

NOTE: To receive addenda or modification to this Request for Qualifications/Proposals, please check the borough website www.Bradleybeachnj.gov

REQUEST FOR QUALIFICATIONS/PROPOSALS

FOR THE PROVISION OF:

**BOROUGH ATTORNEY,
BOND COUNSEL,
LABOR ATTORNEY,
TAX APPEAL ATTORNEY,
SPECIAL COUNSEL FOR CONFLICTS,
OPRA COUNSEL,
REDEVELOPMENT ATTORNEY,
FAIRSHARE HOUSING ATTORNEY,
BOROUGH AUDITOR,
BOROUGH ENGINEER,
SPECIAL CONSULT ENGINEER: COASTAL ENGINEER; SANITARY SEWER ENGINEER; STORMWATER ENGINEER; ZONING CONSULT ENGINEER,
ZONING/PLANNING COMBINED (LANDUSE) BOARD ENGINEER
BOROUGH PLANNER,
INSURANCE RISK MANAGEMENT CONSULTANT,
FINANCIAL ADVISOR,
HEALTH BENEFITS CONSULTANT,
IT CONSULTANT,
PROJECT ARCHITECT**

ISSUE DATE: OCTOBER 31, 2022

DUE DATE: NOVEMBER 30, 2022 at 10:00 a.m.

Issued by:

Borough of Bradley Beach

Kimberly Humphrey, QPA

GLOSSARY

The following definitions shall apply to and are used in this Request for Qualifications:

"Borough" - refers to the Borough of Bradley Beach.

"Cost Proposal" – refers to a statement of hourly rates and costs for the services provided.

"Due Date" – refers to the date and time by which Qualification Statement/Proposals/Proposals must be received by the Borough in order to be considered for award of the contract or position.

"Qualification Statement/Proposal" - refers to the complete responses to this RFQ/RFP/RFP submitted by the Respondents.

"Qualified Respondent" - refers to those Respondents who (in the sole judgment of the Borough) have satisfied the qualification criteria set forth in this RFQ/RFP/RFP.

"RFQ/RFP" - refers to this Request for Qualifications/Proposals, including any amendments thereof or supplements thereto.

"RFP" - refers to this Request for Proposals, including any amendments thereof or supplements thereto.

"Respondent" or "Respondents" - refers to the interested firm(s) that submit a Qualification Statement/Proposal/Proposal.

SECTION 1

INTRODUCTION AND GENERAL INFORMATION

1.1. Introduction and Purpose.

The Borough is soliciting Qualification Statement/Proposals /Proposals from interested persons and/or firms for the provision of professional services and extraordinary unspecifiable services:

**BOROUGH ATTORNEY,
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Through a Request for Qualification/Proposal process described herein, persons and/or firms interested in assisting the Borough with the provision of such services must prepare and submit a Qualification Statement/Proposal/Proposals in accordance with the procedure and schedule in this RFQ/RFP. The Borough will review Qualification Statement/Proposals only from those firms that submit a Qualification Statement/Proposal that includes all the information required to be included as described herein (in the sole judgment of the Borough). The Borough intends to qualify person(s) and/or firm(s) that (a) possess the professional, financial and administrative capabilities to provide the proposed services, and (b) will agree to work under the compensation terms and conditions determined by the Borough to provide the greatest benefit to the taxpayers of the Borough. The Borough will consider Qualification Statements/Proposals only from individuals, firms or organizations that have demonstrated the capability and willingness to provide high quality services as required by the Borough.

1.2. Procurement Process and Schedule.

The selection of Qualified Respondents is not subject to the bidding provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. The Borough has structured a procurement process that seeks to obtain the desired results described above, while establishing a competitive process to assure that each person and/or firm is provided an equal opportunity to submit a Qualification Statement/Proposal in response to the RFQ/RFP. Qualification Statements/Proposals will be evaluated in accordance with the criteria set forth in Section 5 of this RFQ/RFP, which will be applied in the same manner to each Qualification Statement/Proposal received.

Proposals will be reviewed and evaluated by the Borough consisting of the Mayor, Governing Body and Borough Administrator (collectively, the "Review Team"). The Qualification Statements/Proposals will be reviewed to determine if the Respondent has met the minimum professional, administrative and financial areas described in this RFQ/RFP.

The steps involved in the process and the anticipated completion dates are set forth in Table 1, Procurement Schedule. The Borough reserves the right to, among other things, amend, modify, or alter the Procurement Schedule upon notice to all potential Respondents who have provided contact information to the Clerk upon receipt of this RFQ/RFP.

All communications concerning this RFQ/RFP or the RFQ/RFP process shall be directed to the Borough's designated contact person, in writing.

Michele Whille – Administrative Assistant/Deputy Clerk

mwhille@bradleybeachnj.gov

Qualification Statements/Proposals must be submitted to, and be received by, the Borough, via mail or hand delivery, by the due date. Qualification Statements/Proposals will not be accepted by facsimile transmission or e-mail.

Subsequent to issuance of this RFQ/RFP, the Borough (through the issuance of addenda to all firms that have received a copy of the RFQ/RFP) may modify, supplement or amend the provisions of this RFQ/RFP in order to respond to inquiries received from prospective Respondents or as otherwise deemed necessary or appropriate by (and in the sole judgment of) the Borough.

TABLE 1

ANTICIPATED PROCUREMENT SCHEDULE

ACTIVITY	DATE
1. Issuance of RFQ/RFP	October 31, 2022
2. Due Date for Receipt of Qualification Statements/Proposals	November 30, 2022 at 10:00 a.m.
3. Opening of Proposals*	November 30, 2022 at 11:00 a.m.
4. Anticipated Date for Award of Contract*	Jan. 1, 2023

Dates for items marked with a “*” are approximate and subject to change based upon the needs of the Borough.

Section 1.3. Conditions Applicable to RFQ/RFP.

Upon submission of a Qualification Statement/Proposal in response to this RFQ/RFP, the Respondent acknowledges and consents to the following conditions relative to the submission and review and consideration of its Qualification Statement/Proposal:

- This document is an RFQ/RFP.
- This RFQ/RFP does not commit the Borough to issue an award.
- All costs incurred by the Respondent in connection with responding to this RFQ/RFP shall be borne solely by the Respondent.
- The Borough reserves the right (in its sole judgment) to reject for any reason, any and all responses and components thereof and to eliminate any and all Respondents responding to this RFQ/RFP from further consideration for this procurement with rights and accordance to the law.
- The Borough reserves the right (in its sole judgment) to reject any Respondent that submits incomplete responses to this RFQ/RFP, or a Qualification Statement/Proposal that is not responsive to the requirements of this RFQ/RFP.

- The Borough reserves the right, without prior notice, to supplement, amend or otherwise modify this RFQ/RFP or otherwise request additional information through issuance of addenda to all prospective Respondents who have received a copy of this RFQ/RFP, and who have provided their contact information to the Borough. All addenda will be posted on the borough website.
- All Qualification Statements/Proposals shall become the property of the Borough and will not be returned.
- All Qualification Statements/Proposals will be made available to the public at the appropriate time, as determined by the Borough (in the exercise of its sole discretion) in accordance with law.
- The Borough may request additional information from Respondents, including requiring Respondents to send representatives to the Borough for interviews.
- Any and all Qualification Statements/Proposals not received by the Borough by the Due Date will be rejected.
- Neither the Borough, nor their respective staffs, consultants or advisors (including but not limited to the Review Team) shall be liable for any claims or damages resulting from the solicitation or preparation of the Qualification Statement/Proposal, nor will there be any reimbursement to Respondents for the cost of preparing and submitting a Qualification Statement/Proposal or for participating in this procurement process.

Section 1.4. Rights of Borough.

The Borough reserves, holds and may exercise, at its sole discretion, the following rights and options with regard to this RFQ/RFP and the procurement process in accordance with the provisions of applicable law:

- To determine that any Qualification Statement/Proposal received complies or fails to comply with the terms of this RFQ/RFP.
- To supplement, amend or otherwise modify the RFQ/RFP through issuance of addenda all prospective Respondents who have received a copy of this RFQ/RFP, and who have provided their contact information to the Borough.
- To waive any technical non-conformance with the terms of this RFQ/RFP.
- To change or alter the schedule for any events called for in this RFQ/RFP upon the issuance of notice to all prospective Respondents who have received a copy of this RFQ/RFP.

- To conduct investigations of any or all of the Respondents, as the Borough deems necessary or convenient, to clarify the information provided as part of the Qualification Statement/Proposal and to request additional information to support the information included in any Qualification Statement/Proposal.
- To suspend or terminate the procurement process described in this RFQ/RFP at any time (in its sole discretion). If terminated, the Borough may determine to commence a new procurement process or exercise any other rights provided under applicable law without any obligation to the Respondents.

The Borough shall be under no obligation to complete all or any portion of the procurement process described in this RFQ/RFP.

1.5 Addenda or Amendments to RFQ/RFP.

During the period provided for the preparation of responses to the RFQ/RFP, the Borough may issue addenda, amendments or answers to written inquiries. All addenda will be posted on the borough website. It will be the responsibility of the respondents to obtain any and all addenda.

1.6 Cost of Qualification Statement/Proposal Preparation.

Each Qualification Statement/Proposal and all information required to be submitted pursuant to the RFQ/RFP shall be prepared at the sole cost and expense of the Respondent. There shall be no claims whatsoever against the Borough, its staff or consultants for reimbursement for the payment of costs or expenses incurred in the preparation of the Qualification Statement/Proposal or other information required by the RFQ/RFP.

1.7 Qualification Statement/Proposal Format.

Responses should cover all information requested in the Questions to be answered in this RFQ/RFP. Responses which in the judgment of the Borough fail to meet the requirements of the RFQ/RFP or which are in any way conditional, incomplete, obscure, contain deletions from requested information, or contain errors may be rejected.

SECTION 2

SCOPE OF SERVICES

The Borough seeks to award a contract for the positions listed below. It is the intent of the Borough to solicit Qualification Statement/Proposals from Respondents that have expertise in the provision of the services required by the position or contract sought. Firms and/or persons responding to this RFQ/RFP must be able to demonstrate that they will have the continuing capabilities to perform these services.

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SECTION 3

SUBMISSION REQUIREMENTS

Section 3.1 General Requirements.

The Qualification Statement/Proposal submitted by the Respondent must meet or exceed the professional, administrative and financial qualifications set forth in this Section 3 and shall incorporate the information requested below. **Two (2) Original Copies of the RFQ/RFP and One (1) flash drive are required.**

In addition to the information required as described below, a Respondent may submit supplemental information that it feels may be useful in evaluating its Qualification Statement/Proposal. This information may include documents such as a firm profile or brochure. Respondents are encouraged to be clear, factual, and concise in their presentation of information.

Section 3.2 Administrative Information Requirements.

The Respondent shall, as part of its Qualification Statement/ Proposal, provide the following information:

1. A summary page containing information requested in this Qualification Statement/Proposal
2. An executed Letter of Qualification (See Appendix A to this RFQ/RFP).
3. Name, address and telephone number of the firm or firms submitting the Qualification Statement/Proposal pursuant to this RFQ/RFP, and the name of the key contact person.

4. A description of the business organization (i.e., corporation, partnership, joint venture, sole practitioner, etc.) of each firm, its ownership and its organizational structure.
 - (a) Provide the names and business addresses of all Principal(s) of the firm or firms submitting the Qualification Statement/Proposal. For purposes of this RFQ/RFP, "Principals" means persons possessing an ownership, interest in the Respondent. If the Respondent is a corporation, "Principals" shall include each investor who would have any amount of operational control over the Respondent and every stockholder having an ownership interest of 10% or more in the firm.
 - (b) If a firm is a partially owned or a fully-owned subsidiary of another firm, identify the parent company and describe the nature and extent of the parents' approval rights over the activities of the firm submitting a Qualification Statement/Proposal. Describe the approval process.
 - (c) If the Respondent is a partnership or a joint venture or similar organization, provide comparable information as required in (b) above for each member of the partnership, joint venture or similar organization.
5. An executed Letter of Intent (See Appendix B).
6. The number of years your organization has been in business under the present name.
7. The number of years the business organization has been under the current management.
8. A statement that the Respondent is in compliance with all applicable affirmative action (or similar) requirements with respect to its business activities, together with evidence of such compliance.
9. Any judgments, pending claims and / or litigations within the last five years in which Respondent has been adjudicated liable for professional malpractice. If yes, please explain.
10. Whether the business organization is now or has been involved in any bankruptcy or re-organization proceedings in the last ten (10) years. If yes, please explain.
11. Confirm appropriate federal and state licenses to perform activities.
12. A copy of Errors and Omissions and Malpractice Insurance with minimum limits of coverage of \$1,000,000 and a hold harmless to the Borough of Bradley Beach.
13. A copy of Respondent's State of New Jersey Business Registration Certificate.
14. A completed Disclosure of Investment Activities in Iran form (See Appendix C).

Section 3.3 Professional Information Requirement.

- a. Respondent shall submit a description of its overall experience in providing the type of services sought in the RFQ/RFP. At a minimum, the following information on past experience should be included as appropriate to the RFQ/RFP.
 1. Description and scope of work by Respondent.
 2. Name, address and contact information of references.
 3. Explanation of perceived relevance of the experience to the RFQ/RFP.
- b. Describe the services that Respondent would perform directly.
- c. Describe those portions of the Respondent's services, if any, that are sub-contracted out. Identify all subcontractors the Respondent anticipates using in connection with this project.
- d. Does the Respondent normally employ union or non-union employees?
- e. Resumes of key employees.
- f. A narrative statement of the Respondent's understanding of the Borough's needs and goals.
- g. List all immediate relatives of Principal(s) of Respondent who are Borough employees or elected officials of the Borough. For purposes of the above, "immediate relative" means a spouse, parent, stepparent, brother, sister, child, stepchild, direct-line aunt or uncle, grandchild, and in-laws by reason of relation.

SECTION 4

INSTRUCTIONS TO RESPONDENTS

4.1 Submission of Qualification Statement/Proposals.

A Respondent must submit an original and two (2) copies and flash drive of their RFQ/RFP to the designated contact person:

Michele Whille, Deputy Clerk
Borough of Bradley Beach
701 Main Street
Bradley Beach, NJ 07720

To be responsive, Qualification Statement/Proposals must provide all requested information, and must be in strict conformance with the instructions set forth herein:

1. Qualification Statement/Proposals must be received by the Borough no later than the Due Date and must be mailed or hand-delivered. Qualification Statement/Proposals forwarded by facsimile or e-mail will not be accepted. Qualification Statement/Proposals received after this time will not be considered. The Borough will not bear responsibility for delays in delivery for any reason.
2. Qualification Statement/Proposals and all related information must be stapled or bound and signed by the Respondent. If Respondent is other than a natural person, the Qualification Statement/Proposal must be signed by an individual with power to bind Respondent.
3. The name of the Respondent and the position or contract for which the submission is being made must be printed on the outside of the package containing Respondent's submission, together with instructions that the submission should not be opened prior to the Due Date. (Suggested format: "RFQ/RFP for _____ . Do not open until November 30, 2022")

SECTION 5

EVALUATION

The Borough's objective in soliciting Qualification Statement/Proposals is to enable it to select a firm, individual, or organization that will provide high quality and cost-effective services to the taxpayers of Bradley Beach. The Borough will consider Qualification Statement/Proposals only from firms, individuals, or organizations that, in the Borough's judgment, have demonstrated the capability and willingness to provide high quality services to the taxpayers of the Borough in the manner described in this RFQ/RFP.

Qualification Statement/Proposals will be evaluated by the Borough on the basis of the most advantageous submission, all relevant factors considered. The evaluation will consider the following:

1. Experience and reputation in the field;
2. Knowledge of the Borough and the subject matter addressed under the contract;
3. Availability to accommodate the requirements of the Borough;
4. Other factors demonstrated to be in the best interest of the Borough;
5. Costs to the Borough; and
6. Confidence by the Mayor and Council in the Applicant's ability to perform the services of Respondent.

APPENDIX A

LETTER OF QUALIFICATION

(Note: To be typed on Respondent's Letterhead. No modifications may be made to this letter)

Date: _____

Kimberly Humphrey, Administrator, QPA
Borough of Bradley Beach
701 Main Street
Bradley Beach, NJ 07720

Re: LETTER OF QUALIFICATION

Dear Ms. Humphrey

The undersigned has/have reviewed my/our Qualification Statement/Proposal submitted in response to the Request for Qualifications (RFQ/RFP) issued by the Borough of Bradley Beach ("Borough"), dated OCTOBER 31, 2022, in connection with the Borough's need for a ____.

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

_____(Respondent).*

Signed: _____

Printed: _____

Title: _____

* If a joint venture, partnership or other formal organization other than a natural person is submitting a Qualification Statement/Proposal, this Letter of Qualification must be signed by an individual with the legal authority to bind the organization.

APPENDIX B

LETTER OF INTENT

(Note: To be typed on Respondent's Letterhead. No modifications may be made to this letter)

Date: _____

Michele Whille, Deputy Clerk
Borough of Bradley Beach
701 Main Street
Bradley Beach, NJ 07720

Re: LETTER OF INTENT

Dear Ms. Whille:

The undersigned, as Respondent, has (have) submitted the attached Qualification Statement/Proposal/Proposal in response to a Request for Qualifications (RFQ/RFP), issued by the Borough of Bradley Beach ("Borough"), dated OCTOBER 31, 2022, in connection with the Borough's need for a

_____ ("Respondent")* HEREBY STATES:

1. The Qualification Statement/Proposal contains accurate, factual and complete information.
2. Respondent agrees to participate in good faith in the procurement process as described in the RFQ/RFP and to adhere to the Borough's procurement schedule.
3. Respondent acknowledges that all costs incurred by it (them) in connection with the preparation and submission of the Qualification Statement/Proposal and any other documents prepared and submitted in response to the RFQ/RFP, or any negotiation which results therefrom shall be borne exclusively by the Respondent.
4. Respondent hereby declares that the only persons anticipated by respondent to perform the professional services or extraordinary unspecifiable services for which this Qualification Statement/Proposal is submitted are named herein and that no person other than those herein mentioned has any participation in this Qualification Statement/Proposal or in any contract to be entered into with respect thereto. Additional persons may subsequently perform professional services or extraordinary services for which this Qualification Statement/Proposal is submitted, but only if acceptable to the Borough. Respondent declares that this Qualification Statement/Proposal is made without connection with any other person, firm or parties who has submitted a Qualification Statement/Proposal, except as expressly set forth below and that it has been prepared and has been submitted in good faith and without collusion or fraud.
5. Respondent acknowledges and agrees that the Borough may modify, amend, suspend and/or terminate the procurement process (in its sole judgment). In any case, the Borough shall not have any liability to the Respondent for any costs incurred by the Respondent with respect to the procurement activities described in this RFQ/RFP.

6. Respondent acknowledges that any contract executed with respect to the provision of professional services or extraordinary unspecifiable services must comply with all applicable affirmative action and similar laws. Respondent hereby agrees to take such actions as are required in order to comply with such applicable laws.

7. Respondent shall provide a listing of respondent's hourly rates and any and all other charges for any and all other services to be provided.

Signed: _____

Printed: _____

Title: _____

Dated: _____

* If a joint venture, partnership or other formal organization other than a natural person is submitting a Qualification Statement/Proposal, this Letter of Qualification must be signed by an individual with the legal authority to bind the organization.

**APPENDIX C
BUSINESS ENTITY DISCLOSURE CERTIFICATION AND POLITICAL CONTRIBUTION FORM**

BUSINESS ENTITY DISCLOSURE CERTIFICATION FOR NON-FAIR AND OPEN CONTRACTS
Required Pursuant To N.J.S.A. 19:44A-20.8
BOROUGH OF BRADLEY BEACH

Part I – Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that _____ has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding January 1, 201_ to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the *Borough of Bradley Beach* as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

Part II – Ownership Disclosure Certification

I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

- Partnership Corporation Sole Proprietorship Subchapter S Corporation
 Limited Partnership Limited Liability Corporation Limited Liability Partnership

Name of Stock or Shareholder	Home Address

Part 3 – Signature and Attestation:

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: _____ Signed: _____ Title: _____
 Print Name: _____ Date: _____

Subscribed and sworn before me this _____ day of _____, 2_____. My Commission expires: _____ <div style="text-align: right; margin-right: 100px;"> _____ (Affiant) </div> <div style="text-align: right; margin-right: 50px;"> _____ (Print name & title of affiant) (Corporate Seal) </div>

BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS
Required Pursuant To N.J.S.A. 19:44A-20.8
BOROUGH OF BRADLEY BEACH

The following is statutory text related to the terms and citations used in the Business Entity Disclosure Certification form.

“Local Unit Pay-To-Play Law” (P.L. 2004, c.19, as amended by P.L. 2005, c.51) 19:44A-20.6

Certain contributions deemed as contributions by business entity.

5. 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.

19:44A-20.7 Definitions relative to certain campaign contributions.

6. As used in sections 2 through 12 of this act:

“business entity” means any 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;

Temporary and Executing

12. Nothing contained in this act shall be construed as affecting the eligibility of any business entity to perform a public contract because that entity made a contribution to any committee during the one-year period immediately preceding the effective date of this act.

~~~~~

**The New Jersey Campaign Contributions and Expenditures Reporting Act (N.J.S.A. 19:44A-1 et seq.)**

**19:44A-3 Definitions.** In pertinent part.

p. The term "political party committee" means the State committee of a political party, as organized pursuant to R.S.19:5-4, any county committee of a political party, as organized pursuant to R.S.19:5-3, or any municipal committee of a political party, as organized pursuant to R.S.19:5-2.

q. The term "candidate committee" means a committee established pursuant to subsection a. of section 9 of P.L.1973, c.83 (C.19:44A-9) for the purpose of receiving contributions and making expenditures.

r. the term "joint candidates committee" means a committee established pursuant to subsection a. of section 9 of P.L.1973, c.83 (C.19:44A-9) by at least two candidates for the same elective public offices in the same election in a legislative district, county, municipality or school district, but not more candidates than the total number of the same elective public offices to be filled in that election, for the purpose of receiving contributions and making expenditures. For the purpose of this subsection: ...; the offices of member of the board of chosen freeholders and county executive shall be deemed to be the same elective public offices in a county; and the offices of mayor and member of the municipal governing body shall be deemed to be the same elective public offices in a municipality.

**19:44A-8 and 16 Contributions, expenditures, reports, requirements.**

*While the provisions of this section are too extensive to reprint here, the following is deemed to be the pertinent part affecting amounts of contributions:*

“The \$300 limit established in this subsection shall remain as stated in this subsection without further adjustment by the commission in the manner prescribed by section 22 of P.L.1993, c.65 (C.19:44A-7.2)

## C. 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 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.

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.**

\* 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.”



### Continuation Page

## C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Required Pursuant To N.J.S.A. 19:44A-20.26

Page \_\_\_ of \_\_\_\_\_

Vendor Name:

| Contributor Name | Recipient Name | Date | Dollar Amount |
|------------------|----------------|------|---------------|
|                  |                |      | \$            |
|                  |                |      |               |
|                  |                |      |               |
|                  |                |      |               |
|                  |                |      |               |
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Check here if the information is continued on subsequent page(s)

**List of Agencies with Elected Officials Required for Political Contribution Disclosure**  
**N.J.S.A. 19:44A-20.26**

**County Name: Monmouth**

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

## STOCKHOLDER DISCLOSURE CERTIFICATION

**Name of Business:**

I certify that the list below contains the names and home addresses of all stockholders holding 10% or more of the issued and outstanding stock of the undersigned.

**OR**

I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

**Check the box that represents the type of business organization:**

- Partnership                       Corporation                       Sole Proprietorship  
 Limited Partnership     Limited Liability Corporation     Limited Liability Partnership  
 Subchapter S Corporation

**Sign and notarize the form below, and, if necessary, complete the stockholder list below.**

Stockholders:

|               |               |
|---------------|---------------|
| Name:         | Name:         |
| Home Address: | Home Address: |
| Name:         | Name:         |
| Home Address: | Home Address: |
| Name:         | Name:         |
| Home Address: | Home Address: |

|                                                               |                                 |
|---------------------------------------------------------------|---------------------------------|
| Subscribed and sworn before me this ____ day of _____, 2____. | _____                           |
| (Notary Public)                                               | (Print name & title of affiant) |
| My Commission expires:                                        | (Corporate Seal)                |



## **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 et seq.**

#### **GOODS, GENERAL SERVICES, AND PROFESSIONAL SERVICES 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, up- grading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

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

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

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

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

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

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

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

statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

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

Letter of Federal Affirmative Action Plan Approval;

Certificate of Employee Information Report; or

Employee Information Report Form AA-302 (electronically provided by the Division and distributed to the public agency through the Division's website at: [http://www.state.nj.us/treasury/contract\\_compliance/](http://www.state.nj.us/treasury/contract_compliance/)).

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Purchase & Property, CCAU, EEO Monitoring Program as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Purchase & Property, CCAU, EEO Monitoring Program for conducting a compliance investigation pursuant to N.J.A.C. 17:27-1.1 et seq.

(2016)

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

The contractor and the Borough of Bradley Beach of Bradley Beach, NJ, (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.

**STATEMENT OF OWNERSHIP (OWNERSHIP  
DISCLOSURE CERTIFICATION)**  
**N.J.S.A. 52:25-24 (P.L. 1977, c.33, as amended by P.O. 2016, c.43) THIS**

**STATEMENT SHALL BE INCLUDED WITH ALL SUBMISSIONS**

**Failure of the bidder/proposer to submit the required information is cause  
for automatic rejection of the bid or proposal**

Name of Business: \_\_\_\_\_

Address of Business: \_\_\_\_\_

Name of person completing this form: \_\_\_\_\_

**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 supplies, unless prior to the receipt of the bid or proposal or accompanying the bid or proposal 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 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 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 maybe, shall also be listed. The disclosure shall be continued until names and addresses of every non-corporate stockholder, and individual partner and ember, 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 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 or the filings that contain the information one each person that holds a 10 percent or greater beneficial interest.”

The Attorney General has advised that the provisions of N.J.S.A. 52:25-24.2, which refer to corporations and partnerships apply to limited partnerships, limited liability partnerships and Subchapter S Corporations.

**THIS OWNERSHIP DISCLOSURE CERTIFICATION FORM SHALL BE COMPLETED,  
SIGNED AND NOTARIZED.**

**Part 1**

**Check the box that represents the type of business organization:**

Sole Proprietorship (skip Parts II and III, sign and notarize at the end)

Non-Profit Corporation (skip Parts II and III, sign and notarize at the end)

Partnership

Limited Partnership

Limited Liability Partnership

Limited Liability Company For profit Corporation (including Subchapters C & S or Professional Corporation

Other (be specific): \_\_\_\_\_

**Part II**

I certify that the list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein or of all members in the limited liability company who own a 10 percent of greater interest therein, as the case may be.

**OR**

I certify that no one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein or that no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be.

**Sign and notarize the form below, and, if necessary, complete the list below.**

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

**Part III – Any Direct or Indirect Parent Entity Which is Publicly Traded:**

“To comply with this section, a bidder either 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.”

Pages attached with name and address of each publicly traded entity as well as the name and address of each person that holds a 10 percent or greater beneficial interest.

**OR**

Submit here the links to the Websites (URLs) containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent.

---

---

**AND**

Submit here the relevant page numbers of the filings containing the information on each person holding a 10 percent or greater beneficial interest.

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\_\_\_\_\_  
(Affiant)

\_\_\_\_\_  
(Print name of affiant and title, if applicable)

Subscribed and sworn before me this \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

CORPORATE SEAL,  
IF CORPORATION

My Commission expires:\_\_\_\_\_

**BOROUGH OF BRADLEY BEACH  
MONMOUTH COUNTY, NEW JERSEY**

**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 proposal entitled \_\_\_\_\_,  
(title of bid proposal)

and that I executed the said Proposal with full authority to do so that said bidder had not, directly or indirectly entered into any agreement(s), 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 and in this  
(name of contracting unit)  
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

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Type or print name of affiant under signature

Subscribed and sworn to before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public Signature

My Commission expires \_\_\_\_\_ 20\_\_\_\_\_ .

**BOROUGH OF BRADLEY BEACH  
MONMOUTH COUNTY, NEW JERSEY**

**BUSINESS REGISTRATION OF PUBLIC BIDDERS BUSINESS**

**REGISTRATION CERTIFICATE**

The New Jersey State Bidder Business Registration Program to local government contracts requires any "Business Organization" (meaning individual, partnership, association, joint stock company, trust, corporation, or other legal business entity or successor thereof) to submit a copy of their Business Registration Certificate when submitting a bid or proposal OR prior to award.

**FAILURE TO DO SO IS A FATAL DEFECT THAT  
CANNOT BE CURED**

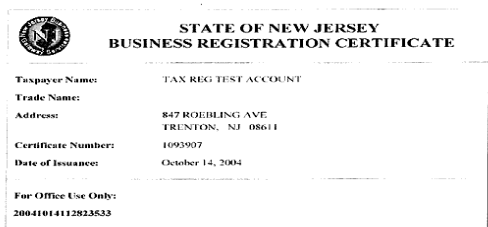
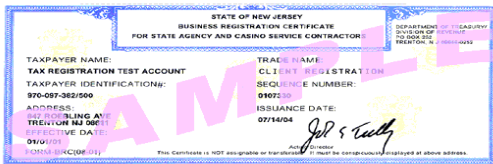
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**GOODS AND SERVICES CONTRACTS**

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

1. the Bidder shall provide written notice to its subcontractors to submit proof of business registration to the Bidder;
2. prior to receipt of final payment from a contracting agency, a Bidder must submit to the contracting agency an accurate list of all subcontractors or attest that none was used;
3. during the term of this contract, the Bidder and its affiliates shall collect and remit, and shall notify all subcontractors and their affiliates that they must collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act, (N.J.S.A. 54:32B-1 et seq.) on all sales of tangible personal property delivered into this State.

A Bidder, subcontractor or supplier who fails to provide proof of business registration or provides false business registration information shall be liable to a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration not properly provided or maintained under a contract with a contracting agency. Information on the law and its requirements is available by calling (609) 292-9292.



SAMPLE OF BUSINESS  
REGISTRATION CERTIFICATE  
(original and downloaded  
version)

EITHER OF THE ABOVE  
CERTIFICATES IS  
ACCEPTABLE AND  
RESPONSIVE



**DEBARRED, SUSPENDED AND DISQUALIFIED CONSULTANT AFFIDAVIT**

STATE OF NEW JERSEY )  
 )  
COUNTY OF )

I, \_\_\_\_\_ of the Borough of \_\_\_\_\_, in the County of \_\_\_\_\_ and the State of \_\_\_\_\_ being of full age, being duly sworn according to law on my oath depose and say:

I am \_\_\_\_\_, an officer of the firm(s) of \_\_\_\_\_, the Professional making the proposal for the above named work; I executed the said proposal with full authority to do so; said Professional at the time of making this proposal {as applicable, insert "is" or "is not"} included on the State of New Jersey, State Treasurer's List of Debarred, Suspended and Disqualified Professionals; and all statements contained in said proposal and in this affidavit are true and correct and made with the full knowledge that the Borough of Bradley Beach as the 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:

- I. Has not been suspended, debarred, voluntarily excluded or determined ineligible by any Federal, state or local government agency within the past 3 years;
- II. Does not have a proposed debarment pending; and
- III. Has not been indicted, convicted, or had a civil judgment rendered against (it) by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

The undersigned further warrants that should the name of the firm making this proposal appear on the State Treasurer's List of Debarred, Suspended and Disqualified Consultants at any time prior to, and during the life of the contract, including the Guaranteed Period, that the Local Unit shall be immediately so notified by the signatory of this Eligibility Affidavit.

**(Insert Exceptions - For any exception noted, indicate to whom it applies, initiating agency, and dates of action. Providing false information may result in criminal prosecution or administrative sanctions. If no exceptions, insert "None".)**

Subscribed and Sworn \_\_\_\_\_  
Before me this \_\_\_\_\_ day \_\_\_\_\_  
of \_\_\_\_\_, 20\_\_\_\_\_  
Name and address of Consultant

\_\_\_\_\_  
Notary Public Name and Title of Affiant \_\_\_\_\_

My commission expires: \_\_\_\_\_ Signed: \_\_\_\_\_  
Signature of Officer or Individual

**BOROUGH OF BRADLEY BEACH**

**BUSINESS ENTITY DISCLOSURE CERTIFICATION  
"PAY TO PLAY"**

Please review. Documents may be downloaded in addition to the bid documents.  
Please complete and enclose the following "Business Entity Disclosure Certification" page.

**BUSINESS ENTITY DISCLOSURE CERTIFICATION**  
**Required Pursuant To Borough of Bradley Beach N.J.S.A. 19:44A-1, et seq.**  
**BOROUGH OF BRADLEY BEACH**

**Part I-Vendor Affirmation**

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that pursuant to Bradley Beach Borough the professional business entity named below is in compliance with all terms conditions, requirements and/or other obligations

Any vendor which enters in a contract or agreement with the Borough of Bradley Beach or any department or agency thereof shall file a disclosure statement as follows prescribed by the Borough of Bradley Beach identifying all reportable contributions to any Bradley Beach Borough candidate for Mayor or Borough Council or officeholder or political committee required to be reported pursuant to N.J.S.A. 19:44A-1, et seq. Please continue on an additional sheet if necessary. If no reportable contributions have been made, please print "NONE" below.

| TO WHOM | BY WHOM | AMOUNT | DATE |
|---------|---------|--------|------|
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**Part II-Signature and Attestation:**

By signing below, I understand and certify to the above and am aware that if I have misrepresented in whole or in part of this certification, I and/or the business entity, will be liable for any penalty permitted under the law.

Name of Business Entity: \_\_\_\_\_

Signature of Affiant: \_\_\_\_\_ Title: \_\_\_\_\_

Printed Name of Affiant: \_\_\_\_\_ Date: \_\_\_\_\_

Subscribed and sworn before me this            day of

|                                                  |                                                                    |
|--------------------------------------------------|--------------------------------------------------------------------|
| <p>_____</p> <p>My Commission expires: _____</p> | <p>(Witnessed or attested by)</p> <p>_____</p> <p>_____ (Seal)</p> |
|--------------------------------------------------|--------------------------------------------------------------------|



**CERTIFICATION OF NON-INVOLVEMENT IN PROHIBITED ACTIVITIES  
IN RUSSIA OR BELARUS PURSUANT TO P.L.2022, c.3**

CONTRACT / BID SOLICITATION TITLE \_\_\_\_\_

CONTRACT / BID SOLICITATION No. \_\_\_\_\_

**CHECK THE APPROPRIATE BOX**

I, the undersigned, am authorized by the person or entity seeking to enter into or renew the contract identified above, to certify that the Vendor/Bidder is not engaged in prohibited activities in Russia or Belarus as such term is defined in [P.L.2022, c.3](#),<sup>1</sup> section 1.e, except as permitted by federal law.

I understand that if this statement is willfully false, I may be subject to penalty, as set forth in P.L.2022, c.3, section 1.d.

**OR**

I, the undersigned am unable to certify above because the person or entity seeking to enter into or renew the contract identified above, or one of its parents, subsidiaries, or affiliates may have engaged in prohibited activities in Russia or Belarus. A detailed, accurate and precise description of the activities is provided below.

Failure to provide such description will result in the Quote being rendered as non-responsive, and the Department/Division will not be permitted to contract with such person or entity, and if a Quote is accepted or contract is entered into without delivery of the certification, appropriate penalties, fines and/or sanctions will be assessed as provided by law.

**Description of Prohibited Activity**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Attach Additional Sheets if Necessary.*

If you certify that the bidder is engaged in activities prohibited by P.L. 2022, c. 3, the bidder shall have 90 days to cease engaging in any prohibited activities and on or before the 90<sup>th</sup> day after this certification, shall provide an updated certification. If the bidder does not provide the updated certification or at that time cannot certify on behalf of the entity that it is not engaged in prohibited activities, the State shall not award the business entity any contracts, renew any contracts, and shall be required to terminate any contract(s) the business entity holds with the State that were issued on or after the effective date of P.L. 2022, c. 3.

\_\_\_\_\_

Signature of Vendor's Authorized Representative

\_\_\_\_\_

Date

\_\_\_\_\_

Print Name and Title of Vendor's Authorized Representative

\_\_\_\_\_

Vendor Name

\_\_\_\_\_

Vendor Phone Number

\_\_\_\_\_

Vendor Address (Street Address)

\_\_\_\_\_

Vendor Fax Number

\_\_\_\_\_

Vendor Address (City/State/Zip Code)

\_\_\_\_\_

Vendor Email Address for Authorized Representative

<sup>1</sup> Engaged In prohibited activities In Russia or Belarus\* means (1) companies In which the Government of Russia or Belarus has any direct equity share; (2) having any business operations commencing after the effective date of this act that involve contracts with or the provision of goods or services to the Government of Russia or Belarus; (3) being headquartered In Russia or having Its principal place of business In Russia or Belarus, or (4) supporting, assisting or facilitating the Government of Russia or Belarus In their campaigns to invade the sovereign country of Ukraine, either through In-kind support or for profit.