

MIDDLESEX COUNTY IMPROVEMENT AUTHORITY

REQUEST FOR QUALIFICATIONS

PROFESSIONALS AND OTHER SERVICES FOR

APPOINTMENT FROM JANUARY 1, 2025 THRU DECEMBER 31, 2025

AND FOR SPECIAL PROJECTS ON A PROJECT BY PROJECT BASIS

CONTRACT # 24-04

James P. Nolan
CHAIRMAN

H. James Polos
EXECUTIVE DIRECTOR

MIDDLESEX COUNTY IMPROVEMENT AUTHORITY

REQUEST FOR QUALIFICATIONS

PROFESSIONALS AND OTHER SERVICES

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MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
PUBLIC NOTICE FOR THE SOLICITATION OF
QUALIFICATIONS AND RATES, AS APPLICABLE,
FOR VARIOUS PROFESSIONALS AND OTHER SERVICES
FOR APPOINTMENT FROM JANUARY 1, 2025 THROUGH
DECEMBER 31, 2025

Notice is hereby given that the Middlesex County Improvement Authority (the “Authority”) will be seeking qualifications and proposals, as applicable, for the provision of certain professional, extraordinary unspecifiable services and other services for the 2025 year. The qualifications are being sought as part of a fair and open process being undertaken by the Authority pursuant to N.J.S.A. 19:44A-20.4 et seq.

Responses to provide the services will be received by the Authority at their office, Middlesex County Improvement Authority, 101 Interchange Plaza, Suite 202, Cranbury, New Jersey 08512 (physical location, South Brunswick, New Jersey), until 11:00 a.m. prevailing time, on Thursday, November 21, 2024, at which time the responses will be publicly opened and the name of the responder, and proposal, as applicable, shall be read aloud.

Qualifications will be accepted for the following:

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| <ol style="list-style-type: none">1. Arbitrage Rebate Services2. Auditing Services3. Engineering Services for the General Operation of the Authority4. Financial Advisory Services5. Insurance Producer Services6. Printing Services7. Public Relations Services | <p><u>Legal Services:</u></p> <ol style="list-style-type: none">1. Bond Counsel2. General Counsel3. Professional Liability and General Liability Defense Counsel4. Special Projects Counsel5. Workers Compensation Defense Counsel |
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Standardized submission requirements are available at the offices of the Authority, 101 Interchange Plaza, Suite 202, Cranbury, New Jersey 08512, on and after Friday, October 18, 2024, between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday excluding holidays, and on the Authority’s website at

<https://www.middlesexcountynj.gov/government/departments/department-of-economic-development/middlesex-county-improvement-authority/current-bidding-opportunities>

Individuals and/or firms obtaining copies from the website are responsible for monitoring the website for the issuance of any addenda.

Qualified responders will be required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq., (Contract Compliance and Equal Employment Opportunities in Public Contracts); N.J.S.A. 52:25-24.2 , Disclosure of Interests; N.J.S.A. 52:32-44, State Contractor

Business Registration Program; and P.L. 2012, C.25, Disclosure of Investment Activities in Iran, Russia and Belarus, all as amended and supplemented.

The Authority reserves the right to reject any or all submissions, to waive any deficiencies and to suspend or abandon this process at any time.

INDIVIDUALS AND/OR FIRMS ARE TO SUBMIT AN ORIGINAL PLUS FOUR (4) COPIES OF THEIR RESPONSES AS WELL AS THE ENTIRE COVER TO COVER SUBMITTAL AS A PDF DOCUMENT ON A FLASH DRIVE FOR EACH SERVICE THEY ARE SUBMITTING A RESPONSE TO AND SHALL TITLE THE SERVICE AS INDICATED ABOVE. THE AUTHORITY WILL NOT BE RESPONSIBLE FOR THE CONSIDERATION OF RESPONSES THAT ARE NOT CLEARLY MARKED WITH A SPECIFIC SERVICE. IF SUBMITTING FOR MORE THAN ONE SERVICE THE INDIVIDUAL AND/OR FIRM MUST SUBMIT AN ORIGINAL PLUS FOUR (4) COPIES AND A FLASH DRIVE FOR EACH SERVICE THEY ARE SUBMITTING A RESPONSE TO.

Individuals and/or firms are to submit an original and four (4) copies of their responses and the flash drive containing the PDF document for each service to: Kevin McQueeney, Qualified Purchasing Agent, Middlesex County Improvement Authority, 101 Interchange Plaza, Suite 202, Cranbury, New Jersey 08512 (physical location - South Brunswick, New Jersey) no later than 11:00 a.m. on Thursday November 21, 2024. Questions concerning this notice may be directed to Kevin McQueeney, Qualified Purchasing Agent at 609-409-5002.

GENERAL CONDITIONS

.1 BACKGROUND INFORMATION

The Middlesex County Improvement Authority (hereinafter also referred to as MCIA, Authority or Owner) is interested in procuring professional services, extraordinary unspecifiable services and other services (the “SERVICES”) for the operations of the Authority for the 2025 year. The specific description of the Services and the specific responsibilities are detailed under Section 3 herein.

Qualifications and proposals, as applicable, are being sought from individuals/firms (“PROVIDERS”) for the Services as part of a fair and open process being undertaken by the Authority pursuant to N.J.S.A. 19:44A-20.4 et seq.

.2 RECEIPT AND OPENING OF QUALIFICATIONS

The Middlesex County Improvement Authority invites the submission of qualifications and proposals, as applicable. Responses will be received at the time and place set forth in the public notice.

Qualifications submitted shall address the following:

- Individuals Performing Tasks. The names and roles of the individuals who will perform the tasks and description of their education and experience.
- Past Performance. Documented past performance.
- Description of Abilities. Description of ability to provide the Services in a timely manner.
- Minimum Threshold Criteria. Submissions shall address the Provider’s ability to meet the minimum threshold criteria.

The criteria to be implemented in review of the responses and/or proposals shall include the following:

- a) the background, qualifications and experience of the Provider and staff;
- b) the degree of expertise concerning the area at issue;
- c) the Authority’s prior experience with the Provider;
- d) the Provider’s familiarity with the services and the requirements;
- e) the Provider’s capacity to meet the needs of the services by its own staff;
- f) the Provider’s understanding of the scope of the work and objectives;
- g) the Provider’s meeting of the minimum threshold criteria; and
- h) the rate, rates or amounts to be charged, as and if applicable

3 SCOPE OF WORK

The furnishing and delivering of the Services (hereinafter also referred to as the "Work") under this Contract embraces the furnishing of all labor, materials, equipment, supplies, supervision, administration, scheduling, and all things necessary to supply the Services.

ARBITRAGE REBATE SERVICES for the computation of arbitrage rebate amounts for certain bonds issued by the Authority. The Authority issues certain tax-exempt financings and is required to have arbitrage rebate calculations performed. The minimum threshold criteria to be met is as follows:

- a) Experience preparing arbitrage rebate calculations in connection with public financings for a minimum of five (5) years; and
- b) Experience in tax exempt financings.

The Authority may seek to qualify one or more firms for this purpose. Cost proposals will not be required with the response. Cost proposals may be sought during the year from firms that have been qualified pursuant to this process.

AUDITING SERVICES for the preparation of the annual audit of the Authority and the rendering of such other advice or opinions as the Authority may require. The auditor shall meet the following minimum threshold criteria:

- a) The auditor signing the opinion letter must be a certified public accountant and a registered municipal accountant for a minimum of five (5) years;
- b) Experience in providing advice and recommendations in the review of capital project requests and timing and issuing of debt instruments by public bodies;
- c) Experience in the budgeting process and preparation of audits for public entities for a minimum of five (5) years; and
- d) Experience with public entities particularly authorities, for compliance with applicable fiscal laws for a minimum of five (5) years.

The Authority anticipates awarding a contract to one Provider for these services. A cost proposal shall be submitted with the response including a fee for the preparation of the annual audit and an hourly rate for other services/opinions.

ENGINEERING SERVICES FOR THE GENERAL OPERATIONS OF THE AUTHORITY. The Authority requires engineering services for the general operations of the Authority and the rendering of such assistance as the Authority may require from time to time.

These services shall include, without limitation, review of capital projects, preparation of bid specifications or applicable procurement documents for capital projects and monitoring of construction, review of environmental matters where directed by the Authority and the conduct of any studies or investigations. The Provider shall meet the following minimum criteria:

- a) Licensed to provide engineering services in the State of New Jersey for a minimum of five (5) years

- b) Experience with governmental entities and particularly, green acres regulations and regulations relating to recycling and environmental laws;
- c) Experience in preparing plans and bid specifications and monitoring construction of capital projects for a minimum of five (5) years;
- d) Have a multi-disciplinary engineering firm with at least five (5) years current experience; and
- e) Firm shall have the ability to provide a staff member with a licensed site remediation professional (LSRP) designation upon request of the Authority. The Authority anticipates contracting with one Provider for this service. The proposal shall include a schedule of rates for the engineering and LSRP services.

FINANCIAL ADVISORY SERVICES for the general operations of the Authority, including without limitation, where directed, review and recommendations on operational and capital needs of the Authority, assistance with budgets, review and recommendations concerning Authority financings and special projects, conduct of continuing disclosure surveys, serving as continuing disclosure agent, and preparation and submission of applications to the Local Finance Board for Authority financings. The Provider must possess the following minimum criteria:

- a) A staff of licensed professionals available to provide the services; and
- b) Experience in the representation of governmental entities in the field of public finance, budgeting and local authorities fiscal control law including representation before the New Jersey Local Finance Board for a minimum of five (5) years.

The Authority may qualify one or more Providers to provide the Services. Cost proposals for provision of continuing disclosure services shall be submitted with the response.

INSURANCE PRODUCER SERVICES for the Authority. The Authority requires the services of an insurance producer for the Authority to be responsible for procuring insurance for the Authority when directed by the Authority and for providing assistance in insurance matters as may be directed by the Authority. The insurance producer shall meet the following minimum criteria:

- a) Licensed by the Department of Banking and Insurance of the State of New Jersey as an insurance producer for a minimum of five (5) years;
- b) Experience with governmental entities and the insurance requirements relating to such entities for a minimum of five (5) years; and
- c) Experience with workers compensation self-insurance funds.

The Authority anticipates award of a contract to one Provider. A cost proposal shall be submitted with the response.

LEGAL COUNSEL - BOND COUNSEL. The Authority requires legal services for the representation of the Authority in issuing bonds and financings. The following minimum threshold criteria shall be met:

- a) Licensed to practice law in the State of New Jersey for a minimum of five (5) years;
- b) Representation of governmental entities in the field of public finance with experience representing public entities before the New Jersey Local Finance Board for a minimum of five (5) years; and
- c) Nationally recognized as a bond counsel and appear in the Bond Buyers Municipal Marketplace Directory.

The Authority anticipates award of a contract to one Provider. Cost proposals will not be required with the response.

LEGAL COUNSEL - GENERAL OPERATIONS. The Authority requires general legal counsel for all its operations. The duties include representation of the Authority in all of its operations, including but not limited to, general administrative preparation and review of contracts and resolutions, preparation and/or review of procurement documents, negotiation and/or preparation of collective bargaining agreements, review and advice in recycling, golf and long term care operations, review of workers compensation self-insurance fund, review of economic development projects, the provision of opinions for Authority financings and such other assistance as may be requested by the Authority from time to time. The Provider shall meet the following minimum criteria:

- a) Licensed to practice law in the State of New Jersey for a minimum of five (5) years;
- b) Experience in the field of labor related matters representing governmental entities, including without limitation, negotiation of collective bargaining agreements for a minimum of five (5) years;
- c) Representation and experience with governmental entities and laws applicable to governmental entities for a minimum of five (5) years;
- d) Experience with long term care facilities and laws and regulations applicable to the operation of same;
- e) Have a multi-disciplinary law practice in the area of civil matters for a minimum of five (5) years; and
- f) Experience and knowledge of financings by public entities.

The Authority anticipates award of a contract to one attorney/firm. A schedule of rates for the Services shall be submitted with the response.

LEGAL COUNSEL - PROFESSIONAL LIABILITY AND GENERAL LIABILITY

DEFENSE. The Authority is seeking legal services for the defense of professional liability and general liability claims in the operation of the Roosevelt Care Center long-term care facilities. The following minimum criteria will be met by the Provider:

- a) Licensed to practice law in the State of New Jersey for a minimum of five (5) years;
- b) Experience in the defense of governmental entities for a minimum of five (5) years;

and

- c) Have a multi-disciplinary law practice in the area of civil matters and litigation for a minimum of five (5) years.

The Authority anticipates award of a contract to one Provider. A schedule of rates for the Services shall be submitted with the response.

LEGAL COUNSEL - SPECIAL PROJECTS. The Authority requires legal services for special projects of the Authority, including but not limited to, environmental matters, economic development projects and assistance with long term care facilities and health care laws. The proposer shall be capable of providing advice and legal services on the aforementioned matters at a minimum. The minimum threshold criteria that will be utilized for the evaluation of the responses shall be as follows:

- a) Licensed to practice law in the State of New Jersey for a minimum of five (5) years;
- b) Have a multi-disciplinary law practice in the area of civil matters for a minimum of five (5) years;
- c) Experience in improvement authority projects; and
- d) Experience in the fields of environmental laws, economic development laws and health care law for a minimum of five (5) years.

The Authority anticipates award of a contract to one Provider. A schedule of rates for the Services shall be submitted with the response.

LEGAL COUNSEL - WORKERS COMPENSATION DEFENSE COUNSEL. The Authority is seeking legal services for the representation of the Authority in the defense of workers compensation claims. The provider will possess the following minimum threshold criteria:

- a) Licensed to practice law in the State of New Jersey for a minimum of five (5) years;
- b) Have a multi-disciplinary law practice in the area of civil matters for a minimum of five (5) years; and
- c) Experience in the field of workers compensation law defense for a minimum of five (5) years.

The Authority may qualify one or more Providers to provide the services. A schedule of rates for the Services shall be submitted with the response.

PRINTING SERVICES. The Authority requires printing services for printing of preliminary official statements and official statements for Authority financings. The Authority is seeking qualifications from firms interested in providing printing services for financing projects. The printing company will be required to meet the following criteria:

- a) The printing company shall have a minimum of five (5) years' experience in the printing of preliminary official statements and official statements for public financings;
- b) The printing company shall have the equipment and experience necessary for publishing and shall provide proof of its ability to print and distribute in a timely and professional manner; and

- c) The printing company must address its ability to electronically distribute preliminary official statements and official statements and describe its “turnaround” responsiveness.

The Authority may qualify one or more Providers. A cost proposal is not required at the time of submission of response. A cost proposal will be sought from among the qualified pool of Providers when the Authority undertakes a financing.

PUBLIC RELATIONS SERVICES

- a) Provide advice and recommendations for any and all matters relating to the promotion of services and programs of the MCIA.
- b) Prepare press releases and assist with the preparation of any verbal and other written communications.
- c) Develop and implement a Public Relations plan that will identify the best methods and formats to promote the services and programs of the MCIA to the public and political subdivisions serviced by the Authority.
- d) Assist with any and all other communication and promotional initiatives as needed.
- e) Attend press and public announcement events as needed to assist staff with appropriate communication at such events.
- f) Identify and regularly communicate with all media outlets including print, radio, TV, and Cable to facilitate dissemination of announcements from the Authority.
- g) Develop a Social Media platform for the Authority and ensure that the same is kept up to date with timely information about MCIA operations, programs and announcements.

The minimum threshold criteria for the services are as follows:

- 1) Experience in Public Relations and related work for a minimum of five (5) years.
- 2) Experience in the development of print, radio and broadcast promotions.
- 3) Experience in such work with governmental entities.

.4 PREPARATION AND AWARD OF CONTRACT

Individuals/firms shall submit their qualifications and proposals, as applicable, by the time and place indicated in the Notice.

Each response shall be delivered to the MCIA with an **original** and **four (4) copies** as well as the entire cover to cover submittal as a PDF document on flash drive for each service that the Provider is providing a submission on in a sealed opaque envelope bearing on the outside the name of the individual/firm Provider, their address, and the name of the Service for which the response is submitted. The Service must be clearly marked with specific reference to the kind of service, for example, “ENGINEERING Services for the General Operations of the Authority”.

THE AUTHORITY WILL NOT BE RESPONSIBLE IF THE INDIVIDUAL/FIRM DOES NOT CLEARLY IDENTIFY THE SERVICE

IN THE EVENT THE INDIVIDUAL/FIRM IS SUBMITTING FOR MORE THAN ONE SERVICE, THE INDIVIDUAL/FIRM MUST SUBMIT A RESPONSE FOR EACH SERVICE.

If forwarded by mail, the envelope containing the submission must be enclosed in another envelope. The outer mailing envelope shall be addressed to the Middlesex County Improvement Authority, 101 Interchange Plaza, Suite 202, Cranbury, New Jersey 08512 (Physical Location - South Brunswick, New Jersey). The outer mailing envelope shall be clearly marked with the specific Service for which the response is submitted. The Authority shall not be responsible for nor be required to grant relief from non-delivery or late delivery of responses forwarded by mail or third-party messenger/delivery services.

The MCIA reserves the right to waive any informalities and to reject any or all responses. Any response may be withdrawn by a properly notarized written request served to the Qualified Purchasing Agent, Middlesex County Improvement Authority, prior to the time of opening submissions.

.5 ASSIGNMENT

The Provider shall not assign, transfer, convey or otherwise dispose of the Contract, or its rights, title or interest in or to the Contract or any part thereof without the prior written consent of the MCIA as evidenced and memorialized in a resolution authorizing such assignment or transfer attached to each copy of the Contract. The Provider shall not assign, by power of attorney or otherwise, any of the monies to become due and payable under the Contract unless with the prior written consent of the MCIA evidenced by and memorialized in a written resolution of consent. If the Provider assigns, transfers, conveys or otherwise disposes of the Contract in whole or in part or of its right, title or interest therein without the prior written consent of the MCIA or any of the monies to become due under the Contract, to any person, firm, or corporation, then the MCIA may, at its option, revoke the Contract and thereupon the MCIA shall be relieved and discharged from any and all liability and obligations growing out of the Contract; provided that nothing herein contained shall be construed to hinder, prevent or affect the assignment for the benefit of the Provider's creditors made pursuant to the statutes of the State of New Jersey.

.6 QUALIFICATION

The MCIA may make such investigations as it deems necessary to determine the ability of the Provider to perform the Services and the Provider shall furnish to the MCIA all information and data for this purpose as the MCIA may request. The MCIA reserves the right to reject any response if the evidence submitted by or investigation of such Provider fails to satisfy the MCIA that such

Provider is properly qualified to carry out the obligations of the Contract and to perform the Services.

.7 APPLICABLE LAWS

The Provider's attention is directed to the fact that all applicable Federal and State laws, municipal ordinances and rules and regulations of all authorities having jurisdiction over the Services shall apply to the Contract throughout the term of the Services, and they shall be deemed to be included in the Contract the same as though herein written out in full.

.8 AFFIRMATIVE ACTION REQUIREMENTS

Each selected Provider shall be required to comply with the provisions of New Jersey Department of Treasury, Affirmative Action Requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27.

.9 AWARD OF CONTRACT

The MCIA reserves the right to reject any or all responses or to waive any material defect or informality in any response and to suspend or abandon this process at any time or from time to time.

.10 GOVERNING LAW

New Jersey law will govern the interpretation of the General Conditions. Provider consents to venue and jurisdiction in the State of New Jersey.

.11 PARTIAL INVALIDITY

In the event any provision of the General Conditions shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

.12 STATE SALES TAX EXEMPTION

The Authority is an organization exempt from the New Jersey State Sales and Use Tax Act, N.J.S.A. 54:32B-1 et seq., in accordance with Section 9 of the Act, N.J.S.A. 54:32B-9(a)(1).

.13 LABOR

The Provider shall and will be required to conform to the Labor Law of the State of New Jersey and the various acts Amendatory and Supplemental thereto, as applicable, and in accordance with the New Jersey Department of Labor and Industry Prevailing Wage Rate Determination. The rate

of wages for all laborers employed by the Provider shall not be less than the prevailing wage rate so established for work to be performed under the terms of the Contract and a copy of the Determination of the Wage and Hour Bureau or other documents specifying the prevailing wages is considered as incorporated by reference as a part of the Contract.

.14 BUSINESS REGISTRATION

The Provider shall comply with N.J.S.A 52:32-44. Provider shall be registered and shall provide proof of registration no later than at the time of qualification.

.15 SELECTION PROCESS

The qualification criteria is set forth in Section .2. The responses will be reviewed by the committee(s). This committee(s) and weighting of the criteria shall be disclosed at the time of the response/proposal opening. The committee(s) will recommend to the Board of the Authority qualification of vendor(s) and award of contract(s). The Board thereafter may adopt a resolution accepting the recommendations of the committees. Vendor(s) awarded contracts by the Authority may be required to sign contracts in a form directed by the Authority. Vendor(s) may also be required to provide the Authority with proof of insurance with coverages required by the Authority.

.16 RECORD RETENTION

Vendors awarded contracts will be required to maintain all documentation related to products, transactions or services under the contract for a period of seven (7) years from the date of final payment. Such records shall be made available to the Office of the New Jersey State Comptroller upon request.

.17 AMERICANS WITH DISABILITIES ACT OF 1990 EQUAL OPPORTUNITY FOR INDIVIDUALS WITH DISABILITIES

The Contractor and the Middlesex County Improvement Authority (“MCIA”) do hereby agree that the provisions of Title II of the Americans with Disabilities Act of 1990 (the “ADA”) (42 U.S.C. 12101 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 thereto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the MCIA 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 MCIA in any action or administrative proceeding commenced pursuant to this Act. The Contractor shall indemnify, protect, and save

harmless the MCIA, 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 MCIA grievance procedure, the Contractor agrees to abide by any decision of the MCIA which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the MCIA or if the MCIA 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 MCIA 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 MCIA or any of its members, agents, servants, and employees, the MCIA shall expeditiously forward or have forwarded to the Contractor every demand, complaint, notice, summons, pleading, or other process received by the MCIA or its representatives.

It is expressly agreed and understood that any approval by the MCIA 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 MCIA pursuant to this paragraph.

It is further agreed and understood that the MCIA 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 MCIA from taking any other actions available to it under any other provisions of this Agreement or otherwise at law.

.18 DISCLOSURE OF CONTRIBUTIONS TO NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION (ELEC)

Starting in January 2007, all business entities are advised of their responsibility to file an annual disclosure statement of political contributions with the New Jersey Election Law Enforcement Commission (ELEC) pursuant to N.J.S.A. 19:44A-20.27 if they receive contracts in excess of \$50,000.00 from public entities in a calendar year. Business entities are responsible for determining if filing is necessary. Additional information on this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us

FORM 1

AFFIRMATIVE ACTION REQUIREMENTS

AFFIRMATIVE ACTION REQUIREMENTS/EQUAL EMPLOYMENT OPPORTUNITY

During the performance of this contract, the contractor agrees as follows:

- a. 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 non-discrimination clause;
- b. 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;
- c. 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 Public Agency Compliance Officer advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment;
- d. 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.
- e. The contractor or subcontractor agrees to make good faith efforts to meet targeted County employment goals established in accordance with N.J.A.C. 17:27-5.2.

f. The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies, including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices;

g. 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;

h. In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

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

- a. Letter of Federal Affirmative Action Plan Approval;
- b. Certificate of Employee Information Report; or
- c. Employee Information Report Form AA 302 (electronically provided by the Division and distributed to the public agency through the Division's website at www.state.nj.us/treasury/contract_compliance).

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

FORM 2

STATEMENT OF OWNERSHIP DISCLOSURE

N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

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: _____

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

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):

Name of Individual or Business Entity	Address

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.**

Website (URL) containing the last annual SEC (or foreign equivalent) filing	Page #'s

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 noncorporate 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.**

Stockholder/Partner/Member and Corresponding Entity Listed in Part II	Address

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 **Middlesex County Improvement Authority** 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 Authority** to notify the **Authority** 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 **Authority** to declare any contract(s) resulting from this certification void and unenforceable.

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

FORM 3



DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN FORM

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

BID SOLICITATION # AND TITLE: _____

VENDOR/BIDDER NAME: _____

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

CHECK THE APPROPRIATE BOX

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

OR

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

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

Duration of Engagement _____
Anticipated Cessation Date _____
Attach Additional Sheets If Necessary.

CERTIFICATION

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

Signature

Date

Print Name and Title



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

Pursuant to N.J.S.A. 52:32-60.1, et seq. ([L. 2022, c. 3](#)) any person or entity (hereinafter “Vendorⁱ”) that seeks to enter into or renew a contract with a State agency for the provision of goods or services, or the purchase of bonds or other obligations, must complete the certification below indicating whether or not the Vendor is identified on the Office of Foreign Assets Control (OFAC) Specially Designated Nationals and Blocked Persons list, available here: <https://sanctionssearch.ofac.treas.gov/>. If the Department of the Treasury finds that a Vendor has made a certification in violation of the law, it shall take any action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party.

I, the undersigned, certify that I have read the definition of “Vendor” below, and have reviewed the Office of Foreign Assets Control (OFAC) Specially Designated Nationals and Blocked Persons list, and having done so certify:

(Check the Appropriate Box)

- A. That the Vendor is not identified on the [OFAC Specially Designated Nationals and Blocked Persons list on account of activity related to Russia and/or Belarus](#).

OR

- B. That I am unable to certify as to “A” above, because the Vendor is identified on the [OFAC Specially Designated Nationals and Blocked Persons list on account of activity related to Russia and/or Belarus](#).

OR

- C. That I am unable to certify as to “A” above, because the Vendor is identified on the [OFAC Specially Designated Nationals and Blocked Persons list](#). However, the Vendor is engaged in activity related to Russia and/or Belarus consistent with federal law, regulation, license or exemption. A detailed description of how the Vendor’s activity related to Russia and/or Belarus is consistent with federal law is set forth below.

(Attach Additional Sheets If Necessary.)

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

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

FORM 5
NON-COLLUSION
AFFIDAVIT

STATE OF _____ :
ss:
COUNTY OF _____ :

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

I am _____ of the firm of _____, the proposer making the submission, and that I executed the said submission with full authority to do so; that said proposer has not, directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive competition in connection with the submission; and that all statements contained in said submission and in this Affidavit are true, correct, and made with full knowledge that the Authority relies upon the truth of the statements contained in said submission and in the statements contained in the Affidavit in awarding the Contract for the said submission.

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 bonafide employees or bonafide established commercial or selling agencies maintained by _____.
(Name of Proposer)

(Name of Proposer)

By _____

(Type or print name of affiant)

Subscribed and Sworn
to before me this _____
_____ day of _____ 20____
Notary Public of _____
Commission Expires _____

FORM 6

BUSINESS REGISTRATION CERTIFICATE

Pursuant to N.J.S.A. 52:32-44, the Middlesex County Improvement Authority (MCIA) is prohibited from entering into a contract with an entity unless the bidder/proposer/contractor, and each subcontractor that is required by law to be named in a bid/proposal/contract has a valid Business Registration Certificate on file with the Division of Revenue and Enterprise Services within the Department of the Treasury.

Prior to contract award or authorization, the contractor shall provide the Middlesex County Improvement Authority (MCIA) with its proof of business registration and that of any named subcontractor(s).

Subcontractors named in a bid or other proposal shall provide proof of business registration to the bidder, who in turn, shall provide it to the MCIA prior to the time a contract, purchase order, or other contracting document is awarded or authorized.

During the course of contract performance:

- (1) the contractor shall not enter into a contract with a subcontractor unless the subcontractor first provides the contractor with a valid proof of business registration.
- (2) the contractor shall maintain and submit to the MCIA a list of subcontractors and their addresses that may be updated from time to time.
- (3) the contractor and any subcontractor providing goods or performing services under the contract, 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, (N.J.S.A. 54:32B-1 et seq.) on all sales of tangible personal property delivered into the State. Any questions in this regard can be directed to the Division of Taxation at (609)292-6400. Form NJ-REG can be filed online at <http://www.state.nj.us/treasury/revenue/busregcert.shtml>.

Before final payment is made under the contract, the contractor shall submit to the MCIA a complete and accurate list of all subcontractors used and their addresses.

Pursuant to N.J.S.A. 54:49-4.1, a business organization that fails to provide a copy of a business registration as required, or that provides false business registration information, shall be liable for a penalty of \$25 for each day of violation, not to exceed \$50,000, for each proof of business registration not properly provided under a contract with a contracting agency.

Emergency Purchases or Contracts

For purchases of an emergent nature, the contractor shall provide its Business Registration Certificate within two weeks from the date of purchase or execution of the contract or prior to payment for goods or services, whichever is earlier.

ATTACH A COPY OF YOUR BUSINESS REGISTRATION CERTIFICATE.

(The Business Registration Certificate issued by the State of New Jersey Department of the Treasury is the only acceptable form of submission.

MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
CHECKLIST

PROFESSIONAL SERVICE TITLE:

Please fill in the appropriate title in the space above.

SUBMISSION DATE: November 21, 2024 AT 11:00 A.M.

The following items shall be provided with the receipt of sealed submissions:

- Qualifications Submission
(Please describe individual's/firm's qualifications)
- Cost Proposal (as applicable)

Reminder:

Please submit one (1) original and four (4) additional sets of the sealed submission as well as a PDF cover to cover submittal on a Flash Drive..

- Affirmative Action Requirements - **Form 1**..... X
- Statement of Ownership Disclosure - **Form 2**..... X
- Disclosure of Investment Activities in Iran - **Form 3** X
- Certification of Non-Involvement in Prohibited Activities in Russia or Belarus X
Form 4
- Non-Collusion Affidavit - **Form 5**..... X
- Copy of your Business Registration Certificate as issued by the State of New Jersey,
Department of Treasury, Division of Revenue - **Form 6**..... X