Township of Bethlehem

PUBLIC WORKS
Bid Specifications
&
General Requirements
For

BETHLEHEM COMMUNITY CENTER
ROOF IMPROVEMENTS

August 13, 2019
Bid Opening Date

1:00 p.m.
Bid Opening Time

Opening Location: 405 Mine Road
Asbury, NJ 08802

John Paulmeno, Purchasing Agent
The Township of Bethlehem

REQUEST FOR BIDS
PUBLIC WORKS

Bid Advertisement

The Township of Bethlehem, New Jersey, hereby advertises for competitive bids in accordance with N.J.S.A. 40A:11 et seq., for

BETHLEHEM COMMUNITY CENTER ROOF IMPROVEMENTS

All necessary bid specifications and bid forms may be secured Township website at: www.bethlehemnj.org.

Specifications and instructions to bidders may be obtained on the Township website. Bid documents will not be mailed. Bidders may contact the Purchasing Agent by E-mail only at: administrator@bethlehemnj.org, regarding questions or additional information about the bid specifications.

Bids must be submitted to: Township of Bethlehem
Municipal Building
405 Mine Road
Asbury, NJ 08802
Attention Clerk Office/Purchasing Agent

Bids must be sealed and delivered to the Clerk’s Office of the Bethlehem Township on or before date and time indicated below. The envelope to bear the following information:

Title: BETHLEHEM COMMUNITY CENTER ROOF IMPROVEMENTS
Bid No.: 2019-06-18
Name and Address of the Bidder
Date: August 13, 2019
Time: 1:00 p.m.

The bid opening process will begin on the above advertised date and time at Administrative offices located at 405 Mine Road, Bethlehem, NJ 08802. Bids may be submitted to the Clerk’s office at the bid opening meeting, prior to the advertised date and time. On the advertised date and time, the Purchasing Agent shall publicly receive and open all bids. No bids shall be received after the time designated in the advertisement. (N.J.S.A. 40A:11-1 et. seq. The Township of Bethlehem does not accept electronic (e-mail) submission of bids.)
Site Visit: Community Center/DPW Garage

There will be a pre-bid meeting on August, 7, 2019. While attendance is not mandatory, all prospective bidders are strongly encouraged to attend this important meeting, which will be held on **August 7, 2019, at 10:00 a.m.**

All bidders are required to comply with the requirements of N.J.S.A. 10:5-31 et seq., Affirmative Action Against Discrimination (N.J.A.C. 17:27-1 et seq.) An Initial Project Workforce Report will be required from the successful contractor. (Form AA-201).

Statement of Ownership Requirement: Pursuant to N.J.S.A. 52:25-24.2, 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.

Each bid shall be accompanied by a bid bond, cashier’s check or certified check made payable to the Township of Bethlehem, for ten percent (10%) of the amount of the total bid, however, not to exceed $20,000.00.

Bidders are required by law to submit a Statement of Ownership Disclosure form statement setting forth the names and addresses of all persons and entities that own ten (10%) percent or more of its stock or interest of any type at all levels of ownership.

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 contractors named in this proposal, shall possess a valid Public Works Contractor’s Registration Certificate pursuant to N.J.S.A. 34:11-56.48 et seq., at the time the proposal is received by the Township of Bethlehem.

The Township of Bethlehem reserves the right to reject any or all bids, pursuant to N.J.S.A. 40A:11-1 et seq., and to waive any informalities that may be in the best interest of the Township.

_________________________
John Paulmeno, Purchasing Agent
THE TOWNSHIP OF BETHLEHEM

REQUEST FOR BIDS
PUBLIC WORKS

Bid Advertisement

The Township of Bethlehem, New Jersey, hereby advertises for competitive bids in accordance with N.J.S.A. 40A:11 et seq., for

Bid No. COMMUNITY CENTER ROOF IMPROVEMENTS

Bid Documents and Specifications, Plans may be obtain on the Bethlehem website for free of charge. www.Bethlehemnj.org; Bid documents will not be mailed, and only picked up in person, at the above office location.

Bidders should also login to the Township website at: www.Bethlehemnj.org for any Addendums: Home page E-Gov, Bids, download, print the document for free. Bidders may contact the Purchasing Agent by E-mail only at: administrator@bethlehemnj.org regarding questions or additional information about the bid specifications.

Bids must be sealed and delivered to the Office of the Clerk’s office of Bethlehem Township on or before date and time indicated below. The envelope to bear the following information:

Title: BETHLEHEM COMMUNITY CENTER ROOF IMPROVEMENTS
Bid No.: 2019-06-18
Name and Address of the Bidder
Date: 8/13/19
Time: 1:00 p.m.

The bid opening process will begin on the above advertised date and time in the Township of Bethlehem, 405 Mine Road, Asbury, NJ 08802. Bids must be submitted to the Clerk’s office at the bid opening meeting, prior to the advertised date and time. On the advertised date and time, the Purchasing Agent shall publicly receive and open all bids. No bids shall be received after the time designated in the advertisement. The Township of Bethlehem does not accept electronic (e-mail) submission of bids.

There will be a pre-bid /Site Visit meeting on 8/7/19. While attendance is not mandatory, all prospective bidders are strongly encouraged to attend this important meeting, which will be held in the Community Center, 405 Mine Road, Asbury, NJ 08802, at 10:00am. All bidders are required to comply with the requirements of N.J.S.A. 10:5-31 et seq., Affirmative Action Against Discrimination (N.J.A.C. 17:27-1 et seq.). An Initial Project Workforce Report will be required from the successful contractor. (Form AA-201).
Contractors bidding on this project are to comply with the requirements of the New Jersey Prevailing Wage Act pursuant to N.J.S.A. 34:11-56.25 et seq.

Each bid shall be accompanied by a bid bond, cashier’s check or certified check made payable to the Township of Bethlehem, for ten percent (10%) of the amount of the total bid, however, not to exceed $20,000.00.

Bidders are required by law to submit a Statement of Ownership Disclosure form stating setting forth the names and addresses of all persons and entities that own ten (10%) percent or more of its stock or interest of any type at all levels of ownership.

Statement of Ownership Requirement: Pursuant to N.J.S.A. 52:25-24.2, 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 bid package will also include other documents that must be completed and returned with 40A:11-1 et seq., 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.

The Township of Bethlehem reserves the right to reject any or all bids pursuant to N.J.S.A. 40A:11-1 et seq., and to waive any informalities that may be in the best interests of the Township.

John Paulmeno, Purchasing Agent
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Review all sections that may affect your work and include applicable requirements. All contracts are based on scope information within the whole document set and are not limited to “trade” drawings and specifications.

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- Experience
- Number of Working Days
- Pre-Bid Meeting
- Trade Classification
**TECHNICAL SPECIFICATIONS**

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Ethics in Purchasing

Township Responsibility

Recommendation of Purchases
It is the desire of the Township of Bethlehem to have all employees and officials practice exemplary ethical behavior in the procurement of goods, materials, supplies, and services.

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. 40A:11-1 et seq.,

Solicitation/Receipt of Gifts – Prohibited
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 Township of Bethlehem or anyone proposing to do business with the Township.

Vendor Responsibility

Offer of Gifts, Gratuities -- Prohibited
Any vendor doing business or proposing to do business with The Township of Bethlehem, 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 Township of Bethlehem 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 Township of Bethlehem, in any manner which might tend to impair the objectivity or independence of judgment of said official or employee.

Vendor Certification

Vendors or potential vendors will be asked to certify that no official or employee of The Township of Bethlehem 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 Township.

__________________________________________________
John Paulmeno, Purchasing Agent
Township of Bethlehem

ADVISORY INFORMATION FOR BIDDERS

1. **PROMPTNESS OF BID SUBMITTAL**
   It is the responsibility of the bidder to ensure that their bid is presented in a sealed envelope and submitted to the Clerk’s Office, prior to the advertised bid date and time. The advertised bid date and time for this bid is on **August 13, 2019 @ 1:00pm**. No bids shall be received after the time designated in the bid advertisement. No extensions or exceptions will be made. The Clerk’s Office is opened Monday through Friday from 8:30am – 3:30pm and closed for lunch from 12:00pm to 1:00pm. Once again, bids will not be received after the time designated in the advertisement.

2. **PARKING**
   *Allow enough time to locate a parking space.*

3. **MAIL**
   Mail is brought to the Clerk’s Offices in mailbags, approximately 11:30am each day. The mail is then sorted within the Township system, by departments. The Clerk’s Office routinely receives its mail at approximately 11:30am.

4. **UPS / FED EX / AND OTHER EXPRESS DELIVERY SERVICES**
   Deliveries of this type usually begin at 9:00 a.m. These items are brought only to the Clerk’s Office. The Clerks Office then calls the various departments with a request to pick up their items.

5. **HAND DELIVER BIDS – SUGGESTED PRACTICE**
   Keeping the aforementioned items in mind, the Township suggests that bidders arrange to hand deliver their bid to the Clerk’s Office, and the Clerk will personally turn it in to the Purchasing Agent before the advertised date and time. Please understand that bids arriving after the advertised bid date and time, for any reason, cannot be accepted, opened or considered.

**Submission of Original Bid and One Copy of the Bid**

*All bids are to be submitted in duplicate; one (1) Original; one (1) “True copy” of the original.*

Return the entire original bid packet intact by the indicated deadline.
Township of Bethlehem

BID CHECKLIST (A)

A. Bid packages must be submitted in duplicate on the proposed forms as provided, and in the manner designated. The Township of Bethlehem will accept one original bid package and one copy of the bid package. Please include all items, organized as follows:

1. Addenda, Acknowledgement
2. Americans with Disabilities Act—Acknowledgement
3. Bid Proposal Form
4. Bid Guarantee (Bid Bond, Cashier’s Check, or Certified Check)
5. Business Registration Certificate -- New Jersey—Submit with bid or prior to award of contract
6. Certificate (Consent) from Surety
7. Acceptable Bid Bond Forms
8. Contractor Questionnaire / Certification
9. Contractor’s Registration Certification
10. Contractor Registration Certificate—Submit with bid or prior to award of contract
11. Equipment Certification
12. Iran Disclosure of Investment Activities
13. Non-Collusion Affidavit
14. Notice of Classification Form
15. Prequalification Affidavit—No Material Adverse Change
16. Prevailing Wages Certification
17. Statement of Ownership Disclosure
18. Subcontractor’s Disclosure Statement and all required attachments for subcontractors.
19. Sworn Contractor Certification; Qualifications and Credentials
20. Bidder Comment Form - Optional
21. Bid Cover Page, with name, address, phone number, E-mail address
22. Hold Harmless Agreement

Failure to submit the above listed documents with the bid package may be cause for rejection of the entire bid for being non-responsive.
BID CHECKLIST (B)

As a courtesy, the Office of the Purchasing Agent has prepared this reminder checklist to 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.

<table>
<thead>
<tr>
<th>Item</th>
<th>Yes</th>
<th>No</th>
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<td>1. Have you verified your pricing to ensure accuracy?</td>
<td></td>
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<tr>
<td>2. Have you answered every question fully and accurately?</td>
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<tr>
<td>3. Have you signed all your documents (Blue Ink)? No facsimile signature.</td>
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<tr>
<td>4. Have you prepared all documents for submission?</td>
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<tr>
<td>5. Did you make a copy of the bid package for your records?</td>
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<tr>
<td>6. Did you make a duplicate copy of the bid for the Township?</td>
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<tr>
<td>7. Did you submit a signed Bid Guarantee? Signed Consent of Surety?</td>
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<tr>
<td>8. Did you correctly address the envelope, title of bid?</td>
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<tr>
<td>9. Have you allowed ample time for the bid to reach the Clerk’s Office?</td>
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<tr>
<td>10. <strong>REQUIRED</strong>: Bid Cover Page: Name, Address, Phone Number, E-mail Address?</td>
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THE TOWNSHIP OF BETHLEHEM

Bid No:

BETHLEHEM MUNICIPAL COMMUNITY CENTER ROOF IMPROVEMENTS

GENERAL SPECIFICATIONS

John Paulmeno, Purchasing Agent

THE TOWNSHIP OF BETHLEHEM

“BETHLEHEM COMMUNITY CENTER ROOF IMPROVEMENTS“

INSTRUCTIONS TO BIDDERS

1. BIDS ARE TO BE SUBMITTED TO:

Clerk’s office /Attention Purchasing Agent
Township of Bethlehem
405 Mine Road
Asbury, NJ 08802

BY: 1:00 p.m. PREVAILING TIME
ON: August 13, 2019

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

2. **Bid Packages to be submitted in Duplicate.** Bids must be placed in a *sealed* envelope/package marked as shown below on the front of the envelope/package. Bid packages must be submitted in duplicate on the proposed bid submittal forms as provided, and in the manner designated. The Township of Bethlehem requires one original bid package, one duplicate copy of the bid package. The extra copies are necessary for processing of the bids. Bidders should also keep a complete copy of the bid packet, exactly as submitted.

<table>
<thead>
<tr>
<th>Envelope Label Information:</th>
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<tbody>
<tr>
<td>Township: <strong>The Township of Bethlehem</strong></td>
</tr>
<tr>
<td>Bid Number: <strong>N/A</strong></td>
</tr>
<tr>
<td>Project: <strong>BETHLEHEM COMMUNITY CENTER ROOF IMPROVEMENTS</strong></td>
</tr>
<tr>
<td>Bid Date: <strong>August 13, 2019</strong></td>
</tr>
<tr>
<td>Bid Time: <strong>1:00pm</strong></td>
</tr>
<tr>
<td>Bidder: <strong>Name of Company</strong></td>
</tr>
<tr>
<td><strong>Address</strong></td>
</tr>
<tr>
<td><strong>City, State Zip</strong></td>
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Failure to properly label the bid envelope may be cause for the rejection of the bid.

The Township of Bethlehem does not accept electronic (e-mail) submission of bids.

3. **BID OPENING MEETING**

All bids will be publicly received and unsealed by the Purchasing Agent opened at the above address and read beginning at **1:00pm** on **August 13, 2019**. 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 Purchasing Agent prior to the advertised bid date and time. No bids shall be received or accepted by The Township of Bethlehem after the advertised bid date and time.

**BIDDING REQUIREMENTS**

4. **AFFIRMATIVE ACTION—EQUAL EMPLOYMENT OPPORTUNITY IN PUBLIC CONTRACTS--EEO**

The construction contractor shall complete and submit an Initial Project Workforce Report, Form AA-201 upon notification of award by the governing body. Proper completion and submission of this Report shall constitute evidence of the contractor’s compliance with the regulations. Failure to submit this form may result in the contract being terminated. The contractor also agrees to submit a copy of the Monthly Project Workforce Report, Form AA-202 once a month thereafter for the duration of the contract to the Department of Labor Workforce and Development and to The Township of Bethlehem Public Agency Compliance Officer.

All bidders should familiarize themselves with N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27-1.1 et seq. **MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE—EXHIBIT B.** If awarded a contract, your company/firm will be required to comply with the above requirements.
All relevant questions should be related to:
Department of Treasury
Division of Purchase and Property
Contract Compliance and Audit Unit
EEO Monitoring Program—PO Box 206
Trenton, New Jersey 08625-0206
(609) 292-5473

5. AMERICANS WITH DISABILITIES ACT; FACILITIES FOR HANDICAPPED PERSONS

The contractor must comply with all provisions of Title II of the Americans with Disabilities Act (ADA), P.L. 101-336, in accordance with 42 U.S.C. §121 et seq. The Township of Bethlehem further recognizes that all specifications for the construction, remodeling or renovation of any public building shall provide facilities for the physically handicapped.

It is further recommended that bidders are required to read the Americans with Disabilities language form that is included in these specifications. The form shall be signed to show agreement with the provisions of Title II of the Act and the provisions are to be made a part of the contract. The signed form shall be submitted with the bid proposal. The contractor is obligated to comply with the Act and to hold the owner harmless.

6. 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 construction, 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 the township from designating that a contract, subcontract or other means of procurement of goods, services, equipment or construction shall be awarded to a small business enterprise, minority business enterprise or a women's business enterprise pursuant to P.L..).

7. ARCHITECT OR CONSTRUCTION DISPUTES; ALTERNATIVE DISPUTE RESOLUTION PROCESS

All disputes relating to construction contracts or relating to contracts for engineers or architects, surveyors, design or skilled services relating to construction contracts for prompt payment issues shall be submitted to the following Alternative Dispute Resolution process (“ADR”):

All disputes shall first be submitted to the architect of record, if there is one, for a determination. If thirty (30) days pass without a determination by the architect or a determination is made that does not resolve the dispute, then the claims shall be submitted for non-binding mediation by a single mediator. The mediation shall be held where the project is located before a mediator who is mutually acceptable to the parties. The parties shall share the mediator’s fees equally. If the dispute is submitted for mediation the neutral party involved must demonstrate knowledge of the Local Public Contracts Law.

Nothing shall prevent either party from seeking injunctive or declaratory relief in court at any time. The alternative dispute resolution practices required by this section shall not apply to disputes concerning the bid solicitation process, or to the formation of contracts.

The Bidder further agrees to include a similar provision in all agreements with independent contracts and consultants retained for the project and to require all independent contractors to include similar mediation provisions in all agreements with subcontractors, suppliers or fabricators so retained, thereby providing for mediation as the primary method for dispute resolution between the parties to those agreements. The arbitration of claims is expressly excluded under this Contract.

If the parties cannot resolve their dispute through the mediation process, the parties are free to file an action in the appropriate court of law.

**AIA- Document’s will Not be accepted by The Township of Bethlehem. Sample of acceptable Bid Bond Form in the bid**

8. BID GUARANTEE AND BONDING REQUIREMENTS

A. Bid Guarantee Bidders shall submit with their bid package a bid guarantee made payable to: The Township of Bethlehem (“Township”). The guarantee shall be in the form of a certified check, cashier’s check or bid bond in the amount of 10% of the bid, but not in excess of $20,000. Such deposit shall be forfeited upon refusal of a bidder to execute a contract. Any bid in the form of a check shall be returned when the contract is executed and surety (performance) bond filed with the Township. The bid guarantee check for unsuccessful bidders, if requested, will be returned as soon after the bid opening as possible, but in no event later than (10) days after the bid opening.

Please note: *Uncertified business checks, personal checks or money orders are not acceptable.*

All bid bonds submitted must be signed and witnessed with original signatures. The Township will not accept facsimile or rubber stamp signatures on the bid bond. **Failure to sign the bid bond by either the**
Surety or Principal, and/or failure to submit the properly executed bid bond with the bid package, shall be deemed cause for disqualification and rejection of the bid.

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 Township of Bethlehem 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, P.O. 040, Trenton, New Jersey 08625. Failure to submit a properly executed bid guarantee shall be cause for disqualification and rejection of bid.

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 Township.

**AIA- Documents will Not be accepted by The Township. Bidders must use Township BID BOND Form in the bid.**

B. Certificate (Consent) of Surety—N.J.S.A. 40A:11-1 et seq.,

Each bidder must submit with his bid 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. 40A-11-1 et seq.). Such surety company must be licensed and qualified to do business in the State of New Jersey. All certificates (consent) of surety documents must be signed with original signatures.

The Township will not accept facsimile or rubberstamp signatures. The certificate (consent) of surety, together with a power of attorney must be submitted with the bid. Submission of a Consent of Surety which contains any prior conditions upon the Surety's issuance of the required Bonds (other than the award of the contract) may be cause for rejection of the bid.

Failure to sign the Certificate (Consent) of Surety by either the Surety or Principal, and/or failure to submit the properly executed Certificate (Consent) of Surety with the bid package, shall be deemed cause for disqualification and rejection of the bid.

**AIA- Documents will Not be accepted by The Township. Bidders must use Township BID BOND Form in the bid**

Bidders must use Township Performance Payment Bond Form in the bid(-Sample)

C. Performance Bond—(N.J.S.A. 2A:44-143/2A:44-147)

The successful contractor 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 his Contract. Such written guarantee shall be made payable to the Township of Bethlehem and shall be in the form required by Statute. Attached to the performance bond shall be a Surety Disclosure Statement and Certification which shall be complete in all respects and duly acknowledged according to law. A model Surety Disclosure Statement and Certification is presented in the Appendix Section of this proposal.

Such bond shall further carry a stipulation that no advance, premature, excessive or delayed payments by the Township 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 Township 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 Township at reasonable times, to determine whether its Principal has performed or was performing the Contract in accordance with all its terms and conditions, particularly in relation to the progress payments scheduled under said Contract with the Township.

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 the Surety for the defaulting contractor to complete the Contract in accordance with its terms following receipt of notice from the Township of such default.

The Township shall only accept one payment and performance bond to cover this public works contract. The performance bond shall contain language as found in N.J.S.A. 2A:44-14. The bond form language is presented in the Appendix Section of this proposal.

Such Performance, Payment and Completion Bond shall be executed and delivered to The Township of Bethlehem when so requested by the Notice to Proceed Letter or within ten (10) days after the award of contract.

The Township of Bethlehem will only accept performance bonds from surety companies that are licensed and qualified to do business in the State of New Jersey, and if the amount of the bond is $850,000 but not more than $3.5 million, the surety shall hold a current certificate of authority, issued by the United States Secretary of the Treasury pursuant to 31 U.S.C. 9305. (N.J.S.A. 2A:44-143 (b))

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 Township of Bethlehem and must be duly signed with original signatures.

When applicable, for multi-year contracts and for extension of contracts, the Performance Bond may be re-submitted each year on the contract anniversary date for one hundred per cent (100%) of the contract amount.

**AIA- Documents will Not be accepted by The Township. Bidders must use Township Performance Payment Bond Form in the bid. (-SAMPLE)**

9. **BID PROPOSAL FORM**

All bids are to be written in by typewriter or 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.

*Business Organization*

Each Bid Proposal Form must give the full business address, business phone, fax, e-mail, the contact person of the bidder, and be signed by an authorized representative as follows:
• Bids by partnerships must furnish the full names of all partners and must be signed in the partnership name by one of the members of the partnership or by an authorized representative, followed by the signature and designation of the person signing.

• Bids by corporations must be signed in the legal name of the corporation, followed by the name of the State in which incorporated and must contain the signature and designation of the president, secretary or other person authorized to bind the corporation in the matter.

• Bids by sole-proprietorship shall be signed by the proprietor.

• When requested, satisfactory evidence of the authority of the officer signing shall be furnished.

The Bid Proposal Form must be duly signed by the authorized representative of the company, at the end of the Bid Proposal Form. Failure to sign in Blue Ink 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 Township of Bethlehem 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 may be cause to disqualify that particular bid as non-responsive. (N.J.S.A. 40A:11-1 et seq.,)

The bidder also conveys by submitting a bid that the company he represents is financially solvent, experienced in and competent to perform the type of work so specified.

10. BIDDER COMMENT SHEET

This form is for the Bidder’s use in offering voluntary alternates, or other comments intended to afford the Township information or opportunities to improve the quality of the project, without invalidating the bid proposal. It may not be used to take exception to specific conditions of the project defined in the contract documents which the Bidder does not like. The bid provided must be based upon the plans and specifications, and all contract conditions, as stated. If these documents or conditions contain some untenable item, or extremely expensive provision, for example, to which the Bidder wishes to raise objection, this must be done at the pre-bid meeting, or in writing to the Purchasing office at: Administrator@bethlehemnj.org through the question process outlined in the Instructions to Bidders. Such inquiries will have response issued by addendum only, and the resulting decision circulated to all bidders of record.

11. BIDDER’S RESPONSIBILITY FOR BID SUBMITTAL

It is the responsibility of the bidder to ensure that their bid is presented to The Township of Bethlehem and officially received before the advertised date and time of the bid. It is understood and agreed upon that any person in The Township of Bethlehem will be absolved from responsibility for the premature opening of any bid not properly labeled and sealed. Failure to properly label the bid envelope may be cause for the rejection of the bid. Bids may be hand delivered or mailed per legal Notice by Bidders. In the case of mailed bids, the Township of Bethlehem will not assume any responsibility for bids lost in transit at any time before bid opening. All bids received after the designated date and time will be returned unopened to the bidder.
QUESTIONS REGARDING PLANS & SPECIFICATIONS. Should any bidder be in doubt as to the intent of the Plans and Specifications, he should immediately notify the Purchasing Agent in writing by E-mail to Administrator@bethlehemnj.org, who will send a written addendum to all bidders covering the point in question. Bidders may not rely upon oral before submitting bids, the bidder shall apply in writing to the Purchasing Agent for clarification or interpretation of any conflicting information between two or more statements in the Plans and Specifications. If such clarification is not requested before bidding, the bidder shall be responsible for doing such work and furnishing such materials, as is necessary to comply with whichever interpretation of the Plans and Specifications the Engineer may, during construction, judge to be proper.

BID RESULTS. Preliminary bid results, you can E-mail the Purchasing Agent generally within 24-36 hours after date and time of bid opening

12. 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.

Request of the Township
All bidders or companies providing responses for requested proposals, are requested to submit with their response package a copy of their “New Jersey Business Registration Certificate” as issued by the Department of Treasury of the State of New Jersey.

The Township reminds all respondents that failure to submit the 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.

N.J.S.A. 54:49-4.1: Violations of Registration Requirements; Penalties.
A business organization that fails to provide a copy of a business registration as required pursuant to section 1 of P.L.2001, c.134 (C.52:32-44 et al.) or subsection e. or f. of section 92 of P.L.1977, c.110 (C.5:12-92), or that provides false information of business registration under the requirements of either of those sections, shall be liable for a penalty of $25 for each day of violation, not to exceed $50,000 for each business registration copy not properly provided under a contract with a contracting agency or under a casino service industry enterprise contract.

13. CHALLENGES TO BID SPECIFICATIONS (N.J.S.A. 40A:11-1 et seq.,)

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) days prior to the opening of bids. Challenges filed after that date shall be considered void and having no impact on The Township of Bethlehem or the award of a contract.
14. **CHANGE ORDERS (N.J.A.C. 6A:26-4.9, 4.10 et seq.)**

(N.J.A.C. 5:30-11.1 et seq.)

**The Township Approval Required; Prior to Issuance of Change Order (N.J.A.C. 5:30-11.2)**

Change orders may be approved by The Township of Bethlehem in an amount up to twenty percent (20%) when necessitated by one of the following:

- Emergencies consistent with N.J.S.A. 40A:11-1 et. Seq.;
- Unforeseeable physical conditions; or
- Minor modifications to the project/scope that achieve cost savings, improve service or resolve construction conditions.

Contractors are prohibited to perform any change order unless so directed in writing by the Township, Office of the Purchasing Agent.

15. **CONTRACTS**

A. **Award of Contract; Rejection of Bid**

The contract shall be awarded, if at all, to the lowest responsible bidder as determined by the Township. The Township of Bethlehem reserves the right to reject any or all bids as authorized by the Local Public Contracts Law, and to waive any informalities the Township feels are in the best interests of the Township.

Award the Contract or Reject All Bids--Sixty (60) Days

Pursuant to N.J.S.A. 40A:11-1 et seq., The Township of Bethlehem shall award the contract or reject all bids within sixty (60) days of the advertised date and time, except that bids of any bidders who consent thereto may, at the request of the Township, be held in consideration for such longer period as may be agreed.

B. **Equal Prices**

Pursuant to the statute when two or more bidders submit equal prices and the prices are the lowest responsible bids, the Township may award the contract to the vendor whose response, in the discretion of the Township, is the most advantageous, price and other factors considered.

**EQUAL OR TIE BID.** The Township of Bethlehem reserves the right to award at their discretion, in the best interest of the Township and with reference to the information submitted with the proposals, to any of the tie bidders.

**UNIT PRICES.** All unit prices, and all lump sum prices, in the bid proposal shall include all applicable fees, cost, and tax (if any) relating to project, and all charges for overhead, profit, insurance, etc. The successful bidder will not be responsible for real property tax on any property of the Owner, including the site of the project. Bid proposal amount will exclude all Federal Excise Tax and sales tax of all states, except those if any.

**PRICING ERROR.** If a pricing error is discovered after bid opening between the unit price and the total extended price, the unit price shall prevail.
RIGHTS RESERVED BY TOWNSHIP. The Township reserves the right to reject any and all bids, to waive any informalities or irregularities in the bids received, and to accept any bid which is deemed most favorable to the Township of Bethlehem, New Jersey, at the time and under the conditions stipulated. Proposals incorporating deviations which, in the judgment of the Purchasing Agent, are a clear departure from the intent and purpose of these specifications will not be considered.

C. Return of Contracts and Related Contract Documents
Upon written notification of award of contract by the Township, the contractor shall sign and execute a formal contract agreement between the township and Contractor and return the executed contracts along with:

1. Performance Bond in the total amount of the contract.
2. Insurance Certificate with The Township of Bethlehem named as an additional insured.
4. Other required documents as may be outlined in bid specifications.

The above documents may also be required for submission with the official Notice to Proceed. The contracts and related documents shall be returned to the Office of the Purchasing Agent within ten (10) days of receipt of notification. Failure to execute the contract and return said contract and related required documents within the prescribed time may be cause for the annulment of award by the Township with the bid security becoming property of the Township.

D. Alterations of Contract
The Township of Bethlehem reserves the right to alter or amend the contract by adding to or subtracting from the work herein specified, such additions or omissions being done under the general conditions of these specifications and the terms of the Contract. No changes shall be permitted from the specifications except that the same be in writing and the amount of the extra compensation or credit stipulated therein. Refer to Change Order Section.

E. Term of Contract
The contractor, 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.

TERM/COMPLETION OF THE PROJECT: As per specifications/Proposal pages.

F. Purchase Order Required
No contractor shall commence any public works project until he is in receipt of an approved purchase order authorizing work to begin. (See Notice (Authorization) to Proceed)
16. CONTRACTOR’S REGISTRATION EVIDENCE

A. Valid Certificate – Receipt of Bid
   All contractors must adhere to the provisions of the Public Works Contractor Registration Act – N.J.S.A. 34:11-56.48 et seq. The PWCRA requires that “No contractor shall bid on any contract for public work . . . unless the contractor is registered pursuant to this act.” The law requires that all contractors and sub-contractors named in the proposal possess a valid certificate at the time the proposal is received by the contracting unit, in this case the Township.

B. Submission of Certificate – Receipt of Bid--Requested; Prior to Award--Mandatory
   All bidders are requested to submit with the bid package a current Public Works Contractor Registration Certificate that was issued prior to the receipt of the bid.

   The contractor who most likely is to be considered for the contract award, must submit a copy of the current Public Works Contractor Registration Certificate, and if applicable, copies of certifications of all listed subcontractors, prior to the award of contract. If the successful contractor fails to provide copies of certificates prior to the award of contract, the bid may be rejected as non-responsive.

For more information contact:

   Contractor Registration Unit
   Division of Wage and Hour Compliance
   New Jersey Department of Labor & Workforce Development
   PO Box 389
   Trenton, New Jersey 08625-0389
   Tel: 609-292-9464
   Fax: 609-633-8591
   E-mail: wage.hour@dol.nj.gov
   Website: lwd.dol.state.nj.us/labor/wagehour/content/contact_us.html

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

Contractors/vendors doing business with The Township of Bethlehem 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 the township 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 the township 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.

18. DEBARMENT, SUSPENSION, OR DISQUALIFICATION –
(N.J.A.C. 17:19-1.1 et seq.)

The Township of Bethlehem 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) or the Federal System for Award—SAM.gov.

All bidders are required to submit a sworn statement indicating whether or not the bidder is, at the time of the bid, 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, through the System for Award Management portal—SAM.gov.

19. DOCUMENTS, MISSING/ILLEGIBLE

The bidder shall familiarize himself with all forms provided by the Township that are to be returned with the bid. If there are any forms either missing or illegible, it is the responsibility of the bidder to contact the Purchasing Agent during regular business hours or the Director of Public Works as outlined in the bid advertisement for duplicate copies of the forms. This must be done before the bid date and time. The Township accepts no responsibility for duplicate forms that were not received by the bidder in time for the bidder to submit with his bid.

*Forms provided by The Township of Bethlehem that must be returned with bid are referenced in the proceeding checklist.

20. DOCUMENT SIGNATURES – ORIGINAL; BLUE INK

All documents returned to the Township shall be signed in ink (blue) with an original signature. Failure to sign and return all required documents with the bid package may be cause for disqualification and for the bid to be rejected pursuant to N.J.S.A 40A:11-1 et seq., (non-responsive). The Township will not accept facsimile or rubber stamp signatures.
# Checklist of Required Documents (Forms Provided in Bid Package)

- Acknowledgement of Addenda
- Americans with Disabilities Act
- Bid Proposal Form
- Bidder Comments Form—optional
- Bid Cover Sheet, Name, Address, Phone Number, E-mail
- Contractor Questionnaire/Certification
- Contractor’s Registration Certification
- Equipment Certification
  - Exhibit “B”
  - Hold Harmless
  - Bidders Affidavit
  - Plan & Experience
- Iran Disclosure of Investment Activities
- Non-Collusion Affidavit
- Prequalification Affidavit
- Prevailing Wages Certification
- Statement of Ownership Disclosure
- Subcontractor’s Disclosure Statement
- Sworn Contractor Certification; Qualifications and Credentials

**TERM/COMPLETION OF THE PROJECT**: As per specifications/Proposal pages.

*Please check your bid package for these forms!*

## Reminder – Original Bid and One Copy of Bid Package

Bid packages are to be submitted in duplicate on the proposed forms as provided and the manner designated. The Township of Bethlehem will accept one original bid package, one true copy of the original bid package.

### 21. **EQUIPMENT CERTIFICATION** (N.J.S.A. 40A:11-1 et seq.)

Each bidder shall provide a certification showing that he owns, leases or controls all the necessary equipment required by the specifications. If the bidder is not the actual owner or lessee of any such equipment, he shall submit a certificate stating the source from which the equipment will be obtained and shall obtain a certificate from the owner and person in control of the equipment, definitely granting to the bidder the control of the equipment required during such time as may be necessary for the completion of that portion of the contract for which it is necessary.

The certificates are to be submitted with the bid. If the contract involves the installation of a manufactured system which requires the contractor to have special knowledge or training, or to be specifically certified by the manufacturer to install their system, this form is used to submit such required evidence of the bidder’s approval from the manufacturer.
22. **EXAMINATION OF SPECIFICATIONS, ACKNOWLEDGEMENT**

The bidder, by submitting a proposal, acknowledges that he has carefully examined the bid 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 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 bid specifications and documents.

**TERM/COMPLETION OF THE PROJECT:** As per Specifications/Proposal pages.

23. **FALSE MATERIAL REPRESENTATION/TRUTH IN CONTRACTING**

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.

Bidder 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.

- Bidder should consult the statutes or legal counsel for further information.

24. **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 Township of Bethlehem to provide goods or services cannot unilaterally claim an increase in the cost of the contract because of Force Majeure.

25. 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 as listed:

General Liability
- $2,000,000. General Aggregate
- $1,000,000. Products
- $1,000,000. Bodily Injury Property Damage & Personal Injury Combined
- $1,000,000. Each Occurrence
- $100,000 Pollution Cleanup
- $50,000. Fire Damage
- $5,000. Medical Expense

Excess Umbrella Liability
- $4,000,000

Comprehensive Automobile Liability Coverage
- $1,000,000 Combined Single Limit Bodily Injury/Property Damage Liability Coverage

(A) Insurance Certificate – When Required

- The contractor shall present to The Township of Bethlehem an insurance certificate in the above types and limits before any work or service begins.
- Automobile liability insurance coverage shall be included for any vehicle used by the contractor.
- The certificate holder shall be as follows:

  The Township of Bethlehem
  c/o Office of the Purchasing Agent
  405 Mine Road
  Asbury, NJ 08802

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

“\textit{The Township of Bethlehem is named as an Additional Insured}”

(A) 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

(B) **Indemnification**

The contractor shall assume all risk of and responsibility for, and agrees to indemnify, defend, and save harmless the Township and its agents, employees and Township 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 him or his men or by any subcontractor employed by him or any of the subcontractor’s men.

(C) **Builders Risk** X Applicable Not Applicable

The contractor shall obtain and pay for within their bid, a Builder’s Risk Policy providing coverage for all risk of physical loss or damage to the property in an amount equal to the total project value, less excavations and foundations.

The policy must be maintained for the duration of the project from the beginning of construction until:

(i) written acceptance by Director of Public Works/ CME Engineering, or substantial completion, and

(ii) a temporary certificate of occupancy or certificate of occupancy has been issued.

A copy of the policy must be delivered to The Township of Bethlehem before construction begins. All of the contractor’s policies, with the exception of workers’ compensation, shall be endorsed naming the Township, its elected and appointed officials, and employees as additional insureds.

26. **INTERPRETATIONS AND ADDENDA** (N.J.S.A. 40A:11-1 et seq.,)

No interpretation of the meaning of the specifications will be made to any bidder orally. Every request for such interpretations should be made in writing to the Purchasing Agent or the Architect/Engineer of Record and must be received by same at least ten (7) business days, not including Saturdays, Sundays and holidays, prior to the date fixed for the opening of bids 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 by The Township of Bethlehem in accordance with
N.J.S.A 40A:11-1 et. Seq. to the bidder by E-mail, certified fax or delivery service, no later than seven (7) days, not including Saturdays, Sundays, or holidays prior to the date for acceptance of the bids. All addenda so issued shall become part of the contract document.

**ADDENDA.** It shall be understood that any addendum issued from time to time to provide additional information to the bidders shall become an integral part of this bid package. Receipt of Addendum shall be acknowledged by the bidders in the space provided therefore on the “Bid Proposal Form: Bidders log into Township website for Addendums.

**27. IRAN DISCLOSURE OF INVESTMENT ACTIVITIES.**

(N.J.S.A. 40A:11-1 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 a certification attesting, 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 Divisions website


If the Township 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 Township 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. The Township has provided within the specifications, a Disclosure of Investments Activities certification form for all persons or entities, that plan to submit a bid, respond to a proposal, or renew a contract with the Township, to complete, sign and submit with the proposal.

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

**28. LIABILITY – COPYRIGHT**

The contractor (vendor) shall hold and save the Township, 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.
29. LIQUIDATED DAMAGES

The contractor agrees to substantially complete this public works project to the complete satisfaction of The Township of Bethlehem by the stated contract completion date or within the number of working days so specified in the contract.

Failure to complete the project within the specified time frame or contract completion date shall lead to The Township of Bethlehem assessing liquidated damages against the contractor in accordance with and pursuant to N.J.S.A. 40A:11-1 et. seq.

For each calendar day thereafter that the work included under this contract remains uncompleted in accordance with the provision of the contract or not completed to the satisfaction of the Township, the Township shall assess liquidated damages as follows:

<table>
<thead>
<tr>
<th>Amount of Contract Range of Amount</th>
<th>Liquidated Damages</th>
</tr>
</thead>
<tbody>
<tr>
<td>$ 20,000 and less than $ 50,000</td>
<td>$ 200.00 per calendar day</td>
</tr>
<tr>
<td>50,001 and less than $ 100,000</td>
<td>$ 300.00 per calendar day</td>
</tr>
<tr>
<td>100,001 and less than $ 250,000</td>
<td>$ 500.00 per calendar day</td>
</tr>
<tr>
<td>251,001 and less than $ 500,000</td>
<td>$ 1,000.00 per calendar day</td>
</tr>
<tr>
<td>500,001 and less than $1,000,000</td>
<td>$ 2,000.00 per calendar day</td>
</tr>
<tr>
<td>1,000,000 and over</td>
<td>$ 2,500.00 per calendar day</td>
</tr>
</tbody>
</table>

The Township may assess liquidated damages by deducting the amount from monies which may due or become due to the contractor.

The Township may also assess the contractor additional damages for costs the Township may incur because each day the project remains uncompleted. These costs include but are not limited to:

- Construction management fees
- Architect/engineer fees
- Administrative costs
- Any inspector or inspectors necessarily employed by The Township of Bethlehem on the work, for any number of days in excess of the number allowed in the specifications

The Township of Bethlehem may also assess against all monies owed to the contractor, liquidated damages for the violation of any terms and conditions of the contract or agreement by the contractor or the failure to perform said contract or agreement in accordance with its terms and conditions or the terms or conditions of the “Local Public Contracts Law,” in accordance with and pursuant to N.J.S.A. 40A:11-1 et seq.,

30. MAINTENANCE BONDS

| X Required | □ Not Required |

When required by the Township, the contractor shall furnish a Maintenance Bond for the total sum of the contract price, indemnifying The Township of Bethlehem against defects in construction for a period of Two (2) years after the completion of the work, general wear and tear excepted.

The condition of this obligation is such that if the successful contractor shall indemnify and hold harmless The Township of Bethlehem from and against all losses, costs, damages and expenses, whatsoever, which
the Township may suffer or compelled to pay by reason of the failure of the successful contractor to indemnify the Township against defects in construction for a period of Two (2) years after the completion of the work.

31. **NON-COLLCUSION AFFIDAVIT** (N.J.S.A. 52:34-15)

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 Township of Bethlehem 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 Township of Bethlehem 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.

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

32. **NOTICE (AUTHORIZATION) TO PROCEED**

The contractor shall not perform any work, or provide any services, materials, supplies until a Notice (Authorization) to Proceed is received from the Office of the Purchasing Agent.

The Township of Bethlehem only recognizes the receipt by the contractor of an approved signed purchase order as a Notice to Proceed. No word of mouth, phone, fax, e-mail, letter or other form of communication to proceed is a valid Notice to Proceed.

It is the intention of the Township to officially notify the Contractor, to whom the contract was awarded, through a Notice to Proceed letter issued by the Purchasing Agent. A purchase order will accompany the Notice to Proceed letter. The contractor shall submit certain documents to the Township as so requested in the Notice to Proceed letter.

33. **PAYMENTS**

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

- Signed voucher by vendor
- Packing slips
- Invoices

Payment will be rendered upon completion of services or delivery of full order to the satisfaction of the Township, unless otherwise agreed to by written contract or mandated by State Law*. The Township may, at its discretion make partial payments.
All payments are subject to approval by The Township of Bethlehem at a public meeting. Payment may be delayed from time to time depending on The Township of Bethlehem meeting schedule.

34. PAYMENT, PARTIAL, WITHHOLDING

A. Contract Thresholds; Partial Payments/Withholding

1. Contracts – Less than $100,000 – Lump Sum Payment
   Public works contracts less than $100,000 shall be paid in one lump total sum, upon completion of the project and to the satisfaction of the Township.

2. Contracts – Exceeding $100,000 – Monthly Payments
   Public works contracts that exceed $100,000 shall be paid with partial payments on a monthly basis for work that was completed to the satisfaction of the Township.

3. Withholding of Monies – Percentage to be Withheld
   The Township of Bethlehem shall withhold the following percentages of outstanding balances of monies owed to contractors:
   - Balances Exceeding $500,000 -- Two (2%) Per Cent
   - Balances Less than $500,000 -- Five (5%) Per Cent
   The amounts withheld shall be returned to the contracts upon fulfillment of the terms of the contract.

B. Prompt Payment
   The Township of Bethlehem will provide payment in accordance with the “Prompt Payment” law as codified in N.J.S.A. 2A:30A-1 et seq. All payments to contractors are subject to approval by The Township of Bethlehem at a public meeting.

   The Township of Bethlehem generally holds its Agenda, and its Regular Public Meetings twice or more each month. It is at these meetings that The Township of Bethlehem reviews payment of bills.

   All bills submitted to the Township for approval and payment pursuant to N.J.S.A. 2A:30A-1 et seq. must comply with the following provisions. The “billing date” shall be the date that the contractor signs the certification on the voucher/purchase order that the work has been performed. These bills include all bills for improvements to real property and contracts for engineers, architects, surveyors, design or skilled services relating to construction work.

   Bills that are required to be approved by an engineering or architecture firm (prior to submission to the Township for approval) for purposes of confirmation of successful completion of construction work, shall be approved or disapproved within twenty (20) days of submission of same to the architect or engineer. If bills are disapproved or monies withheld from payment, the notice of the reason for same shall be given within the same twenty (20) days to the contract.

   The Township must approve payment of all bills. For the Township to consider a bill for approval it must be submitted to the Purchasing Agent at least two weeks prior to a scheduled/or rescheduled Township meeting date. If the Township, or any agent or officer of the Township, determines that the bill is not approved then notice of the disapproval shall be sent to the contractor with five (5) days of the Township meeting on which the bill was listed for approval.
If the bill is approved by the Township, then payment shall be made to the contractor with seven (7) days of the Township meeting as per the “payment cycle.”

Release of Liens
Neither the final payment nor any part of the retained percentage shall become due until the Contractor delivers to The Township of Bethlehem a complete Release of all Liens arising out of this Contract and an affidavit that so far as he has knowledge or information, the releases include all labor and material for which a lien could be filed, but the Contractor may, if any subcontractor refuses to furnish a release in full, furnish a bond satisfactory to the Township, to indemnify him against any liens. If any lien remains unsatisfied after all payments are made, the Contractor shall refund to The Township of Bethlehem all monies that the latter may be compelled to pay in discharging such a lien, including all costs and reasonable attorney’s fees.

35. PRE-BID MEETING; ATTENDANCE STRONGLY ENCOURAGED!

The pre-bid meeting is an important part of the bidding process. It permits all bidders to have an equal understanding of the procurement/contracting requirements and of the scope of work involved. Although pre-bid meetings are not mandatory, all potential bidders are strongly encouraged to attend. Please review the General Specifications for a pre-bid meeting announcement. Any or all changes to the bid specifications discussed as a result of the pre-bid meeting will be formalized in the form of an written addenda to the specifications and distributed in accordance with N.J.S.A. 40A:11-1 et seq.,

It is anticipated that the pre-bid meeting (if any) scheduled for this project will have an agenda format such as:

A. Registration Period
   At this time all attendees will be asked to register to attend this meeting. Proper photo identification is required. Plans and specifications may be available for purchase from the Architect/Engineer of Record. Attendance will be recorded.

B. Review of Procurement/Contracting Requirements—Purchasing Agent
   The Purchasing Agent will review the major components of the procurement and contracting requirements of the bid.

C. Scope of Work and Scheduled Completion Time, Director of Public works/CME Engineering.
   The Department of Public Works of Record/CME Engineering, in conjunction with the Director of Public Works, CME and the Purchasing Agent will review the scope of the work that is requested and completion time requirements (As per Specification Number of Working Days). A review of the plans and any drawings may take place.

D. Walkthrough of Facility/Site
   The Department of Public Works/CME Engineering, in conjunction with the Director of Public Works and CME/or the Purchasing Agent, may conduct a facility site walkthrough with all interested parties.

E. Questions; Clarifications—Official Addenda Process(QUESTIONS & ANSWERS ON THE BID DUE BY 8/12/19)
Potential bidders are permitted to ask questions during the process. Questions of substantial measure or questions that require clarification of work to be completed may be answered at the meeting, however, the Director of Public Works/CME Engineering shall answer all such questions in writing in the form of an official addenda. To: administrator@bethlehemnj.org

Any and all answers to questions, interpretations or any supplemental instructions will be distributed in the form of a written official addenda to the specifications. The official addenda will be provided by the Purchasing Agent’s Office of the Township in accordance with N.J.S.A. 40A:11-1 et Seq., to the bidder by E-mail to: administrator@bethlehemnj.org, no later than seven (7) days, not including Saturdays, Sundays, or holidays prior to the date for acceptance of the bids. All addenda so issued shall become part of the bid and contract document.

**37. BIDDERS COMMNET SHEET**

This form is for the Bidder’s use in offering voluntary alternates, or other comments intended to afford the Township information or opportunities to improve the quality of the project, without invalidating the bid proposal. It may *not* be used to take exception to specific conditions of the project defined in the contract documents which the Bidder does not like. The bid provided must be based upon the plans and specifications, and all contract conditions, as stated. If these documents or conditions contain some untenable item, or extremely expensive provision, for example, to which the Bidder wishes to raise objection, this must be done at the pre-bid meeting, or in writing to the Purchasing office at: Administrator@bethlehemnj.org through the question process outlined in the Instructions to Bidders. Such inquiries will have response issued by addendum only, and the resulting decision circulated to all bidders of record.
36. PREVAILING WAGES: CONSTRUCTION, ALTERATIONS, REPAIRS

The State of New Jersey Prevailing Wage Act, Chapter 150 Laws of 1963 with applicable statewide wage Department of Labor and Workforce Development in conformance with N.J.S.A. 34:11-56.25 et seq., may be included in these bid contract documents. Copies of these wage rates may be obtained from the State Department of Labor and Workforce Development, and/or viewed at http://lwd.dol.state.nj.us/ the Prevailing Wages Determination Section.

Compliance with New Jersey Prevailing Wage Act
Every contractor and subcontractor performing services in connection with this project, shall pay all workers a wage rate not less than the published prevailing wage rates, for the locality the work is being performed, as designated by the New Jersey Department of Labor and Workforce Development.

PREVAILING WAGE ACT.

Pursuant to N.J.S.A. 34:11-56.25 et seq., the Contractors on projects for public work shall adhere to all requirements of the New Jersey Prevailing Wage Act. The contractor shall be required to submit a certified payroll record to the Township within ten (10) days of the payment of the wages. In the event it is found that any worker, employed by the Contractor or any subcontractor has been paid a rate of wages less than the prevailing wage required to be paid, the Township may terminate the Contractor's or subcontractor's right to proceed with the work, or such part of the work as to which there has been a failure to pay required wages and the contractor and subcontractor then be required to continue the work to completion or otherwise.

The Contractor is also responsible for obtaining and submitting all subcontractors' certified payroll records within the aforementioned time period. The Contractor shall submit said certified payrolls in the form set forth in N.J.A.C. 12:60-6.1(c). It is the Contractor's responsibility to obtain any additional copies of the certified payroll form to be submitted by contacting the New Jersey Department of Labor and Workforce Development, Division of Workplace Standards.

Additional information is available at http://lwd.dol.state.nj.us/labor-wagehour-wage-rate/pwr_construction.html

Certified Payrolls
Every contractor agrees to submit to The Township of Bethlehem a certified payroll for each payroll period within ten (10) days of the payment of wages. The contractor further agrees that no payments will be made to the Contractor by the Township, if certified payrolls are not received by the Township. It is the Contractor's responsibility to insure timely receipt by the district of certified payrolls.
Submission of Affidavit
Before final payment, the contractor shall furnish The Township of Bethlehem with an affidavit stating that all workers have been paid the prevailing rate of wages in accordance with State of New Jersey requirements. The contractor shall keep an accurate record showing the name, craft, or trade and actual hourly rate of wages paid to each workman employed by him in connection with this work. Upon request, the Contractor(s) and each Subcontractor shall file written statements certifying to the amounts then due and owing to any and all workmen for wages due on account of the work. The statements shall be verified by the oaths of the Contractor or Subcontractor, as the case may be.

Posting of Prevailing Wages
The contractor and subcontractor shall post the prevailing wage rates for each craft and classification involved in the work, including the effective date of any changes thereof, in prominent and easily accessible places at the Site of the work and in such place or places as used to pay workmen their wages. N.J.S.A. 34:11-56.32.

PREVAILING WAGE ACT.

Pursuant to N.J.S.A. 34:11-56.25 et seq., the Contractors on projects for public work shall adhere to all requirements of the New Jersey Prevailing Wage Act. The contractor shall be required to submit a certified payroll record to the Township within ten (10) days of the payment of the wages. In the event it is found that any worker, employed by the Contractor or any subcontractor has been paid a rate of wages less than the prevailing wage required to be paid, the Township may terminate the Contractor’s or subcontractor's right to proceed with the work, or such part of the work as to which there has been a failure to pay required wages and the contractor and subcontractor then be required to continue the work to completion or otherwise.

The Contractor is also responsible for obtaining and submitting all subcontractors' certified payroll records within the aforementioned time period. The Contractor shall submit said certified payrolls in the form set forth in N.J.A.C. 12:60-6.1(c). It is the Contractor's responsibility to obtain any additional copies of the certified payroll form to be submitted by contacting the New Jersey Department of Labor and Workforce Development, Division of Workplace Standards.

Additional information is available at http://lwd.dol.state.nj.us/labor/wagehour/wagerate/pwr_construction.html

Prevailing Wages Certification—Submission with Bid
The bidder shall submit a Prevailing Wages Certification with its bid package.

Non-compliance Statement
If it is found that any worker, employed by the contractor or any subcontractor covered by said contract, has been paid a rate of wages less than the prevailing wage required to be paid by such contract, the Township, may begin proceedings to terminate the contractor's or subcontractor's right to proceed with the work, or such part of the work as to which there has been a failure to pay required wages and to prosecute the work to completion or otherwise. The contractor and his sureties shall be liable for any excess costs occasioned thereby to the public body.

37. QUALIFICATION OF BIDDERS - Contractor Questionnaire Certification Form

The Township of Bethlehem may make such investigations as it seems necessary to determine the ability of the bidder to perform the terms of the contract. The bidder shall complete a Contractor Questionnaire Certification Form and return same with the bid and shall furnish all information to the Township as the Township may require to determine the contractor’s ability to perform the duties and obligations as outlined in these specifications.
All bidders are reminded that bids may be rejected as not being responsive pursuant to N.J.S.A. 40:11-1 et seq., and therefore bidders are asked to complete the Questionnaire and to provide any supporting documentation with the bid package.

38. **RESIDENT CITIZENS; PREFERRED IN EMPLOYMENT ON PUBLIC WORKS CONTRACTS**

All bidders are to familiarize themselves with N.J.S.A. 34:9-2, which requires the contractor of any public work project to give preference in employment on the project, to citizens of the state of New Jersey. If the terms and conditions of N.J.S.A. 34:9-2 are not complied with, the contract shall be voidable. The Township is obligated to file with the Commissioner of Labor, the names and addresses of all contractors holding contracts with this project.

39. **RENEWAL OF CONTRACT; AVAILABILITY AND APPROPRIATION OF FUNDS**

The Township of Bethlehem may, at its discretion, request that a contract that is subject to renewal, be renewed in full accordance with N.J.S.A. 40:11-1 et seq. The Purchasing Agent may negotiate terms for a renewal of contract proposal and present such negotiated proposal to the Township. The Township of Bethlehem is the final authority in awarding renewals of contracts. All multi-year contracts and renewals are subject to the availability and appropriation annually of sufficient funds as may be needed to meet the extended obligation.

40. **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](http://www.nj.gov/health/workplacehealthandsafety/right-to-know/) - 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](http://www.nj.gov/health/workplacehealthandsafety/right-to-know/) are to contact the:

New Jersey Department of Health and Senior Services  
Right to Know Program  
CN 368  
Trenton, New Jersey 08625-0368  
www.nj.gov/health/workplacehealthandsafety/right-to-know/

**NEW JERSEY WORKER AND COMMUNITY RIGHT TO KNOW ACT**

The manufacturer or supplier of chemical substances or mixtures shall label them in accordance with the N.J. Worker and Community Right to Know Law (N.J.S.A. 34:5A-1 et seq., and N.J.A.C 8:59-2 et seq.,). All direct use containers shall bear a label indicating the chemical name(s) and Chemical Abstracts Service number(s) of all hazardous substances in the container, and all other substances which are among the five most predominant substances in the container, or their trade secret registry number(s) pursuant to N.J.A.C. 8:59-5. "Container" means a receptacle used to hold a liquid, solid or gaseous substance such as bottles, bags, barrels, cans, cylinders, drums and cartons. (N.J.A.C. 8:59-1.3). Further, all applicable Material Safety Data Sheets (MSDS) - hazardous substance fact sheet - must be furnished. All containers which are stored at owner facilities by subcontractors shall display RTK labeling. Vendors with questions concerning labeling should contact the New Jersey Department of Health and Senior Services Right to Know Program for assistance in developing proper labels.
41. **STATEMENT OF OWNERSHIP** (N.J.S.A. 52:25-24.2)

**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.

43. **SUBCONTRACTING:** Subcontractor Disclosure Statement

Pursuant to N.J.S.A. 40A:11-1 et seq., any bidder who bids for the overall contract and who will subcontract the following work:

- Plumbing and gas fitting work;
- Refrigeration, heating and ventilating systems and equipment;
- Electrical work, tele-data, fire alarm or security systems; and
- Structural steel and ornamental iron work;

**Documents to be Submitted: All Subcontractors**
The prime contractor (bidders) who will be using a subcontractor on any part of this bid, shall identify the subcontractor(s) on the appropriate form and submit with the bid package the following subcontractor documents at the time indicated in the box below:

<table>
<thead>
<tr>
<th>SUBCONTRACTOR DOCUMENT SUBMISSIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated Value of Contract – Subcontractor</td>
</tr>
<tr>
<td>$2,000 through $5,999</td>
</tr>
<tr>
<td>$6,000 through $17,499</td>
</tr>
<tr>
<td>$17,500 through $19,999</td>
</tr>
</tbody>
</table>
Failure to identify in the Subcontractor’s Disclosure Statement the names and addresses of any or all subcontractors required to be named in the bid, or to submit with the bid the appropriate documents for each such subcontractor, may be cause for the bid to be rejected as being non-responsive.

Contractors are reminded that the subcontractors listed on the forms provided by the township may not be changed later, except in the case of failure in performance or other contract breach where a change is needed to protect the township.

44. SUBCONTRACTING: PROHIBITIONS: HOLD HARMLESS

Prime contractors, with whom The Township of Bethlehem have an executed contract, may not subcontract any part of any work done for the Township without first receiving written approval from the Township. Contractors seeking to use subcontractors must first complete the Request to Sub Contract Form as provided by the Building Services Department.

Subcontractors Prohibited to Sub Contract
It is the responsibility of the prime contractor to ensure that no subcontractor who has received written permission to do work for the Township, subcontracts any of its/their work without first receiving written approval from the prime contractor and the Director of Public Works or his designee.

The prime contractor assumes all responsibility for work performed by subcontractors. The prime contractor must also provide to the Township Purchasing Office the following documents secured from all approved subcontractors:

- Insurance Certificate as outlined in the bid specifications;
- Affirmative Action Evidence as outlined in the bid specifications;
- Written certification that the subcontractor shall adhere to prevailing wages as provided through New Jersey State Law;
- Evidence of Performance Security;
- Documents listed in the Subcontractor Document Submissions list.

In cases of subcontracting, The Township of Bethlehem shall only pay the prime contractor. It is the sole responsibility of the prime contractor to ensure that all subcontractors are paid. The Township of Bethlehem 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.

Penalties – Unauthorized Subcontractors
The Township of Bethlehem shall deduct the amount of $1,000.00 (one thousand dollars) per day as a penalty, for each day a prime contractor uses a subcontractor without first receiving written permission from the Purchasing Agent.
45. TAXES; Contractor’s Use of Township’s Tax Identification Number—Prohibited

As a New Jersey governmental entity, the Township of Bethlehem 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. Bidders 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 Township. Contractors may not use the Township’s tax identification number to purchase supplies, materials, service or equipment, for this project.

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 Township. All contractors are referred to New Jersey Division of Taxation—Tax Bulletin S&U-3 and in particular, Contractor’s Exempt Purchase Certificate (Form ST-13). Again, contractors are not permitted to use the Township’s tax identification number to purchase supplies, materials, services of equipment. **Attached in the bid for the Contractor- ST-13 FORM**

46. TERMINATION OF CONTRACT

If the Township determines that the contractor has failed to comply with the terms and conditions of the bid and/or 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 Township 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 Township 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 Township may withhold payment due the contractor and apply same towards damages once established. The Township 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.

47. WITHDRAWAL OF BIDS

*Before the Bid Opening*

The Purchasing Agent may consider a written request from a bidder to withdraw a bid if the written request is received by the Purchasing Agent before the advertised time of the bid opening. Any bidder who has been granted permission by the Purchasing Agent to have his/her bid withdrawn cannot re-submit a bid for the same advertised bid project. That bidder shall also be disqualified from future bidding on the same project if the project is re-bid.

*After the Bid Opening*

The Township of Bethlehem may consider a written request from a bidder to withdraw a bid, if the written request is received by the Purchasing Agent within five (5) business days after the bid opening. A request to withdraw a bid after the specified number of days will not be honored.
The contractor/vendor who wishes to withdraw a bid 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 bid after the bid opening may be reviewed by the Purchasing Agent, the Director of Public Works, other interested administrators; and the Department of Public Works of Record/CME Engineering for the project (if necessary) and/or the Township Attorney and a recommendation will be made to the Township. If the Township of Bethlehem grants permission to have the bid withdrawn the contractor/vendor shall be disqualified from bidding on the same project if the project is re-bid. If the contractor/vendor fails to meet the burden of proof to have the bid withdrawn the request to withdraw the bid will be denied and if the contractor/vendor fails to execute the contract the bid guarantee will be forfeited and become property of the Township.

**TERM/COMPLETION OF THE PROJECT:** As per specifications/Proposal pages.

**Bid No:** N/A

**Supplemental Specifications**

**BETHELHEM COMMUNITY CENTER ROOF IMPROVEMENTS**

**AWARD OF CONTRACT**

The Township of Bethlehem intends to award the contract for the project as follows:

________________________________________________________________________

________________________________________________________________________

**EXPERIENCE**

The Township of Bethlehem requires evidence from all bidders that they have completed work or projects of a similar nature as outlined in the bid package. Bidders are to provide evidence of satisfactory completion of work of similar nature as outlined in the bid from other governmental bodies ______________________(______) for at least (____) years. See attached Plan & Experience forms in the bid. As Per Specifications.

**NUMBER OF WORKING DAYS; TIME OF COMPLETION**

The contractor agrees to substantially complete this Public Works Project to the satisfaction of The Township of Bethlehem within ______________________(______) working days from the receipt of the official Notice to Proceed and purchase order. The district has defined a working day as a calendar day.
As Per Specifications.

The number of working days set by the Township may be extended by mutual agreement between the contractor and the district. The mutual agreement shall be in writing and will be considered an addendum to the contract.

PRE-BID MEETING

A pre-bid meeting for this project is scheduled for: (Site Visit Not Mandatory)

August 7, 2019
10:00 a.m.
The Township of Bethlehem

The purpose of this meeting is to review the legal and technical requirements of the bid proposal. While attendance is not mandatory, prospective bidders are strongly encouraged to attend this important meeting. Addenda to this bid proposal may be issued as a result of the pre-bid meeting.

TRADE CLASSIFICATION(S) (Optional)

A. Bidder:
For the purpose of this Public Works bid, each bidder shall be classified by the State of New Jersey—Division of Property Management and Construction in the following trade(s):

Classification Code Classification Trade Name
_________________________ (List Code #) __________________________ (List name of trade)

Proof of classification shall be submitted with the bid package in the form of a current Notice of Classification as issued by the New Jersey Division of Property Management and Construction.

B. Subcontractor:
For the purpose of this Public Works bid, each bidder shall use a subcontractor that is properly classified by the State of New Jersey—Division of Property Management and Construction in the following trade(s):

Classification Code Classification Trade Name
_________________________ (List Code #) __________________________ (List name of trade)

Proof of classification, in the form of a current Notice of Classification form, for each Sub-Contractor, shall be submitted by the bidder with the bid package for any estimated subcontractor work exceeding $20,000.00.
THE TOWNSHIP OF BETHLEHEM

BETHLEHEM COMMUNITY CENTER ROOF IMPROVEMENTS

TECHNICAL SPECIFICATIONS

1. Remove existing roofing materials down to original plywood
2. Install new ice shield as per roofing standards
3. Install GAF deck Armor or equivalent as per specs for roof slope
4. Install new pipe flanges (4), install new roof ventilation boxes where needed (4)
5. Flash around Chimney
6. Install new drip edge around entire roof edge
7. Install GAF 30 year timberline HD lifetime shingles or equivalent using 1 &1/4 inch roof nails, 6 per shingle
8. Clean up and haul away all job related materials
9. Clean all gutters and re-secure gutters and leaders
10. Furnish Township of Bethlehem with factory warranty for shingles
11. Supply unit price for any existing damaged plywood on the roof
12. Install new ridge vent and cap shingles, cap shingles will be the same GAF 30 year timberline HD lifetime or equivalent
13. Roof square foot area is approximately 6,700 square feet
14. A push magnet will be used around entire perimeter of building to pick up any loose nails on the ground
15. Job location is 405 Mine road Asbury, New Jersey, the building is DPW garage/ community center
16. Provide minimum of two weeks notice of when work will start

John Paulmeno, Purchasing Agent
BID DOCUMENTS AND 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 may be cause to reject the bid for being non-responsive

________________________
John Paulmeno, Purchasing Agent

To be completed, signed and returned with Bid

ACKNOWLEDGEMENT OF ADDENDUM

BETHLEHEM COMMUNITY CENTER ROOF IMPROVEMENTS
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.

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<tr>
<th>ADDENDA NO.</th>
<th>ISSUING DATES</th>
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☐ No Addenda Received

Name of Company ______________________________________________________________

Address ___________________________________________________________ P.O. Box _________

City, State, Zip Code _________________________________________________________

Name of Authorized Representative ___________________________________________

Signature ___________________________ Date ___________________________
This form is for Bidder’s use in offering voluntary alternates, or other comments intended to afford the Township information or opportunities to improve the quality of the project, without invalidating the bid proposal. It may not be used to take exception to specific conditions of the project defined in the contract documents which the Bidder does not like. The bid provided must be based upon the plans and specs, and all contract conditions, as stated. If these documents or conditions contain some untenable item, or extremely expensive provision, for example, to which the Bidder wishes to raise objection, this must be done at the pre-bid meeting, or in writing to the Architect through the question process outlined in the Instructions to Bidders. Such inquiries will have response issued by addendum only, and the resulting decision circulated to all bidders of record. Inquires raised too close to the bid date will not be able to be answered.

Name of Company

Address

City, State, Zip

Name of Authorized Representative

Signature          Title          Date
To be completed, signed and returned with Bid

The Township of Bethlehem

CONTRACTOR QUESTIONNAIRE/CERTIFICATION

BETHLEHEM COMMUNITY CENTER ROOF IMPROVEMENTS

Bid No. N/A

Bid Date August 13, 2019

Name of Company ____________________________________________

Street Address _____________________________________________ P.O. Box ______________

City, State, Zip _____________________________________________

Business Phone Number (      )___________________________ Extension ______________________

Emergency Phone Number (      )___________________________ E-Mail _________________________

FAX NO. (      )___________________________

FEIN No. ____________________________

Questionnaire

1. How many years have you been engaged in the contracting business under your present firm or trading name?

   ________________ Years

2. Have you ever failed to complete any work awarded to your company?

   □ Yes    □ No

   If yes, explain _________________________________________________________________

3. Have you ever defaulted on a contract?

   □ Yes    □ No

   If yes, explain _________________________________________________________________

4. Have you or other principals of your company been debarred, suspended, proposed for debarment, declared ineligible, or voluntary excluded from participation in any public works projects by any federal, state, or local agencies, including any “prior negative experience“ disqualification pursuant to N.J.S.A. 40A:11-1 et sq.,?

   □ Yes    □ No

   If yes, explain _________________________________________________________________

(Form continued on next page)
Experience – Township:
The Township of Bethlehem requires evidence from all bidders that they have completed work or projects of a similar nature as outlined in the bid package. Bidders are to provide evidence of satisfactory completion of work of similar nature as outlined in the bid from _______ (___) Townships in New Jersey within the past _________ (___) years. Bidders are to complete the section on experience and provide supporting documentation with the bid package. As Per Specifications.

A. Title of Work/Project: _______________________________________________________
   Name of Township: _______________________________________________________
   Name of School Official: ___________________________ Title ___________________
   Phone Number ____________________________ E-Mail __________________________
   Date(s) of Project: _______________________________________________________

B. Title of Work/Project: _______________________________________________________
   Name of Township: _______________________________________________________
   Name of School Official: ___________________________ Title ___________________
   Phone Number ____________________________ E-Mail __________________________
   Date(s) of Project: _______________________________________________________

C. Title of Work/Project: _______________________________________________________
   Name of Township: _______________________________________________________
   Name of School Official: ___________________________ Title ___________________
   Phone Number ____________________________ E-Mail __________________________
   Date(s) of Project: _______________________________________________________

References
Architects—List names of architects that you have worked with on projects within the last five (5) years.

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BETHELHEM COMMUNITY CENTER ROOF IMPROVEMENTS

Bid No. N/A  

Bid Date  August 13, 2019

Name of Company

Bank—List name of principal bank with which your company does business.

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<th>Bank</th>
<th>Officer</th>
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Trade—List names of companies within your trade with which your company does business:

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1. ___________________  ___________________  ___________________
2. ___________________  ___________________  ___________________
3. ___________________  ___________________  ___________________

(Form continued on next page)
To be completed, signed and returned with Bid

Contractor Questionnaire/Certification -- page 4

BETHLEHEM COMMUNITY CENTER ROOF IMPROVEMENTS

Bid No. N/A

Bid Date August 13, 2019

Name of Company

Certifications

- **Debarment**
  I certify that the entity listed on the form or any person employed by this entity, are not presently on the following:
  - New Jersey Department of Treasury – Consolidated Debarment Report
  - NJ Department of Labor and Workforce Development – Prevailing Wage Debarment List
  - Federal Debarred Vendor List—System for Award Management (SAM.gov)

- **Direct/Indirect Interests**
  I declare and certify that no member of the Township of Bethlehem, nor any officer or employee or person whose salary is payable in whole or in part by said township or their immediate family members are directly or indirectly interested in this bid 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 Township member, employee, officer of the Township has an interest in the bid, etc., then please attach a letter of explanation to this document, duly signed by the president of the firm or company.

- **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, Township member or employee of the Township.

- **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 Township members.

- **False Material Representation/Truth in Contracting**
  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. I further acknowledge my understanding of the New Jersey Truth in Contracting Laws.

___________________________________________
President or Authorized Agent

___________________________________________
Signature
CONTRACTOR REGISTRATION CERTIFICATION
Public Works

BETHLEHEM COMMUNITY CENTER ROOF IMPROVEMENTS

Bid No. N/A  Bid Date  August 13, 2019

It is the determination of The Township of Bethlehem that this is a Public Works project which contract amount in total will exceed $2,000.00 (two thousand dollars), therefore, pursuant to the Public Works Contractor Registration Act -- N.J.S.A. 34:11-56.48 et seq., contractors are to be aware of the following:

No contractor shall bid on any contract for public work as defined in section 2 of P.L.1963, c. 150 (C.34:11-56.26) unless the contractor is registered pursuant to this act. No contractor shall list a subcontractor in a bid proposal for the contract unless the subcontractor is registered pursuant to P.L.1999, c.238 (C.34:11-56.48 et seq.) at the time the bid is made. No contractor or subcontractor, including a subcontractor not listed in the bid proposal, shall engage in the performance of any Public Work subject to the contract, unless the contractor or subcontractor is registered pursuant to that act.

I certify that our company understands that the project of The Township of Bethlehem requires that all contractors and subcontractors listed in this proposal possess a valid Contractor Registration Certificate at the time the proposal is received by the Township and furthermore certify that I will provide copies of the valid certificates prior to the award of contract.

Name of Company

Authorized Agent  Title

Authorized Signature

To be completed, signed and returned with Bid
EQUIPMENT CERTIFICATION

BETHLEHEM COMMUNITY CENTER ROOF IMPROVEMENTS

Bid No.  N/A                      Bid Date:  August 13, 2019

In accordance with 40A:11-1 et seq., I hereby certify that

A) ____________________________ (Name of Company) owns all the necessary equipment
   as required by the specifications and to complete the specified Public Work project.

   or

B) ____________________________ (Name of Company) leases or controls all the necessary
   equipment as required by the specifications and to complete the specified Public Work project.

   PLEASE NOTE:  If your company is not the actual owner of the equipment, you shall
   submit with the bid

   1. A certificate stating the source from which the equipment will be obtained and

   2. Obtain and submit with the bid a certificate from the owner and person in control of the
      equipment, definitely granting to the bidder the control of the equipment required during such
      time it may be necessary for the completion of that portion of the contract for which said
      equipment will be necessary.

Name of Company______________________________________________________________

Authorized Agent________________________________ Title__________________________

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

Quote Number: Bidder/Offeror:

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/pdfs/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 ENTERIES, CLICK THE "ADD AN ADDITIONAL ACTIVITIES ENTRY" BUTTON.

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<th>Name</th>
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<th>Bidder/Offeror Contact Name</th>
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ADD AN ADDITIONAL ACTIVITIES ENTRY

Certification: I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge that I am authorized to execute this certification on behalf of the bidder, that the State of New Jersey is relying on the information contained herein and that I am under 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 information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the State, permitting the State to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): Signature:  
Do Not Enter PIN as a Signature

Title: Date:
To be completed, signed and returned with Bid

NON-COLLUSION AFFIDAVIT

BETHLEHEM COMMUNITY CENTER ROOF IMPROVEMENTS

Re: Bid Proposal for the Township of Bethlehem.  

Bid No. 2019-06-18  

Bid Date: August 13, 2019

STATE OF __________________________                             Bid Date: August 13, 2019
COUNTY OF __________________________

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

I am______________________________________________________  
(Position in Company)
of the firm of ____________________________________  
and the bidder making the Proposal for the above names contract, and that I executed the said Proposal with full authority so to do; that I have not, directly or indirectly, entered into any agreement, participated in any collusion, discussed any or all parts of this proposal with any potential bidder, 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 Township of Bethlehem 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)

Subscribed and sworn to: ____________________________________________
(SIGNATURE OF CONTRACTOR)

before me this _______ day of _______________________, ________.  
Month Year

________________________________________________________
NOTARY PUBLIC SIGNATURE  
Print Name of Notary Public

My commission expires ____________________________, ________.  
Month Year

- Seal -
PRE-QUALIFICATION AFFIDAVIT—NO MATERIAL ADVERSE CHANGE

BETHLEHEM COMMUNITY CENTER ROOF IMPROVEMENTS

The below affidavit must be submitted with your bid for projects over $20,000.00 pursuant to N.J.S.A. 40A:11-1 et seq.,

I, __________________________________________ of the City of __________________________________________
in the County of __________________________ and the State of __________________________________________
of full age, being duly sworn according to law on my oath deposite and say that:

No Material Adverse Change in Qualification

I am______________________________________________________ (Position in Company), and the bidder for the above named project. The answers to the following statements are true and correct and that there has been no material adverse change in the qualification information subsequent to the latest statement submitted as required (N.J.S.A. 40A:11-1 et seq., ) as amended, except as set forth herewith. I further certify that there is not now pending any litigation or other action that may jeopardize my rating, status or contract limits from their current limits.

Notice of Classification

______________________________________________________ (Name of Company) is classified by the State of New Jersey under Chapter 105, Laws of 1962, as amended. This Classification became effective __________________________ (Date)

Type of Contract/Trade Classified: __________________________________________

Classification Approved Amount $ __________________________________________

A copy of my valid and active prequalification/classification certificate from the Department of Treasury, Division of Property Management and Construction has been submitted with this bid.

Total Amount of Uncompleted Contracts

The total amount of uncompleted work is $______________________________ as of __________________________ (Date).

A copy of the company's Total Amount of Uncompleted Contracts form is required to be submitted with the bid.

Signature of Authorized Representative __________________________ __________________________

Date

Sworn and subscribed to before me this __________ day of __________ in the Year __________.

______________________________________________________ Signature of Notary

______________________________ Print Name of Notary

Notary Public of __________________________

My Commission Expires: __________________________ __________________________ __________________________ -SEAL-

Month Day Year

This affidavit does not take the place of the “Notice of Classification” or the “Total Amount of Uncompleted Contracts” issued by the State of New Jersey, both of which must be submitted with the bid package of each bidder.
PREVAILING WAGES CERTIFICATION

BETHLEHEM COMMUNITY CENTER ROOF IMPROVEMENTS

It is the determination of the Township of Bethlehem that this is a public works project that in total will exceed $2,000.00 (two thousand dollars), therefore prevailing wages rules and regulations apply as promulgated by the New Jersey Prevailing Wage Act and in conformance with N.J.S.A. 34:11-56:25 et seq.

Certification

1. I certify that our company understands that this project of the Township of Bethlehem requires prevailing wages to be paid in full accordance with the law.

2. I further certify that all subcontractors named in this bid understand that this project requires the subcontractor to pay prevailing wages in full accordance with the law.

Non-compliance Statement

If it is found that any worker, employed by the contractor or any subcontractor covered by said contract, has been paid a rate of wages less than the prevailing wage required to be paid by such contract, The Township, may begin proceedings to terminate the contractor's or subcontractor's right to proceed with the work, or such part of the work as to which there has been a failure to pay required wages and to prosecute the work to completion or otherwise. The contractor and his sureties shall be liable for any excess costs occasioned thereby to the public body.

NOTIFICATION OF VIOLATIONS – New Jersey Department of Labor and Workforce Development

Has the bidder or any person having an “interest” with the bidder, been notified by the New Jersey Department of Labor and Workforce Development by notice issued pursuant to N.J.S.A. 34:11-56:37 that he/she has been in violation for failure to pay prevailing wages as required by the New Jersey Prevailing Wage Act within the last five (5) years?

* Yes _______                                    No _______

*If yes, please attach a signed document explaining any/or all administrative proceedings with the Department within the last five (5) years. Please include any pending administrative proceedings with the Department if any.

Submission of Certified Payroll Records

All certified payroll records are to be submitted to the person named below who is coordinating the activities for the project:

_____________________________________
Guy Gaspari/ Director of Public Works
The Township of Bethlehem

Name of Company__________________________________________________________

Authorized Agent_________________________________________________________

Authorized Signature_______________________________________________________

To be completed, signed and returned with Bid/Proposal

STATEMENT OF OWNERSHIP DISCLOSURE

This statement shall be completed, certified to, and included with all bid and proposal submissions. Failure to submit the required information is cause for automatic rejection of the bid or proposal.

Name of Organization: ___________________________________________________________

Organization Address: ___________________________________________________________

City, State, ZIP: _________________________________________________________________

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

- [ ] Sole Proprietorship (skip Parts II and III, execute certification in Part IV)
- [ ] Non-Profit Corporation (skip Parts II and III, execute certification in Part IV)
- [ ] For-Profit Corporation (any type) [ ] Limited Liability Company (LLC)
- [ ] Partnership [ ] Limited Partnership [ ] Limited Liability Partnership (LLP)
- [ ] Other (be specific): _______________________________________________________

**Part II** Check the appropriate box

- [ ] The list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. (COMPLETE THE LIST BELOW IN THIS SECTION)

  OR

- [ ] No one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. (SKIP TO PART IV)

(Please attach additional sheets if more space is needed):

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<thead>
<tr>
<th>Name of Individual or Business Entity</th>
<th>Home Address (for Individuals) or Business Address</th>
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</table>

**Part III** DISCLOSURE OF 10% OR GREATER OWNERSHIP IN THE STOCKHOLDERS, PARTNERS OR LLC MEMBERS LISTED IN PART II

If a bidder has a direct or indirect parent entity which is publicly traded, and any person holds a 10 percent or greater beneficial interest in the publicly traded parent entity as of the last annual federal Security and Exchange
**Commission (SEC) or foreign equivalent filing**, ownership disclosure can be met by providing links to the website(s) containing the last annual filing(s) with the federal Securities and Exchange Commission (or foreign equivalent) that contain the name and address of each person holding a 10% or greater beneficial interest in the publicly traded parent entity, along with the relevant page numbers of the filing(s) that contain the information on each such person. **Attach additional sheets if more space is needed.**

<table>
<thead>
<tr>
<th>Website (URL) containing the last annual SEC (or foreign equivalent) filing</th>
<th>Page #’s</th>
</tr>
</thead>
<tbody>
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</tbody>
</table>

**Please list** the names and addresses of each stockholder, partner or member owning a 10 percent or greater interest in any corresponding corporation, partnership and/or limited liability company (LLC) listed in Part II **other than for any publicly traded parent entities referenced above**. The disclosure shall be continued until names and addresses of every non-corporate stockholder, and individual partner, and member exceeding the 10 percent ownership criteria established pursuant to N.J.S.A. 52:25-24.2 has been listed. **Attach additional sheets if more space is needed.**

<table>
<thead>
<tr>
<th>Stockholder/Partner/Member and Corresponding Entity Listed in Part II</th>
<th>Home Address (for Individuals) or Business Address</th>
</tr>
</thead>
<tbody>
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</table>

**Part IV  Certification**

I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the bidder/proposer; that **The Township of Bethlehem** is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with The Township of Bethlehem to notify The Township of Bethlehem in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the, permitting The Township of Bethlehem to declare any contract(s) resulting from this certification void and unenforceable.

<table>
<thead>
<tr>
<th>Full Name (Print):</th>
<th>Title:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Signature:</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
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</tr>
</tbody>
</table>

This statement shall be completed, certified to, and included with all bid and proposal submissions. Failure to submit the required information is cause for automatic rejection of the bid or proposal.

---

**To be completed, signed and returned with Bid**

**SUBCONTRACTOR’S DISCLOSURE FORM**
BETHLEHEM COMMUNITY CENTER ROOF IMPROVEMENTS

Bid No.  N/A  Bid Date  August 13, 2019

The (Name of Bidding Company)

Please Check One!  ____________ will sub-contract a portion of this project.  

___________ will not sub-contract any portion of this project.

Authorized Agent  ______________________________  Title __________________________

Signature of Bidder  ______________________________  Date __________________________

If the bidder is not going to subcontract any portion of this project, the bidder need not complete any further part of this document.

If the bidder will subcontract any of the following:

 Plumbing/gas fitting work;
 Electrical work, tele-data, fire alarm or security systems
 Refrigeration/heating/ventilating systems & equipment  
 Structural steel/ornamental iron work

the bidder must do the following:

● Identify the contract number and type of work he intends to subcontract;
● Provide the name, address and other pertinent information about the subcontractor;*
● If the cost of the work by the subcontractor shall exceed the amounts listed below, the bidder shall provide in the bid package submission the following documents:

<table>
<thead>
<tr>
<th>Estimated Value of Contract – Subcontractor</th>
<th>For Subcontractors in the four major branches listed above</th>
<th>For all other Subcontractors</th>
</tr>
</thead>
<tbody>
<tr>
<td>$2,000 through $5,999</td>
<td>Submit With Bid</td>
<td>Submit Within ten (10 Days of Receipt of Notice of Award)</td>
</tr>
<tr>
<td>$6,000 through $17,499</td>
<td>Contractor’s Registration Certificate</td>
<td>New Jersey Business Registration Certificate</td>
</tr>
<tr>
<td>$17,500 through $19,999</td>
<td>Contractor’s Registration Certificate</td>
<td>New Jersey Business Registration Certificate</td>
</tr>
<tr>
<td>$20,000 or more</td>
<td>Contractor’s Registration Certificate</td>
<td>New Jersey Business Registration Certificate</td>
</tr>
<tr>
<td></td>
<td>Notice of Classification</td>
<td></td>
</tr>
</tbody>
</table>

Please list subcontractor(s) on the following pages. Bidders may make extra copies of the following pages.

* Failure to identify the names and addresses of any subcontractors required to be named in the bid, or to submit the appropriate documents for each such subcontractor, may be cause for the bid to be rejected as being non-responsive.

(Form continued on next page)
1. **Sub-Contractor for PLUMBING AND GAS FITTING WORK**

   Name of Subcontracting Company ____________________________

   Address ________________________________________________

   City, State, Zip __________________________________________

   Telephone ______________________ Fax ______________________

   E-Mail ___________________________________ FEIN No: __________

   Authorized Agent __________________________ Title _______________

   Will the cost of sub-contract exceed $20,000.00?

   _____ Yes  Estimated Value of Contract $ ______________________

   _____ No   Estimated Value of Contract $ ______________________

   If checked *yes*, the sub-contractor must be pre-qualified to perform the work. The bidder must provide in the bid package the following:

   - The subcontractor’s Notice of Classification;
   - The subcontractor’s Total Amount of Uncompleted Contracts; and
   - Other documents that are required:

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<td>New Jersey Business Registration Certificate Notice of Classification</td>
</tr>
</tbody>
</table>

   **Certification of Equipment**

   The ______________________________________________________ hereby certifies the above named subcontractor has the personnel, equipment, experience, financial and sufficient means to complete their portion of the contract in full accordance with the bid specifications.

   __________________________________________________________  ________________________________
   Authorized Agent (Print) -- Bidder                           Signature of Authorized Agent — Bidder

   *(Form continued on next page)*
Subcontractor’s Disclosure Statement (Continued)

BETHLEHEM COMMUNITY CENTER ROOF IMPROVEMENTS

Bid No. N/A Bid Date August 13, 2019

2. Sub-Contractor for REFRIGERATION, HEATING & VENTILATING SYSTEMS AND EQUIPMENT

Name of Subcontracting Company ____________________________
Address ________________________________________________
City, State, Zip __________________________________________
Telephone __________________ Fax _________________________
E-Mail ______________________ FEIN No: ___________________

Authorized Agent ___________________________ Title ___________________

Will the cost of sub-contract exceed $20,000.00?

_____ Yes  Estimated Value of Contract $_____________________

_____ No  Estimated Value of Contract $_____________________

If checked yes, the sub-contractor must be pre-qualified to perform the work. The bidder must provide in
the bid package the following:

• The subcontractor’s Notice of Classification;
• The subcontractor’s Total Amount of Uncompleted Contracts; and
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Certification of Equipment

The ______________________________________________________ hereby certifies the above named subcontractor has the personnel, equipment, experience, financial and sufficient means to complete their portion of the contract in full accordance with the bid specifications.

________________________________________ Authorized Agent (Print) -- Bidder

________________________________________ Signature of Authorized Agent—Bidder

(form continued on next page)
Subcontractor’s Disclosure Statement (Continued)

BETHLEHEM COMMUNITY CENTER ROOF IMPROVEMENTS

Bid No. N/A  Bid Date August 13, 2019

3. Sub-Contractor for ELECTRICAL WORK; TELE-DATA, FIRE ALARM OR SECURITY SYSTEMS

Name of Subcontracting Company ________________________________
Address _____________________________________________________
City, State, Zip _______________________________________________
Telephone ___________________________ Fax _________________________
E-Mail _______________________________________________________ FEIN No:
Authorized Agent ____________________________ Title ____________________________

Will the cost of sub-contract exceed $20,000.00?

_____ Yes Estimated Value of Contract $ __________________________

_____ No Estimated Value of Contract $ __________________________

If checked yes, the sub-contractor must be pre-qualified to perform the work. The bidder must provide in the bid package the following:

- The subcontractor’s Notice of Classification;
- The subcontractor’s Total Amount of Uncompleted Contracts; and
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Certification of Equipment

The ________________________________ hereby certifies the above named subcontractor has the personnel, equipment, experience, financial and sufficient means to complete their portion of the contract in full accordance with the bid specifications.

_______________________________                                ________________________________
Authorized Agent (Print) -- Bidder                                   Signature of Authorized Agent—Bidder

(form continued on next page)
BETHELHEM COMMUNITY CENTER ROOF IMPROVEMENTS

Bid No. N/A  Bid Date August 13, 2019

4. Sub-Contractor for STRUCTURAL STEEL & IRON WORK

Name of Subcontracting Company ____________________________________________

Address ________________________________________________________________

City, State, Zip __________________________________________________________

Telephone ____________________ Fax ________________________________

E-Mail _________________________ FEIN No: ____________________________

Authorized Agent ______________________ Title __________________________

Will the cost of sub-contract exceed $20,000.00?

_____ Yes Estimated Value of Contract $ ____________________________

_____ No Estimated Value of Contract $ ____________________________

If checked yes, the sub-contractor must be pre-qualified to perform the work. The bidder must provide in the bid package the following:

- The subcontractor’s Notice of Classification;
- The subcontractor’s Total Amount of Uncompleted Contracts; and
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Certification of Equipment

The ___________________________ Name of Bidding Company hereby certifies the above named subcontractor has the personnel, equipment, experience, financial and sufficient means to complete their portion of the contract in full accordance with the bid specifications.

________________________________________  ___________________________________
Authorized Agent (Print) -- Bidder  Signature of Authorized Agent—Bidder

(form continued on next page)
Subcontractor’s Disclosure Statement
Other Trades
BETHLEHEM COMMUNITY CENTER ROOF IMPROVEMENTS

Bid No. N/A
Bid Date August 13, 2019

5. Name of Trade/Type of Work ________________________________

Name of Subcontracting Company __________________________________

Address ________________________________________________________

City, State, Zip __________________________________________________

Telephone __________________ Fax ________________________________

E-Mail __________________________ FEIN No: __________________________

Authorized Agent __________________________ Title _____________________

Will the cost of sub-contract exceed $20,000.00?

_____ Yes Estimated Value of Contract $ __________________________

_____ No Estimated Value of Contract $ __________________________

If checked yes, the sub-contractor must be pre-qualified to perform the work. The bidder must provide in the bid package the following:

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Certification of Equipment
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_________________________________________ — ____________________________
Authorized Agent (Print) -- Bidder  Signature of Authorized Agent—Bidder
Sworn Contractor Certification; Qualifications and Credentials

Pursuant to N.J.S.A. 40A:11-1 et seq., a pre-qualified contractor seeking to bid Township projects, and any subcontractors, that are required to be named under N.J.S.A. 40A:11-1 et seq., shall, as a condition of bidding, submit this Sworn Contractor Certification regarding qualifications and credentials.

I, ____________________________, the principal owner or officer of the company certify that the foregoing statements are true and our firm has the following qualifications and credentials:

1. A current, valid certificate of registration issued pursuant to “The Public Works Contractor Registration Act,” N.J.S.A. 34:11-56:48 et seq. A copy of which is submitted with its bid;

2. A current, valid Certificate of Authority (Business Registration) to perform work in New Jersey issued by the Department of Treasury, a copy of which is submitted with its bid;

3. A current valid contractor trade license required under applicable New Jersey Law for any specialty trade or specialty area in which the firm seeks to perform work, a copy of which is submitted with its bid;

4. During the term of The Township project, I as principal owner or officer of the company or corporation, as contractor, will have in place a suitable quality control and quality assurance program and an appropriate safety and health plan.

Name of Company__________________________________________

Name of Owner or Officer____________________________________

Signature of Owner or Officer______________________________

Notarized before me this ______ day of ______________________, _______

_____________________________________                      ________________

NOTARY PUBLIC SIGNATURE                        Print Name of Notary Public

My commission expires _____________________________, __________.

-SEAL-

Month              Day               Year

PW Bid

66 | Page
AMERICANS WITH DISABILITIES ACT OF 1990
Equal Opportunity for Individuals with Disability

The contractor and The Township of Bethlehem (hereafter "owner") do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") (42 U.S.C. S121 01 et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant there unto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the owner pursuant to this contract, the contractor agrees that the performance shall be in strict compliance with the Act. In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the owner in any action or administrative proceeding commenced pursuant to this Act. The contractor shall indemnify, protect, and save harmless the owner, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The contractor shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the owner's grievance procedure, the contractor agrees to abide by any decision of the owner which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the owner, or if the owner incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the contractor shall satisfy and discharge the same at its own expense.

The owner shall, as soon as practicable after a claim has been made against it, give written notice thereof to the contractor along with full and complete particulars of the claim. If any action or administrative proceeding is brought against the owner or any of its agents, servants, and employees, the owner shall expeditiously forward or have forwarded to the contractor every demand, complaint, notice, summons, pleading, or other process received by the owner or its representatives.

It is expressly agreed and understood that any approval by the owner of the services provided by the contractor pursuant to this contract will not relieve the contractor of the obligation to comply with the Act and to defend, indemnify, protect, and save harmless the owner pursuant to this paragraph.

It is further agreed and understood that the owner assumes no obligation to indemnify or save harmless the contractor, its agents, servants, employees and subcontractors for any claim which may arise out of their performance of this Agreement. Furthermore, the contractor expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the contractor's obligations assumed in this Agreement, nor shall they be construed to relieve the contractor from any liability, nor preclude the owner from taking any other actions available to it under any other provisions of the Agreement or otherwise at law.

Name of Company__________________________________________________________

Authorized Agent________________________________________________________

Title or Position__________________________________________________________

Signature__________________________________________________________ Date__________
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 or workers’ representative of the contractor’s commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with 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.

When hiring or scheduling workers in each construction trade, the contractor or subcontractor agrees to make good faith efforts to employ minority and women workers in each construction trade consistent with the targeted employment goal prescribed by N.J.A.C. 17:27-7.2; provided, however, that the Dept. of LWD, Construction EEO Monitoring Program, may, in its discretion, exempt a contractor or subcontractor from compliance with the good faith procedures prescribed by the following provisions, A, B, and C, as long as the Dept. of LWD, Construction EEO Monitoring Program is satisfied that the contractor or subcontractor is employing workers provided by a union which provides evidence, in accordance with standards prescribed by the Dept. of LWD, Construction EEO Monitoring Program, that its percentage of active “card carrying” members who are minority and women workers is equal to or greater than the targeted employment goal established in accordance with N.J.A.C. 17:27-7.2. The contractor or subcontractor agrees that a good faith effort shall include compliance with the following procedures:

(A) If the contractor or subcontractor has a referral agreement or arrangement with a union for a construction trade, the contractor or subcontractor shall, within three business days of the contract award, seek assurances from the union that it will cooperate with the contractor or subcontractor as it fulfills its affirmative action obligations under this contract and in accordance with the rules promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et. seq., as supplemented and amended from time to time and the Americans with Disabilities Act. If the contractor or subcontractor is unable to obtain said assurances from the construction trade union at least five business days prior to the commencement of construction work, the contractor or subcontractor agrees to afford equal employment opportunities minority and women workers directly, consistent with this chapter. If the contractor's or subcontractor's prior experience with a construction trade union, regardless of whether the union has provided said assurances, indicates a significant possibility that the trade union will not refer sufficient minority and women workers consistent with affording equal employment opportunities as specified in this chapter, the contractor or subcontractor agrees to be prepared to provide such opportunities to minority and women workers directly, consistent with this chapter, by complying with the hiring or scheduling procedures prescribed under (B) below; and the contractor or subcontractor further agrees to take said action immediately if it determines that the union is not referring minority and women workers consistent with the equal employment opportunity goals set forth in this chapter.

(B) If good faith efforts to meet targeted employment goals have not or cannot be met for each construction trade by adhering to the procedures of (A) above, or if the contractor does not have a referral agreement or arrangement with a union for a construction trade, the contractor or subcontractor agrees to take the following actions:

(i) To notify the public agency compliance officer, the Dept. of LWD, Construction EEO Monitoring Program, and minority and women referral organizations listed by the Division pursuant to N.J.A.C. 17:27-5.3, of its workforce needs, and request referral of minority and women workers;

(ii) To notify any minority and women workers who have been listed with it as awaiting available vacancies;

(iii) Prior to commencement of work, to request that the local construction trade union refer minority and women workers to fill job openings, provided the contractor or subcontractor has a referral agreement or arrangement with a union for the construction trade;
EXHIBIT B (Continued)

(4) To leave standing requests for additional referral to minority and women workers with the local construction trade union, provided the contractor or subcontractor has a referral agreement or arrangement with a union for the construction trade, the State Training and Employment Service and other approved referral sources in the area;

(5) If it is necessary to lay off some of the workers in a given trade on the construction site, layoffs shall be conducted in compliance with the equal employment opportunity and nondiscrimination standards set forth in this regulation, as well as with applicable Federal and State court decisions;

(6) To adhere to the following procedure when minority and women workers apply or are referred to the contractor or subcontractor:

   (i) The contractor or subcontractor shall interview the referred minority or women worker.

   (ii) If said individuals have never previously received any document or certification signifying a level of qualification lower than that required in order to perform the work of the construction trade, the contractor or subcontractor shall determine the qualifications of such individuals. The contractor or subcontractor shall hire or schedule those individuals who satisfy appropriate qualification standards in conformity with the equal employment opportunity and non-discrimination principles set forth in this chapter. However, a contractor or subcontractor shall determine that the individual at least possesses the requisite skills, and experience recognized by a union, apprentice program or a referral agency, provided the referral agency is acceptable to the Dept. of LWD, Construction EEO Monitoring Program. If necessary, the contractor or subcontractor shall hire or schedule minority and women workers who qualify as trainees pursuant to these rules. All of the requirements, however, are limited by the provisions of (C) below.

   (iii) The name of any interested women or minority individual shall be maintained on a waiting list, and shall be considered for employment as described in (i) above, whenever vacancies occur. At the request of the Dept. of LWD, Construction EEO Monitoring Program, the contractor or subcontractor shall provide evidence of its good faith efforts to employ women and minorities from the list to fill vacancies.

   (iv) If, for any reason, said contractor or subcontractor determines that a minority individual or a woman is not qualified or if the individual qualifies as an advanced trainee or apprentice, the contractor or subcontractor shall inform the individual in writing of the reasons for the determination, maintain a copy of the determination in its files, and send a copy to the public agency compliance officer and to the Dept. of LWD, Construction EEO Monitoring Program.

(7) To keep a complete and accurate record of all requests made for the referral of workers in any trade covered by the contract, on forms made available by the Dept. of LWD, Construction EEO Monitoring Program and submitted promptly to the Dept. of LWD, Construction EEO Monitoring Program upon request.

(C) The contractor or subcontractor agrees that nothing contained in (B) above shall preclude the contractor or subcontractor from complying with the union hiring hall or apprenticeship programs in any applicable collective bargaining agreement or union hiring hall arrangement, and, where required by custom or agreement, it shall send journeymen and trainees to the union for referral, or to the apprenticeship program for admission, pursuant to such agreement or arrangement. However, where the practices of a union or apprenticeship program will result in the exclusion of minority and women or the failure to refer minorities and women consistent with the targeted county employment goal, the contractor or subcontractor shall consider for employment persons referred pursuant to (B) above without regard to such agreement or arrangement; provided further, however, that the contractor or subcontractor shall not be required to employ women and minority advanced trainees and trainees in numbers which result in the employment of advanced trainees and trainees as a percentage of the total workforce for the construction trade, which percentage significantly exceeds the apprentice to journey worker ratio specified in the applicable collective bargaining agreement, or in the absence of a collective bargaining agreement, exceeds the ratio established by practice in the area for said construction trade. Also, the contractor or subcontractor agrees that, in implementing the procedures of (B) above, it shall, where applicable, employ minority and women workers residing within the geographical jurisdiction of the union.

After notification of award, but prior to signing a construction contract, the contractor shall submit to the public agency compliance officer and the Dept. of LWD, Construction EEO Monitoring Program an initial project workforce report (Form AA-201) electronically provided to the public agency by the Dept. of LWD, Construction EEO Monitoring Program, through its website, for distribution to and completion by the contractor, in accordance with N.J.A.C. 17:27-7. The contractor also agrees to submit a copy of the Monthly Project Workforce Report once a month thereafter for the duration of this contract to the Dept. of LWD, Construction EEO Monitoring Program, and to the public agency compliance officer.

The contractor agrees to cooperate with the public agency in the payment of budgeted funds, as is necessary, for on-the-job and/or off-the-job programs for outreach and training of minorities and women.

(D) The contractor and its subcontractors shall furnish such reports or other documents to the Dept. of LWD, Construction EEO Monitoring Program as may be requested by the Dept. of LWD, Construction EEO Monitoring Program 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 Dept. of LWD, Construction EEO Monitoring Program for conducting a compliance investigation pursuant to N.J.A.C. 17:27-1.1 et seq.

(Revised: January, 2016)
EXHIBIT B (Continued)

(Revised: January, 2016)

DATED: ____________________________
SIGNATURE: ____________________________
PRINTED NAME AND
TITLE: __________________________________ COMPANY
NAME: ____________________________________________
ADDRESS: _______________________________________
ADDRESS: ___________________________________________________________________

Subscribed and sworn to before me this __________day of ____________, ________.

________________________
Notary Public of the State of New Jersey My Commission expires _________________ (SEAL)
INSTRUCTIONS FOR COMPLETING THE INITIAL PROJECT

WORKFORCE REPORT – CONSTRUCTION (AA201)

Thereby certifying that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

(Signature)

16. Please Print Your Name: __________________________ (Title): __________________________
    (Area Code) __________ (Telephone Number): __________ (Ext.): __________ (Date): __________
DO NOT COMPLETE THIS FORM FOR GOODS AND/OR SERVICE CONTRACTS

1. Enter the Federal Identification Number assigned to the contractor by the Internal Revenue Service, or if a Federal Employer Identification Number has been applied for but not yet issued, or if your business is such that you have not or will not receive a Federal Identification Number, enter the social security number assigned to the single owner or one partner, in the case of a partnership.

2. Note: The Department of Labor & Workforce Development, Construction EEO Monitoring Program will assign a contractor ID number to your company. This number will be your permanently assigned contractor ID number that must be on all correspondence and reports submitted to this office.

3. Enter the prime contractor’s name, address and zip code number.

4. Check box if Company is Minority Owned or Woman Owned

5. Enter the complete name and address of the Public Agency awarding the contract. Include the contract number, date of award and dollar amount of the contract.

6. Enter the name and address of the project, including the county in which the project is located.

7. Note: A project contract ID number will be assigned to your firm upon receipt of the completed Initial Project Workforce Report (AA201) for this contract. This number must be indicated on all correspondence and reports submitted to this office relating to this contract.

8. Check “Yes” or “No” to indicate whether a Project Labor Agreement (PLA) was established with the labor organization(s) for this project.

9. Under the Projected Total Number of Employees in each trade or craft and at each level of classification, enter the total composite workforce of the prime contractor and all subcontractors projected to work on the project. Under Projected Employees enter total minority and female employees of the prime contractor and all subcontractors projected to work on the project. Minority employees include Black, Hispanic, American Indian and Asian, (J=Journey worker, AP=Apprentice). Include projected phase-in and completion dates.

10. Print or type the name of the company official or authorized Equal Employment Opportunity (EEO) official include signature and title, phone number and date the report is submitted.

This report must be submitted to the Public Agency that awards the contract and the Department of Labor & Workforce Development, Construction EEO Compliance Monitoring Program after notification of award, but prior to signing the contract.

THE CONTRACTOR IS TO RETAIN A COPY AND SUBMIT COPY TO THE PUBLIC AGENCY AWARDING THE CONTRACT AND FORWARD A COPY TO:

NEW JERSEY DEPARTMENT OF LABOR & WORKFORCE DEVELOPMENT
CONSTRUCTION EEO COMPLIANCE MONITORING UNIT
P.O. BOX 209
TRENTON, NJ 08625-0209
(609) 292-9550
SAMPLE CERTIFICATE OF EMPLOYEE INFORMATION REPORT

TOWNSHIP OF BETHLEHEM

CERTIFICATE OF EMPLOYEE INFORMATION REPORT

INITIAL

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq, and the State Treasurer has approved said report. This approval will remain in effect for the period of 15-DEC-20XX to 15-DEC-20XX.

SAMPLE COMPANY, INC.
33 WEST STATE STREET
TRENTON, NJ 08625

State Treasurer

VOID
Township of Bethlehem

Appendix Section

A. Model Performance Bond Form - *Sample*

B. Surety Disclosure Statement and Certification - *Sample*
Model Performance Bond Form
N.J.S.A. 2A:44-147

SAMPLE

2A:44-147. The bond required by this article shall be in substantially the following form:

"Know all men by these presents, that we, the undersigned as principal and as sureties, are hereby held and firmly bound unto in the penal sum of dollars, for the payment of which well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors and assigns.

"Signed this ........ day of ................... , 20..... .

"The condition of the above obligation is such that whereas, the above named principal did on the ............ day of ......................................, 20........, enter into a contract with , which said contract is made a part of this the bond the same as though set forth herein;

"Now, if the said ................................ shall well and faithfully do and perform the things agreed by ........................................ to be done and performed according to the terms of said contract, and shall pay all lawful claims of beneficiaries as defined by N.J.S.2A:44-143 for labor performed or materials, provisions, provender or other supplies or teams, fuels, oils, implements or machinery furnished, used or consumed in the carrying forward, performing or completing of said contract, we agreeing and assenting that this undertaking shall be for the benefit of any beneficiary as defined in N.J.S.2A:44-143 having a just claim, as well as for the oblige herein; then this obligation shall be void; otherwise the same shall remain in full force and effect; it being expressly understood and agreed that the liability of the surety for any and all claims hereunder shall in no event exceed the penal amount of this obligation as herein stated.

"The said surety hereby stipulates and agrees that no modifications, omissions or additions in or to the terms of the said contract or in or to the plans or specifications therefor shall in anywise affect the obligation of said surety on its bond."

Recovery of any claimant under the bond shall be subject to the conditions and provisions of this article to the same extent as if such conditions and provisions were fully incorporated in the form set forth above.

L.1951 (1st SS), c.344; amended 1996, c.81, s.6.
SURETY DISCLOSURE STATEMENT AND CERTIFICATION

................................., surety(ies) on the attached bond, hereby certifies(y) the following:

(1) The surety meets the applicable capital and surplus requirements of R.S.17:17-6 or R.S.17:17-7 as of the surety's most current annual filing with the New Jersey Department of Insurance.

(2) The capital (where applicable) and surplus, as determined in accordance with the applicable laws of this State, of the surety(ies) participating in the issuance of the attached bond is (are) in the following amount(s) as of the calendar year ended December 31, ........ (most recent calendar year for which capital and surplus amounts are available), which amounts have been certified as indicated by certified public accountants (indicating separately for each surety that surety's capital and surplus amounts, together with the name and address of the firm of certified public accounts that shall have certified those amounts):

...........................................
...........................................
...........................................

(3) (a) With respect to each surety participating in the issuance of the attached bond that has received from the United States Secretary of the Treasury a certificate of authority pursuant to 31 U.S.C. 9305, the underwriting limitation established therein and the date as of which that limitation was effective is as follows (indicating for each such surety that surety's underwriting limitation and the effective date thereof):

...........................................
...........................................
...........................................

(b) With respect to each surety participating in the issuance of the attached bond that has not received such a certificate of authority from the United States Secretary of the Treasury, the underwriting limitation of that surety as established pursuant to R.S.17:18-9 as of (date on which such limitation was so established) is as follows (indicating for each such surety that surety's underwriting limitation and the date on which that limitation was established):

...........................................
...........................................
...........................................
(4) The amount of the bond to which this statement and certification is attached is $ ..................

(5) If, by virtue of one or more contracts of reinsurance, the amount of the bond indicated under item (4) above exceeds the total underwriting limitation of all sureties on the bond as set forth in items (3)(a) or (3)(b) above, or both, then for each such contract of reinsurance:

(a) The name and address of each such reinsurer under that contract and the amount of that reinsurer's participation in the contract is as follows:.........................

...........................................

...........................................

...........................................; and

(b) Each surety that is party to any such contract of reinsurance certifies that each reinsurer listed under item (5)(a) satisfies the credit for reinsurance requirement established under P.L. 1993, c.243 (C.17:51B-1 et seq.) and any applicable regulations in effect as of the date on which the bond to which this statement and certification is attached shall have been filed with the appropriate public agency.

CERTIFICATE

(to be completed by an authorized certifying agent

for each surety on the bond)

I ....................... (name of agent), as ....................................... (title of agent) for ..................... (name of surety), a corporation/mutual insurance company/other (indicating type of business organization) (circle one) domiciled in ......................... (state of domicile), DO HEREBY CERTIFY that, to the best of my knowledge, the foregoing statements made by me are true, and ACKNOWLEDGE that, if any of those statements are false, this bond is VOIDABLE.

................................................

(Signature of certifying agent)

................................................

(Printed name of certifying agent)

................................................

(Title of certifying agent)

L.1951 (1st SS), c.344; amended 1979, c.408; 1989, c.316; 1991, c.454; 1995, c.38, s.2; 1995, c.384, s.1; 1996, c.81, s.2.
TO All Bidders:

**REMINDER!**

Did you sign all of the bid documents?

All bid documents returned to the Township shall be signed with original signatures. Please use **blue ink**.

The Township will not accept facsimile or rubber stamp signatures.

Failure to sign and submit all bid documents may be cause for disqualification and rejection of the bid.

One “Original” and One “True Copy”. **“Blue Ink”**

Cover Page, Name, Address, Phone Number, E-mail Address.

**Return the entire original bid packet intact by the indicated deadline.**

Bidders, Login to website for any addendums.

Website: [www.Bethlehemnj.org](http://www.Bethlehemnj.org) (Click on Home Page, EGov, Bids)

E-mail: administrator@bethlehemnj.org

(908)735-4107 x105 (John Paulmeno, Purchasing Agent)
TOWNSHIP OF BETHLEHEM

FORMS:

HOLD HARMLESS AGREEMENT
PLAN & EXPERIENCE
BIDDER’S AFFIDAVIT
BID BOND FORM
CERTIFICATION LAST PAGE
TOWNSHIP OF BETHLEHEM

SAMPLE OF FORMS THAT WILL BE REQUIRE ONCE AWARDED
NJ BRC-SAMPLE
AA-201-SAMPLE
AA-202-SAMPLE
W-9- SAMPLE
INSURANCE CERTIFICATE-SAMPLE

PERFORMANCE BOND FORM –SAMPLE

TOWNSHIP WILL NOT ACCEPT: AIA- DOCUMENTS.