

**New Jersey Sports and Exposition Authority (NJSEA)**

**Request for Qualifications (RFQ) – PS-083**

For

**On-Call  
Architecture and Engineering  
Design Consulting Services**  
for  
Multiple Facilities / Locations  
Operated and Maintained by NJSEA

**Date Issued: February 28, 2023**

# **- REQUEST FOR QUALIFICATIONS / ADVERTISEMENT -**

## **Advertisement – Request for Qualifications (RFQ) February 28, 2023**

### **ON-CALL ARCHITECTURE AND ENGINEERING DESIGN CONSULTING SERVICES**

The New Jersey Sports and Exposition Authority (NJSEA or Authority) was created in 1971 and currently holds the land lease for and provides for the ongoing operation of the MetLife Sports Complex. The Complex comprises the Meadowlands Racetrack, the Meadowlands Arena, American Dream retail and entertainment center, the Meadowlands Fire, Emergency Medical Services, NJ State Police facilities and various internal departments including Administrative, Information Technology, Engineering and Site Operations. Additionally, the Authority owns and operates a variety of administrative buildings, educational facilities, parks and trails in Lyndhurst, NJ; owns the Wildwood Convention Center; holds the land leases for: Monmouth Park Racetrack in Oceanport, Favorites off-track wagering facility in Woodbridge; and the Atlantic Health Jets Training Center in Florham Park. The NJSEA is also responsible for the Complex's New Jersey Transit rail station operations and maintenance.

Through this procurement, The New Jersey Sports and Exposition Authority (NJSEA) is seeking to select multiple qualified design consulting firms for On-Call professional services for four (4) year durations. Potential design consulting services include, without limitation: site analysis, comprehensive design services, regulatory filing and approval services, cost estimating services, construction bid document preparation and other related services necessary for future improvements and upgrades to various facilities owned and/or operated by NJSEA.

RFQ Respondents must be qualified to practice Architecture or Engineering in the State of New Jersey and address all minimum qualification criteria specified within the Request for Qualification (RFQ). RFQ Responses will be accepted from both Architecture and Engineering firms. Up to twelve (12) firms may be issued Letters of Selection for possible future NJSEA design consulting services Task Orders.

RFQ documents will be available starting on **February 28, 2023**, after 9:00 AM from [www.njsea.com](http://www.njsea.com)

Attendance at the RFQ Video Conference Meeting is highly recommended.

**RFQ Video Conference Meeting: March 7, 2023, 2:00 PM**

Meeting credentials will be issued by the Owner.

**RFQ Question Deadline: March 14, 2023, 2:00 PM**

Respondents may submit RFIs, questions and comments about the Bid Documents and project to the Owner using the Owner Contact Information.

**RFQ Response Submission Deadline: April 6, 2023, 12:00 PM**

**Owner Contact Information:** All Owner Contact for RFQ Questions or Comments concerning this procurement must be submitted in writing by email to: [njseabids@njsea.com](mailto:njseabids@njsea.com)

See all RFQ Documents and Sample Forms for details concerning RFQ descriptions, terms, definitions, clarifications and all qualification requirements.

**- End of RFQ Advertisement -**

## **- REQUEST FOR QUALIFICATIONS -**

### **- IMPORTANT DATES -**

<b>Date</b>	<b>Time</b>	<b>Event</b>
February 28, 2023	9:00 AM	RFQ Public Advertisement Begins
March 7, 2023	2:00 PM	RFQ Video Conference Meeting
March 14, 2023	2:00 PM	RFQ Question Deadline
March 18, 2023	4:00 PM	NJSEA Response to Questions
April 6, 2023	12:00 PM	RFQ Response Submission Deadline
April 2023	TBD	Respondent Interviews
April/May 2023	TBD	Anticipated Shortlist Selection

**The tabulated dates and times above is a partial list of required RFQ Dates and deadlines.**

**See all RFQ Documents and Addenda for all required dates and deadlines.**

# - REQUEST FOR QUALIFICATIONS -

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# **- REQUEST FOR QUALIFICATIONS – SECTION I**

## **SECTION I PROCUREMENT RELEASE INFORMATION**

### **ARTICLE 1 NJSEA REQUEST FOR QUALIFICATIONS GENERAL OVERVIEW**

- 1.1 The New Jersey Sports and Exposition Authority (NJSEA) was created in 1971 and holds the land lease for and provides for the ongoing operation of the MetLife Sports Complex. The Complex comprises the Meadowlands Racetrack, the Meadowlands Arena, American Dream retail and entertainment center, the Meadowlands Fire, Emergency Medical Services, Information Technology, Engineering and Site Operations Departments. Additionally, the Authority also owns and operates a variety of administrative buildings, educational facilities, parks and trails in Lyndhurst, NJ; owns the Wildwood Convention Center; holds the land lease for the Monmouth Park Racetrack in Oceanport, NJ; holds the lease for Favorites off-track wagering facility in Woodbridge, NJ; and holds the lease for the Atlantic Health Jets Training Center in Florham Park, NJ. The NJSEA is also responsible for the Complex's New Jersey Transit Rail Station operations and maintenance.
- 1.2 Through this procurement, the NJSEA is seeking to engage On-Call Design Consultants for various upcoming projects located at any of the NJSEA facilities for four (4) year durations.
- 1.3 RFQ Respondents must be qualified to practice Architecture or Engineering in the State of New Jersey. Request for Qualification (RFQ) Responses will be accepted from both Architecture and Engineering firms. Letters of Selection may be issued by the NJSEA for the following Design Service Categories:
  - 1.3.1 Comprehensive Architectural Design Services;
  - 1.3.2 Civil Engineering Services;
  - 1.3.3 Mechanical, Electrical, Plumbing and Fire Protection (MEP) Design Services.

A total of up to twelve (12) firms, in any quantity for each design category as determined by the NJSEA, may be issued Letters of Selection for possible design services for NJSEA projects.
- 1.4 Typical NJSEA Design Services may include, without limitation: Site surveys, existing conditions assessments, analysis, calculations, comprehensive design services, design development submissions, regulatory filings and approvals, cost estimating services. See RFQ Section II, Article 3 - General Scope of Services for Future Task Orders.

# **- REQUEST FOR QUALIFICATIONS – SECTION I**

## **ARTICLE 2 DEFINITIONS**

- 2.1 “Addenda” are written or graphic instruments issued by NJSEA prior to the RFQ Submission Deadline that modify or interpret the RFQ Documents by additions, deletions, clarifications, or corrections.
- 2.2 “Authorized Signatory Person” means the person that has the authority to bind the Respondent entity to contractual obligations that may arise from the RFQ.
- 2.3 “Authorized Contact Person” means the sole contact person for who is authorized and will be responsible to receive all NJSEA communications during this RFQ process.
- 2.4 “Design Service Categories” has the meaning set forth in RFQ Section I, Article 1.3
- 2.5 “Letter of Selection” has the meaning defined in RFQ Section II, Article 1.
- 2.6 “Mini-Solicitation” has the meaning identified in RFQ Section II, Article 1.
- 2.7 “Minimum Qualifications” has the meaning set forth in RFQ Section III.
- 2.8 “Owner” or “Authority” shall mean the New Jersey Sports and Exposition Authority (NJSEA).
- 2.9 “Proposed Key Personnel” means those individuals identified in a Response who will play a key/primary role in performance of potential design services resulting from this RFQ.
- 2.10 “Prime Consultant”, “Consultant”, or “Design Consultant” means the successful Respondent that is issued a Letter of Selection.
- 2.11 “Project” or “Projects” mean future construction work that will require architecture and engineering services pursuant to this RFQ.
- 2.12 “RFQ” or “RFQ Documents” means Request for Qualifications pursuant to RFQ Section II, Article 1.
- 2.13 “RFQ Submission Deadline” means the date and time that RFQ Responses are due to NJSEA.
- 2.14 “RFQ Response” or “Response” means a complete / conforming Response that satisfied the terms, and minimum qualification requirements of this RFQ.
- 2.15 “RFQ Respondent(s)” or “Respondent(s)” means a qualified engineering or architecture design consulting entity or team that submits a conforming Response under this RFQ.

## **- REQUEST FOR QUALIFICATIONS – SECTION I**

- 2.16 “Respondent Team Member” means each proposed subconsultant entity identified by Respondent in a Response to perform all or any portion of the Scope of Services.
- 2.17 “Rotational Assignment” has the meaning set forth in RFQ Section II, Article 1.5.
- 2.18 “Scope of Services” has the meaning set forth in RFQ Section II, Article 3.
- 2.19 “Shortlisted Respondents” has the meaning set forth in RFQ Section II, Article 1.
- 2.20 “Subconsultant” means the entity hired by the Prime Consultant to provide certain design services.
- 2.21 “Task Order” is an award for services issued to a Design Consultant that has been issued an NJSEA Letter of Selection.
- 2.22 “Task Order Solicitation” is defined pursuant to RFQ Section II, Article 1.

### **ARTICLE 3 EXAMINATION OF RFQ AND NJSEA CONTACT INFORMATION**

- 3.1 Prospective RFQ Respondents shall thoroughly examine the RFQ Documents before submitting Responses and must submit a written request to NJSEA and NJSEA for an interpretation or correction of every apparent ambiguity, inconsistency or error therein, or questions concerning the procurement, no later than **2:00 PM on March 14, 2023**. Failure by a Respondent to notify NJSEA of an apparent ambiguity, inconsistency or error shall constitute a waiver of any and all claims that arise from the ambiguity, inconsistency or error. RFQ Respondents are to direct all written questions, or comments about this procurement, to NJSEA, by electronic mail. Contact information is as follows:

[njseabids@njsea.com](mailto:njseabids@njsea.com)

- 3.2 If necessary, an interpretation or correction will be issued by NJSEA as an Addendum by electronic delivery to known prospective RFQ Respondents who have obtained RFQ from NJSEA. Upon such mailing or other delivery, such Addendum shall become a part of the RFQ. Respondents shall use complete sets of RFQ required forms and documents in preparing their respective RFQ Response; NJSEA assumes no responsibility for errors or misinterpretations resulting from the use of incomplete RFQ required forms and documents.
- 3.3 RFQ Respondents / Prime Consultants that intend on submitting a response to this RFQ are reminded to instruct any potential Subconsultants and/or vendors of any kind to refrain from directly contacting NJSEA by any means of communication.

## **- REQUEST FOR QUALIFICATIONS – SECTION I**

### 3.4 RFQ Addenda:

- 3.4.1 Addenda will be made available to all Prospective Respondents known to the NJSEA.
- 3.4.2 Copies of Addenda will be made available for inspection wherever RFQ Documents are on file for that purpose.
- 3.4.3 Addenda will be issued no later than **three (3)** days prior to the date for receipt of RFQ response except an Addendum withdrawing the RFQ Responses or one which includes postponement of the date for the RFQ Submission Deadline.
- 3.4.4 Each RFQ Respondent shall ascertain prior to submitting a Response that the Respondent has received all Addenda issued, and the Respondent shall acknowledge such receipt in its RFQ Response.
- 3.4.5 All Addenda shall be acknowledged on the **Addenda Acknowledgement Form** and shall be included as part of the RFQ Response. Upon receipt of a Letter of Selection and/or Future Contract, such Addenda will become part thereof.

**- SECTION I END -**

# - REQUEST FOR QUALIFICATIONS – SECTION II

## SECTION II OVERVIEW

### ARTICLE 1 GENERAL OVERVIEW OF PROCUREMENT PROCESS

- 1.1 Through a two-step RFQ / Task Order Solicitation Process, NJSEA seeks to engage both architecture and engineering design consultants for various consulting and design services.
- 1.2 In **Step 1** (RFQ Process), Respondents will be required to submit their qualifications, experience, technical capabilities, firm capacities, and other information for RFQ Response evaluation. **See RFQ Section III for Minimum Qualification Requirements.**
- 1.3 Eligible Respondents that are issued Letters of Selection (as a result of evaluation of formal RFQ responses) will be considered Shortlisted Respondents.
- 1.4 Shortlisted Respondents will be eligible, as invited by the NJSEA and/or determined by the NJSEA, to perform specified scope of services for specific projects through a future Task Order and/or Rotational Assignment processes.
- 1.5 In **Step 2 (Task Order Solicitation process)**, Shortlisted Respondents that are issued Letters of Selection may be issued future Task Orders through one of two methods:
  1. By **Rotational Assignment** by the NJSEA for non-complex services as determined by the NJSEA in the NJSEA's sole discretion; or
  2. Through **Mini-Solicitation** – The NJSEA may invite two or more Shortlisted Respondents to prepare competitive proposals in response to a formal Task Order Mini-Solicitation. Based upon a competitive evaluation of responses to the Mini-Solicitation, a Design Consultant may be selected by NJSEA to supply the specific services through the form of a Task Order.

**NJSEA may issue more than one concurrent Task Order to any  
Shortlisted Respondent and is not obligated to  
issue any Task Orders to any Shortlisted Respondent.**

#### 1.6 Rotational Task Order Awards

Shortlisted Respondents may be selected for a Task Order by the NJSEA, for non-complex services as determined by the NJSEA, pending successful staffing and fee negotiations with the NJSEA.

## - REQUEST FOR QUALIFICATIONS – SECTION II

### 1.7 Mini-Solicitation Awards

For services other than non-complex services, Mini-Solicitation competitive evaluation will include, without limitation, the following criteria to ensure the strengths of the chosen Design Consultant best matches the needs of NJSEA:

- 1.7.1 Technical approach to the Mini-Solicitation Project, including understanding of the Project's challenges and the Design Consultant's strategy to address them, and proposed (high-level) Project schedule for the specified Scope of Services; must include a specific plan (Project Control Plan) to control costs and manage time to ensure that the contractor stays on schedule;
- 1.7.2 Experience and qualifications of proposed Project staff in assignments of similar scope, size and complexity, as demonstrated through resumes; and
- 1.7.3 Price Proposal that shall include a lump sum fee, or other fee structure as determined in the NJSEA's sole discretion, including how proposed personnel are deployed in a most cost-effective manner to cover the specific requirements and conditions for the Task Order as set forth in the Mini-Solicitation. The proposed staffing plan must include, for each proposed title, hours, rates, multiplier, and percentage of time. Such Staffing Plan, fee amount and fee type shall be set forth in a format determined by NJSEA.

### 1.8 NOT USED

- 1.9 The initial term shall be four (4) years (the "**Initial Term**") from the date of the Letter of Selection for the initial Shortlisted Respondent(s). Immediately following the expiration of the Initial Term, (a) any Agreements shall automatically renew for two (2) consecutive one-year renewal periods (each a "**Renewal Period**") unless NJSEA, at its sole discretion, provides written notice to the Consultant prior to the expiration of the Initial Term or, if applicable, the Renewal Period then in effect, of its intent not to renew the Agreement, in which case the Agreement shall terminate at the expiration of the Initial Term or the Renewal Period then in effect, and (b) the Agreement shall automatically terminate at the expiration of the final Renewal Period if not terminated earlier pursuant to the preceding subsection (a) or pursuant to any early termination rights (breach, convenience or otherwise) set forth in the Agreement. The Initial Term, together with the Renewal Periods, is referred to herein as the "**Term**." The Initial Term date and any Renewal Period will apply to any and all Shortlisted Respondents, including any Shortlisted Respondent pursuant to RFQ IV.5.6.13.

## **- REQUEST FOR QUALIFICATIONS – SECTION II**

### **ARTICLE 2 ELIGIBLE RESPONDENTS AND EVALUATION**

- 2.1 Eligible RFQ Respondents can be either architecture or professional engineering firms licensed to practice design services in New Jersey with past experience as prime design consultants managing subconsultants and securing regulatory approvals, specifically:
  - 2.1.1 Architecture firms with full subconsultant services.
  - 2.1.2 MEP firms with limited subconsulting services.
  - 2.1.3 Civil Engineering firms with limited subconsulting services.
- 2.2 RFQ responses will be evaluated based on the selection criteria identified in RFQ Section III – Minimum Qualifications and Selection Criteria.

### **ARTICLE 3 GENERAL SCOPE OF SERVICES FOR FUTURE TASK ORDERS**

- 3.1 The general scope for the anticipated design consulting services includes, without limitation:
  - 3.1.1 Comprehensive design phase services
    - 3.1.1.1 Architectural design services
    - 3.1.1.2 Environmental / hazardous material abatement design services
    - 3.1.1.3 Structural engineering design services
    - 3.1.1.4 Mechanical engineering design services
    - 3.1.1.5 Electrical engineering design services
    - 3.1.1.6 Plumbing engineering design services
    - 3.1.1.7 Fire protection engineering design services
    - 3.1.1.8 Fire alarm design services
    - 3.1.1.9 Lighting protection design services
    - 3.1.1.10 Security / access control design services



## **- REQUEST FOR QUALIFICATIONS – SECTION II**

- 3.1.1.11 Surveying services
- 3.1.1.12 Civil engineering services
- 3.1.1.13 Design deliverable progress submissions
- 3.1.1.14 Bid document preparation and submission
- 3.1.1.15 Analysis / calculations
- 3.1.1.16 All regulatory filing / approval responsibilities
- 3.1.1.17 Cost estimating services
- 3.1.1.18 Attend periodic design / bidding phase meeting with the Owner and others as required

### **3.1.2 Construction Administration Services**

- 3.1.2.1 Attend periodic Project meetings with the Contractor, Owner, and others.
- 3.1.2.2 Reviewing and responding to Contractor Requests for Information and design clarifications as required
- 3.1.2.3 Reviewing and responding to Contractor submittals as required.
- 3.1.2.4 Review and certification for all monthly Contractor Payment Applications.
- 3.1.2.5 Periodic site visits as required.
- 3.1.2.6 Consult with and advise the Owner and Contractor on all design and technical matters.
- 3.1.2.7 Promptly reject any construction work that does not conform to the Design Specifications.
- 3.1.2.8 Prepare a formal Punch list and verify that all Punch List Work is completed by the Contractor.

## **- REQUEST FOR QUALIFICATIONS – SECTION II**

### 3.1.3 Construction close-out phase services

#### 3.1.3.1 Regulatory approvals and sign-off services

### 3.2 Typical future project types include, without limitation:

- 3.2.1 Rehabilitation projects
- 3.2.2 Public safety projects
- 3.2.3 Public assembly projects
- 3.2.4 Mass transportation projects
- 3.2.5 General interior renovations
- 3.2.6 General exterior renovations
- 3.2.7 Emergency service facility upgrades
- 3.2.8 Façade / building envelope renovations
- 3.2.9 Roof replacements
- 3.2.10 Building assessments
- 3.2.11 Feasibility studies
- 3.2.12 ADA accessibility improvements
- 3.2.13 Rail station and system improvements
- 3.2.14 Lagoon / storm / waste water system improvements

**- SECTION II END -**

# - REQUEST FOR QUALIFICATIONS – SECTION III

## **SECTION III MINIMUM QUALIFICATION REQUIREMENTS**

### **ARTICLE 1 MINIMUM QUALIFICATION REQUIREMENTS**

- 1.1 All timely Responses will be reviewed to determine whether the Minimum Qualifications under this RFQ have been met. NJSEA reserves the sole right to determine whether the Minimum Qualifications under this RFQ have been met by the Respondent. Responses that do not meet the Minimum Qualifications will be considered non-responsive and will not be evaluated.
- 1.2 Authorization to Do Business in New Jersey: Corporation, Partnerships, LLP and LLC Respondents, organized in the State of New Jersey, shall submit with their Response a **certificate** from the office of the Secretary of State of New Jersey that said organization is authorized to transact business in the State of New Jersey. Joint Venture Respondents need not submit such a certificate on behalf of the Joint Venture, however, organizations comprising the Joint Venture shall submit with their Response a certificate from the office of the Secretary of the State of New Jersey certifying that said organizations are authorized to transact business in the State of New Jersey. Corporation, Partnerships, LLP and LLC Respondents, not organized in the State of New Jersey, shall submit with their Response a certificate from the office of the Secretary of State of New Jersey that said organization is authorized to transact business in the State of New Jersey. Joint Venture Respondents need not submit such a certificate on behalf of the Joint Venture, however, non-resident organizations comprising the Joint Venture shall submit with their Response a certificate from the office of the Secretary of the State of New Jersey certifying that said organizations are authorized to transact business in the State of New Jersey. All Respondents not residents of New Jersey, shall designate an agent in the State of New Jersey on whom service can be made in the event of litigation, which designation shall be shown by a written statement accompanying the Response duly executed by the Respondent.
- 1.2 Relevant Design Experience: The Respondent and their proposed sub-consultant(s) Respondent Team Members shall have an applicable New Jersey Professional Engineering and Registered Architecture practice registrations as required and shall have a minimum of five (5) years successful design consulting experience as it relates to the RFQ General Scope of Services for Future Projects **(See RFQ Section II, Article 3)**.

The Respondent shall demonstrate that the Respondent directly employs Registered Architects and/or New Jersey Licensed Professional Engineers; and

## - REQUEST FOR QUALIFICATIONS – SECTION III

Will only utilize proposed Subconsultants that directly employ New Jersey Registered Architects or New Jersey Licensed Professional Engineers; and,

Provide case studies and references from clients for projects completed within past five (5) years.

**See RFQ Section IV, Article 4 for RFQ Response Content Submission Requirements.**

- 1.3 Relevant Design Experience: The Respondent and their sub-consultant(s) shall have an applicable practice registrations as required:

For Comprehensive Architectural Design Services:

New Jersey Professional Engineering and/or Registered Architecture practice registrations from the NJ Board of Engineering Examiners, and the NJ State Board of Architects.

For Civil Engineering Services:

New Jersey Professional Engineering practice registrations from the NJ Board of Engineering Examiners.

For Mechanical, Electrical, Plumbing and Fire Protection (MEP) Design Services:

New Jersey Professional Engineering practice registrations from the NJ Board of Engineering Examiners.

- 1.4 Design Services Qualifications: Respondents shall submit for their firm and all proposed Subconsultants applicable New Jersey Professional Engineering and/or Registered Architecture practice registrations from the NJ Board of Engineering Examiners, and the NJ State Board of Architects. **See RFQ Section IV, Article 4 for RFQ Response Content Submission Requirements.**
- 1.5 Financial Capabilities: All Respondents shall provide Audited Financial Statements prepared by an independent Certified Public Accountant for the Respondent along with any other documentation such as balance sheets, profit and loss statements, credit lines to demonstrate evidence of financial strength and capabilities. **See RFQ Section IV, Article 4 for RFQ Response Content Submission Requirements.**
- 1.6 Minimum Insurance Requirements: Demonstrate ability to comply with minimum insurance requirements pursuant to **RFQ Section III, Article 2.**

## - REQUEST FOR QUALIFICATIONS – SECTION III

### **ARTICLE 2 MINIMUM INSURANCE REQUIREMENTS**

- 2.1 **Commercial General Liability** insurance with limits of at least \$1,000,000 per occurrence, Combined Single Limit for Bodily Injury and Property Damage Liability with \$2,000,000 general aggregate. Such coverage to apply to the premises and all operations and to include “personal” injury insurance, products and completed operations liability, contractual liability, liability for damage to property of others while in the car, custody or control of the Company. All such coverage to include the Authority as an additional insured on a primary and non-contributory basis and include a waiver of subrogation in favor of the Authority.
- 2.2 **Automobile liability** insurance for the operation of owned, non-owned or hired cars with a limit of \$1,000,000 Combined Single Limit for Bodily Injury and Property Damage liability combined.
- 2.3 **Workers Compensation** insurance as required by New Jersey law along with Employers Liability limits of \$1,000,000 each accident, \$1,000,000 by disease-each employee, \$1,000,000 by disease – policy limit. Such coverage shall include a waiver of subrogation in favor of the Authority.
- 2.4 **Umbrella / Excess Liability** coverage with limits of at least \$10,000,000 per occurrence and in the aggregate that attaches over the liability limits stated in 2.1, 2.2, and 2.3 above on a follow form basis.
- 2.5 **Professional Liability/Errors and Omissions** coverage, with limits of \$2,000,000 per claim, \$2,000,000 in the aggregate for any design professionals hired by Consultant.
- 2.6 The successful Respondent will furnish the Authority with a certificate of insurance for each policy, prior to the execution of the contract, as evidence that the required coverages are in full effect. The certificate will be reissued at the renewal of each policy. The certificate should state that the insurer will provide the Authority with 30 days prior notice of cancellation.
- 2.7 The successful Respondent shall not terminate any such insurance policy without 30 days prior notice to the Authority.
- 2.8 The successful Respondent shall indemnify and hold harmless the Authority for any loss or expense arising out of failure of the Respondent to obtain or provide all insurance coverages required by this section. Any deductible under any of these coverages is the responsibility of the Consultant.
- 2.9 The successful Respondent shall be responsible to the Owner for the acts and omissions of their Subconsultants and their agents and employees and any other persons performing any work under a contract with the successful Respondent.

## **- REQUEST FOR QUALIFICATIONS – SECTION III**

### **ARTICLE 3 RFQ SELECTION PROCESS AND EVALUATION CRITERIA**

- 3.1 Responses that do not demonstrate that the Respondent meets the Minimum Qualifications, or which are determined by NJSEA to be non-responsive to the terms of this RFQ and NJSEA's applicable standard procedure, will not be evaluated. Responses meeting the Minimum Qualifications will be evaluated by the Evaluation Committee. The Evaluation Committee will also consider information provided by Respondents during Respondent interviews and presentations, if any.
- 3.2 NJSEA will review, evaluate and score responsive Responses by the criteria set forth below and pursuant to the evaluation weight set forth below. In addition to NJSEA personnel, the Evaluation Committee may also comprise non-voting independent consulting and/or owner's advisor and/or other personnel. NJSEA reserves the right to visit Respondent's and Respondent Team Member's offices for the purpose of evaluating and verifying their capabilities and for clarifying their Responses.
- 3.3 Evaluation Criteria

<b><u>CATEGORY NUMBER</u></b>	<b><u>CATEGORY TOPICS</u></b>	<b><u>WEIGHT</u></b>
1.	Respondent Team relevant experience	50%
	Proposed key personnel experience	
	Respondent Team Past and/or common project and/or collaboration experience	
2.	Case study relevance	40%
	References	
	Response organization, completeness and format responsiveness to RFQ	
3.	Financial Strength and Capabilities	10%

**- SECTION III END -**

# - REQUEST FOR QUALIFICATIONS – SECTION IV

## **SECTION IV REQUEST FOR QUALIFICATIONS (RFQ) PROCESS**

### **ARTICLE 1 GENERAL INFORMATION**

#### **1.1 Communications with NJSEA:**

1.1.1 Without limiting the foregoing, Respondents may not contact board members, officials, employees or consultants of NJSEA, the State of New Jersey or any other governmental entity regarding this RFQ or any related disposition or send responses to any of them. Failure to observe this requirement may result in the respondent's disqualification from consideration pursuant to this RFQ.

1.1.2 It is the Respondent's responsibility to ensure that it has a complete and thorough understanding of all requirements set forth in this RFQ, prior to submitting its Response. By submitting a Response, the Respondent covenants that it will not make any claims for or have any rights to damages because of any misinterpretation or misunderstanding of requirements of this RFQ.

1.1.3 Prospective Respondents may submit, via e-mail, written questions concerning this RFQ to NJSEA by no later than **2:00 p.m. on March 14, 2023** ("RFQ Question Deadline"). Questions submitted in writing must include the Respondent's name, the name, title, address, telephone number and email address of the individual to whom responses to the Respondent's question should be provided.

1.1.4 NJSEA will provide all individuals that received a copy of this RFQ with the questions posed to NJSEA by the RFQ Question Deadline, along with NJSEA's responses, within a reasonable time after the RFQ Question Deadline.

#### **1.2 Modifications and Communications:**

1.2.1 On or before the RFQ Response Submission Deadline, a Respondent may replace a previously submitted Response in its entirety with a new and complete substitute Response. NJSEA will not insert pages or otherwise modify the Respondent's Response. The Respondent has the sole responsibility for ensuring that its final Response has been submitted in desired form by the RFQ Response Submission Deadline. The front cover of a modified Response must identify it as a modified Response and must include the date on which it is submitted.

## - REQUEST FOR QUALIFICATIONS – SECTION IV

- 1.2.2 NJSEA reserves the right to issue Addenda to correct, modify or amend this RFQ (including any submission requirements and/or terms or conditions) prior to the RFQ Response Submission Deadline, by sending written notification to each party that has downloaded a copy of this RFQ. NJSEA will advise such parties of any clarifications or revisions it makes to this RFQ. If, in NJSEA's sole judgment, additional time is required for Respondents to respond, NJSEA may grant an extension of time to all Respondents.
- 1.2.3 NJSEA reserves the right to communicate with any of the Respondents, for the purpose of gaining a better understanding of its Response to this RFQ, but it is not obligated to do so. NJSEA may discuss the Responses of any Respondents concurrently or sequentially, as NJSEA may determine to be in its best interest. No Respondent has any rights against NJSEA arising from any such discussion. In all events the terms and conditions of this RFQ shall govern.
- 1.2.4 A Respondent must comply with all requests for information and, if requested by NJSEA, appear for discussions at the date and time specified by NJSEA. If a Respondent fails to do so at the specified date and time, NJSEA may deem the failure to be an act of nonconformance with the RFQ requirements, and disqualify such Respondent from further participation in this procurement. NJSEA may require a Respondent to produce more detailed information concerning the professional background of those persons who own and manage such Respondent, a report on the financial background of such Respondent, and/or information concerning the nature and status of any past, pending or threatened charges or actions (including lawsuits, criminal or disciplinary actions, administrative proceedings by any governmental or regulatory agency or bankruptcy action) against such Respondent or any of its partners, directors, officers, employees or shareholders, as the case may be.

### 1.3 Withdrawal of Responses

- 1.3.1 Prior to RFQ Response Submission Deadline: A Respondent may withdraw its Response from consideration at any time prior to the RFQ Response Submission Deadline by notifying NJSEA in writing of its desire to withdraw the Response.
- 1.3.2 After RFQ Response Submission Deadline: Respondents may **not** withdraw their Responses for a period of 120 calendar days following the RFQ Response Submission Deadline, unless written permission is granted by NJSEA, pursuant to any applicable NJSEA Standard Procedures.



## **- REQUEST FOR QUALIFICATIONS – SECTION IV**

- 1.4 Public Announcements: Any party receiving this RFQ shall not make news releases or other public announcements relating to this RFQ without the prior written approval of the NJSEA.
- 1.5 False Statements and False Claims: Respondent's false statements and/or claims made in connection with the submission of a Response or Agreement could subject the Respondent to criminal or civil penalties pursuant to 18 U.S.C. 1001 and 31 U.S.C. 3729.
- 1.6 Compliance with NJSEA Standard Procedures and Policies: The Successful Respondents will abide by all applicable NJSEA procedures and policies, including, without limitation: Equal Employment Opportunity and Affirmative Action, New Jersey Equal Pay Act, New Jersey Prompt Payment Act, Vendor Certification and Political Contribution Disclosure, NJ Business Registration Certification.

### **ARTICLE 2 EXCLUSIVITY AND RESPONDENT CHANGES**

- 2.1 To ensure a fair and competitive process, each Respondent Team Member, Proposed Key Personnel, other Respondent Team Member and their respective affiliates are prohibited from participating, in any capacity (including, without limitation, as advisors or Consultants), on more than one Respondent team during the course of the procurement process without the prior written consent of NJSEA (in its sole discretion). A violation of this rule may result in the disqualification of the Respondents from participating in the procurement.
- 2.2 Civil Engineering and MEP Engineering firms who are Architectural firm Respondent Team members are not prohibited from submitting separate RFQ Responses as Civil Engineering and MEP Engineering Respondents. Civil Engineering and MEP Engineering RFQ Respondents are similarly not prohibited from participating as Respondent Team Members for Architecture firm Respondents.
- 2.3 Firms qualified for and offering both architectural services and engineering services may submit Responses for multiple Design Service Categories through separate Responses for each Design Service Category.
- 2.4 Following submission of a Response under this RFQ, Respondents are prohibited through the end of the RFQ/Task Order Solicitation process, without the prior written consent of NJSEA (in its sole discretion) from:
- 2.4.1 removing, substituting or changing the composition of any Respondent Team Member identified as part of its Response;
- 2.4.2 removing or substituting any Key Personnel identified as part of its Response; or

## **- REQUEST FOR QUALIFICATIONS – SECTION IV**

- 2.4.3 reorganizing the Respondent's team and/or changing the role or scope of work to be performed by any removing, substituting or changing the composition of any Respondent Team Member, identified as part of its Response to the extent that such reorganization would render the information provided in the Response inaccurate or incomplete.
- 2.5 Any Shortlisted Respondent that desires to make any changes, during the Initial Term and/or any possible Renewal Period(s), to its key personnel and/or Respondent Team requires NJSEA consent. Said Shortlisted Respondent must submit to NJSEA a description of the proposed change, the rationale, and any documentation related to the change, as well as information regarding any additional Respondent Team Member(s). NJSEA reserves the right to reject proposed Shortlisted Respondent changes and/or request additional information regarding the foregoing.

### **ARTICLE 3 RESPONSE PACKAGING AND SUBMISSION REQUIREMENTS**

- 3.1 RFQ Respondents shall submit: (i) one (1) signed original bound hardcopy of its Response package labeled as "Original" and signed by the Authorized Signatory Person who is duly authorized to commit the Respondent to fulfilling the Response, and (ii) four (4) bound hardcopies of its Response package. Bound Responses shall be organized pursuant to this Article, with paginated pages, size 12 font, one inch margins and the following eleven (11) section tab dividers:
- 3.1.1 Cover Letter;
  - 3.1.2 Respondent Identification;
  - 3.1.3 Respondent Authorized Person;
  - 3.1.4 Respondent Team Information;
  - 3.1.5 Team Experience;
  - 3.1.6 Team Member Case Studies;
  - 3.1.7 Financial Capabilities;
  - 3.1.8 Legal Matters;
  - 3.1.9 References;
  - 3.1.10 Required RFQ Forms and Acknowledgements; and

## - REQUEST FOR QUALIFICATIONS – SECTION IV

### 3.1.11 Minimum Qualifications Documents

Respondents submitting Responses for more than one Design Service Category must submit multiple responses for each Design Service Category.

- 3.2 In addition to the paper copies of the Response, Respondents shall submit one (1) complete and exact copy of the Response on a Flash drive in Adobe pdf format. If there are any differences between the signed original hardcopy and any of the other hardcopies (or the electronic copy of the Response), the material in the signed original hardcopy will prevail.
- 3.3 Respondent shall as part of the Response submit a Statement of Understanding form along with all required RFQ forms and Acknowledgements (**See RFQ Section V for Required Forms and Acknowledgements**).
- 3.4 The copies may have original signatures or photocopies of the signatures. All Responses and accompanying materials (i.e., flash drives) shall become the property of NJSEA and will not be returned to the Respondents. Further, NJSEA shall have the right to request any documents or instruments including, but not limited to, corporate resolutions, incumbency certificates, or other forms of verification for purposes of confirming that the signatory thereon is duly authorized to execute and deliver such Response on behalf of the Respondent.
- 3.5 The Respondent must include its complete return address on the outer envelope or wrapper enclosing any materials submitted in response to this RFQ. Such outer envelope or wrapper should be sealed with the following identifying text:

**SEALED RFQ RESPONSE FOR:**  
**ON-CALL ARCHITECTURE AND ENGINEERING DESIGN CONSULTING SERVICES**  
(List Design Service Category) **DESIGN SERVICES RESPONSE**

**FROM:**           **Respondent's Name**  
                      **Respondent's Address**

**TO:**               **New Jersey Sports and Exposition Authority**  
                      **One DeKorte Park Plaza**  
                      **Lyndhurst, NJ 07071**

- 3.6 RFQ Response Submission Deadline: **12:00 p.m., Thursday, April 6, 2023**

## **- REQUEST FOR QUALIFICATIONS – SECTION IV**

### **ARTICLE 4 RESPONSE CONTENT REQUIREMENTS**

4.1 Responses are required to be submitted with the following content, sequence and identification:

4.1.1 Cover Letter (two page limit): Submit a maximum two-page cover letter (“Cover Letter”) from the Respondent signed by the Authorized Signatory Person. The Cover Letter should:

4.1.1.1 Identify the Response Design Service Category;

4.1.1.2 Summarize key elements of the Response;

4.1.1.3 State that the Respondent has examined all parts of this RFQ;

4.1.1.4 Describe the ability of Respondent, or Respondent Team Members, as appropriate, to comply with applicable legal and professional licensing requirements.

4.1.1.5 New Jersey Professional Engineering and/or Registered Architecture practice registrations from the NJ Board of Engineering Examiners.

4.1.2 Respondent Identification – Respondent to provide:

4.1.2.1 Full Legal entity name;

4.1.2.2 Physical Office Address;

4.1.2.3 Mailing Address;

4.1.2.4 EIN;

4.1.2.5 Business Entity Type (Corp., LLC, LLP, etc.)

4.1.2.6 State where entity is organized; and

4.1.2.7 Year entity formed

4.1.3 Respondent Authorized Signatory Person

(1) RFQ Contact Person - Identify the sole contact person (the “RFQ Contact Person”) for who is authorized and will be responsible to receive all NJSEA communications during this RFQ process. Respondent to provide:

## - REQUEST FOR QUALIFICATIONS – SECTION IV

4.1.3.1 Name;

4.1.3.2 Title

4.1.3.3 Mailing Address;

4.1.3.4 Telephone Number; and

4.1.3.5 Direct email address.

Note: "Direct email addresses" shall be on company-controlled server and not "info@" or other generic or personal email addresses. Direct email addresses shall exclusively be for the individual identified.

Note: The RFQ Contact Person can only be modified by a request in writing.

(2) Respondent Authorized Signatory Person - Identify the person(s) that has the authority to bind the Respondent entity to contractual obligations that may arise from the RFQ or future Task Order Solicitation. Respondent to provide:

4.1.3.6 Name;

4.1.3.7 Title;

4.1.3.8 Mailing Address;

4.1.3.9 Telephone Number; and

4.1.3.10 Direct email address.

### 4.1.4 Respondent Team Identification

4.1.4.1 Introduction - Identify the team, comprising one or more parties, that if Issued a Letter of Selection, and awarded a Task Order, will perform the RFQ General Scope of Services including the entity(ies) that will provide architectural and engineering design services.

4.1.4.1.1 The Respondent must be able to meet all licensing, insurance, authorization, and surety requirements attendant to the delivering of the RFQ General Scope of Services for Future Task Orders.

## - REQUEST FOR QUALIFICATIONS – SECTION IV

4.1.4.1.2 If a Respondent comprises multiple Respondent Team Members, including a separate operating entity (e.g., joint venture or limited liability company), describe (if applicable) where and how the entities have worked together on past projects and the benefits that have resulted from such prior collaboration. Describe the alignment of interests among the Respondent Team Members.

4.1.4.1.3 Identify how the Respondent will integrate the different Respondent Team Member entities and Key Personnel into a cohesive organization including a description of management strategies, internal communication protocols, coordination tools, and planning efforts that you will employ to ensure a successful future Project. Discuss the roles and responsibility of Respondent Team Members / Key Personnel and how each will interact with NJSEA and its consultants during the pre-design and final programming, design completion, pre-construction, construction, commissioning process, and close-out process.

### 4.1.5 For the Respondent:

4.1.5.1 Organizational Chart - Provide an organizational chart indicating how Respondent intends to perform the RFQ General Scope of Services for potential future Task Orders, including proposed key roles and Key Personnel (specifying respective employers, if applicable).

4.1.5.2 Lead Representative - Identify the proposed individual who will be the lead representative of the Respondent (the "Lead Representative"), responsible for the overall management of the Respondent Team and provide contact information including title, mailing address, telephone number and direct email address.

4.1.5.3 Lead Manager - If different than the Lead Representative of the Respondent Team, identify the individual who will be responsible for the day-to-day oversight of the RFQ Scope of Services implementation (the "Lead Manager") and provide contact information including title, mailing address, telephone number and direct email address.

4.1.5.4 Office Locations – Provide the physical location of the office(s) that will be performing services for any possible future Task Order Solicitation. If the

## - REQUEST FOR QUALIFICATIONS – SECTION IV

Respondent has multiple office locations, provide the physical location of the headquarters.

4.1.5.5 Resumes – Provide one-page resumes for the Lead Representative, Lead Manager and other Key Personnel.

4.1.6 If a Respondent is comprises multiple Respondent Team Members, provide:

4.1.6.1 Entity Identification – Provide the full legal entity name and EIN of each Respondent Team Member.

4.1.6.2 Office Locations – Provide the physical location of the office(s) that will be performing services for any possible future Task Order Solicitation. If any Team member has multiple office locations, provide the physical location of the headquarters.

4.1.6.3 Organizational Charts – Provide an internal organizational chart identifying individuals resources proposed to be assigned to the RFQ Scope of Services with the respective Respondent Team Member's reporting structure and other Team Member.

4.1.6.4 Lead Representatives – Identify the individuals who will be the lead representatives responsible for the overall management of the Member's responsibilities, and provide contact information including title, mailing address, telephone number and direct email address.

4.1.6.5 Day-to-day Oversight – If different than the individual who will be the lead representative of the Member, Identify the individual who will be responsible for the day-to-day oversight of the RFQ Scope of Services implementation and provide contact information including title, mailing address, telephone number and direct email address.

4.1.7 Team Member Staff Narrative – Provide a narrative description of each Respondent and if applicable, Team Member organization's staff and overall organizational full-time personnel, departments and organizational capabilities. Include:

4.1.7.1 Technical Staff – Identify technical staff personnel and describe the organizational structure. Identify personnel numbers by titles, educational credentials and, if

## - REQUEST FOR QUALIFICATIONS – SECTION IV

applicable, New Jersey State Professional Engineering Licenses and other government professional licenses.

4.1.7.2 Management Staff – Identify management staff and describe the organizational structure.

4.1.7.3 Administrative Staff – Describe the organizational structure.

4.1.7.4 Resumes – Provide one-page resumes for all Key Personnel.

4.1.8 Respondent Team Information Form – Complete the Respondent Team Information Form, **RFQ, Section V.**

4.1.9 Team Experience: If the Respondent comprises more than one Respondent Team Member and such Respondent Team Members have worked together in the past on design projects, provide examples. The description of each project should not exceed one page and should include the following information:

4.1.9.1 The nature of the project;

4.1.9.2 The role of each Respondent Team Member in the project;

4.1.9.3 The contract value for design services; and,

4.1.9.4 The contract value for the construction services.

If the Respondent comprises more than one Respondent Team Member, provide a narrative describing the reasons the Respondent Team was selected and assembled.

4.1.10 Respondent Team Member Case Studies: Provide up to fifteen (15) three-page maximum, assessment and/or design / construction project case studies as identified below for the respective Design Service Categories.

For Comprehensive Architectural Design Services:

- a. Minimum of three (3), up to five (5) building rehabilitation project (in occupied building facilities) case studies;
- b. Minimum of three (3), up to five (5) new building project case studies;
- c. Minimum of three (3), up to five (5) site / civil construction project case studies;



## - REQUEST FOR QUALIFICATIONS – SECTION IV

- d. Minimum of one (1), up to five (5) environmental / hazardous material abatement project case studies.

### For Civil Engineering Services:

- a. Minimum of five (5), up to twelve (12) site / civil construction project case studies;
- b. Minimum of one (1), up to five (5) environmental / hazardous material abatement project case studies.

### For Mechanical, Electrical, Plumbing and Fire Protection (MEP) Design Services:

- a. Minimum of three (3), up to ten (10) building rehabilitation project (in occupied building facilities) case studies;
- b. Minimum of three (3), up to ten (10) new building project case studies;
- c. Up to two (2) environmental / hazardous material abatement project case studies.

- 4.1.11 Financial Capabilities - Provide the last three (3) years of Audited Financial Statements prepared by an independent Certified Public Accountant for the Respondent. Provide any other documentation such as balance sheets, profit and loss statements, credit lines to demonstrate evidence of financial strength and capabilities.

If a Respondent comprises multiple Respondent Team Members, provide the last three (3) years of Audited Financial Statements and other documentation with respect to one or more Respondent Team Members that demonstrate the overall financial strength and capabilities of the Respondent team. If the financial strength of only one Respondent Team Member is being relied upon, describe joint and several liability arrangements among the Respondent team.

NJSEA reserves the right, in its discretion, to request documentation for additional years and from potential guarantors.

- 4.1.12 Legal Matters - List and briefly describe all instances during the last five (5) years involving any project referenced in the RFQ Response or any project with a contract price of five million dollars (\$5M) or more, in which the Respondent, any Respondent Team Member or any affiliate of the foregoing:

## - REQUEST FOR QUALIFICATIONS – SECTION IV

4.1.12.1 was determined, pursuant to a determination in a court of law, an arbitration proceeding or any other dispute resolution proceeding, to be liable for a material breach of contract;

4.1.12.2 had a contract or task order terminated for cause or for convenience; and

4.1.12.3 was involved in a claim or dispute with the project owner(s), the developer, any equity member or any contractor in an amount in excess of five hundred thousand (\$500K).

Describe any bankruptcy or insolvency proceedings that the Respondent, any Respondent Team Member or any affiliate of any of the foregoing, have undergone over the past five years, including, voluntary or involuntary bankruptcy, insolvency, liquidations, restructuring, suspension of payments, scheme of arrangement, appointment of provisional liquidator, receiver or administrative receiver, resolution or petition for winding-up or similar proceeding. Provide details on the applicable laws, relevant jurisdictions, and the status or outcome of the resulting proceedings.

Include unresolved and pending items and any items that were subject to litigation, arbitration or other formal dispute resolution proceedings even if the matter was settled without completion of the proceeding.

4.1.13 References - Provide reference as applicable for Respondent and/or Respondent Team Members:

For Comprehensive Architectural Design Services:

- a. Client reference for three (3) completed building general construction renovation clients for work in occupied buildings. Include project name, location, description, construction cost and completion date;
- b. Client reference for one (1) completed or in-progress design for environmental / hazardous material abatement project or portion of a project. Include project name, location, description, and construction cost;
- c. Client reference for one (1) completed design for new building construction client. Include project name, location, description, and construction cost; and

## - REQUEST FOR QUALIFICATIONS – SECTION IV

- d. Client reference for two (2) completed site / civil design project or portion of a project. Include project name, location, description, construction cost and completion date.

### For Civil Engineering Services:

- a. Client references for three (3) completed site / civil design clients. Include project name, location, description, construction cost and completion date.

### For Mechanical, Electrical, Plumbing and Fire Protection (MEP) Design Services:

- a. Client references for three (3) completed building general construction renovation clients for work in occupied buildings. Include project name, location, description, construction cost and completion date.
- b. Client references for one (1) completed design for new building construction client. Include project name, location, description, and construction cost.

In addition to the items specified for each reference, for each reference contact provide:

4.1.13.1 Name;

4.1.13.2 Title;

4.1.13.3 Telephone Number;

4.1.13.4 Email Address; and

4.1.13.5 RFQ Response case study (If applicable).

4.1.14 Required RFQ Forms and Acknowledgements - Respondent must (as part of its Response) complete all forms and acknowledgements included in **RFQ Section V**, with all required attachments and supporting documents.

4.1.15 Minimum Qualification Documents - Respondent must submit in the Minimum Qualifications Form (RFQ, Section V) with all required information and supporting documents.

## **- REQUEST FOR QUALIFICATIONS – SECTION IV**

### **ARTICLE 5 NJSEA DISCLAIMERS AND RESERVED RIGHTS**

- 5.1 Neither NJSEA, nor any of its respective agents, representatives, advisors or consultants make, or shall be deemed to have made, any representation or warranty, express or implied, as to the accuracy, reliability or completeness of the information contained herein or in any information otherwise provided, whether orally or in writing, other than such representations or warranties expressly stated as such in a definitive contractual agreement executed between NJSEA and the successful Respondent under the future Task Order Solicitation. Neither the receipt of this RFQ, nor any information contained herein or supplied herewith or subsequently communicated to any person, whether orally or in writing, in connection with any Project involving NJSEA or its agents, representatives, advisors, or consultants shall constitute, or be interpreted as constituting, the giving of financial, legal, technical or other advice.
- 5.2 This RFQ does not constitute a formal offer or commit or otherwise bind NJSEA to enter into a contract or proceed with the procurement described in this RFQ. The receipt of Responses or other documents at any stage of this RFQ process will in no way obligate NJSEA to proceed with the procurement or enter into any contract of any kind with any Person.
- 5.3 Neither NJSEA, nor any of its agents, representatives, advisors or consultants shall be liable or responsible to pay or reimburse all or part of the costs incurred or alleged to have been incurred by parties considering a Response to or responding to this RFQ or otherwise in connection with his RFQ (including, without limitation, for travel expenses related thereto).
- 5.4 This RFQ does not purport to contain all of the information that a Respondent may need or desire to execute a definitive contractual agreement. Respondents should conduct their own investigations and analysis of relevant information.
- 5.5 All materials submitted by Respondents in connection with this RFQ are the property of NJSEA and become a matter of public record available for review pursuant to New Jersey State law (unless an exception applies under New Jersey State law).
- 5.6 NJSEA may in its full absolute discretion:
- 5.6.1 withdraw or cancel this RFQ or any subsequent Task Order Solicitation, in whole or in part, or revise this RFQ on any subsequent Task Order Solicitation at any time, without incurring any cost, obligations or liabilities, except to the extent specifically provided in any future Task Order Solicitation;

## **- REQUEST FOR QUALIFICATIONS – SECTION IV**

- 5.6.2 reject all Responses to this RFQ;
- 5.6.3 extend any deadline in this RFQ;
- 5.6.4 modify the scope of any future Task Order Solicitation, or modify this RFQ, the procurement process or documentation described in this RFQ (by addenda or otherwise);
- 5.6.5 issue addenda, supplements and modifications to this RFQ;
- 5.6.6 schedule oral presentations, interviews and/or meetings or discussions with one or more Respondents, including any Respondent Team Members, within each Respondent, prior to the issuance of any Letter of Selection under this RFQ;
- 5.6.7 independently verify any information in any Response submission;
- 5.6.8 waive any irregularities in a Response or any requirements under this RFQ and to negotiate with all Respondents, in any manner necessary, in its sole judgment and discretion, to serve the best interest of NJSEA;
- 5.6.9 appoint additional evaluation teams to review Responses and seek the assistance of outside technical, financial, legal and other experts and consultants;
- 5.6.10 permit or request clarifications, or additional information with respect to an Response;
- 5.6.11 require confirmation of information submitted by a Respondent, require additional information from a Respondent concerning its Response(s), or require additional evidence of, or alternative, qualifications to perform the Scope of Services described in this RFQ;
- 5.6.12 seek or obtain data from any source that has the potential to improve NJSEA's understanding and evaluation of a Response;
- 5.6.13 increase the number of Shortlisted Respondents under this RFQ, or add as a Shortlisted Respondent any Respondent that submitted a Response, in order to replace a previously selected Shortlisted Respondent that withdraws, is deselected or is disqualified from participation in this procurement;
- 5.6.14 deselect any Shortlisted Respondent that changes its Response, or modified its team, after the RFQ Response Submission Deadline, without NJSEA's approval;

## **- REQUEST FOR QUALIFICATIONS – SECTION IV**

- 5.6.15 deselect any Shortlisted Respondent that does not respond to a Task Order Solicitation without NJSEA's approval;
- 5.6.16 disqualify any Respondent from the procurement process for violating any rules or requirements of the procurement specified in this RFQ or applicable law;
- 5.6.17 accept, reject or seek additional information regarding a Respondent's request to make any changes to its organization;
- 5.6.18 revise the evaluation factors or methodology prior to the RFQ Response Submission Deadline;
- 5.6.19 issue a new request for qualifications or Task Order after cancellation of this RFQ or any subsequent Task Order Solicitation;
- 5.6.20 not issue a Task Order Solicitation, or not pursue any Project or develop some or all of the Projects itself;
- 5.6.21 Utilize other NJSEA procurement methods for any architectural or engineering design services during the Initial Term and any Renewal Periods;
- 5.6.22 disclose information submitted to NJSEA as permitted by applicable law or this RFQ;
- 5.6.23 exercise any other right reserved or afforded to NJSEA under this RFQ or applicable laws and regulations; and
- 5.6.24 exercise its discretion in relation to the matters that are the subject of this RFQ as it considers necessary or expedient in the light of all circumstances prevailing at the time which NJSEA considers to be relevant.
- 5.6.25 Issue a Letter of Selection to a Respondent with no future Task Orders awarded.

**- SECTION IV END -**

## **RFQ Response Submission Checklist**

<b>The Following items are to be included with the Respondents submission:</b> <i>See Request For Qualifications Process Section IV.3 for envelope identification requirements</i>	
<input type="checkbox"/>	Cover Letter
<input type="checkbox"/>	Respondent Identification
<input type="checkbox"/>	Respondent Authorized Person
<input type="checkbox"/>	Respondent Team Identification
<input type="checkbox"/>	Team Experience
<input type="checkbox"/>	Team Member Case Studies
<input type="checkbox"/>	Financial Capabilities
<input type="checkbox"/>	Legal Matters
<input type="checkbox"/>	References
<input type="checkbox"/>	Acknowledgement of Addenda
<input type="checkbox"/>	Statement of Understanding
<input type="checkbox"/>	Respondent Team Information Form
<input type="checkbox"/>	Minimum Qualifications Form
<input type="checkbox"/>	Case Study Forms
<input type="checkbox"/>	Experience Affidavit
<input type="checkbox"/>	State of New Jersey Business Registration Certificate
<input type="checkbox"/>	Vendor Certification and Disclosure of Political Contributions Form
<input type="checkbox"/>	Moral Integrity Affidavit
<input type="checkbox"/>	Corporate Resolution Form
<input type="checkbox"/>	Ownership Disclosure Form
<input type="checkbox"/>	Non-Collusion Affidavit

<input type="checkbox"/>	Acknowledgment of Set-Off For State Tax
<input type="checkbox"/>	Respondent's Affidavit of Authorization
<input type="checkbox"/>	Disclosure of Investigations and Other Actions Involving The Vendor Form
<input type="checkbox"/>	MacBride Principles Form
<input type="checkbox"/>	Disclosure of Investment Activities in Iran Form
<input type="checkbox"/>	Affirmative Action EEO Documents
<input type="checkbox"/>	RFQ Submission Checklist



**ACKNOWLEDGEMENT OF ADDENDA**

**(Must be placed with Response)**

**Complete Part I or Part II as applicable**

**PART I**

ADDENDUM #1, DATED \_\_\_\_\_

ADDENDUM #2, DATED \_\_\_\_\_

ADDENDUM #3, DATED \_\_\_\_\_

ADDENDUM #4, DATED \_\_\_\_\_

ADDENDUM #5, DATED \_\_\_\_\_

ADDENDUM #6, DATED \_\_\_\_\_

ADDENDUM #7, DATED \_\_\_\_\_

LIST FURTHER ADDENDA AND DATES RECEIVED:

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

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**PART II**

\_\_\_\_\_ NO ADDENDUM WAS RECEIVED IN CONNECTION WITH THIS RFQ

RESPONDENT'S NAME: \_\_\_\_\_

AUTHORIZED REPRESENTATIVE SIGNATURE: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

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

## **STATEMENT OF UNDERSTANDING**

By signing in the space provided below, the undersigned certifies that it:

- (i) has read, understands and accepts the scope and requirements of the RFQ including all attachments, and, Addenda, if any;
- (ii) has read, understands and participated in the preparation of the Response and has authorized and approved the delivery of the Response to NJSEA and accordance with the terms of the RFQ;
- (iii) has the capacity to execute and perform those elements, and has the capacity to meet all licensing, authorization, and surety requirements, and obtain all types of insurance specified in the RFQ, in all cases with respect to those portions of the design Scope of Services allocated to the undersigned in the Response; and,
- (iv) will, if issued a Letter of Selection by NJSEA pursuant to this RFQ, provide Proposals in response to any and all future Task Order Rotational Assignment(s) and/or Task Order Mini Solicitation(s);

The undersigned further stipulates that the information in this Response is, to the best knowledge of the undersigned, true and accurate as of the RFQ Submission Deadline.

\_\_\_\_\_  
Name of Respondent

By: \_\_\_\_\_  
Signature of Authorized Signatory Person

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
EIN #

Respondent Team Information Form

Respondent Full Legal Name  or  Respondent Team Member Full Legal Name	Proposed Design Consultant Team Role (Check one)			Scope of Services   Briefly Describe proposed scope of work for Proposed Respondent Team Member	Full Time Employees (Indicate numbers of full time employees)					
	Respondent	Subconsultant	Joint Venture Member		NJ Licensed Professional Engineer Employees	NJ Licensed Registered Architect Employees	Technical Staff Employees	Management Staff Employees	Administrative Staff Employees	Other (describe)

## Respondent Team Information Form

<b>Respondent Full Legal Name</b>  <b>or</b>  <b>Respondent Team Member Full Legal Name</b>	<b>Proposed Design Consultant Team Role (Check one)</b>			<b>Scope of Services</b>  Briefly Describe proposed scope of work for Proposed Respondent Team Member	<b>Full Time Employees (Indicate numbers of full time employees)</b>					
	Respondent	Subconsultant	Joint Venture Member	NJ Licensed Professional Engineer Employees	NJ Licensed Registered Architect Employees	Technical Staff Employees	Management Staff Employees	Administrative Staff Employees	Other (describe)	

**NJSEA RFQ - MINIMUM QUALIFICATIONS FORM**  
**RESPONSE PACKAGING AND SUBMISSION REQUIREMENTS**

Minimum Qualifications Item	Minimum Qualifications Description	Provided in RFQ Per Response Section IV(n)						
a.	Authorization to do Business in New Jersey Provide required certificate pursuant to RFQ Section III, Article 1 for each Respondent Team Member	<table border="1"> <tr> <td>Yes</td><td>No</td></tr> <tr> <td></td><td></td></tr> </table>	Yes	No				
Yes	No							
b.	Authorization to Practice Engineering in New Jersey Provide required attachments pursuant to RFQ Section III, Article 1	<table border="1"> <tr> <td>Yes</td><td>No</td></tr> <tr> <td></td><td></td></tr> </table>	Yes	No				
Yes	No							
c.	Authorization to Practice Architecture in New Jersey Provide required attachments pursuant to RFQ Section III, Article 1	<table border="1"> <tr> <td>Yes</td><td>No</td><td>NA<sup>1</sup></td></tr> <tr> <td></td><td></td><td></td></tr> </table>	Yes	No	NA <sup>1</sup>			
Yes	No	NA <sup>1</sup>						
d.	Design Experience – Case Studies Provide required attachments, <i>as applicable</i> , pursuant to RFQ Section IV, Article 4	<table border="1"> <tr> <td>Yes</td><td>No</td></tr> <tr> <td></td><td></td></tr> </table>	Yes	No				
Yes	No							
e.	Financial Capabilities Provide required attachments pursuant to RFQ Section IV, Article 4.	<table border="1"> <tr> <td>Yes</td><td>No</td></tr> <tr> <td></td><td></td></tr> </table>	Yes	No				
Yes	No							
f.	Insurance Coverage Provide required attachments pursuant to RFQ Section III, Article 2.	<table border="1"> <tr> <td>Yes</td><td>No</td></tr> <tr> <td></td><td></td></tr> </table>	Yes	No				
Yes	No							

**This form shall be submitted with Package contents pursuant to Section IV, Article 4.**

**CERTIFICATION**

I certify that all information provided herein is truthful and accurate and that I have read all RFQ requirements.

By:

\_\_\_\_\_  
Name of Respondent

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

<sup>1</sup> Not Required for Civil Engineering Services and Mechanical, Electrical, Plumbing and Fire Protection (MEP) Design Services Respondents.

## **NJSEA Case Study Form - Prior Experience Details & References**

Respondent shall utilize this form for each case study submitted. The case Study form shall have a maximum of three (3) pages including photographs.

<b>Case Study Project Number</b>	
<b>Respondent Name:</b>	
<b>Respondent Team Member (If Applicable):</b>	
<b>Minimum Qualification Requirement (Y/N). If yes, please indicate if this is Design or Construction Experience</b>	

### **Project Experience Details**

<b>1. Building/Project Owner/Client Name</b>	
<b>2. Project Location</b>	
<b>3. Project Construction Cost</b>	
<b>4. Scope of Services</b>	
<b>5. Facility Type</b>	
<b>6. Key Dates (Including Commencement and Completion)</b>	
<b>7. If applicable, describe the project heating system type, technical information, description and methods used</b>	
<b>8. If applicable, provide details concerning the occupied nature of the building and accordingly construction methods and phases implemented to coordinate the work.</b>	
<b>9. Description of any material cost overruns and explanation</b>	
<b>10. Description of any material schedule delays and explanation</b>	

<b>11. Role of Key Personnel</b>	
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### **Reference**

<b>1. Project Owner Reference Name</b>	
<b>2. Title</b>	
<b>3. Telephone Number</b>	
<b>4. Email</b>	
<b>5. Role in Project</b>	

Include project photograph(s)

**- Experience Affidavit -**

STATE OF NEW JERSEY  
NEW JERSEY SPORTS & EXPOSITION AUTHORITY

EXPERIENCE AFFIDAVIT

The Respondent shall state below, or on sheets to be attached, at least (3) projects he has completed which were similar to this Contract, and during which the products specified herein were used. The information required below shall include the title of the contract; the owner's name, address, and telephone number; and the dollar value of work completed. This information will assist the NEW JERSEY SPORTS AND EXPOSITION AUTHORITY in judging the Respondent's experience, skill, and business standing.

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The undersigned is (an Individual, a Partnership, a Corporation) under the laws of the State of \_\_\_\_\_, and having principal offices at

\_\_\_\_\_.

(Signed) \_\_\_\_\_

(Address) \_\_\_\_\_

\_\_\_\_\_

(Date) \_\_\_\_\_ 20\_\_\_\_



## STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

All Respondents shall submit their State of New Jersey Business Registration Certificate with their proposal submission.

## INFORMATION AND INSTRUCTIONS

### For Completing the “Two-Year Vendor Certification and Disclosure of Political Contributions” Chapter 51 Form

#### Background Information

On September 22, 2004, then-Governor James E. McGreevey issued E.O. 134, the purpose of which was to insulate the negotiation and award of State contracts from political contributions that posed a risk of improper influence, purchase of access or the appearance thereof. To this end, E.O. 134 prohibited State departments, agencies and authorities from entering into contracts exceeding \$17,500 with individuals or entities that made certain political contributions. E.O. 134 was superseded by Public Law 2005, c. 51, signed into law on March 22, 2005 (“Chapter 51”).

On September 24, 2008, Governor Jon S. Corzine issued E.O. 117 which is designed to enhance New Jersey’s efforts to protect the integrity of procurement decisions and increase the public’s confidence in government. The Executive Order builds upon the provisions of Chapter 51.

#### Two-Year Certification Process

Upon approval by the State Chapter 51 Review Unit, the Certification and Disclosure of Political Contributions form is valid for a two (2) year period. Thus, if a vendor receives approval on January 1, 2014, the certification expiration date would be December 31, 2015. Any change in the vendor’s ownership status and/or political contributions during the two-year period will require the submission of new Chapter 51/Executive Order 117 forms to the State Review Unit. **Please note that it is the vendor’s responsibility to file new forms with the State should these changes occur.**

**State Agency Instructions:** Prior to the awarding of a contract, the State Agency should first use NJSTART () to check the status of a vendor’s Chapter 51 certification before contacting the Review Unit’s mailbox at . If the State Agency does not find any Chapter 51 Certification information in NJSTART and/or the vendor is not registered in NJSTART, then the State Agency should send an e-mail to to verify the certification status of the vendor. If the response is that the vendor is NOT within an approved two-year period, then forms must be obtained from the vendor and forwarded for review. If the response is that the vendor is within an approved two-year period, then the response so stating should be placed with the bid/contract documentation for the subject project.

#### Instructions for Completing the Form

##### Part 1: BUSINESS ENTITY INFORMATION

**Business Name** – Enter the full legal name of the vendor, including trade name if applicable.

**Address, City, State, Zip and Phone Number** -- Enter the vendor's street address, city, state, zip code and telephone number.

**Vendor Email** – Enter the vendor’s primary email address.

**Vendor FEIN** – Please enter the vendor’s Federal Employment Identification Number.

**Business Type** - Check the appropriate box that represents the vendor's type of business formation.

**Listing of officers, shareholders, partners or members** - Based on the box checked for the business type, provide the corresponding information. (A complete list must be provided.)

## Part 2: DISCLOSURE OF CONTRIBUTIONS

Read the three types of political contributions that require disclosure and, if applicable, provide the recipient's information. The definition of "Business Entity/Vendor" and "Contribution" can be found on pages 3 and 4 of this form.

**Name of Recipient** - Enter the full legal name of the recipient.

**Address of Recipient** - Enter the recipient's street address.

**Date of Contribution** - Indicate the date the contribution was given.

**Amount of Contribution** - Enter the dollar amount of the contribution.

**Type of Contribution** - Select the type of contribution from the examples given.

**Contributor's Name** - Enter the full name of the contributor.

**Relationship of the Contributor to the Vendor** - Indicate the relationship of the contributor to the vendor. (e.g. officer or shareholder of the company, partner, member, parent company of the vendor, subsidiary of the vendor, etc.)

**NOTE:** If form is being completed electronically, click "Add a Contribution" to enter additional contributions. Otherwise, please attach additional pages as necessary.

Check the box under the recipient information if no reportable contributions have been solicited or made by the business entity. **This box must be checked if there are no contributions to report.**

## Part 3: CERTIFICATION

Check Box A if the representative completing the Certification and Disclosure form is doing so on behalf of the business entity and all individuals and/or entities whose contributions are attributable to the business entity.

**(No additional Certification and Disclosure forms are required if BOX A is checked.)**

Check Box B if the representative completing the Certification and Disclosure form is doing so on behalf of the business entity and all individuals and/or entities whose contributions are attributable to the business entity with the exception of those individuals and/or entities that submit their own separate form. For example, the representative is not signing on behalf of the vice president of a corporation, but all others. The vice president completes a separate Certification and Disclosure form. **(Additional Certification and Disclosure forms are required from those individuals and/or entities that the representative is not signing on behalf of and are included with the business entity's submittal.)**

Check Box C if the representative completing the Certification and Disclosure form is doing so on behalf of the business entity only. **(Additional Certification and Disclosure forms are required from all individuals and/or entities whose contributions are attributable to the business entity and must be included with the business entity submittal.)**

Check Box D when a sole proprietor is completing the Certification and Disclosure form or when an individual or entity whose contributions are attributable to the business entity is completing a separate Certification and Disclosure form.

**Read the five statements of certification prior to signing.**

The representative authorized to complete the Certification and Disclosure form must sign and print her/his name, title or position and enter the date.

### **State Agency Procedure for Submitting Form(s)**

The State Agency should submit the completed and signed Two-Year Vendor Certification and Disclosure forms either electronically to: [cd134@treas.nj.gov](mailto:cd134@treas.nj.gov) or regular mail at: Chapter 51 Review Unit, P.O. Box 230, 33 West State Street, Trenton, NJ 08625-0230. Original forms should remain with the State Agency and copies should be sent to the Chapter 51 Review Unit.

### **Business Entity Procedure for Submitting Form(s)**

The business entity should return this form to the contracting State Agency.

The business entity can submit the Certification and Disclosure form directly to the Chapter 51 Review Unit only when:

- The business entity is approaching its two-year certification expiration date and is seeking certification renewal;
- The business entity had a change in its ownership structure; OR
- The business entity made any contributions during the period in which its last two-year certification was in effect, or during the term of a contract with a State Agency.

### **Questions & Information**

Questions regarding Public Law 2005, Chapter 51 (N.J.S.A. 19:44A-20.13) or E.O. 117 (2008) may be submitted electronically through the Division of Purchase and Property website at: .

Reference materials and forms are posted on the Political Contributions Compliance website at: .



State of New Jersey  
Department of the Treasury

**Division of Purchase and Property**

Two-Year Chapter 51/Executive Order 117 Vendor Certification and  
Disclosure of Political Contributions

**FOR STATE USE ONLY**

Solicitation, RFP, or Contract No. \_\_\_\_\_ Award Amount \_\_\_\_\_

Description of Services \_\_\_\_\_

State Agency Name \_\_\_\_\_ Contact Person \_\_\_\_\_

Phone Number \_\_\_\_\_ Contact Email \_\_\_\_\_

☐ Check if the Contract / Agreement is Being Funded Using FHWA Funds

**Please check if requesting  
recertification ☐**

**Part 1: Business Entity Information**

Full Legal Business Name \_\_\_\_\_  
(Including trade name if applicable)

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_

Vendor Email \_\_\_\_\_ Vendor FEIN (SS# if sole proprietor/natural person) \_\_\_\_\_

**Check off the business type and list below the required information for the type of business selected.  
MUST BE COMPLETED IN FULL**

- ☐ Corporation: LIST ALL OFFICERS and any 10% and greater shareholder (If the corporation only has one officer, please write "sole officer" after the officer's name.)
- ☐ Professional Corporation: LIST ALL OFFICERS and ALL SHAREHOLDERS
- ☐ Partnership: LIST ALL PARTNERS with any equity interest
- ☐ Limited Liability Company: LIST ALL MEMBERS with any equity interest
- ☐ Sole Proprietor

Note: "Officers" means President, Vice President with senior management responsibility, Secretary, Treasurer, Chief Executive Officer or Chief Financial Officer of a corporation, or any person routinely performing such functions for a corporation.

Also Note: "N/A will not be accepted as a valid response. Where applicable, indicate "None."

**All Officers of a Corporation or PC**

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

**10% and greater shareholders of a corporation  
or all shareholders of a PC**

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

**All Equity partners of a Partnership**

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

**All Equity members of a LLC**

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

If you need additional space for listing of Officers, Shareholders, Partners or Members, please attach separate page.

**Part 2: Disclosure of Contributions by the business entity or any person or entity whose contributions are attributable to the business entity.**

- 1. Report below all contributions solicited or made during the 4 years immediately preceding the commencement of negotiations or submission of a proposal to any:**

Political organization organized under Section 527 of the Internal Revenue Code and which also meets the definition of a continuing political committee as defined in N.J.S.A. 19:44A-3(n)

- 2. Report below all contributions solicited or made during the 5 ½ years immediately preceding the commencement of negotiations or submission of a proposal to any:**

Candidate Committee for or Election Fund of any Gubernatorial or Lieutenant Gubernatorial candidate  
State Political Party Committee  
County Political Party Committee

- 3. Report below all contributions solicited or made during the 18 months immediately preceding the commencement of negotiations or submission of a proposal to any:**

Municipal Political Party Committee  
Legislative Leadership Committee

Full Legal Name of Recipient \_\_\_\_\_

Address of Recipient \_\_\_\_\_

Date of Contribution \_\_\_\_\_ Amount of Contribution \_\_\_\_\_

Type of Contribution (i.e. currency, check, loan, in-kind) \_\_\_\_\_

Contributor Name \_\_\_\_\_

Relationship of Contributor to the Vendor \_\_\_\_\_

**If this form is not being completed electronically, please attach additional contributions on separate page.  
Click the "Add a Contribution" tab to enter additional contributions.**

Remove Contribution

Add a Contribution

☐ **Check this box only if no political contributions have been solicited or made by the business entity or any person or entity whose contributions are attributable to the business entity.**

**Part 3: Certification** (Check one box only)

- (A) ☐ I am certifying on behalf of the business entity and all individuals and/or entities whose contributions are attributable to the business entity as listed on Page 1 under **Part 1: Vendor Information**.
- (B) ☐ I am certifying on behalf of the business entity and all individuals and/or entities whose contributions are attributable to the business entity as listed on Page 1 under **Part 1: Vendor Information**, except for the individuals and/or entities who are submitting separate Certification and Disclosure forms which are included with this submittal.
- (C) ☐ I am certifying on behalf of the business entity only; any remaining persons or entities whose contributions are attributable to the business entity (as listed on Page 1) have completed separate Certification and Disclosure forms which are included with this submittal.
- (D) ☐ I am certifying as an individual or entity whose contributions are attributable to the business entity.

I hereby certify as follows:

- 1. I have read the Information and Instructions accompanying this form prior to completing the certification on behalf of the business entity.**
- 2. All reportable contributions made by or attributable to the business entity have been listed above.**

**3. The business entity has not knowingly solicited or made any contribution of money, pledge of contribution, including in-kind contributions, that would bar the award of a contract to the business entity unless otherwise disclosed above:**

- a) Within the 18 months immediately preceding the commencement of negotiations or submission of a proposal for the contract or agreement to:
  - (i) A candidate committee or election fund of any candidate for the public office of Governor or Lieutenant Governor or to a campaign committee or election fund of holder of public office of Governor or Lieutenant Governor; OR
  - (ii) Any State, County or Municipal political party committee; OR
  - (iii) Any Legislative Leadership committee.
- b) During the term of office of the current Governor or Lieutenant Governor to:
  - (i) A candidate committee or election fund of a holder of the public office of Governor or Lieutenant Governor; OR
  - (ii) Any State or County political party committee of the political party that nominated the sitting Governor or Lieutenant Governor in the last gubernatorial election.
- c) Within the 18 months immediately preceding the last day of the sitting Governor or Lieutenant Governor's first term of office to:
  - (i) A candidate committee or election fund of the incumbent Governor or Lieutenant Governor; OR
  - (ii) Any State or County political party committee of the political party that nominated the sitting Governor or Lieutenant Governor in the last gubernatorial election.

**4. During the term of the contract/agreement the business entity has a continuing responsibility to report, by submitting a new Certification and Disclosure form, any contribution it solicits or makes to:**

- (a) Any candidate committee or election fund of any candidate or holder of the public office of Governor or Lieutenant Governor; OR
- (b) Any State, County or Municipal political party committee; OR
- (c) Any Legislative Leadership committee.

The business entity further acknowledges that contributions solicited or made during the term of the contract/agreement may be determined to be a material breach of the contract/agreement.

**5. During the two-year certification period the business entity will report any changes in its ownership structure (including the appointment of an officer within a corporation) by submitting a new Certification and Disclosure form indicating the new owner(s) and reporting said owner(s) contributions.**

I certify that the foregoing statements in Parts 1, 2 and 3 are true. I am aware that if any of the statements are willfully false, I may be subject to punishment.

Signed Name \_\_\_\_\_ Print Name \_\_\_\_\_

Title/Position \_\_\_\_\_ Date \_\_\_\_\_

**Procedure for Submitting Form(s)**

**The contracting State Agency should submit this form to the Chapter 51 Review Unit** when it has been required as part of a contracting process. The contracting State Agency should submit a copy of the completed and signed form(s), to the Chapter 51 Unit and retain the original for their records.

**The business entity should return this form to the contracting State Agency.** The business entity can submit this form directly to the Chapter 51 Review Unit only when it -

- Is approaching its two-year certification expiration date and wishes to renew certification;
- Had a change in its ownership structure; OR
- Made any contributions during the period in which its last two-year certification was in effect, or during the term of a contract with a State Agency.

**Forms should be submitted either electronically to: [cd134@treas.nj.gov](mailto:cd134@treas.nj.gov), or regular mail at: Chapter 51 Review Unit, P.O. Box 230, 33 West State Street, Trenton, NJ 08625.**



STATE OF NEW JERSEY  
DEPARTMENT OF THE TREASURY  
DIVISION OF PURCHASE AND PROPERTY

33 WEST STATE STREET, P.O. BOX 0230  
TRENTON, NEW JERSEY 08625-0230

VENDOR/BIDDER CERTIFICATION AND POLITICAL CONTRIBUTION DISCLOSURE FORM  
PUBLIC LAW 2005, CHAPTER 271

CONTRACT #: \_\_\_\_\_ VENDOR/BIDDER: \_\_\_\_\_

At least ten (10) days prior to entering into the above-referenced Contract, the Vendor/Bidder must complete this Certification and Political Contribution Disclosure Form in accordance with the directions below and submit it to the State contact for the referenced Contract.

**NOTE** that the disclosure requirements under Public Law 2005, Chapter 271 are separate and different from the disclosure requirements under Public Law 2005, Chapter 51 (formerly Executive Order 134). Although no Vendor/Bidder will be precluded from entering into a contract by any information submitted on this form, a Vendor's/Bidder's failure to fully, accurately and truthfully complete this form and submit it to the appropriate State agency may result in the imposition of fines by the New Jersey Election Law Enforcement Commission.

**DISCLOSURE**

The following is the required Vendor/Bidder Disclosure of all Reportable Contributions made in the twelve (12) months prior to and including the date of signing of this Certification and Disclosure to: (i) any State, county, or municipal committee of a political party, legislative leadership committee, candidate committee of a candidate for, or holder of, a State elective office, or (ii) any entity that is also defined as a "continuing political committee" under N.J.S.A. 19:44A-3(n) and N.J.A.C. 19:25-1.

The Vendor/Bidder is required to disclose Reportable Contributions by: the Vendor/Bidder itself; all persons or other business entities owning or controlling more than 10% of the profits of the Vendor/Bidder or more than 10% of the stock of the Vendor/Bidder, if the Vendor/Bidder is a corporation for profit; a spouse or child living with a natural person that is a Vendor/Bidder; all of the principals, partners, officers or directors of the Vendor/Contractor and all of their spouses; any subsidiaries directly or indirectly controlled by the Vendor/Bidder; and any political organization organized under section 527 of the Internal Revenue Code that is directly or indirectly controlled by the Vendor/Bidder, other than a candidate committee, election fund, or political party committee.

"Reportable Contributions" are those contributions that are required to be reported by the recipient under the "New Jersey Campaign Contributions and Expenditures Reporting Act," P.L. 1973, c.83 (C.19:44A-1 et seq.), and implementing regulations set forth at N.J.A.C. 19:25-10.1 et seq. As of January 1, 2005, contributions in excess of \$300 during a reporting period are deemed "reportable."

Name and Address of Committee to which a Reportable Contribution was made	Date of Reportable Contribution	Amount of Reportable Contribution	Contributor's Name
Indicate "NONE" if no Reportable Contribution was made.			
		\$	
		\$	
		\$	
		\$	
Attach additional sheets if necessary			

**CERTIFICATION**

I, the undersigned, certify that I am authorized to execute this certification on behalf of the Vendor/Bidder, that the foregoing information and any attachments hereto, to the best of my knowledge are true and complete. I acknowledge that the State of New Jersey is relying on the information contained herein, and that the Vendor/Bidder is under a continuing obligation from the date of this certification through the completion of any contract(s) with the State to notify the State in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification. If I do so, I will be subject to criminal prosecution under the law, and it will constitute a material breach of my agreement(s) with the State, permitting the State to declare any contract(s) resulting from this certification void and unenforceable.

Signature

Date

Print Name and Title



**- Moral Integrity Affidavit -**

STATE OF NEW JERSEY  
NEW JERSEY SPORTS AND EXPOSITION AUTHORITY

**MORAL INTEGRITY AFFIDAVIT**

State of \_\_\_\_\_

ss:

County of \_\_\_\_\_

I, \_\_\_\_\_ (Name), the \_\_\_\_\_ (Title)

of \_\_\_\_\_ (Company), being first duly sworn, depose and say that:

1. the above named company has submitted a bid regarding this Contract to the New Jersey Sports and Exposition Authority;
2. the above named company wishes to demonstrate moral integrity to the satisfaction of the New Jersey Sports and Exposition Authority;
3. as of the day of signing this Affidavit, neither the above named company nor any of its owners, officers, or directors are involved in any Federal, State, or other governmental investigations concerning criminal or quasi-criminal violations, except as follows (If none, so state): \_\_\_\_\_
4. neither the Company nor any of its owners, officers, or directors have ever committed any violation of a Federal or State criminal or quasi-criminal statute, except as follows (If none, so state): \_\_\_\_\_
5. neither the Company nor any of its owners, officers or directors have ever been suspended, disbarred or otherwise declared ineligible by any agency or government from bidding or contracting to provide services, labor, material or supplies except as follows (If none, so state): \_\_\_\_\_
6. neither the Company nor any of its owners, officers or directors have ever been involved in any investigation, litigation, including administrative complaints or other administrative proceedings, involving any public sector clients during the past five years except as follows (if applicable set forth the nature and status of the investigation and, for any litigation, the caption of the action, a brief description of the action, date of inception, current status and, if applicable, disposition (If none, so state): \_\_\_\_\_  
\_\_\_\_\_
7. the company is incorporation in the State of: \_\_\_\_\_

**- Moral Integrity Affidavit -**

8. if the answer to the above question is a state other than New Jersey, that the company has received from the Secretary of State of New Jersey a certificate authorizing it to conduct business in New Jersey, and a copy of the certificate is enclosed with the Bid.
9. he/she is personally acquainted with the operations of the company, has full knowledge of the factual basis comprising the contents of this Affidavit, and that the contents are true.
10. the names and home addresses of the principals, shareholders, and officers of the company and their ownership interest (shares owned or % of partnership) are as follows:

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(Use additional sheet if required)

11. this Affidavit is made to the New Jersey Sports and Exposition Authority to accept the bid for the above referenced Contract, knowing that the New Jersey Sports and Exposition Authority relies upon the truth of the statements contained herein.

The undersigned acknowledges that there is a continuing obligation from the date of this affidavit to notify the NJSEA of any changes to the answers or information contained herein.

I acknowledge that I am aware that it is a criminal offense to make a false statement in this Affidavit, and if I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement with the NJSEA and that the NJSEA may declare any contract(s) resulting from this certification void and unenforceable.

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

\_\_\_\_\_  
(Typed Name)

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

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

My commission expires \_\_\_\_\_, 20\_\_\_\_\_

**- Corporate Resolution Form -**

STATE OF NEW JERSEY  
NEW JERSEY SPORTS AND EXPOSITION AUTHORITY

**CORPORATE RESOLUTION FORM**

BE IT RESOLVED, By the Board of Directors of \_\_\_\_\_  
that the president (\_\_\_\_\_) be and hereby is authorized to make,  
execute and deliver a contract for \_\_\_\_\_  
with the New Jersey Sports & Exposition Authority; and that the Secretary  
(\_\_\_\_\_) be and hereby is authorized to attest to the execution of  
the same and affix the corporate seal thereto.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
BOARD OF DIRECTORS

\_\_\_\_\_  
SECRETARY

(SEAL)

I HEREBY CERTIFY that the foregoing is an exact copy of a Resolution by the BOARD  
of Directors of

(\_\_\_\_\_) adopted at a (\_\_\_\_\_) , meeting held  
on \_\_\_\_\_ at which quorum was present.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of

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

this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
SECRETARY

(SEAL)



# OWNERSHIP DISCLOSURE FORM

STATE OF NEW JERSEY  
DEPARTMENT OF THE TREASURY - DIVISION OF PURCHASE AND PROPERTY  
33 WEST STATE STREET, P.O. BOX 230 TRENTON, NEW JERSEY 08625-0230

BID SOLICITATION # AND TITLE: \_\_\_\_\_

VENDOR NAME: \_\_\_\_\_

PURSUANT TO N.J.S.A. 52:25-24.2, ALL PARTIES ENTERING INTO A CONTRACT WITH THE STATE ARE REQUIRED TO PROVIDE A STATEMENT OF OWNERSHIP.

- |   | YES                      | NO                       |
|---|--------------------------|--------------------------|
| 1. The vendor is a <b>Non-Profit Entity</b> ; and therefore, no disclosure is necessary.  | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. The vendor is a <b>Sole Proprietor</b> ; and therefore, no other disclosure is necessary.<br>A Sole Proprietor is a person who owns an unincorporated business by himself or her-self.<br>A limited liability company with a single member is not a Sole Proprietor. | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. The vendor is a <b>corporation, partnership, or limited liability company</b> .  | <input type="checkbox"/> | <input type="checkbox"/> |

If you answered **YES** to Question 3, you must disclose the following: **(a)** the names and addresses of all stockholders in the corporation who own 10% or more of its stock, of any class; **(b)** all individual partners in the partnership who own a 10% or greater interest therein; or, **(c)** all members in the limited liability company who own a 10% or greater interest therein.\*

NAME	_____	
ADDRESS	_____	
ADDRESS	_____	
CITY	STATE	ZIP

NAME	_____	
ADDRESS	_____	
ADDRESS	_____	
CITY	STATE	ZIP

NAME	_____	
ADDRESS	_____	
ADDRESS	_____	
CITY	STATE	ZIP

NAME	_____	
ADDRESS	_____	
ADDRESS	_____	
CITY	STATE	ZIP

- |  | YES                      | NO                       |
|--|--------------------------|--------------------------|
| 4. For each of the corporations, partnerships, or limited liability companies identified above, are there any individuals, partners, members, stockholders, corporations, partnerships, or limited liability companies owning a 10% or greater interest of those listed business entities? | <input type="checkbox"/> | <input type="checkbox"/> |

If you answered **YES** to Question 4, you must disclose the following: **(a)** the names and addresses of all stockholders in the corporation who own 10% or more of its stock, of any class; **(b)** all individual partners in the partnership who own a 10% or greater interest therein; or, **(c)** all members in the limited liability company who own a 10% or greater interest therein. The disclosure(s) shall be continued until the names and addresses of every non-corporate stockholder, individual partner, and/or member a 10% or greater interest has been identified.\*

NAME	_____	
ADDRESS	_____	
ADDRESS	_____	
CITY	STATE	ZIP

NAME	_____	
ADDRESS	_____	
ADDRESS	_____	
CITY	STATE	ZIP

NAME	_____	
ADDRESS	_____	
ADDRESS	_____	
CITY	STATE	ZIP

NAME	_____	
ADDRESS	_____	
ADDRESS	_____	
CITY	STATE	ZIP

5. As an alternative to completing this form, a Vendor 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% 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 of the filings that contain the information on each person that holds a 10% or greater beneficial interest.\*


\* Attach additional sheets if necessary

**- Non-Collusion Affidavit -**

STATE OF NEW JERSEY  
NEW JERSEY SPORTS AND EXPOSITION AUTHORITY

**NON-COLLUSION AFFIDAVIT**

State of \_\_\_\_\_

ss:

County of \_\_\_\_\_

I, \_\_\_\_\_ (Name), of the municipality of \_\_\_\_\_  
in the County of \_\_\_\_\_ and the State of \_\_\_\_\_ being  
first duly sworn, depose and say that:

- I am the \_\_\_\_\_ (Title) of the firm \_\_\_\_\_  
the Respondent Submitting a RFQ Response.
- I execute the RFQ Response with the full authority to do so.
- Said Respondent 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 referenced RFQ.
- All statements contained in said RFQ Response and in this affidavit are true and  
correct, and made with full knowledge that the New Jersey Sport and Exposition  
Authority relies upon the truth of the statements contained in the RFQ Response and  
this affidavit.

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

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

\_\_\_\_\_  
(Type or print name under signature)

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

My commission expires \_\_\_\_\_, 20\_\_\_\_\_

## **- Acknowledgement of Set-Off For State Tax -**

STATE OF NEW JERSEY  
NEW JERSEY SPORTS AND EXPOSITION AUTHORITY  
**ACKNOWLEDGEMENT OF SET-OFF FOR STATE TAX**

Please be advised that, pursuant to L. 1995, c. 159, effective January 1, 1996, and codified at N.J.S.A. 59:49-19 and N.J.S.A. 59:49-20, and notwithstanding any provision of the law to the contrary, whenever any taxpayer, partnership or S corporation under contract to provide goods or services or construction projects to the state of New Jersey or its agencies or instrumentalities, including the legislative and judicial branches of State government, is entitled to payment for those goods and services or construction projects, at the same time a taxpayer, partner or shareholder of that entity is indebted for any State tax, the Director of the Division of Taxation shall seek to set off that taxpayer's, partner's or shareholder's share of the payment of that indebtedness. The amount set off shall not allow for the deduction of any expenses or other deductions which might be attributable to the taxpayer, partner or shareholder subject to set-off.

The Division of Taxation may initiate procedures to set off the tax debt of a specific vendor upon the expiration of ninety (90) days after either the issuance by the Division of a notice and demand for payment of any state tax owed by the taxpayer or the issuance by the Division of a final determination on any protest filed by the taxpayer against an assessment or final audit determination. A set-off reduces the contract payment due to a vendor by the amount of that vendor's state tax indebtedness or, in the case of a vendor-partnership or vendor-S corporation, by the amount of state tax indebtedness of any member-partner or shareholder of the partnership or S-corporation, respectively. N.J.A.C. 18:2-8.3.

The Director of the Division of Taxation shall give notice of the set-off to the taxpayer, partner or shareholder and shall provide an opportunity for a hearing within 30 days of such notice under the procedures for protest established under N.J.S.A. 54:49-18. No requests for conference, protest, or subsequent appeal to the Tax Court from any protest under N.J.S.A. 59:49-19 shall stay the collection of the indebtedness. Interest that may be payable by the State to the taxpayer, pursuant to L. 1987, c. 184 (N.J.S.A. 52:32-35) shall be stayed.

**"I HAVE BEEN ADVISED OF THIS NOTICE"**

Company: \_\_\_\_\_

Signature: \_\_\_\_\_

Print or Type Name of Signer: \_\_\_\_\_

Print or Type Title of Signer: \_\_\_\_\_

Date: \_\_\_\_\_

**- Affidavit of Authorization -**

STATE OF NEW JERSEY  
NEW JERSEY SPORTS AND EXPOSITION AUTHORITY

**RESPONDENT'S AFFIDAVIT OF AUTHORIZATION**

State of \_\_\_\_\_

ss:

County of \_\_\_\_\_

\_\_\_\_\_ (Name of Respondent), being duly sworn, deposes and says that:

- he/she resides at \_\_\_\_\_;
- he/she is the \_\_\_\_\_ (Title) RFQ Forms;
- he/she is duly authorized to sign, and that the RFQ Response is a true offer of the Respondent, and,
- all the declarations and statements contained in the RFQ Response are true to the best of his/her knowledge and belief.

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

\_\_\_\_\_  
(Typed Name)

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

of \_\_\_\_\_ 20\_\_\_\_\_.

(Notary Public)

My commission expires \_\_\_\_\_, 20\_\_\_\_\_



# DISCLOSURE OF INVESTIGATIONS AND OTHER ACTIONS INVOLVING THE VENDOR FORM

STATE OF NEW JERSEY  
DEPARTMENT OF THE TREASURY - DIVISION OF PURCHASE AND PROPERTY  
33 WEST STATE STREET, P.O. BOX 230 TRENTON, NEW JERSEY 08625-0230

BID SOLICITATION # AND TITLE: \_\_\_\_\_

VENDOR NAME: \_\_\_\_\_

## PART 1

PLEASE LIST ALL OFFICERS/DIRECTORS OF THE VENDOR BELOW.

NAME	_____
TITLE	_____
ADDRESS	_____
ADDRESS	_____
CITY	STATE ZIP

NAME	_____
TITLE	_____
ADDRESS	_____
ADDRESS	_____
CITY	STATE ZIP

NAME	_____
TITLE	_____
ADDRESS	_____
ADDRESS	_____
CITY	STATE ZIP

NAME	_____
TITLE	_____
ADDRESS	_____
ADDRESS	_____
CITY	STATE ZIP

*\*Attach Additional Sheets If Necessary.*

## PART 2

PLEASE REFER TO THE PERSONS LISTED ABOVE AND/OR THE PERSONS AND/OR ENTITIES LISTED ON THE OWNERSHIP DISCLOSURE FORM WHEN ANSWERING THESE QUESTIONS.

- Has any person or entity listed on this form or its attachments ever been arrested, charged, indicted, or convicted in a criminal or disorderly persons matter by the State of New Jersey (or political subdivision thereof), or by any other state or the U.S. Government?
- Has any person or entity listed on this form or its attachments ever been suspended, debarred or otherwise declared ineligible by any government agency from bidding or contracting to provide services, labor, materials or supplies?
- Are there currently any pending criminal matters or debarment proceedings in which the firm and/or its officers and/or managers are involved?
- Has any person or entity listed on this form or its attachments been denied any license, permit or similar authorization required to engage in the work applied for herein, or has any such license, permit or similar authorization been revoked by any agency of federal, state or local government?
- Has any person or entity listed on this form or its attachments been involved as an adverse party to a public sector client in any civil litigation or administrative proceeding in the past five (5) years?

IF ANY OF THE ANSWERS TO QUESTIONS 1-5 ARE "YES", PLEASE PROVIDE THE REQUESTED INFORMATION IN PART 3.  
IF ALL OF THE ANSWERS TO QUESTIONS 1-5 ARE "NO", NO FURTHER ACTION IS NEEDED; PLEASE SIGN AND DATE THE FORM.

## PART 3

DESCRIPTION OF THE INVESTIGATION OR LITIGATION, ETC.

If you answered "YES" to any of questions 1 - 5 above, you must provide a detailed description of any investigation or litigation, including, but not limited to, administrative complaints or other administrative proceedings involving public sector clients during the past five (5) years. The description must include the nature and status of the investigation, and for any litigation, the caption and a brief description of the action, the date of inception, current status, and if applicable, the disposition.

PERSON OR ENTITY NAME	_____
CONTACT NAME	PHONE NUMBER
CASE CAPTION	_____
INCEPTION OF THE INVESTIGATION	CURRENT STATUS
SUMMARY OF INVESTIGATION	_____
_____	_____
_____	_____

*\*Attach Additional Sheets If Necessary.*

## CERTIFICATION

I, the undersigned, certify that I am authorized to execute this certification on behalf of the Vendor, that the foregoing information and any attachments hereto, to the best of my knowledge are true and complete. I acknowledge that the State of New Jersey is relying on the information contained herein, and that the Vendor is under a continuing obligation from the date of this certification through the completion of any contract(s) with the State to notify the State in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification. If I do so, I may be subject to criminal prosecution under the law, and it will constitute a material breach of my contract(s) with the State, permitting the State to declare any contract(s) resulting from this certification void and unenforceable.

Signature

Date

Print Name and Title





## MACBRIDE PRINCIPLES FORM

STATE OF NEW JERSEY  
DEPARTMENT OF THE TREASURY - DIVISION OF PURCHASE AND PROPERTY  
33 WEST STATE STREET, P.O. BOX 230 TRENTON, NEW JERSEY 08625-0230

BID SOLICITATION # AND TITLE: \_\_\_\_\_

VENDOR/BIDDER NAME: \_\_\_\_\_

VENDOR/BIDDER ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VENDOR/BIDDER PHONE NUMBER: \_\_\_\_\_

VENDOR/BIDDER EMAIL: \_\_\_\_\_

Pursuant to Public Law 1995, c. 134, a responsible Vendor/Bidder is required to provide a certification in compliance with the MacBride Principles and Northern Ireland Act of 1989. Pursuant to N.J.S.A. 52:34-12, Vendor/Bidder must complete the certification below by checking one of the two options listed below and signing where indicated. If a Vendor/Bidder that would otherwise be awarded a purchase, contract or agreement does not complete the certification, then the Director may determine, in accordance with applicable law and rules, that it is in the best interest of the State to award the purchase, contract or agreement to another Vendor/Bidder that has completed the certification and has submitted a bid within five (5) percent of the most advantageous bid. If the Director finds contractors to be in violation of the principles that are the subject of this law, he/she shall take such action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party.

I, the undersigned, on behalf the Vendor/Bidder, certify pursuant to N.J.S.A. 52:34-12.2 that:

### CHECK THE APPROPRIATE BOX

☐ The Vendor/Bidder has no business operations in Northern Ireland; or

**OR**

☐ The Vendor/Bidder will take lawful steps in good faith to conduct any business operations it has in Northern Ireland in accordance with the MacBride principles of nondiscrimination in employment as set forth in section 2 of P.L. 1987, c. 177 (N.J.S.A. 52:18A-89.5) and in conformance with the United Kingdom's Fair Employment (Northern Ireland) Act of 1989, and permit independent monitoring of its compliance with those principles.

I, the undersigned, certify that I am authorized to execute this certification on behalf of the Vendor/Bidder, that the foregoing information and any attachments hereto, to the best of my knowledge are true and complete. I acknowledge that the State of New Jersey is relying on the information contained herein, and that the Vendor/Bidder is under a continuing obligation from the date of this certification through the completion of any contract(s) with the State to notify the State in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification. If I do so, I will be subject to criminal prosecution under the law, and it will constitute a material breach of my agreement(s) with the State, permitting the State to declare any contract(s) resulting from this certification to be void and unenforceable.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name and Title



# DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN FORM

STATE OF NEW JERSEY  
DEPARTMENT OF THE TREASURY - DIVISION OF PURCHASE AND PROPERTY  
33 WEST STATE STREET, P.O. BOX 230 TRENTON, NEW JERSEY 08625-0230

**BID SOLICITATION # AND TITLE:** \_\_\_\_\_

**VENDOR/BIDDER NAME:** \_\_\_\_\_

Pursuant to N.J.S.A. 52:32-57, et seq. (P.L. 2012, c.25 and P.L. 2021, c.4) any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must certify that neither the person nor entity, nor any of its parents, subsidiaries, or affiliates, is identified on the New Jersey Department of the Treasury's Chapter 25 List as a person or entity engaged in investment activities in Iran. The Chapter 25 list is found on the Division's website at <https://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Vendors/Bidders must review this list prior to completing the below certification. If the Director of the Division of Purchase and Property finds a person or entity to be in violation of the law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party.

## CHECK THE APPROPRIATE BOX

☐ I certify, pursuant to N.J.S.A. 52:32-57, et seq. (P.L. 2012, c.25 and P.L. 2021, c.4), that neither the Vendor/Bidder listed above nor any of its parents, subsidiaries, or affiliates is listed on the New Jersey Department of the Treasury's Chapter 25 List of entities determined to be engaged in prohibited activities in Iran.

**OR**

☐ I am unable to certify as above because the Vendor/Bidder and/or one or more of its parents, subsidiaries, or affiliates is listed on the New Jersey Department of the Treasury's Chapter 25 List. I will provide a detailed, accurate and precise description of the activities of the Vendor/Bidder, or one of its parents, subsidiaries or affiliates, has engaged in regarding investment activities in Iran by completing the information requested below.

**Entity Engaged in Investment Activities**  
**Relationship to Vendor/ Bidder**  
**Description of Activities**

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**Duration of Engagement**  
**Anticipated Cessation Date**

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*Attach Additional Sheets If Necessary.*

## CERTIFICATION

I, the undersigned, certify that I am authorized to execute this certification on behalf of the Vendor/Bidder, that the foregoing information and any attachments hereto, to the best of my knowledge are true and complete. I acknowledge that the State of New Jersey is relying on the information contained herein, and that the Vendor/Bidder is under a continuing obligation from the date of this certification through the completion of any contract(s) with the State to notify the State in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification. If I do so, I will be subject to criminal prosecution under the law, and it will constitute a material breach of my agreement(s) with the State, permitting the State to declare any contract(s) resulting from this certification void and unenforceable.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name and Title



**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**

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*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 Authorized Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name and Title of Authorized Representative

\_\_\_\_\_  
Vendor Name

<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.

## **AFFIRMATIVE ACTION EEO**

**Letter of Federal Affirmative Action Plan Approval, OR**

**Certificate of Employee Information Report, OR**

**Employee Information Report Form AA302 (electronically provided by the Division and distributed to the public agency through the Division's website at [www.state.nj.us/treasury/contract\\_compliance](http://www.state.nj.us/treasury/contract_compliance).)**