

WEST NEW YORK
School District

6028 Broadway, West New York, NJ 07093
www.wnyschools.net

Maximizing all students' potential
for success in an ever changing world.

Dean Austin

*Business Administrator
Board Secretary*

daustin@wnyschools.net
Phone (201) 553-4000 x30063
Fax (201) 902-2299

November 26, 2024

To Whom It May Concern:

The West New York School District's Spring Athletic Season is set to commence April, 2025 and ends June, 2025.

The West New York Board of Education (the "Board") invites you to bid on the attached proposal for:

**Memorial High School - Spring Athletic Bid
2024-2025
BID NO. : MHSSA 24-25**

The sealed bids are to be received on **Wednesday December 18, 2024, at 2:00 p.m.** (Prevailing Time):

Your particular attention is directed to the submission of the bid guarantee required in the amount of 10% of the bid submitted but not in excess of \$20,000.00: the quantities which are approximate and will be ordered as requested by the Board; and the specification requirements that successful bidder's quotation will be considered firm for sixty (60) days from the date of receipt of bid (see General Specification items #6 and #7).

Bidders are cautioned to review the specifications for additional required provisions and documents, the latter including, but not limited to the following: Bid Guarantee, Guarantee Certificate (Consent of Surety or Surety Consent), NJ Business Registration Certificate, and other.

Proposals can be secured by contacting the Business Office or by visiting district's online site at (<https://bit.ly/3gCZLd8>). **Please mark your firm's name on each document and margin of submissions page.**

Please be reminded that the Board reserves its right to accept reasonable equivalents and to reject all bids in accordance with N.J.S.A. 18A:18A-22. If all bids are rejected, the Board will either re-advertise or pursue alternative purchasing means, including via state contracted vendors.

Best Regards,
Dean Austin

School Business Administrator | Board Secretary

WEST NEW YORK BOARD OF EDUCATION REQUEST FOR BIDS
Bid Advertisement

The Board of Education of the Town of West New York, New Jersey, hereby advertises for competitive bids in accordance with N.J.S.A. 18A:18A-21 (a, b) for the School Year **2024-2025**:

	<u>Bid Number</u>	<u>TITLE</u>
Bid No.	MHSSA 24-25	Memorial High School Spring Athletic Bid

All necessary bid specification and bid forms may be secured upon written request to:

Mr. Dean Austin
School Business Administrator | Board Secretary
West New York Board of Education
6028 Broadway, West New York, NJ 07093-2808
Phone# (201) 553-4000 ext. 30063, Fax # (201) 902-2299

Or downloaded from the district's website:
<https://bit.ly/3gCZLd8>

Bids must be sealed, the envelope to bear the following information:

Title: **Memorial High School Spring Athletic Bid**

Bid No: **MHSSA 24-25**

Name and Address of Bidder: _____

And delivered either by mail, express delivery service, or dropped off in exterior drop box, to the Business Office of the West New York Board of Education on or before:

Date: December 18, 2024
Time: 2:00 p.m.

No bids shall be received after the time designated in the advertisement (N.J.S.A. 18A:18A-21(b)). The Board of Education does not accept electronic (e-mail) submission of bids.

All bidders are required to comply with the requirements of N.J.S.A. 10:5-31 et. seq., Affirmative Action Against Discrimination and N.J.A.C. 17:27 et. seq.

Each bid shall be accompanied by a bid bond, cashier's check or certified check mad payable to the West New York Board of Education, for ten percent (10%) of the amount of the total bid, however, not to exceed \$20,000.00.

Corporate bidders are required by law (Chapter 33, Laws of 1977) to submit a list of names and addresses of all stockholders owning 10% or more of their stock.

A Non-Collusion Affidavit and a Contractor Questionnaire/Certification also must be filed with the bid. The bid package will also include other documents that must be completed and returned with the bid. Failure to comply with Instructions to Bidders and to complete and submit all required forms may be cause for disqualification and rejection of the bid.

All bidders shall submit with their bid package a copy of the New Jersey Business Registration Certificate as issued by the Department of the Treasury of the State of New Jersey. (N.J.S.A. 52:32-44)

The Board of Education reserves the right to reject any or all bids pursuant to N.J.S.A. 18A: 18A-2(s), (t), (x), (y), 18A:18A-4(a), 18A:18A-22, and to waive any informalities. The Board further reserves the right to award such alternates as it deems appropriate, and in any order that the Board feels may be in the best interest of the West New York Public School District.

Mr. Dean Austin
School Business Administrator | Board Secretary

**West New York Board of Education
West New York, New Jersey**



Goods and Services

**Bid Specifications
&
Performance Specifications
for**

Memorial High School Spring Athletic Bid


Bid No: MHSSA 24-25

Wednesday, December 18, 2024

Bid Opening Date

2:00 p.m.

Bid Opening Time



Mr. Dean v. B. Austin
School Business Administrator | Board Secretary

ETHICS

ETHICS IN PURCHASING
Statement to Vendors

School District Responsibility

Recommendation of Purchases

It is the desire of the West New York Board of Education to have all Board employees and officials practice exemplary ethical behavior in the procurement of goods, materials, supplies, and services.

School district officials and employees who recommend purchases shall not extend any favoritism to any vendor. Each recommended purchase should be based upon quality of the items, service, price, delivery, and other applicable factors in full compliance with N.J.S.A. 18A:18A-1 et.seq.

Solicitation/Receipt of Gifts – Prohibited

School district officials and employees are prohibited from soliciting and receiving funds, gifts, materials, goods, services, favors, and any other items of value from vendors doing business with the West New York Board of Education or anyone proposing to do business with the West New York School District.

Vendor Responsibility

Offer of Gifts, Gratuities -- Prohibited

Any vendor doing business or proposing to do business with the West New York Public School District, shall neither pay, offer to pay, either directly or indirectly, any fee, commission, or compensation, nor offer any gift, gratuity, or other thing of value of any kind to any official or employee of the West New York Public School District or to any member of the official's or employee's immediate family.

Vendor Influence -- Prohibited

No vendor shall cause to influence or attempt to cause to influence, any official or employee of the West New York Public School District, in any manner which might tend to impair the objectivity or independence of judgment of said official or employee.

No communication shall be conducted by the vendor with any District employee, regarding this RFP other than with those district employees who are explicitly authorized by way of statutory authority vested in their title and/or position within the district's organization structure (e.g. Qualified Purchasing Agent, Business Administrator, Business Manager). **Violation of this provision may result in the rejection of Proposal.**

Vendor Certification

Vendors or potential vendors will be asked to certify that no official or employee of the West New York Board of Education or immediate family members are directly or indirectly interested in this request or have any interest in any portions of profits thereof. The vendor participating in this request must be an independent vendor and not an official or employee of the West New York Board of Education.

Dean Austin
 School Business Administrator | Board Secretary

**WEST NEW YORK BOARD OF EDUCATION
BUSINESS OFFICE**

TO: All Vendors

UNAUTHORIZED ORDERS

Official Notification

Authorized Purchases

The West New York Board of Education only recognizes purchases made through the approved purchase order process. All purchases require a:

Written Purchase Order with authorized signatures and a Purchase Order Number.

Unauthorized Purchases

Any Board of Education employee who orders and/or receives any materials, supplies or services without first going through the approved purchase order process has made an unauthorized purchase.

Change Orders

Approval process for change orders must comply with provisions under **N.J.A.C. 5:30-11.1 et seq.**

Vendors' Responsibility

• **Do NOT Honor Requests!**

Vendors are not to honor or accept any requests for goods or services unless the vendor receives a **written purchase order** with **authorized signatures** and a **purchase order number**.

• **Contact the Business Office!**

Please alert Dean Austin at (201) 553-4000 if any Board employee attempts to place an order without an authorized purchase order or effect a change order without proper approvals.

• **You will NOT Get Paid!**

The West New York Board of Education will not be held responsible for any unauthorized orders, change orders or purchases.

Authorized Signatures

The West New York Board of Education will only recognize purchase orders signed by:

Clara Herrera
Superintendent of Schools

Dean Austin
**School Business Administrator
Board Secretary**

WEST NEW YORK BOARD OF EDUCATION
Business Office
 6028 Broadway West New York, NJ 07093-2808

ADVISORY INFORMATION FOR RESPONDENTS

1. PROMPTNESS OF PROPOSAL SUBMITTAL

It is the responsibility of the respondent to ensure that their proposal is presented in a sealed envelope at the District's Business Office, Office of the School Business Administrator or designee, prior to the advertised date and time fixed for closure of the Proposal period. This will occur promptly for this Proposal on **Friday, December 18, 2024 @ 2:00 P.M.** No extensions or exceptions will be made. The Business Office is opened Monday through Friday from 8:00 am – 4:00 pm according to the school calendar. Access to the Business Office may be delayed because of parking. Respondents may also submit proposals to the School Business Administrator or his designee at the proposal opening meeting to be held in the Conference Room at **6028 Broadway West New York, NJ** prior to the advertised proposal opening date and time. Once again, proposals will not be received after the time designated in the advertisement.

2. PARKING

Parking in the vicinity of the West New York Board of Education Administration Building is at a premium. ***Allow enough time to locate a parking space.*** Be prepared to park two or three blocks from the Board Offices.

3. MAIL

Mail is brought to the Board Offices in mailbags, approximately 11:00 a.m. each day. The mail is then sorted within the district system, by departments. The Business Office routinely receives its mail at approximately 11:30 a.m.

4. UPS / FED EX / AND OTHER EXPRESS DELIVERY SERVICES

Deliveries of this type are usually made from 10:00 a.m. on. These items are delivered to the district central warehouse. The warehouse personnel deliver the packages to the respective locations throughout the district. There may be some delay in getting Proposals to the Business Office.

5. HAND DELIVER PROPOSALS – SUGGESTED PRACTICE

Keeping the aforementioned items in mind, the Board suggests that respondents arrange to hand deliver their proposal to the Business Office, and personally turn it in to the office of the School Business Administrator before the advertised date and time. Please understand that Proposals arriving after the advertised date and time for any reason, cannot be accepted or opened or considered.

**WEST NEW YORK BOARD OF EDUCATION
MEMORIAL HIGH SCHOOL SPRING ATHLETIC BID
2024-2025**

Qualified Product Specification:

**BRAND NAMES AND/OR DESCRIPTIONS USED IN THESE SPECIFICATIONS ARE TO ACQUAINT
THE BIDDERS WITH THE TYPES OF GOODS AND SERVICES DESIRED.**

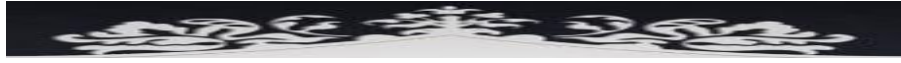
**THEY WILL BE USED AS A STANDARD BY WHICH GOODS AND SERVICES OFFERED AS
EQUIVALENT WILL BE EVALUATED.**



**MHS SPRING 2024-2025
ATHLETIC FINAL**

Memorial High School Spring 2024-2025 ATHLETICS

LIST. NO.	ITEM	ITEM #	LETTERING SIZES	QUANTITY	UNIT PRICE	TOTAL PRICE
	Under Armour Rival Fleece Hood	1379757	One color Screen "Memorial Athletics"	40		
	Jerzee Tee-Shirts	29M	Two Color Screen Print Front and Back TBD- Color TBD	300		
	Jerzee Tee-Shirts	29 M	One Color Screen Print on Front "Memorial Strength"	60		
	Jerzee Tee-Shirts	29 M	One Color Screen Print on Front "Memorial Soccer"	60		
	Russell Hoods	695hbm	One Color Screen Print Front and Back TBD	30		



**MHS SPRING 2024-2025
BOYS' BASEBALL**

Memorial High School Spring 2024-2025 Boys' BASEBALL

LIST. NO.	ITEM	ITEM #	LETTERING SIZES	QUANTITY
	"Wilson A1010 HS1 Pro Series"			10 Dozen
	"Wilson A1035 Champion Series"			5 Dozen
	"Richardson PT20 custom caps		Embroidery M 12 (S-M) 12 (L-XL)	24
	"Easton Game Ready Backpack -Orange "		Embroidery Orange Clemson Paw w/Baseball in text underneath	25
	"Alleson Baseball pants w/multi-color piping "		"Wht w/Black and Orange Piping Grey w/Orange and Wht Piping, Blach w/Orange and Wht piping"	60
	UA M's Command Warm-Up Shortsleeve Hoody	1383262	Embroidery Orange Clemson Paw w/Baseball in text underneath	30
	UA M's Rival Fleece 1/4 zip	1386016	Embroidery Orange Clemson Paw w/Baseball in text underneath	25
	UA M's Zone Woven Pant	1383401	Embroidery Orange Clemson Paw w/Baseball in text underneath	25
	UA M's Team Tech Short Sleeve DKO/WHT 860	1376842	"Memorial in text (black) w/Baseball in Text (white) *Maybe paw in middle"	25
	UA M's Tech Vent 7"Short DKO/WHT 860	1388645	Embroidery Orange Clemson Paw w/Baseball in text underneath	25
	Easton Z5 2.0 Matte Two-Tone Helmet	Z52MT2TS	Wht/Blk Trim Senior (7 1/8- 7 1/2) w/Orange Clemson Paw	6



**MHS SPRING 2024-2025
GIRLS' SOFTBALL**

Memorial High School Spring 2024 - 2025 Girls' SOFTBALL

LIST. NO.	ITEM	ITEM #	LETTERING SIZES	QUANTITY
	Nike Digital Vapor Select2 V-Neck Jersey and Pant Set (NikeTeam Custom)	FB2737, FB2742	White/ Orange Pinstripes and Lettering/Black Outline - S - #1 - #12	25
	TEAM U NIKE DRY VISOR V2	DC421	Orange Visor - White CLEMSON PAW in center Black Outline	25
	NIKE TEAM LEGEND LONG SLEEVE CREW	727980	White - S(12), M(6) L (3) XL(2) XXL(2) "M" on right chest, "SOFTBALL" under "M"	25
	NIKE STOCK LONG SLEEVE WINDSHIRT	D09170	BLACK - S(12), M(6) L (3) XL(2), XXL(2) "M" on left chest, "SOFTBALL" under "M"	25
	NIKE AIR ZOOM PEGASUS 41	FD2722-001	Men Black/Anthracite/Black - 10, 11.5	2
	NIKE TEAM BOOSTER CAP CUSTOM	384448	6 - ALL BLACK	6
	2025 EASTON GHOST	E00703241	Unlimited -10 (32,33)	2
	TCK Classic 2-1 Stir Up Socks	2IN1-B-R1211-209- L	White/Orange - Large	3 Dozen
	TCK Solid Socks	S-PTWT1-227-L	Orange - Large	3 Dozen
	TCK Solid Socks	S-PTWT1-026-L	Black - Large	4 Dozen
	SCOREBOOK & LINEUP CARDS Aid	N/A	N/A	2
		TTPAD-1	1 size	2
	BOWNET WHEELED BUCKET BAG	BN-WHL	Black	1
	INDOOR TURF HITTING MAT	N/A	N/A	1



**MHS SPRING 2024-2025
BOYS' VOLLEYBALL**

Memorial High School Spring Boys' VOLLEYBALL 2024 - 2025

LIST. NO.	ITEM	ITEM #	LETTERING SIZES	QUANTITY
	Men's UA Tech Polo	Style #: 1290140	1 Men's Large, Left Chest Logo Embroidered 1 Men's X-Large Left Chest Logo Embroidered	2
	Men's UA Tech™ Team Polo https://www.underarmour.com/en-us/p/mens_ua_tech_team_polo/1370399.html?dvar_1370399_color=001&start=0	Style #: 1370399 White-100	1 Men's Large, Left Chest Logo Embroidered 1 Men's X-Large Left Chest Logo Embroidered	2
	Russel Performance Core Dri-Fit Tshirt Black https://www.russellathletic.com/men/tops/performance-shirts/men%E2%80%99s-dri-power-core-performance-t-shirt/629X2M.html	Style #: 629X2M	Orange:White Screen Printing Black outline Location: Center chest with "Memorial Volleyball" and tiger print underneath Sizes: 10 small, 15 medium, 10 large, 5 xlarge	40
	UA M's Rival Fleece 1/4 Zip	Style #: 1386016 Black/white-001	Embroided "M" with volleyball underneath on left chest. Sizes: 5 medium, 5 large,	10
	Adidas Tabela 23 Jersey	Style #: H44535	Screen print *White print with Orange Outline center chest-Memorial	25
	Adidas Tabela 23 Jersey	Style #: IB4934	Screen print *White print with Orange Outline center chest-Memorial	25
	Russel Men's Cotton Performance T-Shirt https://www.russellathletic.com/men/tops/performance-tees/mens-cotton-performance-t-shirt/	Style #: 64STTM0	Screen print *Orange print with Black Outline center chest- Block "M" with Memorial Volleyball under Sizes: S-10; M-15; L-10;XL-5	40
	Tachikara Volleyballs https://www.tachikara.com/sv5wsc-nyw.html	# SV5WSC	Orange, Black, and White	20
	Wilson Volleyballs https://www.wilson.com/en-us/product/k1-gold-volleyball-wv10001#size=57875&colors=101122	Style #: WV10001	White	3
	AF Training LongSleeve Tee	Style #: UJGJL2M	UA Eclipse Black with Orange Sleeves. Screen Printed Orange with White Outline MEMORIAL with Volleyball under. Block "M" on back neckline. Sizes: Small 2, Medium 4, Large 3, Extra Large 1	10



**MHS SPRING 2024-2025
BOYS' TENNIS**

Memorial High School Spring Boys' TENNIS 2024 - 2025

LIST NO.	ITEM	ITEM #	LETTERING SIZES	QUANTITY
N/A	Championship Extra Duty 3 Ball Can 24 Pack (Wilson.com)	N/A	N/A	9
N/A	Head Speed Pro Legend Tennis Racquet (head.com)	N/A	Grip Size 4&3/8:	<u>1</u>
N/A	Blade 26 V9 Tennis Racket	N/A	Grip Size 4&3/8:	<u>3</u>
N/A	Pro Overgrip 50 Pack (Wilson.com)	N/A	N/A	1
N/A	ALU Power Spin 127 Tennis String - Set (Luxilon.com from Wilson.com)	N/A	N/A	3
1Z4HB M	Dri-Power Fleece 1/4 Zip Pullover (Russell Catalog on ASB.com Website)	N/A	Size TBD Color Black- Logo: Memorial M with Memorial Tennis underneath in Orange	10
222772	Ladies Electrify Polo Powered by Coolcore (Holloway brand found on ASB.com website)	N/A	Size M x2 , Color Orange Heather, Logo: Memorial M with Memorial Tennis on right hand side, 'Coach' printed on Left hand side	2
JM2915	ClimaTech Tee (Adidas Catalog)	N/A	Sizes TBD Color Black - Logo: Memorial M with Memorial Tennis in Orange	10
JM8556	Utility Knit Short (Adidas Catalog)	N/A	Sizes TBD Color Black - Logo: Memorial M with Memorial Tennis in Orange on Right Leg	5
JX6941	FRESH SHORT SLEEVE TEE	N/A	Sizes TBD Color Black - Logo: Memorial M with Memorial Tennis	15
N/A	Court Jam Control 3M (Adidas Catalog)	N/A	Sizes: TBD - Color Black: - Logo: N/A	10
IX1875	Team Adjustable Visor (Adidas Catalog)	N/A	Sizes: N/A - Color: Black Logo: N/A	10
596HB M	Dri-Power Open Bottom Pocket Sweat Pants (Russell on ASB.com website)	N/A	Sizes TBD Color Black - Logo: Memorial 'M' w/ 'Memorial Tennis' in Orange Lettering	10

**MHS
FOOTBALL UNIFORMS**

Memorial High School Football Uniforms

LIST. NO.	ITEM	ITEM #	LETTERING SIZES	QUANTITY
	PRIMEKNIT AI GHOSTJERSEY	IC3470	Please view link for Design: Jerseys .	45
	PRIMEKNIT AI GHOSTPANTS	IC34S3	S=8/M=10/L=10/XL=10/2XL=4/3XL=3	45

West New York Board of Education West New York, New Jersey

Business Office
6028 Broadway
West New York, New Jersey 07093-2808

General Specifications



Dean Austin
School Business Administrator | Board Secretary

INSTRUCTIONS TO RESPONDENTS

1. **BIDS ARE TO BE RETURNED TO:**

Dean Austin
 School Business Administrator| Board Secretary
 Business Office
 West New York Board of Education
 6028 Broadway
 West New York, New Jersey 07093-2808

BY: 2:00 p.m. PREVAILING TIME

ON: Friday, December 18, 2024

by mail, delivery service or in person. Proposals that are submitted are to be sealed and will be unsealed and announced at the proposal opening meeting.

2. Bid Proposals must be placed in a sealed envelope/package and marked as shown below on the front of the envelope/package. Proposals must be submitted on the submittal forms as provided, and in the manner designated. The Board of Education requires one original and one PDF copy on a compact disk or USB drive of the proposal package. Respondents should also keep a complete copy of the proposal packet, exactly as submitted.

Envelope Label Information:

District:	<u>West New York Board of Education</u>
Bid Number:	<u>MHSSA 24-25</u>
Project:	<u>MHS Spring Athletic Bid</u>
Bid Date:	<u>Friday, December 18, 2024</u>
Bid Time:	<u>2:00 p.m.</u>
Bidder:	<u>Name of Company</u>
	<u>Address</u>
	<u>City, State Zip</u>

Failure to properly label the proposal envelope may lead to the rejection of the proposal!

3. **BID OPENING**

All bids will be publicly opened via Zoom Meeting, and read beginning at **2:00 p.m. on Friday, December 18, 2024**. Bidders and/or their authorized agents, and the general public are invited to be present at the bid opening. It is the responsibility of each bidder to ensure that their bid is complete, and presented to the Business Office before the bid date and time. Bids will not be accepted or received by the Board of Education after the advertised bid date and time. ([N.J.S.A 18A:18A-21\(b\)](#))

4. **AFFIRMATIVE ACTION REQUIREMENTS**

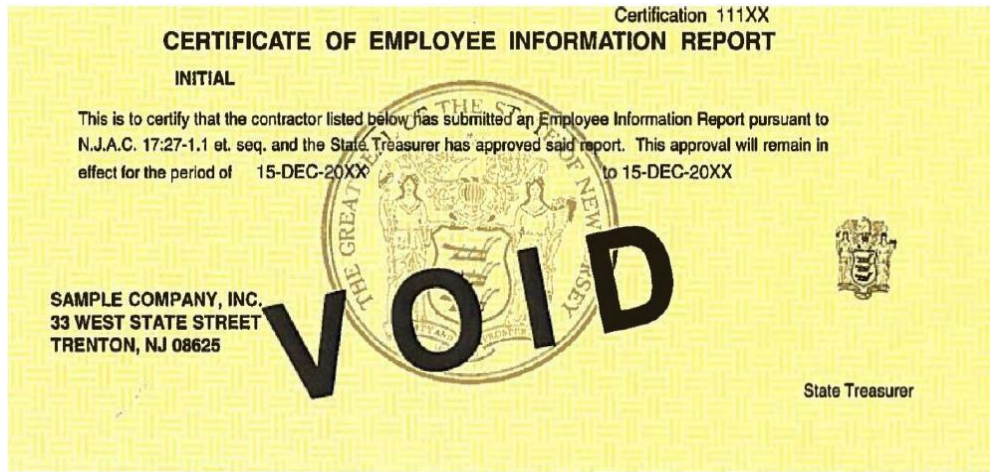
Each respondent shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

- i. Appropriate evidence that the respondent is operating under an existing federally approved or sanctioned affirmative action program; or
- ii. A certificate of employee information report approval issued in accordance with N.J.A.C. 17:27-4; or
- iii. An employee information report (Form AA302) provided by the Division and distributed to the public agency to be completed by the contractor, in accordance with N.J.A.C.17:27-4.

Please note: A completed and signed Affirmative Action Questionnaire is required with submission of proposal. However, the Board will accept in lieu of the Questionnaire, the Certificate of Employee Information Report.

If awarded a contract your company/firm will be required to comply with the requirements of N.J.S.A. 10:5- 31 et seq. and N.J.A.C. 17:27 et seq., and the terms and conditions of the Mandatory Equal Employment Opportunity Language.

Sample Certificate of Employee Information Report



* All respondents are requested to submit with their response, a copy of their firm’s Certificate of Employee Information Report. Failure to submit the Certificate or other required documents prior to the execution or award of contract will result in the rejection of the bid/proposal.

5. **AMERICANS WITH DISABILITIES ACT**

The contractor must comply with all provisions of the Americans with Disabilities Act (ADA), P.L 101-336, in accordance with 42 U.S.C. S121 01 et seq.

6. **ANTI-BULLYING BILL OF RIGHTS— REPORTING OF HARRASSMENT, INTIMIDATION AND BULLYING**

CONTRACTEDSERVICE

The contracted service provider shall comply with all applicable provisions of the New Jersey Anti-Bullying Bill of Rights Act—N.J.S.A. 18A:37-13.1 et seq., all applicable code and regulations, and the Anti-Bullying Policy of the Board of Education. The district shall provide to the contracted service provider a copy of the board’s Anti-Bullying Policy.

In accordance with N.J.A.C. 6A:16-7.7 (c), a contracted service provider, who has witnessed, or has reliable information that a student has been subject to harassment, intimidation, or bullying shall immediately report the incident to any school administrator or safe schools resource officer, or the School Business Administrator | Board Secretary.

7. **ANTI-DISCRIMINATION PROVISIONS—N.J.S.A. 10:2-1**

N.J.S.A. 10:2-1. Antidiscrimination provisions. Every contract for or on behalf of the State or any county or municipality or other political subdivision of the State, or any agency of or authority created by any of the foregoing, for the, alteration or repair of any public building or public work or for the acquisition of materials, equipment, supplies or services shall contain provisions by which the contractor agrees that:

a. In the hiring of persons for the performance of work under this contract or any subcontract hereunder, or for the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under this contract, no contractor, nor any person acting on behalf of such contractor or subcontractor, shall, by reason of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex, discriminate against any person who is qualified and available to perform the work to which the employment relates;

b. No contractor, subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee engaged in the performance of work under this contract or any subcontract hereunder, or engaged in the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under such contract, on account of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex;

c. There may be deducted from the amount payable to the contractor by the contracting public agency, under this contract, a penalty of \$50.00 for each person for each calendar day during which such person is discriminated against or intimidated in violation of the provisions of the contract; and

d. This contract may be canceled or terminated by the contracting public agency, and all money due or to become due hereunder may be forfeited, for any violation of this section of the contract occurring after notice to the contractor from the contracting public agency of any prior violation of this section of the contract.

No provision in this section shall be construed to prevent a board of education from designating that a contract, subcontract or other means of procurement of goods, services, equipment or shall be awarded to a small business enterprise, minority business enterprise or a women's business enterprise pursuant to P.L.1985, c.490 (C.18A:18A-51 et seq.).

8. **AWARD OF CONTRACT; RESOLUTION; NUMBER OF DAYS**

Any contract awarded under this process shall be made by resolution of the Board of Education. The award must be made within sixty (60) days of the receipt of the proposals, however subject to extension pursuant to N.J.S.A. 18A:18A-36(a).

9. **BUSINESS REGISTRATION CERTIFICATE (N.J.S.A. 52:32-44)**

Pursuant to N.J.S.A. 52:32-44 as amended, a contractor shall provide the contracting agency with the business registration of the contractor and that of any named subcontractor prior to the time a contract, purchase order, or other contracting document is awarded or authorized. At the sole option of the contracting agency, the requirement that a contractor provide proof of business registration may be fulfilled by the contractor providing the contracting agency sufficient information for the contracting agency to verify proof of registration of the contractor, or named subcontractors, through a computerized system maintained by the State.

Pursuant to N.J.S.A. 52:32-44 as amended by P.L. 2004 - Chapter 57, all respondents shall submit with their proposal package a copy of their "New Jersey Business Registration Certificate" as issued by the Department of Treasury of the State of New Jersey. Failure to provide the New Jersey Business Registration Certification with the proposal package, or prior to the award of contract, will be cause for the rejection of the entire proposal.

The Board reminds all respondents - Failure to submit their firm's New Jersey Business Registration Certificate prior to the award of contract will result in the rejection of the proposal.

A subcontractor named in a bid or other proposal made by a contractor to a contracting agency shall provide a copy of its business registration to any contractor who shall provide it to the contracting agency pursuant to the provisions of subsection b. of this section. No contract with a subcontractor shall be entered into by any contractor under any contract with a contracting agency unless the subcontractor first provides the contractor with proof of a valid business registration.

The contractor shall maintain and submit to the contracting agency a list of subcontractors and their addresses that may be updated from time to time during the course of the contract performance. A complete and accurate list shall be submitted before final payment is made for goods provided or services rendered or for

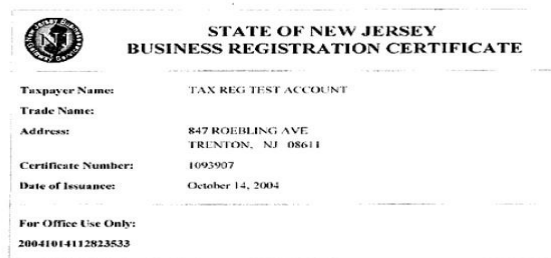
construction of a construction project under the contract. A contracting agency shall not be responsible for a contractor's failure to comply with this subsection.

A contractor or a contractor with a subcontractor that has entered into a contract with a contracting agency, and each of their affiliates, shall collect and remit to the Director of the Division of Taxation in the Department of the Treasury the use tax due pursuant to the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-1 et seq.) on all their taxable sales of tangible personal property delivered into this State.

Goods and Services Contracts

N.J.S.A. 52:32-44 imposes the following requirements on contractors and all subcontractors that **knowingly** provide goods or perform services for a contractor fulfilling this contract: **1)** The contractor shall provide written notice to its subcontractors to submit proof of business registration to the contractor; **2)** prior to receipt of final payment from a contracting agency, a contractor must submit to the contracting agency an accurate list of all subcontractors or attest that none was used; **3)** during the term of this contract, the contractor and its affiliates shall collect, remit, and notify all subcontractors and their affiliates that they must collect and remit to the Director of the New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act, (N.J.S.A. 54:32B-1 et seq.) on all sales of tangible personal property delivered into this State.

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



10. CERTIFICATE (CONSENT) OF SURETY

When required, each respondent shall submit with its proposal a certificate from a surety company stating that the surety company will provide the contractor with a performance bond in an amount equal to the amount of the contract (N.J.S.A. 18A:18A-25). Such surety company must be licensed and qualified to do business in the State of New Jersey. The certificate (consent) of Surety, together with a power of attorney, must be submitted with the proposal.

Failure to submit or to sign the Certificate (consent) of Surety will be cause for disqualification and rejection of proposal.

11. CONTRACTOR/VENDOR REQUIREMENTS—OFFICE OF THE NEW JERSEY STATE COMPTROLLER

Contractors/vendors doing business with the board of education are reminded of the following legal requirements pertaining to the Office of the New Jersey State Comptroller:

A. Access to Relevant Documents and Information—N.J.S.A. 52:15C-14 (d)

Private vendors or other persons contracting with or receiving funds from a unit in the Executive branch of State government, including an entity exercising executive branch authority, independent State authority, public institution of higher education, or unit of local government or board of education shall upon request by the State Comptroller provide the State Comptroller with prompt access to all relevant documents and information as a condition of the contract and receipt of public monies. The State Comptroller shall not disclose any document or information to which access is provided that is confidential or proprietary. If the State Comptroller finds that any person receiving funds from a unit in the Executive branch of State government, including an entity exercising executive branch authority, independent State authority, public institution of higher education, or unit of local government or board of education refuses to provide information upon the request of the State Comptroller, or otherwise impedes or fails to cooperate with any audit or performance review, the State Comptroller may recommend to the contracting unit that the person be subject to termination of their contract, or temporarily or permanently debarred from contracting with the contracting unit.

B. Maintenance of Contract Records—N.J.A.C. 17:44-2.2

Relevant records of private vendors or other persons entering into contracts with covered entities are subject to audit or review by OSC pursuant to N.J.S.A. 52:15C-14(d). The contractor/vendor to whom a contract has been awarded, shall maintain all documentation related to products, transactions or services under this contract for a period of five years from the date of final payment. Such records shall be made available to the New Jersey Office of the State Comptroller upon request.

12. CRIMINAL HISTORY BACKGROUND CHECKS—N.J.S.A. 18A:6-7.1--REQUIREMENT

When required, providers for the services of this contract, shall submit to the school district prior to commencement of contract, evidence or proof that each employee assigned to provide services and that comes in **regular contact with students**, has had a criminal history background check, and furthermore, that said background check indicates that no criminal history record information exists on file for that worker.

Failure to provide a proof of criminal history background check for any employee coming in **regular contact with students**, prior to commencement of contact, may be cause for breach of contract.

If it is discovered during the course of the contract that an employee has a disqualifying criminal history or the employee has not had a criminal history background check, that employee is to be removed from the as a service provider immediately.

13. DEBARMENT, SUSPENSION, OR DISQUALIFICATION

The West New York Board of Education will not enter into a contract for work with any person, company or firm that is on the State Department of Labor and Workforce Development; Prevailing Wage Debarment List, or the State of New Jersey Consolidated Debarment Report (www.state.nj.us/treasury/debarred).

All vendors responding to the competitive contracting RFP are required to submit a sworn statement indicating whether or not they, at the time of the proposal submission, are included on the State Department of Labor and Workforce Development; Prevailing Wage Debarment List or the State of New Jersey Consolidated Debarment Report, or the Federal Debarred Vendor List-Excluded Parties List System—System for Award Management—SAM.gov

14. DOCUMENTS, MISSING/ILLEGIBLE

The respondent shall familiarize himself with all forms* provided by the Board that are to be returned with the proposal. If there are any forms either missing or illegible, it is the responsibility of the respondent to contact the School Business Administrator | Board Secretary at (201) 553-4000 X 30063 for duplicate copies of the forms. This must be done before the proposal opening date and time. The Board accepts no responsibility for duplicate forms that were not received by the respondent in time for the respondent to submit with his proposal.

15. **DOCUMENT SIGNATURES – ORIGINAL; BLUE INK**

All documents returned to the Board shall be signed with an original signature in ink (blue). Failure to sign and return all required documents with the proposal package may be cause for disqualification and for the proposal to be rejected pursuant to N.J.S.A. 18A:18A-2(y) (non-responsive). The Board will not accept facsimile or rubber stamp signatures.

*Forms provided by the Board of Education that must be returned with proposal.

- **Acknowledgement of Addenda**
- **Affirmative Action Questionnaire or Certificate of Employee Information Report**
- **Chapter 271 – Political Contribution Disclosure Form**
- **Contractor/Vendor Questionnaire and Certification Form**
- **Iran - Disclosure of Investment Activities**
- **Non Collusion Affidavit**
- **Proposal Form**
- **Ownership Disclosure Statement**
- **Debarment Certificate**

*Please check your RFP package for these forms!

The respondent, by submitting a proposal, acknowledges that he has carefully examined the proposal specifications, documents, addenda (if any), and the site; and that from his investigation, he has satisfied himself as to the nature and location of the work, the general and local conditions and all matters which may in any way affect the work or its performance, and that as a result of such examination, he fully understands the intent and purpose thereof, his obligations thereunder, and that he will not make any claim for, or have any right to damages, because of the lack of any information.

Each respondent submitting a proposal for a service contract shall include in his proposal price all labor, materials, equipment, services, and other requirements necessary, or incidental to, the completion of the work, and other pertinent work as hereinafter described, in accordance with the proposal specifications and documents.

16. **FALSE MATERIAL REPRESENTATION – N.J.S.A. 2C:21-34-97(b)**

A person commits a crime if the person knowingly makes a material representation that is false in connection with the negotiation, award or performance of a government contract. If the contract amount is for \$25,000.00 or above, the offender is guilty of a crime of the second degree. If the contract amount exceeds \$2,500.00, but is less than \$25,000.00, the offender is guilty of a crime of the third degree. If the contract amount is for \$2,500.00 or less, the offender is guilty of a crime of the fourth degree.

Respondent should be aware of the following statutes that represent “Truth in Contracting” laws:

- N.J.S.A. 2C:21-34, et seq. governs false claims and representations by bidders. It is a serious crime for the bidder to knowingly submit a false claim and/or knowingly make material misrepresentation.
- N.J.S.A. 2C:27-10 provides that a person commits a crime if said person offers a benefit to a public servant for an official act performed or to be performed by a public servant, which is a violation of official duty.
- N.J.S.A. 2C:27-11 provides that a bidder commits a crime if said person, directly or indirectly, confers or agrees to confer any benefit not allowed by law to a public servant.
- Respondent should consult the statutes or legal counsel for further information.

17. **FINANCIAL GUARANTEE AND BONDING REQUIREMENTS**

Please note: The name, address, and phone number of the Bond Underwriter as well as the Bond Number shall be included with all bonds submitted to the Board of Education.

Financial Guarantee

Each proposal when required shall be accompanied by a bid bond, cashier's check or certified check for ten percent (10%) of the amount of the total contract, but not in excess of \$20,000 (twenty-thousand dollars). This guarantee shall be made payable to the West New York Board of Education. Such deposit shall be forfeited upon refusal of a respondent to execute a contract; otherwise, checks shall be returned when the contract is executed. The financial guarantee check for unsuccessful respondents will be returned as soon after the proposal opening as possible but in no event later than (10) days after the proposal opening.

Uncertified business checks, personal checks or money orders are not acceptable.

All bid bonds submitted must be signed and witnessed with original signatures. The Board will not accept facsimile or rubber stamp signatures on the bid bond. Failure to sign the bid bond by either the Surety or Principal shall be deemed cause for disqualification of the proposal. The Attorney-in-Fact who executes the bond on behalf of the surety shall affix to the bond a certified and current copy of the Power of Attorney.

The West New York Board of Education will only accept bid bonds from companies that are licensed and qualified to do business in the State of New Jersey. Such a list may be available upon request to the State of New Jersey, Department of Banking and Insurance, CN 325, Trenton, New Jersey 08625.

Failure to submit or failure to sign the financial guarantee shall be cause for disqualification and rejection of proposal.

18. **FORCE MAJEURE**

Neither party shall be liable in damages for any failure, hindrance or delay in the performance of any obligation under this Agreement if such delay, hindrance or failure to perform is caused by conditions beyond the control of either party, including, but not limited to, Acts of God, flood, fire, war or the public enemy, explosion, government regulations whether or not valid (including the denial or cancellation of any export or other necessary license), court order, state funding, or other unavoidable causes beyond the reasonable control of the party whose performance is affected which cannot be overcome by due diligence.

Vendors, and/or contractors who have a contract with the Board of Education to provide goods or services cannot unilaterally claim an increase in the cost of the contract because of Force Majeure.

19. **GENERAL CONDITIONS**

A. Authorization to Proceed-- Successful Contractor

No service shall be rendered by the successful contractor unless the vendor receives an approved purchase order authorizing the contractor to render the service.

B. Award of Contract

It is the intention of the West New York Board of Education to award the contract for this proposal pursuant to N.J.S.A. 18A:18A-4.3, 18A:18A-4.4(b), and 18A:18A-4.5(d,e).

C. Return of Contract Documents – when required

Upon notification of award of contract by the West New York Board of Education, the contractor may be required to sign and execute a formal contract with the Board. Successful vendor shall sign and execute said contract (if required) and return it, together with the following:

- Certificate of Liability Insurance with the West New York Board of Education names as an additional insured (if required) or Professional Liability Insurance (if required)

- Affirmative Action Evidence in the form of Certificate of Employee Information Report as issued by the Department of Treasury.
- Other required documents as may be outlined in the proposal specifications. **Within ten (10) days of receipt of notification** of award of contract, the executed contracts and related documents shall be returned to:

Dean v. B. Austin
 West New York Board of Education
 6028 Broadway West New York, NJ 07093-2808

Failure to execute the contract and return said contract and related documents within the prescribed time may be cause for a delay in payment for services rendered or products received or the annulment of award by the Board of Education with the financial security becoming property of the West New York Board of Education. The Board of Education reserves the right to accept the proposal of the next lowest responsible respondent.

D. Renewal of Contract; Availability and Appropriation of Funds –

The Board of Education may, at its discretion, request that a contract for services be renewed in full accordance with N.J.S.A. 18A:18A-42. The School Business Administrator, Board Secretary, may negotiate terms for a renewal of contract proposal and present such negotiated proposal to the Board of Education. All multi-year contracts and contract renewals are subject to the availability and appropriation annually of sufficient funds as may be needed to meet the extended obligation.

The Board of Education is the final authority in awarding renewals of contracts.

Contracts for professional services may be awarded only for twelve (12) months and cannot be renewed.

E. Term of Contract

The successful respondent, to whom the contract is awarded, will be required to do and perform the work/services and to provide and furnish the materials in connection therewith in accordance with the plans and specifications on or before the date listed in the Technical Specifications.

F. Purchase Order Required; Notice to Proceed

If a formal contract is not required by the Board of Education, an approved and signed Board of Education Purchase Order will constitute as a contractual agreement.

When a formal contract is required, the contractor shall sign and execute said contracts and return the contracts with other required documents to the Office of the: School Business Administrator | Board Secretary.

Failure to execute the contract and return said contract and related documents within the prescribed time may be cause for a delay in payment for services rendered or products received or the annulment of award by the Board of Education with any financial security becoming property of the Board of Education. The Board of Education reserves the right to accept the proposal of the next lowest responsible respondent.

No contractor or vendor shall commence any project or deliver any goods until he is in receipt of an approved purchase order authorizing work to begin or goods to be delivered.

G. Deadline for Submitting Proposals All proposals shall be addressed to:

Dean v. B. Austin
School Business Administrator | Board Secretary
6028 Broadway, West New York, NJ 07093-2808

All Bids Proposal(s) are to be received by the Board of Education no later than
Friday, December 18, 2024 @ 2:00 P.M.

Bid Proposal(s) received after the date and time noted shall not be considered or opened.

H. Number of Copies to be Submitted One (1) Original; One (1) electronic PDF Copy
The district requires one (1) original proposal and one (1) PDF copy to be submitted at the proposal date and time.

20. **INSURANCE AND INDEMNIFICATION**

The bidder to whom the contract is awarded for any service work or construction work shall secure, pay the premiums for and keep in force until the contract expires, insurance of the types and amounts listed below:

Commercial General Liability

General Aggregate	\$2,000,000
Products	\$2,000,000
Personal Injury	\$1,000,000
Each Occurrence	\$1,000,000
Fire Damage	\$50,000
Medical Expense	\$5,000

Excess Umbrella Liability

	\$4,000,000
Sexual Harassment	\$1,000,000

(A) Insurance Certificate – When Required

- a. The contractor must present to the Board of Education an insurance certificate in the above types and amounts before any work or service begins.
- b. Automobile liability insurance shall be included to cover any vehicle used by the insured.
- c. The certificate holder shall be as follows:

West New York Board of Education c/o The Business Office
6028 Broadway
West New York, NJ 07093-2808

- d. Additional Insured Claim -- The contractor must include the following clause on the insurance certificate.

“West New York Board of Education is named as an additional insured”

OTHER INSURANCES

WORKERS COMPENSATION Evidence of adequate Workers Compensation Insurance as required by the laws of the State of New Jersey and the United States, must be available for perusal. The minimum limits are the following, unless a greater amount is required by law:

Bodily Injury by Accident	\$1,000,000. Each Accident
Bodily Injury by Disease	\$1,000,000. Policy Limit
Bodily Injury by Disease	\$1,000,000. Each Employee
Contract Liability	Same as General Liability
Automobile Liability	\$1,000,000 Per Occurrence

(B) Indemnification

The contractor shall assume all risk of and responsibility for, and agrees to indemnify, defend, and save harmless the Board and its agents, employees and Board members, from and against any and all claims, demands, suits, actions, recoveries, judgments and costs and expenses (including, but not limited to, attorney’s fees) in connection therewith on account of the loss of life or property or injury or damage to any 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 or the performance of services by the contractor under the agreement or by a party for the whole contract is liable. This indemnification obligation is not limited by, but is in addition to, the insurance obligations contained in this agreement.

The Contractor is to assume all liability of every sort incident to the work, including property damage caused by Contractor or by any subcontractor employed by him or any of the subcontractor’s employees.

20(A) **INSURANCE; PROFESSIONAL LIABILITY – CERTIFICATE REQUIRED**

The successful respondent to whom the contract is awarded shall provide to the Board of Education with contract documents a Professional Liability Insurance Certificate with the following limits:

- \$1,000,000 Each Incident; Occurrence; Wrongful Act
- \$3,000,000 Aggregate

The insurance certificate name as to the certificate holder shall be as follows:

The West New York Board of Education
c/o The Business Administrator’s Office

and remain in full force during the term of contract.

21. **INTERPRETATIONS AND ADDENDA**

Respondents are expected to examine the RFP with care and observe all their requirements. A Pre- Submission Proposal Conference **will not be held**. Recipients of the RFP package will have the option of submitting comments and questions in writing to the appropriate individuals indicated above. All questions about the meaning or intent of this RFP, all interpretations and clarifications considered necessary by the District’s representative in response to such comments and questions will be issued by Addenda mailed or delivered to all parties recorded by the District as having received the RFP package. Only comments and questions responded to by formal written Addenda will be binding. Oral interpretations, statements or clarifications will be without legal effect.

No interpretation of the meaning of the specifications will be made to any respondent orally. Every request for such interpretations should be made in writing to the School Business Administrator must be received at least ten (10) days prior to the date fixed for the opening of proposals to be given consideration. Any and all interpretations and any supplemental instructions will be distributed in the form of written addenda to the specifications. The addenda will be provided in accordance with N.J.S.A. 18A:18A-21(c) to the respondents by certified mail or certified fax no later than seven (7) days Saturdays, Sundays, and holidays excepted, prior to the date for acceptance of proposals. All addenda so issued shall become part of the contract document.

22. **IRAN DISCLOSURE FORM N.J.S.A. 18A:18A-49.4**

The WNY BoE, pursuant to N.J.S.A. 18A:18A-49.4, shall implement and comply with Public Law 2012, c. 25, Disclosure of Investment Activities in Iran—N.J.S.A. 52:32-55 et seq.

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran.

The Chapter 25 list is found on the Division's website at:

<http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>.

If the Board determines that a person or entity has submitted a false certification concerning its engagement in investment activities in Iran under section 4 of P.L.2012, c.25 (C.52:32-58), the board shall report to the New Jersey Attorney General the name of that person or entity, and the Attorney General shall determine whether to bring a civil action against the person to collect the penalty prescribed in paragraph (1) of subsection a. of section 5 of P.L.2012, c.25 (C.52:32-59).

In addition, bidders must provide a detailed, accurate and precise description of the activities of the bidding person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes on the lower portion of the enclosed form.

Failure to complete, sign and submit the Disclosure of Investment Activities in Iran form with the bid shall be cause for rejection of the bid.

23. **LIABILITY – COPYRIGHT**

The contractor (vendor) shall hold and save the West New York Board of Education, its officials and employees, harmless from liability of any nature or kind for or on account of the use of any copyrighted or un-copyrighted composition, secret process, patented or unpatented invention, article or appliance furnished or used in the performance of his contract.

24. **LIQUIDATED DAMAGES**

Liquidated damages shall be assessed against the contractor in the amount as listed in the General Specifications and Contract should the contract/work/service not be completed in accordance with the plans and specifications. The Board reserves the right to set, adjust, reduce and/or to waive such assessment at its sole discretion.

25. **NON COLLUSION AFFIDAVIT (N.J.S.A. 2A:93-6)**

A notarized Non-Collusion Affidavit shall be submitted with the bid/proposal. The bidder/respondent has to certify that he has not directly or indirectly, entered into any agreement, participated in any collusion, discussed any or all parts of this proposal with any potential bidders, or otherwise taken any action in restraint of free, competitive bidding in connection with the above named bid, and that all statements contained in said Proposal and in this affidavit are true and correct, and made with full knowledge that the Board of Education relies upon the truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract for the said bid.

The respondent has to 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 of bona fide established commercial or selling agencies maintained by the respondent.

The West New York Board of Education has provided a Non-Collusion Affidavit form here within the specifications package. All respondents are to complete, sign, have the signature notarized and submit the form with the proposal response. A notarized Non-Collusion Affidavit must be submitted with the proposal package.

Failure to submit the Non-Collusion Affidavit with the proposal may be cause for the disqualification of the proposal.

26. **PAYMENTS**

Every effort will be made to pay vendors and contractors within thirty (30) to sixty (60) days provided the Board of Education receives the appropriate documentation including but not limited to:

- Signed voucher by vendor;
- Packing Slips; and
- Invoices.

Payment will be rendered upon completion of services or delivery of full order to the satisfaction of the Board of Education, unless otherwise agreed to by written contract or mandated by N.J.S.A. 18A:18A-40.1. The Board may, at its discretion may make partial payments. All payments are subject to approval by the Board of Education at a public meeting. Payment may be delayed from time to time depending on the Board of Education meeting schedule.

Invoices

The invoice clearly outlines the goods received or services rendered and the date(s) the services were rendered.

- The invoice must include the full name and address of the company.
- The invoice must include the board of education purchase order number.
- The invoice must have the company's invoice number that may be used as reference.
- The invoice must list the goods or services rendered.
- The invoice must be submitted to the Business Office.
- Invoices must be submitted within thirty (30) days of service.

27. **PERFORMANCE BOND**

When required, the successful vendor shall furnish a Performance, Payment and Completion Bond in a sum of at least one hundred percent (100%) of the total amount payable by the terms of this Contract. Such bond shall be in the form required by Statute.

Such bond shall further carry a stipulation that no advance, premature, excessive or delayed payments by the Owner shall in any way affect the obligation of the Surety on its bond.

Such bond shall further stipulate that no payments made to the Contractor, nor partial or entire use of occupancy of the work by the Owner shall be an acceptance of any work or materials not in accordance with this Contract and the Surety shall be equally bound to the same extent as the Contractor.

It is expressly stipulated that the Surety for the Contractor on the project shall be obligated to make periodic inquiries of the Owner at reasonable times, to determine whether its Principal has performed or was performing the Contract in accordance with all of its terms and conditions, particularly in relation to the progress payments scheduled under said Contract with the Owner.

In the event the Contractor defaults or fails to perform or finish the work prescribed under the Contract for any reason whatsoever, it shall become the unqualified obligation of the Surety for the defaulting contractor to complete the Contract in accordance with its terms following receipt of notice from the owner of such default.

Successful respondent shall execute formal contract with the Board in the form required and in such number of counterparts as the Board may request. Such Performance, Payment and Completion Bond shall be furnished and such Contracts shall be executed and delivered by the successful respondent within ten (10) days after the receipt by the successful respondent of notice accepting his proposal by the Board.

The West New York Board of Education will only accept performance bonds from surety companies that are licensed and qualified to do business in the State of New Jersey.

28. **POLITICAL CONTRIBUTION DISCLOSURE STATEMENT - PAY TO PLAY**

Annual Disclosure

A business entity as defined by law is advised of its responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-20.13 (P.L. 2005 Chapter 271 section 3) if the business entity receives contracts in excess of \$50,000 from public entities in a calendar year. It is the business entity's responsibility to determine if filing is necessary. Additional information on this requirement is available from the New Jersey Election Law Enforcement commission at 1-888-313-3532 or at www.elec.nj.us.

Chapter 271 Political Contribution Disclosure Form

Business entities (excluding those that are not non-profit organizations) receiving contracts in excess of \$17,500 from a board of education, are subject to the provisions of N.J.S.A. 19:44A-20.26. The law and rule provides that 10 days prior to the award of such a contract, the contractor shall disclose contributions to:

- **any State, county, or municipal committee of a political party**
- **any legislative leadership committee***
- **any continuing political committee (a.k.a., political action committee)**
- **any candidate committee of a candidate for, or holder of, an elective office:**

of the public entity awarding the contract

of that county in which that public entity is located or of another public entity within that county

or of a legislative district in which that public entity is located or, when the public entity is a county, of any legislative district which includes all or part of the county.

The disclosure must list reportable contributions to any of the committees that exceed \$300 per election cycle that were made during the 12 months prior to award of the contract. See N.J.S.A. 19:44A- 8 and 19:44A-16 for more details on reportable contributions.

The West New York Board of Education has provided a Chapter 271 Political Contribution Disclosure Form within the specifications package for use by the business entity. The Board has also provided a list of agencies to assist the contractor. The enclosed list of agencies is provided to assist the contractor in identifying those public agencies whose elected official and/or candidate campaign committees are affected by the disclosure requirement. It is the contractor’s responsibility to identify the specific committees to which contributions may have been made and need to be disclosed. The disclosed information may exceed the minimum requirement.

The enclosed Chapter 271 Political Contribution Disclosure form, a content-consistent facsimile, or an electronic data file containing the required details (along with a signed cover sheet) may be used as the contractor’s submission and is disclosable to the public under the Open Public Records Act.

POLITICAL CONTRIBUTIONS | AWARD OF CONTRACTS

Pursuant to N.J.A.C. 6A:23A-6.3 (a)(1-4) please note the following:

Award of Contract -- Reportable Contributions -- N.J.A.C. 6A:23A-6.3 (a) (1)

“No board of education will vote upon or award any contract in the amount of \$17,500 or greater to any business entity which has made a contribution reportable by the recipient under P.L.1973, c83 (codified at N.J.S.A. 19:44A-1 et seq.) to a member of the board of education during the preceding one-year period.”

Contributions During Term of Contract – Prohibited -- N.J.A.C. 6A:23A-6.3 (a) (2,3)

“Contributions reportable by the recipient under P.L. 1973, c83 (codified at N.J.S.A. 19:44A-1 et seq.) to any member of the school board from any business entity doing business with the school district are prohibited during the term of the contract.”

“When a business entity referred in 4.1(e) is a natural person, contribution by that person’s spouse or child that resides therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity.”

Chapter 271 Political Contribution Disclosure Form – Required --N.J.A.C. 6A:23A-6.3 (a) (4)

All respondents shall submit with their RFP package a completed and signed Chapter 271 Political Contribution Disclosure Form. The Chapter 271 form will be reviewed by the district to determine whether the vendor is in compliance with the aforementioned N.J.A.C. 6A:23A-6.3 (a) (2) Award of Contract.

The Chapter 271 Political Contribution Disclosure form shall be submitted with the response to the bid/proposal or no later than ten (10) days prior to the award of contract. Failure to provide the completed and signed form shall be cause for disqualification of the bid/proposal

29. **PRESENTATION AND INTERVIEWS**

The Board of Education may at its option, require providers of its choice to attend interviews and make presentations to district officials. This process may only take place after proposals have been opened and reviewed and prior to the completion of the evaluation. **Under no circumstances shall the provisions of the proposal be subject to negotiation—N.J.S.A. 18A:18A-4.5 (b)**

30. **PRE-SUBMISSION OF PROPOSAL MEETING**

The West New York Public School District will not hold a pre-submission of BID proposal.

31. **RFPONDENT’S REPOSIBILITY FOR PROPOSAL SUBMITTAL**

It is the responsibility of the respondent to ensure that their proposal is presented to the Business Office and officially received before the advertised date and time of the proposal. It is understood and agreed upon that any person in the Board of Education will be absolved from responsibility for the premature opening of any proposal not properly labeled and sealed.

32. **RIGHT TO KNOW LAW**

All potentially hazardous materials or substances must be properly labeled in full accordance with the New Jersey Right to Know Law - N.J.S.A. 34:5A-1 et seq. All contractors or vendors who need additional information about the New Jersey Right to Know Law are to contact the:

New Jersey Department of Health
 Right to Know Program
 CN 368
 Trenton, New Jersey 08625-0368
rtk@doh.state.nj.us

33. **STATEMENT OF OWNERSHIP**

Statement of Ownership

No business organization, regardless of form of ownership, shall be awarded any contract for the performance of any work or the furnishing of any goods and services, unless, **prior to the receipt of the bid or accompanying the bid** of said business organization, bidders shall submit a statement setting forth the names and addresses of all persons and entities that own ten percent or more of its stock or interest of any type at all levels of ownership.

The included Statement of Ownership shall be completed and attached to the bid proposal. This requirement applies to all forms of business organizations, including, but not limited to, corporations and partnerships, publicly-owned corporations, limited partnerships, limited liability corporations, limited liability partnerships, sole proprietorship, and Subchapter S corporations. **Failure to submit a disclosure document shall result in rejection of the bid as it cannot be remedied after bids have been opened.**

Not-for-profit entities should fill in their name, check the not-for-profit box, and certify the form. No other information is required.

34. **SUBCONTRACTING : ASSIGMENT OF CONTRACT**

Contractors, services providers, and all vendors with whom the Board of Education have an executed contract may not subcontract any part of any work done or assign any part of contract for goods or materials for the Board without first receiving written permission from the School Business Administrator.

Contractors, service providers, and vendors using subcontractors assume all responsibility for work performed by subcontractors. The Board Business Office may require the following documents to be secured from all approved subcontractors:

- Insurance Certificate as outlined in the proposal specifications;
- Affirmative Action Evidence as outlined in the proposal specifications;
- New Jersey Business Registration Certificate; and
- Other documents as may be required by the Board of Education.

In cases of subcontracting, the West New York Board of Education shall only pay the prime contractor. It is the sole responsibility of the prime contractor to ensure that all subcontractors are paid. The West New York Board of Education shall not be responsible for payments to subcontractors and shall be held harmless against any or all claims generated against prime contractors for non-payment to subcontractors.

Transportation carriers hired by the vendor to deliver goods and materials are not considered to be subcontractors.

35. **TAXES**

As a New Jersey governmental entity, the Board of Education is exempt from the requirements under New Jersey state sales and use tax (N.J.S.A. 54:32B-1 et. seq.), and does not pay any sales or use taxes. Respondents should note that they are expected to comply with the provisions of said statute and the rules and regulations promulgated thereto to qualify them for examinations and reference to any and all labor, services, materials and supplies furnished to the West New York Board of Education. Contractors may not use the Board's tax exempt status to purchase supplies, materials, service or equipment.

A contractor may qualify for a New Jersey Sales Tax Exemption on the purchase of materials, supplies and services when these purchases are used exclusively to fulfill the terms and conditions of the contract with the West New York Board of Education. All contractors are referred to New

Jersey Division of Taxation–Tax Bulletin S&U-3 for guidance. Again, contractors are not permitted to use the Board's tax identification number to purchase supplies, materials, services of equipment.

36. **TERMINATION OF CONTRACT**

If the Board determines that the contractor has failed to comply with the terms and conditions of the proposal upon which the issuance of the contract is based or that the contractor has failed to perform said service, duties and or responsibilities in a timely, proper, professional and/or efficient manner, then the Board shall have the authority to terminate the contract upon written notice setting forth the reason for termination and effective date of termination.

Termination by the Board of the contract does not absolve the contractor from potential liability for damages caused the District by the contractor's breach of this agreement. The Board may withhold payment due the contractor and apply same towards damages once established. The Board will act diligently in accordance with governing statutes to mitigate damages. Damages may include the additional cost of procuring said services or goods from other sources.

The contractor further agrees to indemnify and hold the District harmless from any liability to subcontractors or suppliers concerning work performed or goods provided arising out of the lawful termination of this agreement.

37. **WITHDRAWAL OF BID PROPOSALS**

BEFORE THE BID PROPOSAL OPENING

The School Business Administrator may consider a written request from a respondent to withdraw a proposal if the written request is received by the School Business Administrator before the advertised time of the

proposal opening. Any respondent who has been granted permission by the School Business Administrator to have his/her proposal withdrawn cannot re-submit a proposal for the same advertised proposal project. That respondent shall also be disqualified from future proposals on the same project if the project is re-advertised.

AFTER THE BID PROPOSAL OPENING

The Board of Education may consider a written request from a respondent to withdraw a proposal, if the written request is received by the School Business Administrator within five (5) business days after the proposal opening. A request to withdraw a proposal after the specified number of days will not be honored.

The contractor/vendor who wishes to withdraw a proposal must provide a certification supported by written factual evidence that an error or omission was made by the contractor and that the error or omission was a substantial computational error or an unintentional omission or both.

The request to withdraw a proposal after the proposal opening may be reviewed by the School Business Administrator, other interested administrators' and the Grant Writer of Record for the project (if necessary) and/or the Board Attorney and a recommendation will be made to the Board of Education. If the Board of Education grants permission to have the proposal withdrawn the contractor/vendor shall be disqualified from quoting on the same project if the project is re-advertised. If the contractor/vendor fails to meet the burden of proof to have the proposal withdrawn, the request to withdraw the proposal will be denied and if the contractor/vendor fails to execute the contract the bid guarantee will be forfeited and become property of the Board of Education.

38. **PRODUCT GUARANTEE; NO SUBSTITUTIONS**

The successful bidder shall guarantee that all goods and material supplied shall be new, unused and meet the specifications as noted in the bid. The Board of Education will not accept substituted items that deviated from the items listed on the purchase order.

39. **SAMPLES**

From time to time the Purchasing Agent may require the submission of samples either before or at the time of the bid, at no charge to the district, in order to ascertain whether or not a product will be suitable for the purpose for which it is intended. If it is specifically stated elsewhere in the bid documents that samples are required, full size samples must be submitted not later than the official BID OPENING. Failure to submit said samples may be regarded as a basis for rejecting the bid. Samples may be impounded until satisfactory completion of the contract. Otherwise, all samples must be picked up by the bidder within thirty (30) days of the award of contracts or said samples will be presumed abandoned and the Purchasing Agent will dispose of them as he sees fit.

40. **DELIVERY**

FOB Destination, Freight Prepaid - The successful bidder, to whom the contract is awarded, retains title and control of goods and selects the carrier and is responsible for the risk of transportation; title passes to the West New York Board of Education upon delivery and ownership by the Board; the successful bidder pays and bears the costs of all freight and delivery charges listed below. The Board of Education recognizes two (2) types of delivery:

A. **Inside Delivery**

Items are to be delivered to a Board of Education location and taken off the truck by transportation carrier personnel and brought to a designated area inside the school or office building.

B. **Spotted Delivery**

Items are to be delivered to a Board of Education location and taken off the truck by transportation carrier personnel and brought to a designated area inside the school or office building. Transportation carrier personnel are responsible to then uncrate, setup, assemble items to determine good working order and remove all debris to the satisfaction of the West New York Board of Education.

Vendors are cautioned to provide adequate personnel to deliver goods as none will be provided by the Board of Education.

If a specialized person is needed to setup, assemble or erect item, such assembly shall be completed within five (5) school days of the actual delivery date.

Failure to assemble, setup, or erect items within the stated time may result in a \$100.00 per day assessment against the bidder for each day items are not assembled, setup or erected.

The West New York Board of Education will not be responsible for any extra delivery costs. All bid prices for materials, goods and supplies are to include all shipping, freight, delivery and handling costs.

Specific delivery instructions are provided in the General Specifications.

Please note! All packages, boxes, cartons etc., when delivered, must be plainly marked on the outside as to contents, and the Board of Education’s purchase order number must be clearly printed on the packages, boxes, cartons, etc.

· Delivery Guarantee

The successful vendor(s) agree to deliver the item(s) so listed in the bid specifications within the prescribed number of days also outlined in the bid specifications.

Failure to deliver the designated items within the prescribed period of time shall cause the Board of Education to deduct penalties as per the schedule listed in the general specifications.

· Delivery Times

The successful vendor(s) shall deliver items to the schools Monday through Friday 9:00 a.m. through 12:00 NOON

Vendors are to secure written permission from the Coordinator of Building Services at (201) 553-4000 to deliver items during times other than previously mentioned.

41. **BID PRICE GUARANTEE** – Sixty (60) Days

When the Board of Education requests bid prices for supplies, materials and equipment, the winning bidder(s) shall agree to guarantee the bid price(s) for a period of sixty (60) days from the award of contract. Winning bidders may extend the bid price guarantee by written permission to the West New York Board of Education.

42. **BID PRICES**

In the event of discrepancy between the unit price and the extension or totals, the unit price will govern. The Board assumes no responsibility to recalculate totals if award is made on the basis of totals.

43. **BID PROPOSAL FORM**

All bids are to be typed or written in ink in a legible manner on the official Bid Proposal Form. Any bid price showing any erasure or alteration must be initialed by the bidder in ink, at the right margin next to the altered entry. Failure to initial any erasure or alteration may be cause to disqualify that particular bid entry. If the disqualified entry is a required one, the entire bid may be subject to rejection, so please fill out all entries with care.

The Bid Proposal Form must be duly signed by the authorized representative of the company in the appropriate space, at the end of the Bid Form. Failure to sign the Bid Proposal Form may be cause to disqualify the entire bid. If the Bid Proposal Form contains more than one sheet, then bidders are requested to affix the company name and address on each intervening sheet between the front sheet and the signature sheet which already bear the company information.

The Board of Education will not consider any bid on which there is any alteration to, or departure from, the bid specifications. Bidders are not to make any changes on the Bid Proposal Form, or qualify their bid with conditions differing from those defined in the contract documents. If bidders do make changes on the Bid Proposal Form, except as noted above for initialed clerical mistakes, it shall be cause to disqualify that particular bid as non-responsive [N.J.S.A. 18A:18A-2\(y\)](#).

By submitting a proposal, the bidder covenants that he has carefully examined the contract documents, addenda, if any, and the site; and that from his investigation, he has satisfied himself as to the nature and location of the work, the general and local conditions and all matters which may in any way affect the work or its performance, and that as a result of such examination, he fully understands the intent and purpose thereof, his obligations thereunder, and that he will not make any claim for, or have any right to damages, because of the lack of any information.

Each bidder submitting a bid for a service contract shall include in his bid price all labor, materials, equipment, services, and other requirements necessary, or incidental to, the completion of the work, and other pertinent work as hereinafter described, in accordance with the contract documents.

Bidders are to submit one bid price per item. The Board will not accept multiple bids on an individual basis, nor will the Board accept a "bottom line" or "all or none" bid subject to the bidder receiving the entire contract.

44. **BIDDER'S RESPONSIBILITY FOR BID SUBMITTAL**

It is the responsibility of the bidder to ensure that their bid is presented to the Business Office and officially received before the advertised date and time of the bid. It is understood and agreed upon that any person in the Board of Education will be absolved from responsibility for the premature opening of any bid not properly labeled and sealed.

45. **BRAND NAME OR EQUIVALENT**

- A. Brand names and/or descriptions used in these specifications are to acquaint the bidders with the types of goods and services desired and will be used as a standard by which goods and services offered as equivalent will be evaluated.
- B. Variations between the goods and services described and the goods and services offered are to be fully identified and described by the bidder on a separate sheet and submitted along with the bid proposal form. Vendor literature WILL NOT suffice in explaining exceptions to these specifications. In the absence of exceptions by the bidder, it will be presumed and required that the goods and services as described in the bid specification be provided or performed.
- C. It is the responsibility of the bidder to document and/or demonstrate the equivalency of the goods and services offered. The owner reserves the right to evaluate the equivalency of the goods and services.
- D. In submitting its bid, the bidder certifies that the goods and services to be furnished will not infringe upon any valid patent or trademark and that the successful bidder shall, at its own expense, defend any and all actions or suits charging such infringement, and will save and hold the owner harmless from any damages resulting from such infringement.
- E. The contractor shall guarantee any and all goods and services supplied under these specifications. Defective or inferior goods shall be replaced at the expense of the contractor. The contractor will be responsible for return freight or restocking charges.

Whenever the Board of Education requests a brand name for a particular item, it will consider a "brand name or equivalent". If the bidder desires to bid an equivalent item (by quality and performance) the bidder shall do the following:

- a. On the Bid Proposal Form, write in ink next to the item requested, the bidder's substitute item, including brand name, model number and full description of item.
- b. Alternatively, submission of brand name or equivalent alternatives can be done using blank forms attached in Appendix I, which mirror the List Number for "Brand or Equivalent" alternatives assigned to each item in the Bid Spec forms and can be filled in (typed or legibly handwritten) with brand or equivalent alternatives accordingly.

These are the only changes to the Bid Proposal Form the Board will accept:

- Vendor may apply specific brand and equivalent brands to a particular line-item, for which bid is requested, broken down by range of sizes. For example, if brand is requested for sneakers, and vendor

feels confident that they can only secure requested brand for sizes 6-10 and would like to propose a brand equivalent for sizes 10.5-13, they can do so for any line item, as in the following example:

Appendix I

List No. For Brand or Equivalent		Item	Item #	Quantity	Lettering/Sizes	Unit Price	Total Price
DVB-1	District's Request	"Brand Z"	xyz123	12	Sizes TBA		

DVB-1	Vendor's Response on Bid Spec form	"Brand Z"	xyz123	12	6-10	"bidder inserts price"	"bidder inserts totals"
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DVB-1	Vendor's Response on Appendix I Form	Brand X "bidder specifies model"	"bidder include item# from relevant source"	6	10.5-13	"bidder inserts price"	"bidder inserts totals"
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Full description of Brand Equivalent ("Brand X", in the example case) will be furnished by the bidder as part of their bid response, including what is provided for in the points below.

- a. Provide a sample of the substitute item(s) before or at the time of the bid opening. With the sample item shall be a paper, brochure or illustrative literature outlining the brand/manufacturer name, model number and full description of item.
- b. If a sample is not required the Board requests a brochure, pamphlet, or illustrative literature that outlines the specifications of the item including manufacturer's name, model number, etc.
- c. Failure to provide a sample item or literature about substitute bids when requested may be cause for disqualification of that item from the bid.
- d. It is the responsibility of the bidder to demonstrate equivalency of items offered.

Please note: Bidders are to only bid brand name or equivalent. The Board will not accept multiple bids on individual items.

46. **CHALLENGES TO BID SPECIFICATIONS** (N.J.S.A. 18A:18A-15)

Any prospective bidder who wishes to challenge a bid specification shall file such challenges in writing with the purchasing agent no less than three (3) business days prior to the opening of bids. Challenges filed after that time shall be considered void and having no impact on the Board of Education or the award of a contract.

47. **COMPLIANCE WITH ALL LAWS AND THE NEW JERSEY PREVAILING WAGE ACT**

Special attention is called to requirements for Public Liability and Property Damage Insurance, Workmen's Compensation Insurance, Social Security Act, Labor, Employment, Unemployment, Wages, Hours, Discrimination in Employment and Assignment of Contract.

The provisions of the New Jersey School Law shall bind all parties and interests to the Contract. Contractor shall comply with all Federal and State Laws, and all rules and regulations of health, public or other authorities controlling or limiting the methods, materials to be used or actions of those employed in work of this kind.

Any labor or material in addition to that described in the specifications and which is necessary to comply with these laws, rules, ordinances or regulations shall be provided by the Contractor.

Contractor shall keep himself informed of all existing and future State and Federal Laws in any manner affecting those engaged or employed in the work, and shall protect and indemnify the Owner, its officers, members and agents against any claim or liability arising from or based on the violation of any such law, ordinance, regulation order or defects.

Contractor is to comply with the New Jersey State Uniform Construction Code and the City of West New York Construction Code. Contractor is to obtain local municipal building permit and pay for same. Contractor is to abide by local inspection requirement.

Contractors will be required to pay prevailing wage rate as determined by the NJ prevailing wages on public contracts act at N.J.S.A. 34:11-56 et seq. and hold the district harmless from any and all claims losses, penalties, damages, and liabilities arising from contractors' failure to pay prevailing wages with respect to contract.

West New York Board of Education
Business Office
6028 Broadway
West New York, New Jersey 07093-2808

Bid Documents & Required Documentation

All documents in this section shall be completed, signed and submitted with the bid package – Failure to submit the bid documents and other documents so specified shall be cause to reject the bid for being non-responsive (N.J.S.A. 18A:18A-2(y)).

Dean Austin
School Business Administrator | Board Secretary



Goods & Services Bid Checklist

A. Required Documents to be Returned with Bid

1. Acknowledgement of Addenda
2. Affirmative Action Compliance Notice
3. Affirmative Action Questionnaire / Exhibit A - Mandatory Equal Employment Opportunity Language / Employee Information Report (Sample)
4. Bid Guarantee (Bid Bond, Cashier’s Check, or Certified Check)
5. Bid Proposal Form
6. Certificate (Consent) from Surety
7. Certificate of Employee Information Report (General Specification / Section 4 / Sample)
8. Chapter 271 Political Contribution Disclosure Form
9. Contractor/ Vendor Questionnaire / Certification
10. Debarred, Suspended or Disqualified Contactors - Affidavit
11. Disclosure of Investment Activities in Iran
12. New Jersey Business Registration Certificate (General Specification / Section 8 / Sample)
13. Non-Collusion Affidavit
14. Owner’s Disclosure Statement
15. References (not included in bid package – Please Provide)
16. W-9 Internal Revenue Service - (Sample)

The documents listed above are required, to be submitted with the bid package. Failure to submit them may be cause for disqualification for being non-responsive pursuant to N.J.S.A. 18A:18A-2(y).

B. Reminder Checklist

As a courtesy, the Office of the Purchasing Agent has prepared this reminder checklist for items pertaining to this bid. The checklist is not considered to be all-inclusive. Bidders are to read and become familiar with all instructions outlined in the bid package.

<u>Item</u>	<u>Yes</u>	<u>No</u>
1. Have you verified your pricing to ensure accuracy?		
2. Have you answered question fully and accurately?		
3. Have you signed all your documents (blue ink)? No facsimile signature.		
4. Have you prepared all documents for submission?		
5. Did you make a copy of the bid package for your records?		
6. Did you submit a Bid Guarantee? Consent of Surety? (Only if required)		
7. Did you correctly address the envelope? (Page 1 Item #2)		
8. Have you allowed ample time for the bid to reach the Business Office?		
9. Indicated “Brand Equivalent” where relevant?		

Thank you.

Dean Austin, School Business Administrator | Board Secretary

Acknowledgement of Addenda

The bidder acknowledges receipt of the hereinafter enumerated Addenda which have been issued during period of bidding and agrees that said Addenda shall become a part of this contract. The bidder shall list below the numbers and issuing dates of the Addenda.

<u>ADDENDA NO.</u>	<u>ISSUING DATES</u>
_____	_____
_____	_____
_____	_____
_____	_____

No Addenda Received

Name of Company _____

Address _____ P.O. Box _____

City, State, Zip Code _____

Name of Authorized Representative _____

Signature _____ **Date** _____

AFFIRMATIVE ACTION COMPLIANCE NOTICE
N.J.S.A. 10:5-31 and N.J.A.C. 17:27

GOODS AND SERVICES CONTRACTS
(INCLUDING PROFESSIONAL SERVICES)

This form is a summary of the successful bidder's requirement to comply with the requirements of N.J.S.A 10:5-31 and N.J.A.C. 17:27-1 et seq.

The successful bidder shall submit to the public agency, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

- (a) A photocopy of a valid letter that the contractor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);
OR
- (b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-4.
OR
- (c) A photocopy of an Employee Information Report (Form AA302) provided by the Division and distributed to the public agency to be completed by the contractor in accordance with N.J.A.C. 17:27-4.

The successful vendor may obtain the Affirmative Action Employee Information Report (AA302) from the contracting unit during normal business hours.

The successful vendor(s) must submit the copies of the AA302 Report to the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (Division). The Public Agency is submitted to the public agency, and the Vendor Copy is retained by the vendor.

The undersigned vendor certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A 10:5-31 and N.J.A.C. 17:27-1 et seq. and agrees to furnish the required forms of evidence.

The undersigned vendor further understands that his/her bid shall be rejected as non-responsive if said contractor fails to comply with the requirements of N.J.S.A 10:5-31 and N.J.A.C. 17:27-1 et seq.

(COMPANY)

(SIGNATURE)

(PRINT NAME)

(TITLE)

(DATE)

AFFIRMATIVE ACTION QUESTIONNAIRE

Bid Proposal No. **MHSSA 24-25**

Proposal Date: **Friday, December 18, 2024**

This form is to be completed and returned with the proposal. However, the Board will accept in lieu of this Questionnaire, Affirmative Action Certificate of Employee Information Report stapled to this page.

1. Our company has a federal Affirmative Action Plan approval. Yes No
If yes, please attach a copy of the plan to this questionnaire.

2. Our company has a N.J. State Certificate of Employee Information Report. Yes No
If yes, please attach a copy of the certificate to this questionnaire.

3. If you answered **“NO”** to both questions No. 1 and 2, you must apply for an Affirmative Action Employee Information Report – Form AA302.

Please visit the New Jersey Department of Treasury website for the Division of Public Contracts Equal Employment Opportunity Compliance:

www.state.nj.us/treasury/contract-compliance/

- Click on “Employee Information Report”
- Complete and submit the form with the appropriate payment to:

Department of Treasury
 Division of Purchase and Property
 Contract Compliance and Audit Unit—EEO Monitoring Program
 P.O. Box 206
 Trenton, NJ 08625-0206

All fees for this application are to be paid directly to the State of New Jersey. A copy shall be submitted to the Board of Education prior to the execution or award of contract.

I certify that the above information is correct to the best of my knowledge.

Name: _____

Signature _____

Title _____ Date _____

Name of Company _____

Address _____

City, State, Zip _____

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

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

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

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

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act. <https://www.eeoc.gov/eeoc/history/35th/thelaw/ada.html>

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2. The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions. In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

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

- Letter of Federal Affirmative Action Plan Approval
- Certificate of Employee Information Report
- 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)

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

Name of Company/Firm _____
 Name of Authorized Agent _____ Title _____
SIGNATURE _____ Date _____

PB-AAF.1 R5/26/09

State of New Jersey
Division of Public Contracts Equal Employment Opportunity Compliance
EMPLOYEE INFORMATION REPORT

IMPORTANT- READ INSTRUCTIONS ON BACK OF FORM CAREFULLY BEFORE COMPLETING FORM. TYPE OR PRINT IN SHARP BALLPOINT PEN. FAILURE TO PROPERLY COMPLETE THE ENTIRE FORM AND SUBMIT THE REQUIRED \$150.00 FEE MAY DELAY ISSUANCE OF YOUR CERTIFICATE. DO NOT SUBMIT EEO-1 REPORT FOR SECTION B, ITEM 11.

SECTION A - COMPANY IDENTIFICATION

1. FED. NO. OR SOCIAL SECURITY _____ 2. TYPE OF BUSINESS: 1. MFG 2. SERVICE 3. WHOLESALE
 4. RETAIL 5. OTHER _____ 3. TOTAL NO. OF EMPLOYEES BY THE ENTIRE COMPANY: _____

4. COMPANY NAME _____

5. STREET _____ CITY _____ COUNTY _____ STATE _____ ZIP CODE _____

6. NAME OF PARENT OR AFFILIATED COMPANY (IF NONE, SO INDICATE) _____ CITY _____ STATE _____ ZIP CODE _____

7. CHECK ONE: IS THE COMPANY: SINGLE-ESTABLISHMENT EMPLOYER MULTI-ESTABLISHMENT EMPLOYER

8. IF MULTI-ESTABLISHMENT EMPLOYER, STATE THE NUMBER OF ESTABLISHMENTS IN NJ _____

9. TOTAL NUMBER OF EMPLOYEES AT ESTABLISHMENT WHICH HAS BEEN AWARDED THE CONTRACT _____

10. PUBLIC AGENCY AWARDED CONTRACT _____ CITY _____ COUNTY _____ STATE _____ ZIP CODE _____

Official Use Only

DATE RECEIVED	INAUG. DATE	ASSIGNED CERTIFICATION NUMBER

SECTION B - EMPLOYMENT DATA

11. Report all permanent, temporary and part-time employees ON YOUR OWN PAYROLL. Enter the appropriate figures on all lines and in all columns. Where there are no employees in a particular category, enter a zero. Include ALL employees, not just those in minority/non-minority categories, in columns 1, 2, & 3. DO NOT SUBMIT AN EEO-1 REPORT.

JOB Categories	PERMANENT MINORITY/NON-MINORITY EMPLOYEE BREAKDOWN													
	All Employees													Total
	Total (Col. 2 & 3)	***** MALE *****						***** FEMALE *****						
COL. 2 MALE	COL. 3 FEMALE	Black	Hispanic	Amer. Indian	Asian	Non Min	Black	Hispanic	Amer. Indian	Asian	Non Min			
Officials/Managers														
Professionals														
Technicians														
Sales Workers														
Office & Clerical														
Craftworkers (Skilled)														
Operatives (Semi-Skilled)														
Laborers (Unskilled)														
Service Workers														
Total														
Total employment from previous Report (if any)														
Temporary & Part Time Employees	The data below shall NOT be included in the figures for the appropriate categories above.													

12. HOW WAS INFORMATION AS TO RACE OR ETHNIC GROUP IN SECTION B OBTAINED? _____ 14. IS THIS THE FIRST Employee Information Report Submitted? YES NO

13. DATES OF PAYROLL PERIOD USED FROM: _____ TO: _____ 15. IF NO, DATE LAST REPORT SUBMITTED: _____

SECTION C - SIGNATURE AND IDENTIFICATION

16. NAME OF PERSON COMPLETING FORM (Print or Type) _____ SIGNATURE _____ TITLE _____ DATE _____

17. ADDRESS NUMBER _____ STREET _____ CITY _____ COUNTY _____ STATE _____ ZIP CODE _____ COUNTY AREA CODE, NO. _____

I certify that the information on this form is true and correct.

SAMPLE

https://www.state.nj.us/dca/announcements/pdf/AA_Supplement.pdf

BID Proposal Form

To: West New York Board of Education

(I)(We) hereby certify that (I) (we) have read each and every part of the advertisement specifications, including "General Specifications" and "Bid Documents and Required Documentation" sections of this document, "Instructions to Bidders" and Bid Form. (I) (We) understand that failure to comply with any statement part or request of these specifications will be because for rejection thereof.

Enclosed is a certified check, bank draft, or bid bond in an amount of \$_____ (10%) of the bid price. This surety is made payable to the West New York Board of Education, and it is hereby agreed that it shall be forfeited as liquidated damages – and not as penalty – if this Bid is found to be the lowest and the undersigned fails to execute a Contract with said Board under the conditions of the specifications.

(I)(We) submit the following bid:

Memorial High School Spring Athletic Bid#: MHSSA 24-25

To complete the work in accordance with the specifications (I)(we) proposed to complete the work for the price outlined on the Form of Proposal,

Total Work Price: _____

(I)(We) understand that the Board reserves the right to reject any and all bids an waive any informality in the bids.

(Corporate Seal must be affixed)

Signed _____

Company Name _____

Sworn to and subscribed to me
this _____ day of _____,

Address _____

Town, State, Zip _____

Telephone _____

Form of Proposal

Name of Bidder _____

Address _____

Phone Number _____

Date _____

NOTARY PUBLIC

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Contractor Instructions

Business entities (contractors) receiving contracts from a public agency that are NOT awarded pursuant to a “fair and open” process (defined at N.J.S.A. 19:44A-20.7) are subject to the provisions of P.L. 2005, c. 271, s.2 (N.J.S.A. 19:44A-20.26). This law provides that 10 days prior to the award of such a contract, the contractor shall disclose contributions to:

- any State, county, or municipal committee of a political party
- any legislative leadership committee*
- any continuing political committee (a.k.a., political action committee)
- any candidate committee of a candidate for, or holder of, an elective office:
 - of the public entity awarding the contract
 - of that county in which that public entity is located
 - of another public entity within that county
 - or of a legislative district in which that public entity is located or, when the public entity is a county, of any legislative district which includes all or part of the county

The disclosure must list reportable contributions to any of the committees that exceed \$300 per election cycle that were made during the 12 months prior to award of the contract. See N.J.S.A. 19:44A-8 and 19:44A-16 for more details on reportable contributions.

N.J.S.A. 19:44A-20.26 itemizes the parties from whom contributions must be disclosed when a business entity is not a natural person. This includes the following:

- individuals with an “interest” ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit
- all principals, partners, officers, or directors of the business entity or their spouses
- any subsidiaries directly or indirectly controlled by the business entity
- IRS Code Section 527 New Jersey based organizations, directly or indirectly controlled by the business entity and filing as continuing political committees, (PACs).

When the business entity is a natural person, “a contribution by that person’s spouse or child, residing therewith, shall be deemed to be a contribution by the business entity.” [N.J.S.A. 19:44A-20.26(b)] The contributor must be listed on the disclosure.

Any business entity that fails to comply with the disclosure provisions shall be subject to a fine imposed by ELEC in an amount to be determined by the Commission which may be based upon the amount that the business entity failed to report.

The enclosed list of agencies is provided to assist the contractor in identifying those public agencies whose elected official and/or candidate campaign committees are affected by the disclosure requirement. It is the contractor’s responsibility to identify the specific committees to which contributions may have been made and need to be disclosed. The disclosed information may exceed the minimum requirement.

The enclosed form, a content-consistent facsimile, or an electronic data file containing the required details (along with a signed cover sheet) may be used as the contractor’s submission and is disclosable to the public under the Open Public Records Act.

The contractor must also complete the attached Stockholder Disclosure Certification. This will assist the agency in meeting its obligations under the law. **NOTE: This section does not apply to Board of Education contracts.**

N.J.S.A. 19:44A-3(s): “The term “legislative leadership committee” means a committee established, authorized to be established, or designated by the President of the Senate, the Minority Leader of the Senate, the Speaker of the General Assembly or the Minority Leader of the General Assembly pursuant

to section 16 of P.L.1993, c.65 (C.19:44A-10.1) for the purpose of receiving contributions and making expenditures.”

P.L. 2005, c.271

(Unofficial version, Assembly Committee Substitute to A-3013, First Reprint*)

AN ACT authorizing units of local government to impose limits on political contributions by contractors and supplementing Title 40A of the New Jersey Statutes and Title 19 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

40A:11-51 1. a. A county, municipality, independent authority, board of education, or fire district is hereby authorized to establish by ordinance, resolution or regulation, as may be appropriate, measures limiting the awarding of public contracts therefrom to business entities that have made a contribution pursuant to P.L.1973, c.83 (C.19:44A-1 et seq.) and limiting the contributions that the holders of a contract can make during the term of a contract, notwithstanding the provisions and parameters of sections 1 through 12 of P.L.2004, c.19 (C. 19:44A-20.2 et al.) and section 22 of P.L.1973, c.83 (C.19:44A-22).

b. The provisions of P.L.2004, c.19 shall not be construed to supersede or preempt any ordinance, resolution or regulation of a unit of local government that limits political contributions by business entities performing or seeking to perform government contracts. Any ordinance, resolution or regulation in effect on the effective date of P.L.2004, c.19 shall remain in effect and those adopted after that effective date shall be valid and enforceable.

c. An ordinance, resolution or regulation adopted or promulgated as provided in this section shall be filed with the Secretary of State.

52:34-25 2. a. Not later than 10 days prior to entering into any contract having an anticipated value in excess of \$17,500, except for a contract that is required by law to be publicly advertised for bids, a State agency, county, municipality, independent authority, board of education, or fire district shall require any business entity bidding thereon or negotiating therefor, to submit along with its bid or price quote, a list of political contributions as set forth in this subsection that are reportable by the recipient pursuant to the provisions of P.L.1973, c.83 (C.19:44A-1 et seq.) and that were made by the business entity during the preceding 12 month period, along with the date and amount of each contribution and the name of the recipient of each contribution. A business entity contracting with a State agency shall disclose contributions to 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 any continuing political committee. A business entity contracting with a county, municipality, independent authority, other than an independent authority that is a State agency, board of education, or fire district shall disclose contributions to: any State, county, or municipal committee of a political party; any legislative leadership committee; or any candidate committee of a candidate for, or holder of, an elective office of that public entity, of that county in which that public entity is located, of another public entity within that county, or of a legislative district in which that public entity is located or, when the public entity is a county, of any legislative district which includes all or part of the county, or any continuing political committee. The provisions of this section shall not apply to a contract when a public emergency requires the immediate delivery of goods or services.

b. When a business entity is a natural person, a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by: all principals, partners, officers, or directors of the business entity or their spouses; any subsidiaries directly or indirectly controlled by the business entity; or any political organization organized under section 527 of the Internal Revenue Code that is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee, shall be deemed to be a contribution by the business entity.

c. As used in this section: "business entity" means a natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other state or foreign jurisdiction; "interest" means the ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit, as appropriate; and

"State agency" means any of the principal departments in the Executive Branch of the State Government, and any division, board, bureau, office, commission or other instrumentality within or created by such department, the Legislature of the State and any office, board, bureau or commission within or created by the Legislative Branch, and any independent State authority, commission, instrumentality or agency.

d. Any business entity that fails to comply with the provisions of this section shall be subject to a fine imposed by the New Jersey Election Law Enforcement Commission in an amount to be determined by the commission which may be based upon the amount that the business entity failed to report.

19:44A-20.13 3. a. Any business entity making a contribution of money or any other thing of value, including an in-kind contribution, or pledge to make a contribution of any kind to a candidate for or the holder of any public office having ultimate responsibility for the awarding of public contracts, or to a political party committee, legislative leadership committee, political committee or continuing political committee, which has received in any calendar year \$50,000 or more in the aggregate through agreements or contracts with a public entity, shall file an annual disclosure statement with the New Jersey Election Law Enforcement Commission, established pursuant to section 5 of P.L.1973, c.83 (C.19:44A-5), setting forth all such contributions made by the business entity during the 12 months prior to the reporting deadline.

b. The commission shall prescribe forms and procedures for the reporting required in subsection a. of this section which shall include, but not be limited to:

(1) the name and mailing address of the business entity making the contribution, and the amount contributed during the 12 months prior to the reporting deadline;

(2) the name of the candidate for or the holder of any public office having ultimate responsibility for the awarding of public contracts, candidate committee, joint candidates committee, political party committee, legislative leadership committee, political committee or continuing political committee receiving the contribution; and

(3) the amount of money the business entity received from the public entity through contract or agreement, the dates, and information identifying each contract or agreement and describing the goods, services or equipment provided or property sold.

c. The commission shall maintain a list of such reports for public inspection both at its office and through its Internet site.

d. When a business entity is a natural person, a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other

business entity having an interest therein shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by: all principals, partners, officers, or directors of the business entity, or their spouses; any subsidiaries directly or indirectly controlled by the business entity; or any political organization organized under section 527 of the Internal Revenue Code that is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee, shall be deemed to be a contribution by the business entity.

As used in this section:

"business entity" means a natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other state or foreign jurisdiction; and

"interest" means the ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit, as appropriate.

e. Any business entity that fails to comply with the provisions of this section shall be subject to a fine imposed by the New Jersey Election Law Enforcement Commission in an amount to be determined by the commission which may be based upon the amount that the business entity failed to report.

4. This act shall take effect immediately.

* Note: Bold italicized statutory references of new sections are anticipated and not final as of the time this document was prepared. Statutory compilations of N.J.S.A. 18A:18A-51 is anticipated to show a reference to N.J.S.A. 40A:11-51 and to N.J.S.A. 52:34-25.

**Chapter 271 Political Contribution Disclosure Form
(Contracts that Exceed \$17,500.00)
Ref. N.J.S.A. 52:34-25**

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that _____ (Business Entity) has made the following **reportable** political contributions to any elected official, political candidate or any political committee as defined in N.J.S.A. 19:44A-20.26 during the twelve (12) months preceding this award of contract:

Reportable Contributions

<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Name of Recipient Elected Official/ Committee/Candidate</u>	<u>Name of Contributor</u>

The Business Entity may attach additional pages if needed.

No Reportable Contributions (Please check (✓) if applicable.)

I certify that _____ (Business Entity) made no reportable contributions to any elected official, political candidate or any political committee as defined in N.J.S.A. 19:44A-20.26.

Certification

I certify that the information provided above is in full compliance with Public Law 2005-Chapter 271.

Name of Authorized Agent _____

Signature _____ Title _____

Business Entity _____

**List of Agencies with Elected Officials Required for Political Contribution Disclosure
N.J.S.A. 52:34-25**

County Name: Hudson

State: Governor, and Legislative Leadership Committees

Legislative District #: 33

State Senator and two members of the General Assembly per district.

County:

Freeholders
Surrogate

County Clerk
Registrar of Deeds

Sheriff

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

Bayonne
East Newark
Guttenberg
Harrison Town
Hoboken
Jersey City

Kearny
North Bergen
Secaucus
Union City
Weehawken
West New York

Boards of Education (Members of the Board):

Bayonne	Jersey City
East Newark	Kearny
Guttenberg	North Bergen
Harrison Town	Secaucus
Hoboken	Union City
Hudson County Schools of Technology	Weehawken
	West New York

Fire Districts (Board of Fire Commissioners):

None

Contractor / Vendor Questionnaire/Certification

Bid Number: MHSSA 24-25

Proposal Date: Friday, December 18, 2024 @ 2:00 P.M.

MHS SPRING ATHLETIC BID

Name of Company _____

Street Address _____ PO Box _____

City, State, Zip _____

Business Phone Number (____) _____ Ext. _____

Emergency Phone Number (____) _____

FAX No. (____) _____ E-Mail _____

FEIN No. _____

Years in Business _____ Number of Employees _____

References – Work previously done for School Systems in New Jersey

<u>Name of District</u>	<u>Address</u>	<u>Contact Person/Title</u>	<u>Phone</u>
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____

Vendor Certification

Direct/Indirect Interests

I declare and certify that no member of the West New York Board of Education, nor any officer or employee or person whose salary is payable in whole or in part by said Board of Education or their immediate family members are directly or indirectly interested in this proposal or in the supplies, materials, equipment, work or services to which it relates, or in any portion of profits thereof. If a situation so exists where a Board member, employee, officer of the board has an interest in the proposal, etc., then please attach a letter of explanation to this document, duly signed by the president of the firm or company.

I certify that I am not an official or employee of the West New York Board of Education.

Gifts; Gratuities; Compensation

I declare and certify that no person from my firm, business, corporation, association or partnership offered or paid any fee, commission or compensation, or offered any gift, gratuity or other thing of value to any school official, board member or employee of the West New York Board of Education.

Vendor Contributions

I declare and certify that I fully understand N.J.A.C. 6A:23A-6.3(a) (1-4) concerning vendor contributions to school board members.

I further certify that I understand that it is a crime in the second degree in New Jersey to knowingly make a material representation that is false in connection with the negotiation, award or performance of a government contract.

President or Authorized Agent (Print)

SIGNATURE

DEBARRED, SUSPENDED OR DISQUALIFIED CONTRACTORS AFFIDAVIT

Proposer: _____

STATE OF NEW JERSEY _____
Specify, if other

COUNTY OF _____

I, _____, of the (City, Town, Borough) of

_____ State of _____, of full age,
being duly sworn according to law on my oath depose and say that:

I am _____ of the firm of _____, the Proposer making
the

Proposal for the above named Services, and that I executed the said Proposal with full authority to do so; that said Proposer is not at the time of the making of this bid / proposal included on the New Jersey State Treasurer's, or any State or Federal Government's list of Debarred, Suspended or Disqualified Contractors as a result of action taken by any State or Federal Agency.

Name of Proposer

By: _____
(Signature of Authorized Representative)

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

STATE OF NEW JERSEY -- DIVISION OF PURCHASE AND PROPERTY
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

Quote Number: _____ Bidder/Offoror: _____

PART 1: CERTIFICATION

BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX.

FAILURE TO CHECK ONE OF THE BOXES WILL RENDER THE PROPOSAL NON-RESPONSIVE.

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran. The Chapter 25 list is found on the Division's website at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Bidders must review this list prior to completing the below certification. Failure to complete the certification will render a bidder's proposal non-responsive. If the Director finds a person or entity to be in violation of 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

PLEASE CHECK THE APPROPRIATE BOX:

I certify, pursuant to Public Law 2012, c. 25, that neither the bidder listed above nor any of the bidder's parents, subsidiaries, or affiliates is listed on the N.J. Department of the Treasury's list of entities determined to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c. 25 ("Chapter 25 List"). I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. I will skip Part 2 and sign and complete the Certification below.

OR

I am unable to certify as above because the bidder and/or one or more of its parents, subsidiaries, or affiliates is listed on the Department's Chapter 25 list. I will provide a detailed, accurate and precise description of the activities in Part 2 below and sign and complete the Certification below. Failure to provide such will result in the proposal being rendered as non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.

PART 2: PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN

You must provide a detailed, accurate and precise description of the activities of the bidding person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below.

EACH BOX WILL PROMPT YOU TO PROVIDE INFORMATION RELATIVE TO THE ABOVE QUESTIONS. PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, CLICK THE "ADD AN ADDITIONAL ACTIVITIES ENTRY" BUTTON.

Name _____	Relationship to Bidder/Offoror _____
Description of Activities _____	
Duration of Engagement _____	Anticipated Cessation Date _____
Bidder/Offoror Contact Name _____	Contact Phone Number _____

ADD AN ADDITIONAL ACTIVITIES ENTRY

Certification: I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the above-referenced person or entity. I acknowledge that the State of New Jersey is relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the State to notify the State in writing of any changes to the answers of information contained herein. I acknowledge 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 recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with the State of New Jersey and that the State at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): _____ Signature: _____
Title: _____ Date: _____

SAMPLE

DPP Standard Forms Packet 11/13

https://www.state.nj.us/humanservices/dfd/info/standard/fdc/disclosure_investmentact.pdf

Bid Number: **MHSSA 2024-2025** Proposal Date: **Friday, December 18, 2024 @ 2:00 P.M**

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY }
 } SS
COUNTY OF }

I, _____ residing in _____
(Name of affiant) (Name of municipality)

in the County of _____ and the State of _____
of full age, being duly sworn according to law on my oath depose and say that:

I am _____ of
(Title or position)

the firm of _____ and the bidder
(Name of firm)

making the Proposal for the bid entitled _____, and
(Title of bid proposal)

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

relies upon the truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract for the said bid.

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 of bona fide established commercial or selling agencies maintained by

(Print Name of Contractor/Vendor)

Subscribed and sworn to: _____
SIGNATURE OF CONTRACTOR/VENDOR

before me this _____ day of _____, _____.
Month Year

Notary Public of Signature

NOTARY PUBLIC SIGNATURE (Type or print name of affiant under signature)

My commission expires _____, _____, _____.
Month Day Year



**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

OWNERSHIP DISCLOSURE FORM

BID SOLICITATION #: _____ VENDOR (BIDDER): _____

PART 1

PLEASE COMPLETE THE QUESTIONS BELOW BY CHECKING EITHER THE "YES" OR THE "NO" BOX. ALL PARTIES ENTERING INTO A CONTRACT WITH THE STATE ARE REQUIRED TO COMPLETE THIS FORM PURSUANT TO N.J.S.A. 52:25-24.2

PLEASE NOTE THAT IF THE VENDOR/BIDDER IS A NON-PROFIT ENTITY, THIS FORM IS NOT REQUIRED.

- | | YES | NO |
|--|--------------------------|--------------------------|
| 1. Are there any individuals, corporations, partnerships, or limited liability companies owning a 10% or greater interest in the Vendor (Bidder)? | <input type="checkbox"/> | <input type="checkbox"/> |
| IF THE ANSWER TO QUESTION 1 IS "NO", PLEASE SIGN AND DATE THE FORM.
IF THE ANSWER TO QUESTION 1 IS "YES", PLEASE ANSWER QUESTIONS 2 - 4 BELOW. | | |
| 2. Of those parties owning a 10% or greater interest in the Vendor (Bidder), are any of those parties individuals? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Of those parties owning a 10% or greater interest in the Vendor (Bidder), are any of those parties corporations, partnerships, or limited liability companies? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. If your answer to Question 3 is "YES", are there any parties owning a 10% or greater the corporation, partnership, or limited liability company referenced in Question 3? | <input type="checkbox"/> | <input type="checkbox"/> |

IF ANY OF THE ANSWERS TO QUESTIONS 2 - 4 ARE "YES", PLEASE PROVIDE THE REQU

PART 2

PLEASE PROVIDE FURTHER INFORMATION RELATED TO QUESTIONS :

If you answered "YES" for questions 2, 3, or 4, you must disclose identifying information for each partnership, and/or limited liability companies owning a 10% or greater interest in the Vendor (Bidder). If these entities is itself a corporation, partnership, or limited liability company, you must disclose identifying information for that corporation, partnership, or limited liability company. If

INDIVIDUALS

NAME _____
 ADDRESS 1 _____
 ADDRESS 2 _____
 CITY _____ STATE _____

NAME _____
 ADDRESS 1 _____
 ADDRESS 2 _____
 CITY _____ STATE _____

NAME _____
 ADDRESS 1 _____
 ADDRESS 2 _____
 CITY _____ STATE _____

Attach Additional Sheets If Necessary.

**PART 2 continued
PARTNERSHIPS/CORPORATIONS/LIMITED LIABILITY COMPANIES**

ENTITY NAME _____
 PARTNER NAME _____
 ADDRESS 1 _____
 ADDRESS 2 _____
 CITY _____ STATE _____ ZIP _____

ENTITY NAME _____
 PARTNER NAME _____
 ADDRESS 1 _____
 ADDRESS 2 _____
 CITY _____ STATE _____ ZIP _____

ENTITY NAME _____
 PARTNER NAME _____
 ADDRESS 1 _____
 ADDRESS 2 _____
 CITY _____ STATE _____ ZIP _____

ENTITY NAME _____
 PARTNER NAME _____
 ADDRESS 1 _____
 ADDRESS 2 _____
 CITY _____ STATE _____ ZIP _____

Attach Additional Sheets If Necessary.

In the alternative, to comply with the ownership disclosure requirement, a Vendor (Bidder) with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 percent or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest. N.J.S.A. 52:25-24.2.

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 (Do not enter vendor ID as a signature) _____ Date _____
 Print Name and Title _____
 FEIN/SSN _____

DPP Rev. 6.8.18

SAMPLE

Page 2 of 2

<https://www.state.nj.us/treasury/purchase/forms/OwnershipDisclosure.pdf>

Form **W-9**
 (Rev. October 2018)
 Department of the Treasury
 Internal Revenue Service

**Request for Taxpayer
 Identification Number and Certification**

Give Form to the
 requester. Do not
 send to the IRS.

► Go to www.irs.gov/FormW9 for instructions and the latest information.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

Individual/sole proprietor or single-member LLC C Corporation S Corporation Partnership Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► _____

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

Other (see instructions) ► _____

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt., or suite no.) See instructions.

6 City, state, and ZIP code

7 List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

OR

Employer identification number

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person ► _____ Date ► _____

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)



Cat. No. 10231X

Form **W-9** (Rev. 10-2018)

<https://www.irs.gov/pub/irs-pdf/fw9.pdf>

**APPENDIX I – ITEM SUBSTITUTE
PROPOSAL FORM FOR “BRAND” NAME
OR EQUIVALENT” ITEMS**

APPENDIX I - ITEM SUBSTITUTE PROPOSAL FORM FOR "BRAND NAME OR EQUIVALENT" ITEMS

Memorial High School Spring 2024-2025 Athletics

List No.	Item	Item #	Quantity	Lettering/Sizes	Unit Price	Total Price

APPENDIX I - ITEM SUBSTITUTE PROPOSAL FORM FOR "BRAND NAME OR EQUIVALENT" ITEMS

Memorial High School TENNIS 2024-2025

List No.	Item	Item #	Quantity	Lettering/Sizes	Unit Price	Total Price

