



New Jersey Sports & Exposition Authority
Lyndhurst, New Jersey

PROJECT MANUAL

for

NJSEA Lyndhurst Admin Building Envelope Improvements

Contract No.CN-302

Book 2 of 4
REQUIRED BID FORMS
December 1, 2025

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**Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00300 – BID SHEETS**

SECTION 00300

BID SUBMISSION CHECKLIST: PROJECT CN-302

TO: The New Jersey Sports and Exposition Authority (NJSEA)

RE: NJSEA Lyndhurst Admin Building Envelope Improvements

This bid will not be accepted after 12:00 PM local time on January 16, 2026. The bidder agrees that this bid will not be withdrawn for a period of 60 calendar days after the closing time for receipt of bids.

(Name of Firm Submitting Bid)

The following documents are to be included with this bid:

- ☐ Bid Submission Checklist (this form)
- ☐ Bid Price Form
- ☐ Addenda Acknowledgement Form
- ☐ Bid Security (Including Power of Attorney if bid security is in the form of a bond)
- ☐ Consent of Surety
- ☐ Bidder's Experience Affidavit
- ☐ Bidder's Disclosure Form
- ☐ Bidder's Affidavit of Authorization
- ☐ Corporate Resolution Form
- ☐ Moral Integrity Affidavit
- ☐ Non-Collusion Affidavit
- ☐ Subcontractor Use Form
- ☐ Proof of Valid Business Registration Certificate (For Contractor and all listed subcontractors)
- ☐ Proof of Registration in accordance with the Public Works Contractor Registration Act (For Contractor and all listed subcontractors)
- ☐ Notice to All Bidders of Set-Off for State Tax
- ☐ Disclosure of Investment Activities in Iran Form
- ☐ Certification of Non-Debarment for Federal Government Contracts [N.J.S.A. 52:32-44.1 (P.L. 2019, C.406)]
- ☐ MacBride Principles Form
- ☐ Certification of Non-Involvement in Prohibited Activities in Russia or Belarus
- ☐ Affirmative Action EEO Form
- ☐ Acknowledgement of Notice of Penalties
- ☐ Project Schedule and Narrative
- ☐ Phasing Plan

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00300 – BID SHEETS

ADDENDA ACKNOWLEDGEMENT FORM

The bidder acknowledges receipt and incorporation into this bid of the following addenda:

Addendum Number: _____

Addendum Date: _____

By: _____
(Name of Bidder)

(Signature)

(Type or Print Name and Title)

(Business Address)

(Phone Number)

Date: _____

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00300 - BID SHEETS

BID PRICE FORM

Contract Name: NJSEA Lyndhurst Admin Building Envelope Improvements

I (we) hereby propose to furnish and install all work associated with the work described in these Bid Documents for the **NJSEA Lyndhurst Admin Building Envelope Improvements**.

Base Bid:

Total amount for the furnishing of all labor, materials, services, equipment and appliances required in conjunction with and properly incidental to all work, in conformance with all bid documents and contract documents.

In case of a discrepancy between the amount shown in words and the amount shown in figures, the amount shown in words shall govern.

Contractor shall provide pricing for total project scope:

LUMP SUM BASE BID TOTAL PRICE:

(\$ _____)
Total Lump Sum - *in words*

(\$ _____)
Total Lump Sum - *in figures*

I, or We, hereby commit to completing these project tasks within:

Number of Calendar Days to Complete

Contractor Signature

If this Bid shall be accepted by the NJSEA, and the undersigned shall fail to contract as aforesaid, the NJSEA shall be entitled to recover from the Bidder those moneys as specified in Article 7.0 of the **INSTRUCTIONS TO BIDDERS**.

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00300 – BID SHEETS

Add Alternates:

The three (3) Add Alternates are **not** to be summed in the Base Bid Price but may be applied in the selection process of the successful bidder as the project budget allows. NJSEA may elect to do one, some, all, or neither of the add alternates.

Add Alternate	Items
#1	Stair Tower Windows – See Specification 01 23 00
#2	Exposed Steel Pile Painting – See Specification 01 23 00
#3	Roll Down Shades – See Specification 01 23 00

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00300 - BID SHEETS

ADD ALTERNATE #1: Contractor shall provide pricing for item number 1.
TOTAL ALTERNATE #1 PRICE:

(\$ _____)
Total Lump Sum - *in words*

(\$ _____)
Total Lump Sum - *In figures*

I, or We, hereby commit to complete these project tasks within:

Number of Calendar Days to Complete

Contractor Signature

ADD ALTERNATE #2: Contractor shall provide pricing for item number 2.
TOTAL ALTERNATE #2 PRICE:

(\$ _____)
Total Lump Sum - *in words*

(\$ _____)
Total Lump Sum - *In figures*

I, or We, hereby commit to complete these project tasks within:

Number of Calendar Days to Complete

Contractor Signature

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00300 - BID SHEETS

ADD ALTERNATE #3: Contractor shall provide pricing for item number 3.
TOTAL ALTERNATE #3 PRICE:

(\$ _____)
Total Lump Sum - *in words*

(\$ _____)
Total Lump Sum - *In figures*

I, or We, hereby commit to complete these project tasks within:

Number of Calendar Days to Complete

Contractor Signature

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00300 - BID SHEETS

UNIT PRICING

See Specification 01 22 00

ITEM NO.	ITEM	UNIT PRICE	UNIT
1.	EIFS Repair Type R1	\$_____	Per lin. ft.
2.	EIFS Repair Type R2	\$_____	Per sq. ft.
3.	EIFS Repair Type R3	\$_____	Per sq. ft.
4.	EIFS Repair Type R4	\$_____	Per sq. ft.
5.	EIFS Repair Type R5	\$_____	Per sq. ft.
6.	Coating Existing Steel Piles	\$_____	Per pile
7.	Sill Blocking & Metal Framing Replacement	\$_____	Per opening

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00300 - BID SHEETS

If a Corporation:

Name of Company _____

Business Address _____

Business Telephone Number _____

Incorporated under the laws of the State of _____

Signature and Title of Bidder _____

(Signature)

(Typed Name)

(Typed Title)

Name of President _____

Name of Secretary _____

Name of Treasurer _____

Date _____

(Affix Corporate Seal Here)

**Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00300 – BID SHEETS**

If a Partnership, Individual, or Non-Incorporated Organization:

Name of Company _____

Business Address _____

Business Telephone Number _____

Signature and Title of Bidder _____
(Signature)

(Typed Name)

(Typed Title)

Dated _____

Typed Names and Addresses of Company Members:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

(Use Additional Sheets if Necessary)

END OF SECTION 00300

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00400 - SAMPLE BID FORMS

Section 00400

SAMPLE BID FORMS

**Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00400 - SAMPLE BID FORMS**

SECTION 00410

BID BOND FOR PROJECT CN-302

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned _____ as Principal, and _____ as Surety, are hereby held and firmly bound unto the NEW JERSEY SPORTS AND EXPOSITION AUTHORITY (NJSEA) for the penal sum of \$_____ for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors, and assigns; effective on the latest date of signature at the end of the above referenced Contract.

The condition of the above obligations is such that whereas the Principal attached hereto and hereby made a part hereof to enter into the above referenced Contract.

NOW THEREFORE:

- If said Bid shall be rejected; or in the alternate,
- If said Bid shall be accepted and the Principal shall execute and deliver a contract on the Form of Contract attached hereto (properly completed in accordance with said Bid) and shall furnish a bond for the faithful performance of said Contract, and for the payment of all persons performing labor or furnishing materials in connection therewith, and shall in all other respects perform the agreement created by the acceptance of said Bid, then this obligation shall be void, otherwise the same shall remain in force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated.

The Surety, for value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no way impaired or affected by an extension of the time within which the NJSEA may accept such Bid; and said Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, the day and year first set forth above.

(Typed Firm Name/ Address)

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**Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00400 - SAMPLE BID FORMS**

SECTION 00411

CONSENT OF SURETY FOR PROJECT CN-302

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of \$1.00, lawful money of the United States, the receipt whereof is hereby acknowledged, paid the undersigned corporation, and for other valuable consideration, _____

_____ (Name of Surety Company), a corporation organized and existing under the laws of the State of _____ and licensed to do business in the State of New Jersey, certifies and agrees, that if this Contract is awarded to _____ (Name of Bidder)

the undersigned corporation will execute the bond or bonds as required by the Contract Documents, and will become Surety in the full amounts set forth Documents, for the faithful performance of all obligations of the Contractor.

(Surety)

(Must be accompanied by the usual proof of authority of surety company officers to execute the same).

END OF SECTION 00411

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00400 – SAMPLE BID FORMS

SECTION 00420

BIDDERS EXPERIENCE AFFIDAVIT: PROJECT CN-302

Any businesses incorporated outside the State of New Jersey shall furnish a certificate proving they are authorized by the Secretary of the State of New Jersey to do business in the State of New Jersey prior to contract award.

The **BIDDER** shall document their experience by completing the form below, or on sheets to be attached. The list shall include **AT LEAST THREE PROJECTS COMPLETED WITHIN THE LAST FIVE YEARS**, which are similar in scope and size to that proposed in this Contract.

All listed subcontractors refer to the individual specifications for qualification requirements to be submitted.

<u>Project Name & Address</u>	<u>Name and # of Contact</u>	<u>Completion Date</u>	<u>Description of Work</u>	<u>Contract Amount</u>
<u>1.</u>				
<u>2.</u>				
<u>3.</u>				

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00400 - SAMPLE BID FORMS

This information will assist the NJSEA to judge the bidder's experience, skill, and business standing. **Bidders failing to furnish all the required information may be disqualified.**

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

_____.

(Signature)

(Typed Name)

Date: _____

(Typed Address)

END OF SECTION 00420

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00400 – SAMPLE BID FORMS

SECTION 00424

OWNERSHIP DISCLOSURE FORM



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

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.
Please answer all questions and complete the information requested.

- | | YES | NO |
|---|--------------------------|--------------------------|
| 1. The vendor is a Non-Profit Entity ; and therefore, no disclosure is necessary. | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. The vendor is a Sole Proprietor ; and therefore, no other disclosure is necessary.
A Sole Proprietor is a natural person who owns an unincorporated business by himself or herself. A limited liability company with a single member is not a Sole Proprietor. | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. The vendor is a corporation, partnership, or limited liability company . | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. If you answered YES to Question 3, do any individuals (including a single 100% owner), partners, members, stockholders, corporations, partnerships, or limited liability companies owning a 10% or greater interest; and therefore, disclosure is necessary. | <input type="checkbox"/> | <input type="checkbox"/> |

If you answered **YES** to Question 4, you must disclose the information requested in the space below.*

- (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 |
|---|--------------------------|--------------------------|
| 5. For each of the corporations, partnerships, or limited liability companies identified in response to Question #4 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 5, you must disclose the information requested in the space below.*

- (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	

- | | YES | NO |
|---|--------------------------|--------------------------|
| 6. The vendor is a publicly traded company. | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. 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. If any person holds a 10% or greater beneficial interest, also 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. * <i>Attach additional sheets if necessary</i> | | |

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00400 - SAMPLE BID FORMS

SECTION 00426

BIDDER'S AFFIDAVIT OF AUTHORIZATION: PROJECT CN-302

State of _____

ss:

County of _____

_____ (Name of Bidder), being duly sworn, deposes and says that:

- he/she resides at _____;
- he/she is the _____ (Title) who signed the Bid Forms for this Contract.
- he/she is duly authorized to sign, and that the Bid is a true offer of the Bidder, and the seal attached is the seal of the Bidder; and,
- all the declarations and statements contained in the Bid 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_____

END OF SECTION 00426

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00400 - SAMPLE BID FORMS

SECTION 00427

CORPORATE RESOLUTION FORM FOR PROJECT CN-302

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)

END OF SECTION 00427

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00400 - SAMPLE BID FORMS

SECTION 00428

MORAL INTEGRITY AFFIDAVIT: PROJECT CN-302

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: _____
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.

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00400 - SAMPLE BID FORMS

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:

(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_____

END OF SECTION 00428

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00400 - SAMPLE BID FORMS

SECTION 00480

NON-COLLUSION AFFIDAVIT: PROJECT CN-302

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 Bidder making the Bid for this Contract.
- I execute the Bid with the full authority to do so.
- Said Bidder has not directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above named Project.
- All statements contained in said Bid 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 Bid and this affidavit in awarding this Contract.

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

Subscribed and sworn to
before me this ____ day
of _____ 20__.

(Type or print name under signature)

(Notary Public)

My commission expires _____, 20_____

END OF SECTION 00480

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00400 - SAMPLE BID FORMS

SECTION 00482

SUBCONTRACTOR USE FORM: PROJECT CN-302

In accordance with the provisions of SECTION 00100, Article 20, of these Contract Documents, furnish below the company name, address, telephone number, and the name of contact person for each subcontractor to be used in the performance of the Work. Experience statements shall be attached hereto for each company.

NOTE: If no work will be subcontracted, indicate NONE.

Type of Work: _____
Name: _____
Address: _____
Subcontractor's EIN No. _____

Type of Work: _____
Name: _____
Address: _____
Subcontractor's EIN No. _____

Type of Work: _____
Name: _____
Address: _____
Subcontractor's EIN No. _____

Type of Work: _____
Name: _____
Address: _____
Subcontractor's EIN No. _____

Type of Work: _____
Name: _____
Address: _____
Subcontractor's EIN No. _____

Type of Work: _____
Name: _____
Address: _____
Subcontractor's EIN No. _____

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00400 - SAMPLE BID FORMS

Type of Work: _____

Name: _____

Address: _____

Subcontractor's EIN No. _____

Type of Work: _____

Name: _____

Address: _____

Subcontractor's EIN No. _____

Respectfully submitted,

By: _____

Name of Firm

Date

Signature

Type or Print Name and Title

Business Address

Telephone

END OF SECTION 00482

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00400 - SAMPLE BID FORMS

SECTION 00483

PROOF OF VALID BUSINESS REGISTRATION CERTIFICATE FOR STATE AGENCY AND
CASINO SERVICE CONTRACTS - DEPARTMENT OF TREASURY DIVISION OF
REVENUE: PROJECT CN-302

The Bidder shall provide proof of valid business registration with the Division of Revenue. A copy of the registration for the Bidder and for all listed subcontractors shall be attached to this form.

END OF SECTION 00483

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00400 - SAMPLE BID FORMS

SECTION 00484

PROOF OF REGISTRATION WITH THE PUBLIC WORKS CONTRACTOR REGISTRATION

ACT - DEPARTMENT OF LABOR - PROJECT CN-302

The Bidder shall provide proof of valid registration with the Public Works Contractor Registration Act. A copy of the registration for the Bidder and for all listed subcontractors shall be attached to this form.

END OF SECTION 00484

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00400 – SAMPLE BID FORMS

SECTION 00485

NOTICE TO ALL BIDDERS OF SET-OFF FOR STATE TAX: PROJECT CN-302

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: _____

END OF SECTION 00485

**Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00400 – SAMPLE BID FORMS**

SECTION 00489

DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN FORM



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 _____

Duration of Engagement _____
Anticipated Cessation Date _____
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

DPP Rev. 2.1.2021

END OF SECTION 00489

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00400 – SAMPLE BID FORMS

SECTION 00490

FEDERAL NON-DEBARMENT CERTIFICATION

STANDARD BID DOCUMENT REFERENCE	
Name of Form:	FEDERAL NON-DEBARMENT CERTIFICATION
Statutory Reference:	N.J.S.A. 52:32-44.1 (P.L. 2019, c.406)
Description:	Meets statutory criteria for certification of non-debarment by a federal government agency.

Summary of the Certification Requirements under N.J.S.A. 52:32-44.1

Pursuant to state law any natural person, company, firm, association, corporation, or other entity prohibited, or “debarred,” from contracting with the federal government agencies, shall also be prohibited from contracting for public work in the state of New Jersey. This prohibition also extends to any affiliate organization(s) held by or subject to the control of an entity of that prohibited person or entity.

Prior to awarding a contract for public work a local unit must obtain written certification from the contracting person or entity through the form below, attesting to their non-debarment from contracting with federal government agencies. Contracting units are reminded that they must fill-in the boilerplate information in the certification sections of Parts II through IV regarding their name and type of contracting unit before using the form.

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00400 – SAMPLE BID FORMS

CERTIFICATION OF NON-DEBARMENT FOR FEDERAL GOVERNMENT CONTRACTS

N.J.S.A. 52:32-44.1 (P.L. 2019, c.406)

This certification shall be completed, certified to, and submitted to the contracting unit prior to contract award, except for emergency contracts where submission is required prior to payment.

PART I: VENDOR INFORMATION	
Individual or Organization Name	
Address of Individual or Organization	
DUNS Code (if applicable)	
CAGE Code (if applicable)	
Check the box that represents the type of business organization:	

- ☐ Sole Proprietorship (skip Parts III and IV) ☐ Non-Profit Corporation (skip Parts III and IV)
- ☐ For-Profit Corporation (any type) ☐ Limited Liability Company (LLC) ☐ Partnership
- ☐ Limited Partnership ☐ Limited Liability Partnership (LLP)
- ☐ Other (be specific): _____

PART II – CERTIFICATION OF NON-DEBARMENT: Individual or Organization			
I hereby certify that the individual or organization listed above in Part I is not debarred by the federal government from contracting with a federal agency. I further acknowledge: that I am authorized to execute this certification on behalf of the above-named organization; that the New Jersey Sports and Exposition Authority is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the date of contract award by the municipality to notify the municipality in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the municipality , permitting the municipality to declare any contract(s) resulting from this certification void and unenforceable.			
Full Name (Print):		Title:	
Signature:		Date:	

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00400 – SAMPLE BID FORMS

PART III – CERTIFICATION OF NON-DEBARMENT: Individual or Entity Owning Greater than 50 Percent of Organization	
Section A (Check the Box that applies)	
<input type="checkbox"/>	Below is the name and address of the stockholder in the corporation who owns more than 50 percent of its voting stock, or of the partner in the partnership who owns more than 50 percent interest therein, or of the member of the limited liability company owning more than 50 percent interest therein, as the case may be.
Name of Individual or Organization	
Home Address (for Individual) or Business Address	
OR	
<input type="checkbox"/>	No one stockholder in the corporation owns more than 50 percent of its voting stock, or no partner in the partnership owns more than 50 percent interest therein, or no member in the limited liability company owns more than 50 percent interest therein, as the case may be.
Section B (Skip if no Business entity is listed in Section A above)	
<input type="checkbox"/>	Below is the name and address of the stockholder in the corporation who owns more than 50 percent of the voting stock of the organization's parent entity, or of the partner in the partnership who owns more than 50 percent interest in the organization's parent entity, or of the member of the limited liability company owning more than 50 percent interest in organization's parent entity, as the case may be.
Stockholder/Partner/Member Owning Greater Than 50 Percent of Parent Entity	
Home Address (for Individual) or Business Address	
OR	
<input type="checkbox"/>	No one stockholder in the parent entity corporation owns more than 50 percent of its voting stock, no partner in the parent entity partnership owns more than 50 percent interest therein, or no member in the parent entity limited liability company owns more than 50 percent interest therein, as the case may be.
Section C – Part III Certification	

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00400 – SAMPLE BID FORMS

<p>I hereby certify that no individual or organization that is debarred by the federal government from contracting with a federal agency owns greater than 50 percent of the Organization listed above in Part I or, if applicable, owns greater than 50 percent of a parent entity of _____ . I further acknowledge: that I am authorized to execute this certification on behalf of the above-named organization; that the New Jersey Sports and Exposition Authority is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the date of contract award the municipality to notify the municipality in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the municipality, permitting the municipality to declare any contract(s) resulting from this certification void and unenforceable.</p>			
Full Name (Print):		Title:	
Signature:		Date:	

Part IV – CERTIFICATION OF NON-DEBARMENT: Contractor – Controlled Entities	
Section A	
<input type="checkbox"/>	<p>Below is the name and address of the corporation(s) in which the Organization listed in Part I owns more than 50 percent of voting stock, or of the partnership(s) in which the Organization listed in Part I owns more than 50 percent interest therein, or of the limited liability company or companies in which the Organization listed above in Part I owns more than 50 percent interest therein, as the case may be.</p>
Name of Business Entity	Business Address
Add additional sheets if necessary	
OR	
<input type="checkbox"/>	<p>The Organization listed above in Part I does not own greater than 50 percent of the voting stock in any corporation and does not own greater than 50 percent interest in any partnership or any limited liability company.</p>

**Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00400 – SAMPLE BID FORMS**

Section B (skip if no business entities are listed in Section A of Part IV)			
<input type="checkbox"/>	Below are the names and addresses of any entities in which an entity listed in Part III A owns greater than 50 percent of the voting stock (corporation) or owns greater than 50 percent interest (partnership or limited liability company).		
	Name of Business Entity Controlled by Entity Listed in Section A of Part IV		Business Address
Add additional Sheets if necessary			
OR			
<input type="checkbox"/>	No entity listed in Part III A owns greater than 50 percent of the voting stock in any corporation or owns greater than 50 percent interest in any partnership or limited liability company.		
Section C – Part IV Certification			
<p>I hereby certify that the Organization listed above in Part I does not own greater than 50 percent of any entity that that is debarred by the federal government from contracting with a federal agency and, if applicable, does not own greater than 50 percent of any entity that in turns owns greater than 50 percent of any entity debarred by the federal government from contracting with a federal agency. I further acknowledge: that I am authorized to execute this certification on behalf of the above-named organization; that the New Jersey Sports and Exposition Authority is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the date of contract award by the municipality to notify the municipality in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the municipality, permitting the municipality to declare any contract(s) resulting from this certification void and unenforceable.</p>			
Full Name (Print):		Title:	
Signature:		Date:	

END OF SECTION 00490

**Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00400 – SAMPLE BID FORMS**

SECTION 00491

MACBRIDE PRINCIPLES FORM



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 NAME: _____

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. 52:34-12.2, 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.

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

DPP Rev. 12.13.2021

END OF SECTION 00491

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00400 – SAMPLE BID FORMS

SECTION 00492

CERTIFICATION OF NON-INVOLVEMENT IN PROHIBITED ACTIVITIES IN RUSSIA OR
BELARUS



**CERTIFICATION OF NON-INVOLVEMENT IN
PROHIBITED ACTIVITIES IN RUSSIA OR BELARUS**

Pursuant to N.J.S.A. 52:32-60.1, et seq. ([L. 2022, c. 3](#)) any person or entity (hereinafter "Vendor"¹) that seeks to enter into or renew a contract with a State agency for the provision of goods or services, or the purchase of bonds or other obligations, must complete the certification below indicating whether or not the Vendor is identified on the Office of Foreign Assets Control (OFAC) Specially Designated Nationals and Blocked Persons list, available here: <https://sanctionssearch.ofac.treas.gov/>. If the Department of the Treasury finds that a Vendor has made a certification in violation of the law, it shall take any 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, certify that I have read the definition of "Vendor" below, and have reviewed the Office of Foreign Assets Control (OFAC) Specially Designated Nationals and Blocked Persons list, and having done so certify:

(Check the Appropriate Box)

- ☐ A. That the Vendor is not identified on the [OFAC Specially Designated Nationals and Blocked Persons list on account of activity related to Russia and/or Belarus](#).
- OR**
- ☐ B. That I am unable to certify as to "A" above, because the Vendor is identified on the [OFAC Specially Designated Nationals and Blocked Persons list on account of activity related to Russia and/or Belarus](#).
- OR**
- ☐ C. That I am unable to certify as to "A" above, because the Vendor is identified on the [OFAC Specially Designated Nationals and Blocked Persons list](#). However, the Vendor is engaged in activity related to Russia and/or Belarus consistent with federal law, regulation, license or exemption. A detailed description of how the Vendor's activity related to Russia and/or Belarus is consistent with federal law is set forth below.

(Attach Additional Sheets If Necessary.)

Signature of Vendor's Authorized Representative	Date
Print Name and Title of Vendor's Authorized Representative	Vendor's FEIN
Vendor's Name	Vendor's Phone Number
Vendor's Address (Street Address)	Vendor's Fax Number
Vendor's Address (City/State/Zip Code)	Vendor's Email Address

¹ Vendor means: (1) A natural person, corporation, company, limited partnership, limited liability partnership, limited liability company, business association, sole proprietorship, joint venture, partnership, society, trust, or any other nongovernmental entity, organization, or group; (2) Any governmental entity or instrumentality of a government, including a multilateral development institution, as defined in Section 1701(c)(3) of the International Financial Institutions Act, 22 U.S.C. 262r(c)(3); or (3) Any parent, successor, subunit, direct or indirect subsidiary, or any entity under common ownership or control with, any entity described in paragraph (1) or (2).

END OF SECTION 00492

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00400 - SAMPLE BID FORMS

SECTION 00493

AFFIRMATIVE ACTION EEO

Complete Form AA201 (Initial Project Workforce Project)

END OF SECTION 00493

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SECTION 00400 - SAMPLE BID FORMS

SECTION 00494

ACKNOWLEDGEMENT OF NOTICE OF PENALTIES IMPOSED BY N.J.S.A. 54:49-4.1 FOR
FAILURE TO COMPLY WITH N.J.S.A. 52:32-58

ACKNOWLEDGEMENT OF NOTICE OF PENALTIES IMPOSED BY N.J.S.A. 54:49-4.1 FOR
FAILURE TO COMPLY WITH N.J.S.A. 52:32-58

Please be advised that failure to provide a copy of a business registration as required pursuant to section 1 of P.L.2001, c.134 (C.52:32-44 et al.) or subsection e. or f. of section 92 of P.L.1977, c.110 (C.5:12-92), or that provides false information of business registration under the requirements of either of those sections, shall be liable for a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration copy not properly provided under a contract with a contracting agency or under a casino service industry enterprise contract.

I, the undersigned, acknowledge receipt of this notice:

Signature: _____

Name: _____

Designation: _____

Date: _____

END OF SECTION 00494

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SAMPLE CONTRACT

SECTION 00500

SAMPLE CONTRACT FOR PROJECT CN-302

This Contract, effective on the latest date of signature at the last page, by and between the New Jersey Sports & Exposition Authority, One DeKorte Park Plaza, Lyndhurst, New Jersey, 07071, hereinafter called the NJSEA, the party of the first part, and:

Here in after called the Contractor, the party of the second part.

WITNESSETH, that whereas the NJSEA intends to execute the Contract for **NJSEA Lyndhurst Admin Building Envelope Improvements** hereinafter called the Project or the Work, in accordance with Specifications, and other Contract Documents.

1.0 PARTS OF CONTRACT

1.1 The parties agree that the conditions contained in the following documents which comprise and are hereinafter called the Contract Documents are made part of this Contract and are binding on both parties as if all conditions contained in the Contract Documents were set forth in this Contract:

- 00010 Advertisement for Bids
- 00100 Instructions to Bidders
- 00300 Bid
- 00400 Bid Forms
- 00500 Contract
- 00700 General Conditions
- 00800 Specific Project Requirements
- 01000 General Requirements
- 02000 Technical Specifications
 - Photos and Drawings
 - Addenda
 - Change Orders

2.0 TIME FOR COMPLETION

2.1 Work under this Contract shall be completed within 365 consecutive calendar days from the date specified from the Notice-To-Proceed

2.2 All final submittals (as built, subcontractor releases) as well as all work must be completed within the 365 days.

WITNESSETH, that the said CONTRACTOR, for and in consideration of the payments specified hereinafter and agreed to be made by the NJSEA, hereby covenants and agrees to furnish and deliver all the materials and perform all the work required to be furnished in and about the described premises in strict and entire conformance with all of the Contract Documents.

**Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SAMPLE CONTRACT**

3.0 SUBCONTRACTORS

- 3.1 The Contractor agrees to bind every subcontractor by the terms of the Contract Documents. The Contract Documents shall not be construed as creating any contractual relations between any subcontractor and the NJSEA. Relations between the Contractor and subcontractors are further defined in the GENERAL CONDITIONS.

4.0 WORK

- 4.1 The Contractor agrees to furnish all the necessary labor, materials, equipment, tools, and services necessary to perform and complete all work required for the construction of the Project, in strict compliance with the Contract Documents herein mentioned, which are hereby made a part of the Contract, including the following Addenda:

<u>ADDENDUM No.</u>	<u>DATE</u>
_____	_____
_____	_____

5.0 PRICES FOR WORK

- 5.1 The NJSEA shall pay based on the prices in the bid, and the Contractor shall receive the prices stipulated in the bid as full compensation for everything furnished and performed by the Contractor under this Contract, including all work required but not specifically mentioned, and also for all loss or damage arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen obstruction or difficulty encountered in the prosecution of the work, and for all risks of every description connected with the work, and for all expenses incurred by or in consequence of the suspension or discontinuance of the work as herein specified, and for well and faithfully completing the work and the whole thereof, as herein provided.

6.0 PAYMENTS

- 6.1 Payments will be made in accordance with the GENERAL CONDITIONS
- 6.2 In consideration of the covenants contained herein, the NJSEA hereby agrees to pay the CONTRACTOR for said work.

The cost for the Work of this Contract shall not exceed \$_____.

\$ _____
(Amount in Words)

7.0 WAIVERS

- 7.1 Neither the inspection by the NJSEA nor any of its agents, nor any orders, measurements of certificate by the Project Representative, nor any order by the NJSEA for the payment of money nor payment for, nor acceptance of, the whole nor any part of the work by the NJSEA nor any extension of time nor any possession taken by the NJSEA or its employees, shall operate as a waiver of any provision of this Contract, or of any power herein reserved to the NJSEA, or any right to damages herein provided, nor shall any waiver of any breach of this

Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SAMPLE CONTRACT

Contract be held to be a waiver of any other or subsequent breach. Any remedy provided in this Contract shall be taken and construed as cumulative, that is, in addition to each and every other remedy herein provided, and in addition to all other suits, actions, or legal proceedings, the NJSEA shall also be entitled as of right to writ of injunction against any breach of any of the provisions of this Contract.

8.0 INDEMNIFICATION

- 8.1 The Contractor shall assume all risk of, and responsibility for, and agrees to indemnify, defend, and save harmless the NJSEA, the project Representative and their employees from and against any and all claims, demands, suits, actions, recoveries, judgments and costs and expenses in connection therewith on account of the loss of life, property, injury, or damage to the person, body or property of any person or persons whatsoever, which shall arise from or result directly or indirectly from the work and/or materials supplied under this Contract. This indemnification obligation is not limited by, but is in addition to, the insurance obligations contained in this Contract.

9.0 PROJECT REPRESENTATIVE'S STATUS DURING THE PROJECT

- 9.1 All work under this Contract shall be done under the observation of the Project Representative. The Project Representative shall decide on any and all questions that may arise as to the quality and acceptability of materials furnished, work performed, rate of progress of work, interpretation of Plans and Specifications, and all questions as to the acceptable fulfillment of the Contract on the part of the Contractor.
- 9.2 The Project Representative shall be an employee or agent of NJSEA. In addition, the Project Representative may designate additional individuals to act on his/her behalf on a temporary basis, depending on the type of work occurring at the Project Site. At all times, these individuals shall have the same responsibilities and authority as the Project Representative. In addition, throughout the Contract Documents, the term "Project Representative" refers to the Project Representative and his/her designates.
- 9.3 The Project Representative shall make visits to the site to observe the progress and quality of the executed Work and to determine if it is proceeding in accordance with the Contract Documents. On the basis of such visits and observations, the Project Representative will keep the NJSEA informed of the quality and progress of the Work.
- 9.4 The Project Representative may authorize minor variations in the Work, which do not involve an adjustment in the Contract Price or the Contract Time and are consistent with the overall intent of the Contract Documents. If the Contractor believes that a variation issued as minor justifies an increase in the Contract Price and/or an extension of the Contract Time, the Contractor may make a claim therefore.
- 9.5 The Project Representative may reject Work believed to be defective. The Project Representative also has the authority to require special inspection and testing of the Work, whether or not it has been fabricated, installed or completed.
- 9.6 The Project Representative shall not be responsible for the means, methods, techniques, sequences or procedures of the Contractor's performance of the Work, or the safety programs and precautions incident thereto. The Project Representative will not be responsible for the

**Project CN-302 NJSEA Lyndhurst Admin Building Envelope Improvements
SAMPLE CONTRACT**

failure of the Contractor to furnish or perform the Work in accordance with the Contract Documents.

- 9.7 The Project Representative will not be responsible for acts of omission by the Contractor or any of his subcontractors or suppliers furnishing or performing any of the Work.

10.0 CONTRACTOR'S BANKRUPTCY

- 10.1 In the event of bankruptcy of the Contractor, the NJSEA shall use the Performance and Payment Bond to complete the project. The Performance and Payment Bond shall specifically include coverage and protection against bankruptcy of the Contractor.

11.0 SUCCESSORS AND ASSIGNS

- 11.1 This Contract and all of the covenants hereof shall inure to the benefit of and be binding upon the NJSEA and the Contractor respectively and partners, successors, assigns and legal representatives. Neither the NJSEA nor the Contractor shall have the right to assign, transfer or sublet his interests or obligations hereunder without notice to and written consent of the other party.

IN WITNESS THEREOF, _____ and the NJSEA have executed this Contract at the place and on the date immediately adjacent to their respective signatures.

FOR THE CONTRACTOR:

(Witness)

(Typed Name of Firm)

(Date)

(Signature of Bidder)

(Typed Name of Bidder)

(Typed Title of Bidder)

FOR THE NJSEA:

(Witness)

Nicolas Mammano,
President and Chief Executive Officer

(Date)

END OF SECTION 00500