bids to either accept or reject same, and a reasonable time thereafter in the event of any special circumstances or conditions requiring same.

11. AWARD:

Awards shall be made to the three lowest responsive/qualified bidders. Successful bidders will be notified immediately following an award. A call-out list will be established, the lowest qualified bidder being number one on the list, and each successive bidder placed in order of award. If the lowest qualified bidder cannot perform the work within the time period specified by the BTMUA, the remaining successful qualified bidders will be called in order of bid award.

12. LENGTH OF CONTRACT:

One (1) year contract(s) will be offered to the three lowest qualified bidders, to be effective from the date of the award.

13. QUANTITY OF WORK:

Based on future projections, it is anticipated the BTMUA will require approximately thirty (30) hours of Electrical Work performed each month. This is an estimate only, and the BTMUA does not guarantee to require any definite quantity of Electrical Work. However, the quantity of work shall be all of the BTMUA's requirements during the term of the contract, whether it be more or less than the estimate given.

14. EXECUTION OF CONTRACT:

The successful bidder shall agree to enter into a written contract with the Authority for the faithful performance of this bid.

15. PRICE QUOTES:

Due to variance in job complexity and estimated hours to complete, the BTMUA reserves the right to request that quotes be gathered from all the successful bidders to determine the lowest total price for certain specific job(s) when required. All quotes must be provided in writing within three (3) business days from the request for quotation. Quotes not received within three (3) business days will result in the Contractor being considered non-responsive to the request for quotation. On a comparison basis, the work will be awarded based on lowest total price(s) for services rendered in strict accordance with the attached specifications of work to be performed. Quotes are to be net, exclusive of all Federal and State sales and excise tax as set forth under Chapter 134, P.L. 1975.

16. ESCALATOR CLAUSES:

Bids containing escalator clauses will not be considered. If bidder cannot guarantee price quoted he must not quote the item.

17. INDEMNITY:

The Contractor shall indemnify and save harmless the BTMUA, the BTMUA's agents, and the BTMUA's employees, from and against all losses and claims, demands, payments, suits, actions, recoveries, and judgments of every nature and description caused by the contractor's negligent acts, errors or omissions, including reasonable attorney fees.

18. INSURANCE:

The successful bidder cannot commence work under the terms of the specifications until he has furnished certificates of insurance to The Brick Township Municipal Utilities Authority showing that he has contractor's public liability and worker's compensation insurance to protect himself and the Authority. Therefore, **a certificate of insurance naming the Brick Township Municipal Utilities Authority as additional insured must be provided with the bid submittal**. The limits of bodily injury and property damage shall be in sufficient amounts to totally indemnify and save harmless the BTMUA from any claims, causes of action, costs, reasonable attorney fees and other expenses to the extent arising out of the negligence or willful misconduct of the Electrical Contractor. The certificates of insurance shall contain a ten-day cancellation clause with written notice by the insurance company to the BTMUA. All work performed must be by, or under the direct supervision of, a licensed electrician.

19. SURETY:

Each bid must be accompanied by a certified check, cashier's check, or bid bond issued by a surety company licensed to do business in New Jersey, in the amount of 10% of the total amount of the bid, but **in no event less than \$10,000.00 or in excess of \$20,000.00. Where a bid bond is submitted, an Agreement of Surety in the form attached hereto must be submitted or the bid shall be rejected,** power of attorney, and statement of financial condition must accompany same.

20. ELECTRICAL LICENSE:

The successful bidders shall have a current State of New Jersey electrical license and must provide copies of certificates of same.

21. SUBCONTRACTS:

The BTMUA will recognize only the successful bidder(s) for the proper execution of the entire work under this contract. No subcontractor shall be allowed to perform any work without the express permission of the BTMUA.

22. PAYMENT:

The terms of payment, under which bids are solicited and to which all bidders offering proposals under these specifications agree, are: Net cash upon proper presentation of the amount stated in the contract and covered by formal order, and necessary action by the BTMUA. Billings are to be made for complete orders only, and the BTMUA will not clear invoices covering parts of orders. Orders must be completed in their entirety before payment is made.

23. WAGE RATES:

All workers shall be paid the prevailing rate of wage for the type of work to be done in the territory in which it is to be performed. The violation of the foregoing provision shall constitute a breach of the contract. The Contractor shall note that the "Prevailing Wage Rate Determination" pursuant to Chapter 150 of the New Jersey Laws of 1963, New Jersey Department of Labor and Industry, of current date and applicable to the location of the work, is made a part of this contract.

The Contractor shall provide the BTMUA with a copy of the Payroll Certification for Public Works Projects, as required. The payroll of each Contractor must be certified as follows: "I certify that the payroll is correct and complete, that the wage rates contained therein are not less than the applicable rates contained in the wage decision of the New Jersey Department of Labor and that the classification set forth for each laborer conforms with the work he performs."

In addition, the Bidder does also declare and represent that in the event of any determination of such prevailing rates at any time before the execution and delivery of the Contract between the Bidder and the BTMUA, or any time thereafter, the new rates, if any, will become the applicable minimum rates for work performed thereafter under said Contract. **No increase in the Contract price shall be claimed by the Bidder and no such increase will be granted by the Owner as a result of such determination.**

24. AFFIRMATIVE ACTION REQUIREMENTS:

Bidders are required to comply with the Affirmative Action Requirements of PL. 1975, C. 127 (N.J.A.C. 17). All successful vendors must submit the required **Affirmative Action Evidence** as set forth on the attached Affirmative Action Requirements.

25. PAY-TO-PLAY REGULATION – BIDDER RESPONSIBILITY

Pursuant to P.L. 2005, c.271, any business entity that has received \$50,000 or more in a calendar year through agreements or contracts with public entities, must file an annual disclosure statement with the New Jersey Election Law Enforcement Commission (ELEC). Annual statements will be due by March 30th, and will report information relevant to the previous calendar year. The Business Entity Annual Statement (Form BE) and filing instructions are available on the ELEC website – www.elec.state.nj.us. The New Jersey toll free ELEC telephone number is 1 – 888 – 313 – ELEC."

26. STATEMENT OF CORPORATE OWNERSHIP:

All corporations shall attach to their bid a statement, on their company letterhead, confirming the company is a corporation and setting forth the names and addresses of all owners of the corporation.

27. STOCKHOLDERS DISCLOSURE:

All corporations or partnerships shall attach to their bid a statement setting forth the names and addresses of all stockholders in the corporation or partnership who own 10 or more of its stock, of any class or of individual partners in the partnership who own a 10% or greater interest therein, as the case may be. If one or more such stockholders or partner is itself a corporation or partnership, the stockholders holding a 10% or more of that corporation's stock, or the individual partners owning 10% or greater interest in that partnership, 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, exceeding 10% ownership criteria has been listed. See Stockholders Disclosure Form attached.

28. WARRANTY OF SERVICE:

The bidder warrants the quality of service performed and materials furnished. If any portion of service performed or material furnished is defective within one year from date of completion of work, the Authority will promptly notify the bidder in writing, and bidder will correct such defect at his/her own expense for the repair or installation of defective parts or workmanship.

29. TITLE – SCRAP MATERIALS:

All scrap resulting from work shall be the property of the Authority and will have the title and right of possession of such.

30. BILLING:

All vendor invoices shall include date of job, itemized hourly labor charges to include amount of hours for total job, itemized listing of parts and supplies showing cost per item and total mark-up percentage as a separate item, detailed description of work performed.

31. MATERIALS:

The BTMUA's existing warehouse stocked materials must be used whenever possible. If materials necessary for repair or installation are not stocked in the BTMUA's warehouse, the Electrical Contractor must furnish all materials necessary for repairs or installation.

The BTMUA is to only be billed for materials used specifically for a particular job. Any materials remaining from the billed items upon completion of each job will become the property of the BTMUA.

32. SCOPE OF WORK:

1. An estimate shall be provided prior to order to proceed for each job.
2. Shall be able to perform commercial and industrial work.
3. Troubleshoot electrical stations problems.
4. Install conduits and pull wires when needed
5. Troubleshoot switch gear problems.
6. Troubleshoot motor control problems and make repairs when necessary.
7. Install or repair electrical breakers in panels.
8. Install electrical receptacles (*i.e.* lighting, outlets, panels).
9. Troubleshoot problems with 3-phase 230/460 volt equipment and make repairs when necessary.
10. Equipment control wiring installation and repair.

11. Shall be available for 24 hours a day, 7 days a week emergency call out. Phone numbers to be provided.
12. Shall have standby equipment call out network so communications from the BTMUA to the electrical contractor can be established.
13. Shall have proper testing equipment to perform work.
14. Furnish work that must be performed by a licensed electrician.

33. SITE LOCATIONS

A) Administration Complex

1551 Highway 88, Brick, NJ

B) Water Treatment Plant

<u>Location</u>	<u>Address</u>	<u>Pumping Capacity</u>	<u>Aux. Power Status</u>
Miller Water Treatment Plant	1551 Highway 88	16 MGD	Generator on site

C) Water Booster Stations

(All sites located in Brick, NJ)

<u>Location</u>	<u>Address</u>	<u>Pumping Capacity</u>	<u>Aux. Power Status</u>
Alaska Tower	Alaska Ave.	150 GPM 1000 GPM Fire Pump	Generator on site
Burrsville Road	Burrsville Road	1000 GPM	No on site
Herbertsville Road	Herbertsville Road	960 GPM	No on site
Mantoloking Tower	Mantoloking Rd.	1250 GPM	No on site
Morris Ave. Tower	Morris Ave.	1250 GPM	No on site
Ridge Road	Ridge Rd.	300 GPM 1250 GPM Fire Pump	No on site

D) Sewage Pump Stations

(All sites located in Brick, NJ)

<u>Location</u>	<u>Address</u>	<u>Pumping Capacity</u>	<u>Aux. Power Status</u>
Bay Harbor	Bay Harbor Blvd.	700 GPM	Generator on site
Breton Road	Breton Rd.	300 GPM	Generator on site
Burnt Tavern Manor	Lake Rd.	325 GPM	Generator on site
Cape Breton (Ejector)	Country Club Dr.	50 GPM	No on site
Drum Point	Drum Point Rd.	1,450 GPM	Generator on site
Eagle Point (Ejector)	Tall Timber Dr.	50 GPM	Generator on site
Eastern Lane	Eastern Lane	215 GPM	Generator on site

<u>Location</u>	<u>Address</u>	<u>Pumping Capacity</u>	<u>Aux. Power Status</u>
Fifth Street	Princeton Ave. & 5 th . St.	243 GPM	Generator on site
Greenbriar Lift (ejector)	Burrsville Rd.	50 GPM	Generator on site
Greenbriar II (submersible)	Everest Dr.	125 GPM	Generator on site
Island Drive (ejector)	Island Dr.	50 GPM	No on site
Jaywood Manor (submersible)	Jaywood Manor Dr.	60 GPM	No on site
Lanes Mill	Lanes Mill Rd.	410 GPM	Generator on site
Laurel Brook	Pinewood Dr.	820 GPM	Generator on site
Laurelton	Route 70 East	327 GPM	Generator on site
Mantoloking	Mantoloking Rd.	370 GPM	Generator on site
Paramount Way	Bluffview Dr. & Paramount Way	180 GPM	No on site
Pine Meadows	Pine Meadows Rd.	370 GPM	Generator on site
Riverside Drive	Riverside Dr.	2,160 GPM	Generator on site
Riviera Drive	Riviera Dr.	210 GPM	Generator on site
Sloping Hills	Sloping Hill Ct.	243 GPM	Generator on site
Trailer Park (submersible)	Askin Rd. & 1 st Ave.	17 GPM	No on site
Vanada Woods	Riverside Dr.	112 GPM	Generator on site
Turkey Point	Winding River Rd.	100 GPM	No on site
Seaview Village (submersible)	Seaview Ave.	50 GPM	No on site

E) Other Pump Stations

<u>Location & Type</u>	<u>Address</u>	<u>Pump Capacity</u>	<u>Aux. Power Status</u>
Sea Avenue Pump Station	Sea Avenue		
Storm Water Pumping Station	Point Pleasant Beach	58,000 GPM	Generator on site
Bay Station	Herbert Street		
Sewage Pumping Station	Mantoloking Borough	2,200 GPM	Generator on site

F) Sites Located in Howell Township

(No on-site generators at these locations)

<u>Location & Type</u>	<u>Address</u>	<u>Pump Capacity</u>
Well #1A	Western Drive	250 GPM
Well #2	Digger Street & Newton Corner Rd.	180 GPM
Well #3	Bristlecone Drive	100 GPM
Well #4	Pinyon Street	80 GPM
Well #5	Mistletoe Circle	180 GPM
Well #6	Davids Lane	120 GPM
Well #7	Gladiola Drive & Virginia Drive	160 GPM
Well #8	Lorelei Drive & Partridge Lane	160 GPM
Virginia Avenue Standpipe	Virginia Avenue	N/A
Amy Court Standpipe	Amy Court	N/A
Pineview Wastewater Pump Sta.	Leaf Lane	64 GPM/pump – 2 pumps

Small water treatment plants – for well water only:

WTP #1	Western Drive	N/A
WTP #2	Digger Street	N/A
WTP #3	Lorelei Drive	N/A

PROPOSAL

The undersigned, having acquainted himself with the existent condition examined the specifications, hereby acknowledges and agrees to be bound by the terms and conditions of the attached specifications in making this proposal. The prices quoted include all charges and expenses for labor less materials, and no other charges will be made, other than those herein stated.

The undersigned hereby declares that he is the only person interested in this proposal, and that no other person then herein named has any interest in this bid or in the contract proposed to be taken; that it is to be made without any connection with any person making a bid for the same work, and is in all respects fair and without collusion or fraud. The undersigned does further declare that no member of the Brick Township Municipal Utilities Authority, nor any officer, agent, or employee of the Authority is directly or indirectly interested therein.

The undersigned hereby proposes and agrees to furnish and deliver **Electrical Work** in strict accordance with the attached specifications.

ITEM 1: LABOR RATE - REGULAR / EMERGENCY

(Rate to be inclusive of travel time and mileage)

A) Labor Rate Regular Hours (Mon. – Fri., 8:00 a.m. – 5:00 p.m.) \$ _____

B) Labor Rate Emergency Hours (Sat., Sun., Holidays and all off-hours) \$ _____

ITEM 2: PARTS AND SUPPLIES

When vendor supplied, price will be furnished to the Authority on a per job status. All items must be of industry standards and meet applicable job requirements for proper execution of the entire work under this contract.

NOTE: All parts and supplies approval will fall under Section 6 of the specifications.

A) Mark-up percentage for parts & supplies supplied by bidder _____%

Name of Bidder _____

For the Bidder _____
(Signature)

Name and Title _____

Address _____

Phone _____ Date _____

EXCEPTION SHEET

Bidder must itemize all exceptions to the specifications on the form provided. If this is not sufficient space, attach additional sheets as required. A statement referring to manufacturer's literature or specifications without stating the actual exception will be cause for bid rejection.

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____
- 16. _____
- 17. _____
- 18. _____
- 19. _____
- 20. _____

Unless otherwise stated by the Bidder in the space provided, the proposal will be considered as being in strict accordance with the specifications outlined herein.

STOCKHOLDERS DISCLOSURE FORM

Name: _____

Address: _____

City and State: _____ Zip: _____

In the spaces provided, list the name and address of all owners, partners, directors, officers, and indirect owners owning 10% or more interest in the Bidder's firm. If corporate owner, list in the spaces provided stockholders, or owners, whose ownership through the corporation is 10% or more of the Bidder's firm. Complete the affidavit at the bottom of this form. If this has already been submitted to the Brick Township Municipal Utilities Authority, use the form for any changes and complete the affidavit.

<u>Name</u>	<u>Address</u>	<u>City/State/ Zip</u>	<u>Percent Owned</u>

President of Firm: _____
(Type or Print Name and Phone Number)

AFFIDAVIT

I CERTIFY THAT:

_____ List of stockholder's names and addresses has been submitted to the Brick Township Municipal Utilities Authority, and it is current and correct to the best of my knowledge with the exceptions as listed above.

_____ List of stockholders above is current and correct to the best of my knowledge.

_____ There are no stockholders holding 10% or more in this corporation or firm to the best of my knowledge.

Signature of Authorized Representative: _____

Type or Print Name and Title: _____

Witnessed by: _____ Date: _____

VENDOR: Please complete and sign this form and return it to the Brick Township Municipal Utilities Authority with your bid proposal, or to pre-file, return to the following address: 1551 Highway 88 West, Brick, New Jersey 08724.

AGREEMENT OF SURETY

**Failure to complete and submit this form with the bid submittal
will result in immediate rejection of the bid.**

The _____, a corporation created and existing under the laws of the State of _____ whose principal office is in _____ and is duly authorized to transact business in the State of New Jersey (hereinafter called the Surety), hereby undertakes that if the accompanying bid of _____ (hereinafter called the Bidder) dated _____ for _____

be accepted as to any or all of the items of material and workmanship proposed to be furnished thereby, or as to any portion of the same, the said bidder shall, within ten (10) days after notice of the award of contract, enter into a contract with The Brick Township Municipal Utilities Authority (hereinafter called the Obligee), and give bond with good and sufficient surety for the faithful performance of such contract, or in the event of the failure of the bidder to enter into such contract and give such bond, the Surety will pay the Obligee the difference between the amount specified in said bid and the amount for which the Obligee may contract with another party to perform the work covered by said bid, if the latter amount be in excess of the former.

Provided and subject to condition precedent:

That any suits at law or proceedings in equity brought or to be brought against the Surety to recover any claim hereunder must be instituted and service had upon the Surety within ninety (90) days after the acceptance of said bid of the Principal by the Obligee.

IN WITNESS WHEREOF, the undersigned corporation has caused this agreement to be signed by its proper officers and its corporate seal to be affixed hereto this _____ day of _____, 20_____

Attest:

BY:

(Affix seal here)

(Typed name and title)

NON-COLLUSION AFFIDAVIT

State of _____, County of _____

I, _____, of the City of _____

in the County of _____ and the State of _____, of full age,

being duly sworn to law on my oath, depose and say that I am of the firm _____,

the Bidder making the bid for Electrical Work and that I executed said bid with full authority to do so and 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 contract; and that all statements contained in said bid and in this affidavit are true and correct and made with full knowledge that The Brick Township Municipal Utilities Authority relies upon the truth of the statements contained in said bid and in statements contained in this affidavit in awarding the above-named contract.

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 or a commission, percentage, brokerage or contingent fee, except bona fide established commercial or selling agencies maintained by

(Name of Bidder) (N.J.S.A. 52:3415)

BY: _____

(Type Name and Title)

Subscribed and sworn to before me

this _____ Day of _____, 20__

Notary Public of New Jersey

(SEAL)

AGREEMENT OF SAFETY REGULATIONS COMPLIANCE

The undersigned, _____, hereby proposes and agrees to
(Bidder Name)

comply with all United States Department of Transportation Hazardous Material Regulations (49CFR 172.704) and other pertinent Federal, State and Local Regulations that govern the health, safety and welfare of their employees and employees of this Authority as well as complying with all Federal, State and Local Regulations that govern the safe handling and transportation of the applicable product.

Each bidder will also agree to furnish all the necessary labor, materials, equipment, tools, personal protective equipment, safety equipment, and services necessary for the work specified in this contract.

IN WITNESS WHEREOF, the undersigned bidder has caused this Agreement to be signed by its proper officer and its corporate seal to be affixed hereto this _____ day of _____, 20____

Attest:

By: _____
(Type Name and Title)

(Affix Seal Here)

**STATE TREASURER'S LIST OF
DEBARRED, SUSPENDED & DISQUALIFIED BIDDERS**

The Contractor shall submit with his bid a sworn statement, as set forth herein signed by an officer or partner of the Contractor, indicating whether or not the Contractor is at the time of the bid, included on the State Treasurer's List of Debarred, Suspended, or Disqualified Bidders. The Contractor will immediately notify the Owner whenever it appears that a Contractor is on the State Treasurer's List. The Contractor may be debarred, suspended or disqualified from contracting with the State of New Jersey and NJDEP if the Contractor commits any of the acts listed in N.J.A.C. 7:1D-2.2.

STATE OF NEW JERSEY

§:

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 _____, an officer of the firm of _____, the bidder making the Proposal for the above named work, and that I executed the said Proposal with full authority to do so that said bidder at the time of making of this bid, is not included on the State of New Jersey, State Treasurer's List of Debarred, Suspended and Disqualified Bidder; and that all statements contained in said Proposal and in this affidavit are true and correct, and made with the full knowledge that the Owner as Local Unit relies upon the truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract for said work.

The undersigned further warrants that should the name of the firm making this bid appear on the State Treasurer's List of Debarred, Suspended and Disqualified Bidders at anytime prior to, and during the life of this Contract, including the Guarantee Period, that The Brick Township Municipal Utilities Authority shall be immediately notified by the signatory of this Eligibility Affidavit.

The undersigned understands that the firm making the bid as a Contractor is subject to debarment, suspension and/or disqualification in contracting with the State of New Jersey and the Department of Environmental Protection if the Contractor, pursuant to N.J.A.C. 7:1D-2.2 commits any of the acts listed therein, and as determined according to applicable law and regulation.

(Insert Name and Title of Affiant)

(Insert Name and Address of Contractor)

Subscribed and sworn before me

this ____ day of _____ 20 ____

Notary Public of _____

My commission expires _____, 20 ____

**STATE OF NEW JERSEY EQUAL EMPLOYMENT OPPORTUNITY
REQUIREMENTS**

Exhibit A
(N.J.S.A. 10:5-31 et seq.)
(N.J.A.C. 17:27)

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

GOODS, PROFESSIONAL SERVICES and GENERAL SERVICE CONTRACTS

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

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

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

The contractor or subcontractor, where applicable, will send to each labor union or representative of 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 the 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 afford equal employment opportunities to minority and women workers consistent with good faith efforts to meet targeted county employment goals established in accordance with **N.J.A.C. 17:27-5.2**, or good faith efforts to meet targeted 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, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status,

affectional or sexual orientation, gender identity and 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 personal testing conforms with the principals of job-related testing, as established by the statutes and court decisions of the State of New Jersey, and as established by applicable Federal law and applicable Federal court decisions.

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

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

REQUIRED AFFIRMATIVE ACTION EVIDENCE

A. Procurement, Professional & Services Contracts

All successful vendors must submit within three days of the notice of intent to award or the signing of the contract, one of the following documents to the Authority. Failure to submit one of the following will result in the contractor's bid being rejected as non-responsive.

1. A photo copy of their Federal Letter of Affirmative Action Plan Approval.
2. A photo copy of their Certificate of Employee Information Report.
3. If the contractor cannot present (1) or (2), the contractor is required to submit a completed Employees Information Report (Form AA-302). This form will be made available to contractors by the Brick Township Municipal Utilities Authority.

Name of Company: _____

Signature: _____ Title: _____

Date: _____

NEW JERSEY BUSINESS REGISTRATION REQUIREMENTS

NOTICE TO ALL VENDORS

(Assembly No. 3130 signed into law 6/29/04, Chapter 57 Law of 2004)

The Purpose of this notification is to alert you to the new law referenced above and how it impacts on our business transactions with your company. This law is requiring all businesses to register with the Division of Revenue and receive a Business Registration Certificate that must be provided to all local units of government you transact with. This law becomes effective September 1, 2004.

The law provides in part that:

- A. A copy of the Business Registration Certificate, issued by the New Jersey Department of the Treasury, shall be submitted to the Local Unit of Government **before** any Purchase Order or other contracting document can be issued.
- B. A copy of the Business Registration Certificate shall be provided at the time any bid or request for proposal is submitted. In a bid situation failure to do so is a **fatal** defect and cannot be cured.
- C. Contractors are responsible for notifying any subcontractors of this requirement.
- D. This law applies to all vendors, in state and out of state.
- E. The New Jersey Department of the Treasury will soon be releasing rules in accordance with the above.

The Business Registration Certificate can be obtained **free of charge** by contacting the number or visiting the website listed below:

Division of Revenue, Business Registration Certificate
609-292-1730
www.nj.gov/njbgs

Please call the Division of Revenue office and obtain your certificate in order to comply with this new requirement. Send a copy of your certificate to all local governments you deal with. The staff at the Division of Revenue office should be able to answer any questions you may have regarding this new legislation. Thank you for your time.
