

**REQUEST FOR PROPOSAL  
FOR  
REAL ESTATE VALUATION SERVICES**

ISSUE DATE: April 2, 2013

ISSUED BY:

**CITY OF JERSEY CITY**  
DEPT. OF HOUSING, ECONOMIC DEVELOPMENT AND COMMERCE  
DIVISION OF COMMUNITY DEVELOPMENT  
30 Montgomery Street, Room 404  
Jersey City, New Jersey 07302

## GLOSSARY

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

“**City**” – refers to the City of Jersey City

“**DCD**” – refers to the Division of Community Development

“**HEDC**” – refers to the Department of Housing, Economic Development and Commerce

“**Respondent**” or “**Respondents**” – refers to the interested firm(s) that submits a Request for Proposal.

“**Proposal**” – refers to the complete response to this RFP submitted by the Respondents.

“**RFP**” – refers to this Request for Proposal, including any amendments thereof or supplement thereto.

“**Qualified Respondent**” – refers to those Respondents who (in the sole judgment of DCD) have satisfied the qualification criteria set forth in this RFP.

## SECTION 1

### INTRODUCTION AND GENERAL INFORMATION

#### 1.1 Introduction and Purpose

The City of Jersey City (“the City”) through the Department of Housing, Economic Development and Commerce, Division of Community Development (DCD) is soliciting proposals from qualified respondents for Real Estate Valuation Services for various properties throughout the City of Jersey City. Through a Request for Proposals process described herein, firms interested in assisting the Division of Community Development with the provision of such services must prepare and submit a Proposal in accordance with the procedure and schedule in this RFP. The Division of Community Development will review Proposals only from those firms that submit all the information required to be included as described herein. The DCD intends to qualify firm(s) that (a) possess the professional, financial and administrative capabilities to provide the proposed services, and (b) will agree to work under the compensation terms and conditions determined by the DCD.

#### 1.2 Procurement Process and Schedule

Note that this RFP process is subject to the “New Jersey Local Unit Pay-to-Play” Law, N.J.S.A. 19:44A-20.4 et seq. and to Local Public Contracts Law N.J.S.A. 40A:11-1 et seq. The Division of Community Development has structured a procurement process that seeks to obtain the desired results described above, while establishing a competitive process to ensure that each person and/or firm is provided an equal opportunity to submit a Proposal in response to the RFP. Proposals will be evaluated in accordance with the requirements and criteria set forth in this RFP, which will be applied in the same manner to each Proposal received.

Proposals received by the deadline will be reviewed for eligibility and completeness by the DCD. Only complete and timely proposals will be considered by the Review Committee established by DCD. Proposals will be evaluated according to the criteria described herein. The City will execute a contract with the successful respondent after securing Municipal Council authorization. The contract will be awarded as a professional services contract pursuant to N.J.S.A. 40A:11-5(1)(a)(i).

The RFP process commences with the issuance of this RFP. The steps involved in the process and the anticipated completion dates are set forth in the Procurement Schedule below. DCD reserves the right to amend, modify or alter the Procurement Schedule upon written notice to all Registered Respondents. All persons that obtain a copy of the RFP from DCD pursuant to the process described below shall be considered as Registered Respondents.

Subsequent to issuance of this RFP, DCD (through electronic communication to all registered Respondents) may modify, supplement or amend the provision of this RFP in order to respond to inquiries received from prospective respondents or as otherwise deemed necessary or appropriate by and in the sole judgment of DCD. Please register for this RFP by calling the Jersey City Division of Purchasing at 201-547-5156 or emailing Peter Folgado, Director of Purchasing at [Peterf@jcnj.org](mailto:Peterf@jcnj.org).

**ANTICIPATED PROCUREMENT SCHEDULE**

<b><u>ACTIVITY</u></b>	<b><u>DATE</u></b>
1. Issuance of Request for Proposal	April 2, 2013
2. Receipt of Proposals	April 26, 2013
3. Completion of Evaluation of Proposals by the Division of Community Development	June 14, 2013

All communications concerning this RFP or the RFP process shall be directed to the Division of Purchasing in writing or by email to Peter Folgado, Director of Purchasing at Peterf@jcnj.org.

**DESIGNATED CONTACT PERSON:**

Peter Folgado, Director, RPPO, QPA  
Division of Purchasing  
1 Journal Square Plaza  
Jersey City, New Jersey 07306

**1.3 Conditions Applicable to RFP**

The Respondent acknowledges and consents to the following conditions relative to the submission and consideration of Proposal:

- This document is an RFP and does not constitute an RFQ.
- This RFP does not commit the Division of Purchasing to issue an RFQ.
- The Division of Purchasing reserves the right (in its sole judgment) to reject for any reason any and all responses and components thereof and to eliminate any and all Respondents responding to this RFP from further consideration for this procurement.
- The Division of Purchasing reserves the right (in its sole judgment) to reject any Respondent that submits incomplete responses to this RFP, or a Proposal that is not responsive to the requirement of this RFP.
- All Proposals shall become the property of the Division of Purchasing and will not be returned.

- All Proposals will be made available to the public at the appropriate time, as determined by the Division of Purchasing (in the exercise of its sole discretion) in accordance with law.
- Any and all Proposals not received by the Division of Purchasing by April 26, 2013 will be rejected.

#### **1.4 Rights of the Division of Purchasing**

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

- To determine that any Proposal received complies with the terms of this RFP.
- To change or alter the schedule for any events called for in this RFP upon the issuance of notice to all prospective Respondents who have received a copy of this RFP.
- To evaluate any or all of the Respondents, as the Division of Community Development deems necessary or convenient, to clarify the information provided as part of the Proposal and to request additional information to support the information included in any Proposal.

#### **1.5 Addenda or Amendments to RFP**

During the period provided for the preparation of responses to the RFP, the Division of Purchasing may issue addenda, amendments or answers to written inquiries. Those addenda will be noticed by the Division of Purchasing and will constitute a part of the RFP. All responses to the RFP shall be prepared with full consideration of the addenda issued prior to the proposal submission date.

#### **1.6 Cost of Proposal Preparation**

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

## **1.7 Proposal Format**

To facilitate a timely and comprehensive evaluation of all submitted proposals, it is essential that all vendors adhere to the desired response format. The City requires a standard format for all Proposals submitted to ensure that clear, concise and complete statements are available from each respondent. Where a proposal contains conflicting information, the City, at its option, may either request clarification or may consider the information unresponsive. Responses should, at a minimum, cover all information requested in Section 3, Submission Requirements, of this RFP.

Responses which in the judgment of the Division of Purchasing fail to meet the requirements of the RFP or which are in any way conditional, incomplete, obscure, contain additions or deletions from requested information, or contain errors may be rejected.

## **1.8 Requirements**

Consistent with the New Jersey Pay-to-Play Law N.J.S.A. 19:44-20.4 et seq. and the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq., the Respondent is required to comply with the following terms and conditions:

- 1) The term of the contract shall be for one (1) year commencing on the execution of the contract. During the contract term, the City shall have the right to terminate the contract without cause by providing thirty (30) days notice to the successful Respondent.
- 2) Within twenty (20) days of the contract award by the City Council, the successful Respondent shall execute an agreement with the City containing all of the terms and conditions of this RFP. In the event that this deadline is missed, the parties may agree in writing to an extension of this time limit.
- 3) Consultant's proposal is prepared at his/her own cost and expense. The City will not pay for any of the costs or expenses associated with the preparation of submission of a proposal.
- 4) This RFP constitutes an invitation to submit proposals to the City. The City reserves the right in protection of the best interests of the City to waive any technical error, to reject any proposal, or any part thereof, for any reason whatsoever or to reject all proposals for any reason whatsoever.
- 5) If a party responding to this RFP is a subsidiary or direct or indirect affiliate of any other organization, you must indicate the name of the related organization and the relationship.
- 6) Parties responding to this RFP must submit a statement setting forth the names and addresses of all the stockholders in the corporation or members of the partnership who own ten (10%) or more of its stock, or have a ten percent (10%) or greater interest in the case of a partnership.

- 7) Successful Respondent is required to comply with the provisions of N.J.S.A. 10:5-31 and N.J.A.C. 17:27 et seq. The Mandatory Equal Employment Opportunity/ Affirmative Action Requirements included in Exhibit A summarize the full required regulatory text. The Consultant shall read and execute all sections of Exhibit A, as required. No proposal shall be accepted that does not include this section fully executed. No award will be made to a consultant that does not comply with all provisions of Exhibit A.
- 8) Included with the proposal, the Respondent shall provide a Certificate of Insurance indicating that the Respondent has in effect the following insurance coverages: General Liability insurance with a minimum limit of \$2,000,000.00 per occurrence; Professional Liability insurance with a minimum limit of \$1,000,000.00 per occurrence, Automobile Liability with a minimum limit of \$1,000,000.00 per occurrence and Statutory Workman's Compensation insurance. Prior to execution of the contract, Respondent shall provide a Certificate of Insurance providing these coverages for the life of the contract and naming the City as an additional insured.
- 9) Respondent shall provide evidence with his/her proposal which shows that he/she possesses the qualifications and skills necessary to provide the services described in this RFP. The Respondent shall indicate the number of staff to be used to perform the work and shall provide resumes indicating the work experience, education, and training of key personnel who will be assigned to perform services in connection with this contract. Proposals shall include a reference list containing the name of parties for whom Respondent has performed similar services. The reference list shall include the following information: 1) name of reference, 2) address, 3) contact person and phone number, 4) length of contract, 5) date of contract award and 6) contract amount.
- 10) Form of Proposal: Consultant's proposal shall provide a "not to exceed" bid amount to perform the scope of services during the course of the one (1) year contract period. Separate "not to exceed" bid amounts shall be provided for Item 1 and Item 2 under the Scope of Services.

For Item 1, the "not to exceed" amount shall incorporate "Consultant's average site visit cost" and the estimated number of monitoring visits provided in the Scope of Services. The average site visit cost shall be based on the hourly rates of the personnel employed and the projected amount of time at the site, including travel time. The Consultant's hourly wage schedule for personnel must be included with the proposal.

For Item 2, the "not to exceed" bid amount shall include the cost to prepare a professional appraisal in accordance with the Uniform Standards of Professional Appraisal Practice.
- 11) The Respondent understands that the contract will be awarded by the Municipal Council of the City of Jersey City as a professional services contract.

## SECTION 2

### SCOPE OF SERVICES

It is the intent of the City of Jersey City to solicit Proposals from Respondents that have experience and expertise required to perform the specified services. Firms responding to this RFP shall be able to demonstrate that they will have the continuing capabilities to perform these services.

The Vendor shall provide the following services:

- 1) Conduct appraisals and property valuation services in conjunction with the City of Jersey City's abandoned property initiative and the rules and requirements of the Abandoned Properties Rehabilitation Act (APRA). The appraiser will provide complete detailed appraisal and valuation reports to be used for the acquisition of property by the City of Jersey City, including use of eminent domain to take vacant properties pursuant to the special rules for determining fair market value set forth within N.J.S.A. 55:19-102 of the APRA. Moreover, since N.J.S.A. 55:19-102 provides that the fair market value of property to be acquired under the APRA shall be established based upon, among other things, (1) the cost to rehabilitate and reuse the property for such purpose as is appropriate under existing planning and zoning regulations governing its reuse or to demolish the existing property and construct a new building on the site, including all costs ancillary to rehabilitation such as, but not limited to, marketing and legal costs, and (2) the realistic market value of the reused property after rehabilitation or new construction, taking into account the market conditions particular to the neighborhood in which the property is located, it is anticipated that appraisers providing responses to this RFP may need to retain and work with other professionals, such as architects, engineers, and/or planners, in order to properly value these properties in the manner required under the APRA.
- 2) Conduct appraisals and property valuation services in conjunction with the City of Jersey City's Homeowner Rehabilitation Program (HORP) and relevant housing programs. The appraiser will provide complete detailed appraisal and valuation reports to be used to determine the value of property to be rehabilitated under the City's HORP program. Also, the reports will be used to determine the value of other property to be improved or acquired with City funds.

## SECTION 3

### SUBMISSION REQUIREMENTS

#### 3.1 General Requirements

The Proposal submitted by the Respondent shall incorporate the information requested below. In addition to the information required as described below, a Respondent may submit supplemental information that it feels may be useful in evaluating its Proposal. Respondents are encouraged to be clear, factual, and concise in their presentation of information.

#### 3.2 Administrative Information Requirements

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

1. Name, address and telephone number of the firm or firms submitting the Proposal pursuant to this RFP, and the name of the key contact person.
2. A description of the business organization (i.e., corporation, partnership, joint venture, etc.) of each firm, its ownership and its organizational structure.
  - a. Provide the names and business addresses of all Principals of the firm or firms submitting the Proposal. For purposes of this RFP, “Principals” mean persons possessing an ownership interest in the Respondent. If the Respondent is a corporation, “Principals” shall include each investor who would have any amount of operational control over the Respondent and every stockholder having an ownership interest of 10% or more in the firm.
  - b. If a firm is a partially owned or a fully-owned subsidiary of another firm, identify the parent company and describe the nature and extent of the parent’s approval rights over the activities of the firm submitting the Proposal. Describe the approval process.
  - c. If the Respondent is a partnership or a joint venture or similar organization, provide comparable information as required in (b) above for each member of the partnership, joint venture or similar organization.
  - d. A statement that the Respondent has complied with all applicable affirmative action (or similar) requirements with respect to its business activities, together with evidence of such compliance.
3. An executed Letter of Intent (see attached format).
4. The number of years your organization has been in business under the present name.

5. The number of years the business organization has been under the current management.
6. Any judgments within the last three (3) years in which Respondent has been adjudicated liable for professional malpractice. If yes, please explain.
7. Whether the business organization is now or has been involved in any bankruptcy or re-organization proceedings in the last ten (10) years. If yes, please explain.
8. Whether the Respondent has performed any work for the City of Jersey City previously.
9. Confirm appropriate state license to perform activities.
10. Submit a copy of the business organization's State of New Jersey Business Registration Certificate.

### **3.3 Professional Information Requirements**

- a.) Respondent shall be licensed in the State of New Jersey, Certified General Real Estate Appraiser for five (5) years or more. Please submit copy of license.
- b.) Respondent shall submit a description of its overall experience in providing the type of valuation services sought in the RFP. At a minimum, the following information on past experience should be included as appropriate to the RFP:
  1. Description and scope of work by Respondent for the last 3 years.
  2. Explanation of the experience in the past three (3) years related to the following:
    - Qualified as expert witness in New Jersey Superior Court.
    - Having acted on behalf of public agencies in eminent domain proceedings.
    - Familiar with the Jersey City, New Jersey real estate market, including evidence of the appraiser's understanding of recent trends in that market.
    - Familiar with development costs for both rehabilitation and new construction.

Written documentation of the respondent's familiarity with the current Jersey City real estate market, and familiarity with development costs, shall be provided in the response to the RFP. (This may either take the form of an article, report or other publication previously written by the respondent, or a short narrative description prepared as part of the response to this RFP). Documentation should include a list of all projects/assignments completed in Hudson County

during the last twelve (12) months, with the city/town, name of client and description of property appraised.

- c.) Describe the services that Respondents would perform directly and explain with specificity what training or experience will enable one or more of the members of the firm to conduct the analysis required under the APRA.
- d.) Describe those portions of the Respondent's services that are sub-contracted out and provide specific information on the training or experience of those individuals that will enable them to conduct the analysis required under the APRA. Identify all subcontractors the Respondent anticipates using in connection with this project.
- e.) Provide names of contact individuals and full contact information for at least five (5) public agencies for which your firm currently provides services or has done so within the past five years. At least two of these must have involved eminent domain proceedings.
- f.) Provide copies of at least one (1) (but no more than three) most recent appraisals performed on residential properties in Jersey City or environs during the last six (6) months.
- g.) Does the Respondent normally employ union or non-union employees?
- h.) Provide resumes of key employees.
- i.) Provide a narrative statement of the Respondent's understanding of the Division of Community Development's needs and goals.
- j.) List all immediate relatives of Principal(s) of Respondent who are employees or elected officials of the City of Jersey City. For purposes of the above "immediate relative" means a spouse, parent, stepparent, brother, sister, child, step-child, direct-line aunt or uncle, grandparent, grandchild and in-laws by reason of relation.

### **3.4 Qualifications**

(1) The appraiser selected in response to this RFP must be qualified to perform valuations of residential or commercial property, including but not limited to appraisals to be used for eminent domain takings, as set forth with the APRA.

(2) The following qualifications shall not be considered minimum requirements to respond to this RFP, but shall be given substantial weight in the selection process:

- SRA/MAI Certification
- Training and experience in architecture and/or city planning

- Direct experience in construction or rehabilitation of real estate, particularly within an inner-city urban setting

Respondents shall provide detailed information with respect to all of the above points for any individual who will conduct work on behalf of the City if the firm is retained.

## SECTION 4

### INSTRUCTIONS TO RESPONDENTS

#### 4.1 Submission of Proposal

Respondents must submit an original and two (2) bound copies of the Proposal to the designated contact person:

Peter Folgado, Director of Purchasing, RPPO, QPA  
Division of Purchasing  
1 Journal Square Plaza  
Jersey City, NJ 07306

**Proposals must be received by the Division of Purchasing no later than 4:30 p.m. on April 26, 2013, and must be mailed or hand-delivered. Proposals forwarded by facsimile or e-mail will not be accepted. The Proposal should be returned in a sealed envelope that bears the name of the applicant and is clearly marked “Proposal” for Real Estate Valuation Services, attention: Peter Folgado.**

Proposals must provide all requested information and must conform strictly to the instructions set forth herein. Proposals and all related information must be bound, signed and acknowledged by the Respondent.

All organizations responding to this RFP must agree to work under the terms and conditions set by the City of Jersey City.

The City shall not pay any retainer fees to vendor.

The services under this agreement shall be performed in the most efficient and economic manner. Should additional services be required, the contract shall be amended with the approval by the Jersey City Municipal Council.

## **SECTION 5**

### **EVALUATION**

The Division of Community Development's objective in soliciting Proposals is to enable it to select a vendor that will provide high quality and cost effective services to the Division of Community Development. The Division of Community Development will consider only firms or organizations that, in the Division's judgment, have demonstrated the capability and willingness to provide high quality services in the manner described in this RFP.

Proposals will be evaluated by the Review Committee on the basis of the most advantageous, all relevant factors considered. The evaluation will consider:

1. Experience and reputation in the field of Real Estate Valuation Services with specified experience in the type of services in this RFP.
2. Knowledge of the City of Jersey City and the subject matter addressed under the scope of services.
3. Other factors demonstrated to be in the best interest of the Division of Community Development of the City of Jersey City, such as cost effectiveness.

The proposal(s) deemed most advantageous to the City of Jersey City in advancing the goals set forth in this RFP will be selected as recipient(s).

## LETTER OF INTENT

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

Date

Peter Folgado, Director of Purchasing, RPPO, QPA  
Division of Purchasing  
1 Journal Square Plaza  
Jersey City, NJ 07306

Dear Mr. Folgado:

The undersigned, as Respondent, has (have) reviewed the attached proposal response to the Request for Proposal (RFP) issued by the Department of Housing, Economic Development and Commerce, Division of Community Development, in connection with the City of Jersey City's need for Real Estate Valuation Services for properties throughout the City of Jersey City.

(Name of Respondent) HEREBY STATES:

1. The Request for Proposal contains accurate, factual and complete information.
2. (Name of Respondent) agrees (agree) to participate in good faith in the procurement process as described in the RFP and to adhere to the Division of Community Development's schedule.
3. (Name of Respondent) acknowledges (acknowledge) that all costs incurred by it (them) in connection with the preparation and submission of the RFP and any proposal prepared and submitted in response to the RFP, or any negotiation which results there from shall be borne exclusively by the Respondent.
4. (Name of Respondent) hereby declares (declare) that the only persons participating in this RFP as Principals are named herein and that no person other than those herein mentioned has any participation in this Proposal Statement or in any contract to be entered into with respect thereto. Additional persons may subsequently be included as participating Principals, but only if acceptable to the Division of Community Development. (Name of Respondent) declares that this RFP is made without connection with any other person, firm or parties who has submitted a RFP, except as expressly set forth below and that it has been prepared and has been submitted in good faith and without collusion or fraud.

5. The Division of Purchasing shall not have any liability to the Respondent for any costs incurred by the Respondent with respect to the procurement activities described in this RFP.
6. (Name of Respondent) acknowledges that any contract executed with respect to the provision of the services that are the subject of this RFP must comply with all applicable affirmative action and similar laws. Respondent hereby agrees to take such actions as are required in order to comply with such applicable laws.

(Respondent shall sign and complete the space provided below. If a joint venture, appropriate officers of each company shall sign.)

(Signature of Chief Executive Officer)

(Type Name and Title)

(Type Name of Firm)\*

Dated: \_\_\_\_\_

\* If a joint venture, partnership or other formal organization is submitting a RFP, each participant shall execute this Letter of Intent.

**PRICE PROPOSAL FORM**

The undersigned hereby offers to provide the specified services in accordance with the terms, conditions and specifications under the RFP for Real Estate Valuation services under the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19:19-78 et seq. for the below listed prices:

<b># of Appraisals</b>	<b>Appraiser Price (each)</b>	<b>Price if Appraised w/Architect Services</b>	<b>Price if Appraised w/Engineer Services</b>	<b>Price if Appraised w/Planner Services</b>	<b>Total Price for Completed Appraisal</b>
1 -10 (i.e. first 10)	\$	\$	\$	\$	\$
11 – 50	\$	\$	\$	\$	\$
50+	\$	\$	\$	\$	\$

The City shall pay the vendor at the firm-fixed price stated above. The price includes all of the respondent’s direct and indirect costs, insurance, overhead, general and administrative expenses, and profit. No other fees or charges will be considered.

**Declaration**

I, \_\_\_\_\_ (Print Name), hereby declare that I am the \_\_\_\_\_ (Title) of \_\_\_\_\_ (Name of Firm) submitting this Price Proposal Form; that I am duly authorized to execute this Price Proposal Form on behalf of the Firm; and that all information set forth in this Price Proposal Form and all attachments hereto are, to the best of my knowledge, true, accurate, and complete as of its submission date.

\_\_\_\_\_  
Signature

# **EXHIBIT A**

# **EEO/AFFIRMATIVE ACTION REQUIREMENTS**

## **Goods, Professional Services and General Service Contracts**

Questions in reference to EEO/AA Requirements for Goods, Professional Services and General Service Contracts should be directed to:

Jeana F. Abuan  
Affirmative Action Officer, Public Agency Compliance Officer  
Department of Administration  
Office of Equal Opportunity/Affirmative Action  
280 Grove Street Room 103  
Jersey City, NJ 07302  
Tel.# 201-547-4533  
Fax# 201-547-5088  
E-mail Address: [abuanJ@jcnj.org](mailto:abuanJ@jcnj.org)

**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE**  
**N.J.S.A. 10:5-31 and N.J.A.C. 17:27**

**Goods, Professional Services and General Service Contracts**  
**(Mandatory Affirmative Action Language)**

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 or sex. Except with respect to affectional or sexual orientation, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex. Such action 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 or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, 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.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex, and that it will discontinue the

**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE  
N.J.S.A. 10:5-31 and N.J.A.C. 17:27 (continued)**

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

In conforming with the applicable employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions. The contractor and its subcontractors shall furnish such reports or other documents to the Division of Contract Compliance & EEO as may be requested by the Division from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Contract Compliance & EEO for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27** .

**The undersigned vendor certifies that he/she received, read, and is aware of the commitment to comply with:**

**N.J.S.A. 10:5-31 and N.J.A.C. 17:27**

**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE  
Goods, Professional Services and General Service Contracts  
(Mandatory Affirmative Action Language)**

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

**Representative's Name/Title (Print):** \_\_\_\_\_

**Representative's Signature:** \_\_\_\_\_

**Name of Company:** \_\_\_\_\_

**Tel. No.:** \_\_\_\_\_ **Date:** \_\_\_\_\_

# Sample Letter of Federally Approved Affirmative Action Plan

U.S. Department of Labor

Employment Standards Administration  
Office of Federal Contract  
Compliance Program



Newark Area Office  
134 Evergreen Place, Fourth Floor  
East Orange, NJ 07018

February 27, 19\_\_

Reply to the attention of:

President

Dear

Our recent compliance review of your establishment's equal employment opportunity policies and practices was completed on February 27, 19\_\_.

We found no apparent deficiencies or violations of Executive Order 11246, as amended. Section 503 of the Rehabilitation Act of 1973 or of 38 USC 2012 (the Vietnam Era Veterans' Readjustment Assistance Act). Accordingly, your establishment is deemed to be in compliance with these laws based on the material reviewed.

The Office of Federal Contract Compliance Progress sincerely appreciated the cooperation and courtesies extended by you and your staff during the conduct of the compliance review.

Sincerely,

Area Office Director

# Sample Employee Information Report Form AA302

Form AA302  
Rev. 11/11

**STATE OF NEW JERSEY**  
**Division of Purchase & Property**  
**Contract Compliance Audit Unit**  
**EEO Monitoring Program**

**EMPLOYEE INFORMATION REPORT**

**IMPORTANT-READ INSTRUCTIONS CAREFULLY BEFORE COMPLETING FORM. FAILURE TO PROPERLY COMPLETE THE ENTIRE FORM AND TO SUBMIT THE REQUIRED \$150.00 FEE MAY DELAY ISSUANCE OF YOUR CERTIFICATE. DO NOT SUBMIT EEO-1 REPORT FOR SECTION B, ITEM 11, FOR INSTRUCTIONS ON COMPLETING THE FORM, GO TO: <http://www.state.nj.us/treasury/contract-compliance/pdf/aa302/frs.pdf>**

**SECTION A - COMPANY IDENTIFICATION**

1. FID. NO. OR SOCIAL SECURITY	2. TYPE OF BUSINESS <input type="checkbox"/> 1. MFG <input type="checkbox"/> 2. SERVICE <input type="checkbox"/> 3. WHOLESALE <input type="checkbox"/> 4. RETAIL <input type="checkbox"/> 5. OTHER			3. TOTAL NO. EMPLOYEES IN THE ENTIRE COMPANY	
4. COMPANY NAME					
5. STREET		CITY	COUNTY	STATE	ZIP CODE
6. NAME OF PARENT OR AFFILIATED COMPANY (IF NONE, SO INDICATE)			CITY	STATE	ZIP CODE
7. CHECK ONE: IS THE COMPANY: <input type="checkbox"/> SINGLE-ESTABLISHMENT EMPLOYER <input type="checkbox"/> MULTI-ESTABLISHMENT EMPLOYER					
8. IF MULTI-ESTABLISHMENT EMPLOYER STATE THE NUMBER OF ESTABLISHMENTS IN NJ					
9. TOTAL NUMBER OF EMPLOYEES AT ESTABLISHMENT WHICH HAS BEEN AWARDED THE CONTRACT					
10. PUBLIC AGENCY AWARDED CONTRACT					
Official Use Only		DATE RECEIVED	INAUG. DATE	ASSIGNED CERTIFICATION NUMBER	

**SECTION B - EMPLOYMENT DATA**

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

JOB CATEGORIES	ALL EMPLOYEES			PERMANENT MINORITY/NON-MINORITY EMPLOYEE BREAKDOWN										
	COL. 1 TOTAL (Cols. 2 & 3)	COL. 2 MALE	COL. 3 FEMALE	MALE					FEMALE					
				BLACK	HISPANIC	AMER. INDIAN	ASIAN	NON MIN.	BLACK	HISPANIC	AMER. INDIAN	ASIAN	NON MIN.	
Officials/Managers														
Professionals														
Technicians														
Sales Workers														
Office & Clerical														
Craftworkers (Skilled)														
Operatives (Semi-skilled)														
Laborers (Unskilled)														
Service Workers														
TOTAL														
Total employment From previous Report (if any)														
Temporary & Part-Time Employees	The data below shall NOT be included in the figures for the appropriate categories above.													

12. HOW WAS INFORMATION AS TO RACE OR ETHNIC GROUP IN SECTION B OBTAINED: <input type="checkbox"/> 1. Visual Survey <input type="checkbox"/> 2. Employment Record <input type="checkbox"/> 3. Other (Specify)	14. IS THIS THE FIRST Employee Information Report Submitted? 1. YES <input type="checkbox"/> 2. NO <input type="checkbox"/>	15. IF NO, DATE LAST REPORT SUBMITTED MO. DAY YEAR
13. DATES OF PAYROLL PERIOD USED From: To:		

**SECTION C - SIGNATURE AND IDENTIFICATION**

16. NAME OF PERSON COMPLETING FORM (Print or Type)	SIGNATURE	TITLE	DATE MO DAY YEAR
17. ADDRESS NO. & STREET	CITY	COUNTY	STATE ZIP CODE PHONE (AREA CODE NO., EXTENSION)

# Sample Employee Information Report Form AA302

## INSTRUCTIONS FOR COMPLETING THE EMPLOYEE INFORMATION REPORT (FORM AA302)

**IMPORTANT:** READ THE FOLLOWING INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE FORM. PRINT OR TYPE ALL INFORMATION. FAILURE TO PROPERLY COMPLETE THE ENTIRE FORM **AND TO SUBMIT THE REQUIRED \$150.00 NON-REFUNDABLE FEE MAY DELAY ISSUANCE OF YOUR CERTIFICATE** IF YOU HAVE A CURRENT CERTIFICATE OF EMPLOYEE INFORMATION REPORT, DO NOT COMPLETE THIS FORM UNLESS YOU ARE RENEWING A CERTIFICATE THAT IS DUE FOR EXPIRATION. DO NOT COMPLETE THIS FORM FOR CONSTRUCTION CONTRACT AWARDS.

**ITEM 1** - Enter the Federal Identification Number assigned by the Internal Revenue Service, or if a Federal Employer Identification Number has been applied for, or if your business is such that you have not or will not receive a Federal Employer Identification Number, enter the Social Security Number of the owner or of one partner, in the case of a partnership.

**ITEM 2** - Check the box appropriate to your TYPE OF BUSINESS. If you are engaged in more than one type of business check the predominate one. If you are a manufacturer deriving more than 50% of your receipts from your own retail outlets, check "Retail".

**ITEM 3** - Enter the total "number" of employees in the entire company, including part-time employees. This number shall include all facilities in the entire firm or corporation.

**ITEM 4** - Enter the name by which the company is identified. If there is more than one company name, enter the predominate one.

**ITEM 5** - Enter the physical location of the company. Include City, County, State and Zip Code.

**ITEM 6** - Enter the name of any parent or affiliated company including the City, County, State and Zip Code. If there is none, so indicate by entering "None" or N/A.

**ITEM 7** - Check the box appropriate to your type of company establishment. "Single-establishment Employer" shall include an employer whose business is conducted at only one physical location. "Multi-establishment Employer" shall include an employer whose business is conducted at more than one location.

**ITEM 8** - If "Multi-establishment" was entered in item 7, enter the number of establishments within the State of New Jersey.

**ITEM 9** - Enter the total number of employees at the establishment being awarded the contract.

**ITEM 10** - Enter the name of the Public Agency awarding the contract. Include City, County, State and Zip Code. This is not applicable if you are renewing a current Certificate.

**ITEM 11** - Enter the appropriate figures on all lines and in all columns. THIS SHALL ONLY INCLUDE EMPLOYMENT DATA FROM THE FACILITY THAT IS BEING AWARDED THE CONTRACT. DO NOT list the same employee in more than one job category. DO NOT attach an EEO-1 Report.

**Racial/Ethnic Groups will be defined:**

**Black:** Not of Hispanic origin. Persons having origin in any of the Black racial groups of Africa.

**Hispanic:** Persons of Mexican, Puerto Rican, Cuban, or Central or South American or other Spanish culture or origin, regardless of race.

**American Indian or Alaskan Native:** Persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

**Asian or Pacific Islander:** Persons having origin in any of the original peoples of the Far East, Southeast Asia, the Indian Sub-continent or the Pacific Islands. This area includes for example, China, Japan, Korea, the Phillipine Islands and Samoa.

**Non-Minority:** Any Persons not identified in any of the aforementioned Racial/Ethnic Groups.

**ITEM 12** - Check the appropriate box. If the race or ethnic group information was not obtained by 1 or 2, specify by what other means this was done in 3.

**ITEM 13** - Enter the dates of the payroll period used to prepare the employment data presented in Item 12.

**ITEM 14** - If this is the first time an Employee Information Report has been submitted for this company, check block "Yes".

**ITEM 15** - If the answer to Item 15 is "No", enter the date when the last Employee Information Report was submitted by this company.

**ITEM 16** - Print or type the name of the person completing the form. Include the signature, title and date.

**ITEM 17** - Enter the physical location where the form is being completed. Include City, State, Zip Code and Phone Number.

### TYPE OR PRINT IN SHARP BALL POINT PEN

THE VENDOR IS TO COMPLETE THE EMPLOYEE INFORMATION REPORT FORM (AA302) AND RETAIN A COPY FOR THE VENDOR'S OWN FILES. THE VENDOR SHOULD ALSO SUBMIT A COPY TO THE PUBLIC AGENCY AWARDING THE CONTRACT IF THIS IS YOUR FIRST REPORT; AND FORWARD ONE COPY WITH A CHECK IN THE AMOUNT OF \$150.00 PAYABLE TO THE TREASURER, STATE OF NEW JERSEY (FEE IS NON-REFUNDABLE), TO:

NJ Department of the Treasury  
Division of Purchase & Property  
Contract Compliance Audit Unit  
EEO Monitoring Program  
P.O. Box 206

Trenton, New Jersey 08625-0206

Telephone No. (609) 292-5473

# Sample Duplicate Certificate of Employee Information Report Request

Form Duplicate Cert  
Rev. 11/11

Print Form



STATE OF NEW JERSEY  
DEPARTMENT OF THE TREASURY  
Division of Purchase & Property, Contract Compliance Audit Unit  
EEO Monitoring Program

## DUPLICATE CERTIFICATE OF EMPLOYEE INFORMATION REPORT REQUEST

**IMPORTANT- FAILURE TO PROPERLY COMPLETE THE ENTIRE FORM AND SUBMIT THE REQUIRED \$75.00 FEE (Non-Refundable) MAY DELAY ISSUANCE OF YOUR DUPLICATE CERTIFICATE OF EMPLOYEE INFORMATION REPORT.**

### SECTION A - COMPANY IDENTIFICATION

1. FID. NO. OR SOCIAL SECURITY	2. ASSIGNED CERTIFICATION NUMBER	ISSUE DATE	EXPIRATION DATE

3. COMPANY NAME

4. STREET CITY COUNTY STATE ZIP CODE

5. REASON FOR REQUEST OF DUPLICATE CERTIFICATE  
 1. Lost Certificate  2. Damaged  3. Other (Specify)

### SECTION B - SIGNATURE AND IDENTIFICATION

6. NAME OF PERSON COMPLETING FORM (Print or Type)	SIGNATURE	TITLE	DATE MO DAY YEAR

7. ADDRESS NO. & STREET CITY COUNTY STATE ZIP CODE PHONE (AREA CODE, NO., EXTENSION)

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

### SECTION C - OFFICIAL USE ONLY

RECEIVED DATE:	DIVISION OF REVENUE DLN # :

### INSTRUCTIONS FOR COMPLETING DUPLICATE CERTIFICATE REQUEST

**ITEM 1** - Enter the Federal Identification Number assigned by the Internal Revenue Service, or if a Federal Employer Identification Number has been applied for, or if your business is such that you have not or will not receive a Federal Employer Identification Number, enter the Social Security Number of the owner or of one partner, in the case of a partnership.

**ITEM 2** - Enter the Certificate Number that was assigned to your company along with the Issue Date and Expiration Date (if available).

**ITEM 3** - Enter the name by which the company is identified

**ITEM 4** - Enter the physical location of the company. Include City, County, State and Zip Code

**ITEM 5** - Enter the reason for requesting a Duplicate Certificate of Employee Information Report.

**ITEM 6** - Print or type the name of the person completing the form. Include the signature, title and date.

**ITEM 7** - Enter the physical location where the form is being completed. Include City, State, Zip Code and Phone Number.

**RETAIN A COPY OF THIS REQUEST FOR THE VENDOR'S OWN FILES AND FORWARD ONE COPY WITH A CHECK IN THE AMOUNT OF \$75.00 (Non-Refundable Fee) PAYABLE TO "THE TREASURER, STATE OF NEW JERSEY" TO:**

NJ Department of the Treasury  
Division of Purchase & Property  
Contract Compliance Audit Unit  
EEO Monitoring Program  
PO Box 206

Trenton, New Jersey 08625-0206

Telephone No. (609) 292-5473

PLEASE ALLOW 15 BUSINESS DAYS FOR PROCESSING THE DUPLICATE CERTIFICATE

# Sample Certificate of Employee Information Report

**VOID**

Certification \_\_\_\_\_

## CERTIFICATE OF EMPLOYEE INFORMATION REPORT

This is to certify that the contractor has verified the accuracy of the Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et seq. and the State Treasurer has approved this report. This approval will remain in effect for the period of \_\_\_\_\_.



State Treasurer

**VOID**

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

The contractor and the \_\_\_\_\_ of \_\_\_\_\_, (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. 5121 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.

**AMERICANS WITH DISABILITIES ACT OF 1990  
Equal Opportunity for Individuals with Disability (continued)**

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.

**Representative's Name/Title Print):** \_\_\_\_\_

**Representative's Signature:** \_\_\_\_\_

**Name of Company:** \_\_\_\_\_

**Tel. No.:** \_\_\_\_\_ **Date:** \_\_\_\_\_.

**MINORITY/WOMAN BUSINESS ENTERPRISE (MWBE)  
Questionnaire for Bidders**

Jersey City Ordinance C-829 establishes a goal of awarding 20% of the dollar amount of total city procurement to minority and woman owned business enterprises.

To assist us in monitoring our achievement of this goal, please indicate below whether your company is or is not a minority owned and/or woman owned business, and return this form with your bid proposal.

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

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

Telephone No.: \_\_\_\_\_

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

Please check applicable category :

\_\_\_\_\_ Minority Owned

\_\_\_\_\_ Minority & Woman Owned

\_\_\_\_\_ Woman Owned

\_\_\_\_\_ Neither

**Definition of Minority Business Enterprise**

Minority Business Enterprise means a business which is a sole proprietorship, partnership or corporation at least 51% of which is owned and controlled by persons who are African American, Hispanic, Asian American, American Indian or Alaskan native, defined as follows:

**African American:** a person having origins in any of the black racial groups of Africa

**Hispanic:** a person of Mexican, Puerto Rican, Central or South American or other non-European Spanish culture or origin regardless of race.

**Asian:** a person having origins in any of the original peoples of the Far East, South East Asia, Indian subcontinent, Hawaii or the Pacific Islands.

**American Indian or Alaskan Native:** a person having origins in any of the original peoples of North America and who maintains cultural identification through tribal affiliation or community recognition.

**Woman Business Enterprise**

Woman Business Enterprise means a business which is a sole proprietorship, partnership or corporation at least 51% of which is owned and controlled by a woman or women.

## BUSINESS REGISTRATION LANGUAGE AND SAMPLE BRC

Refer to <http://www.state.nj.us/treasury/revenue/busregcert.htm>)

**P.L. 2004, c. 57 (N.J.S.A. 52:32-44)**

### MANDATORY BUSINESS REGISTRATION LANGUAGE

#### Non Construction Contracts

P.L. 2004, c. 57 (Chapter 57) amends and supplements the business registration provisions of N.J.S.A. 52:32-44 which impose certain requirements upon a business competing for, or entering into a contract with a local contracting agency whose contracting activities are subject to the requirements of the Local Public Contracts Law (N.J.S.A. 40A:11-2).

#### “New Jersey Business Registration Requirements”

The contractor shall provide written notice to its subcontractors of the responsibility to submit proof of business registration to the contractor.

Before final payment on the contract is made by the contracting agency, the contractor shall submit an accurate list and the proof of business registration of each subcontractor or supplier used in the fulfillment of the contract, or shall attest that no subcontractors were used.

**For the term of the contract, the contractor and each of its affiliates and a subcontractor and each of its affiliates [N.J.S.A. 52:32-44(g)(3)] shall collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act on all sales of tangible personal property delivered into this State, regardless of whether the tangible personal property is intended for a contract with a contracting agency.**

A business organization that fails to provide a copy of a business registration as required pursuant to section 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 business registration information 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.”



STATE OF NEW JERSEY  
BUSINESS REGISTRATION CERTIFICATE  
FOR STATE AGENCY AND CASINO SERVICE CONTRACTOR

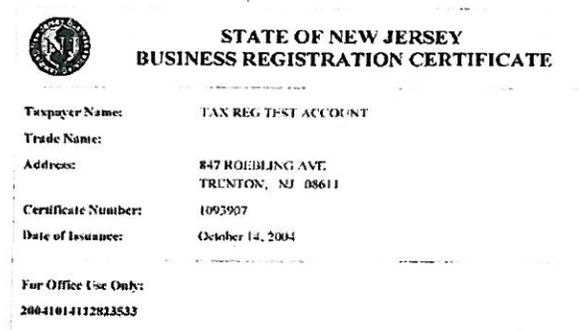
TAXPAYER NAME: TAX REGISTRATION TEST ACCOUNT  
TAXPAYER IDENTIFICATION: 970-097-382/500  
ADDRESS: 847 ROEBLING AVE  
TRENTON, NJ 08611  
ISSUANCE DATE: 07/14/04

TRADE NAME: TAX REGISTRATION TEST ACCOUNT  
CLASSIFICATION: 11 STRAT  
SEQUENCE NUMBER: 0107

DEPARTMENT OF TREASURY  
DIVISION OF REVENUE

*John S. Kelly*

This Certificate NOT available for reproduction. It must be downloaded and played at above address.



STATE OF NEW JERSEY  
BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name: TAX REG TEST ACCOUNT  
Trade Name:  
Address: 847 ROEBLING AVE  
TRENTON, NJ 08611  
Certificate Number: 1093907  
Date of Issuance: October 14, 2004

For Office Use Only:  
20041014112823533