

**REQUEST FOR PROPOSALS**  
**FOR**  
**THE LEASE OF REAL AND PERSONAL PROPERTY**

Issued by the  
**FORT MONMOUTH ECONOMIC REVITALIZATION AUTHORITY**

Date Issued: August 23, 2011

**Responses due by 12:00 P.M. EDT on September 12, 2011**

**FMERA Offices**  
**2-12 Corbett Way**  
**Eatontown, NJ 07724**

# **REQUEST FOR PROPOSALS FOR THE LEASE OF REAL AND PERSONAL PROPERTY**

## **Summary**

The Fort Monmouth Economic Revitalization Authority (“FMERA” or the “Authority”), pursuant to P.L. 2010, c.10 (N.J.S.A. 52:27I-18 et seq.), is responsible for the efficient redevelopment and reuse of Fort Monmouth. In furtherance of its mission, FMERA is hereby seeking proposals from individuals or entities to sublease property that will be leased by the Authority. This request for proposals (the “RFP”) are contingent upon and in anticipation of the final adoption of the Authority proposed rules to establish procedures for the lease of real property and accompanying personal property that have been published in the New Jersey Register. The successful Proposer as defined below shall be subject to the terms and provisions of these regulations as adopted.

## **1.0 PURPOSE AND SCOPE OF SERVICES**

The Authority is requesting proposals (the “Proposal”) from qualified individuals, or entities (the “Proposer”) interested in subleasing Building Number 1075, currently known as the Patterson Army Health Clinic Building (the “Building”) and associated parking and all other real and personal property located at 1075 Stephenson Avenue, Fort Monmouth, New Jersey 07703 (the “Property”). A description of the Building and parcel map can be found in ATTACHMENT #1 of this RFP.

The sublease between the Authority and the successful Proposer shall be subject to the terms and conditions of both a lease agreement and a utility service agreement (collectively the “Prime Lease Agreement”) that will be entered into between the United States Department of the Army (the “Army”) and the Authority. The Proposer(s) should be aware that these agreements are currently in the process of negotiation between the parties. The Authority will lease the Property from the Army pursuant to the Prime Lease Agreement then sublease it to the successful Proposer.

The term of the sublease will be for a maximum period of one (1) year. The sublease will also contain a provision requiring the successful Proposer upon receipt of written notice from the Authority to purchase the Property from the Authority during this one (1) year period. This obligation to purchase shall be effective following notice received by the Authority from the Army under the Prime Lease Agreement requiring either the Authority to similarly acquire the Property from the Army itself. The purchase price shall be a fair market value price but not less than ninety (90%) per cent of a MAI appraisal that shall be obtained by the Authority and delivered to the successful Proposer prior to the execution of a sublease. The closing of title shall be contingent upon the Proposer obtaining financing satisfactory to the Authority from an

institutional lender within seven (7 ) days of the receipt of written notice of to purchase from the Authority. In the event the successful Proposer is unable to obtain such financing with the time period permitted, the deposit set forth in Section 4.1 shall be automatically forfeited and released to the Authority without any other or further obligation of the Authority to refund. The Authority shall convey title to the successful Proposer by way of a quit claim deed.

The sublease shall be on a triple net basis and the subtenant shall be responsible to hold the Authority harmless and indemnify the Authority from any and all risk causes of actions, demands, damages, judgments and/or cost including associated with the subtenant Building improvements, maintenance, upkeep and all operations conducted therein, and general liability, tort liability, and/or claim(s) associated with the Building and lands covered within the sublease.

The sublease period may be extended for an additional term of one (1) year at the reasonable discretion of the Authority upon two (2 ) months prior written notice from the Authority based on an extension by the Army of the term of the Prime Lease Agreement. The mandatory obligation to purchase by the successful Proposer described above in this Section 1.0 shall remain in full force and effect during the extension period, if any.

## **2.0 PUBLIC INSPECTION OF DOCUMENTS**

Due diligence material and documents held by FMERA pertaining to this parcel(s) and/or building(s) will be made available for the review and inspection by potential Proposer(s) during normal business hours at the FMERA office. Interested Proposers may make copies of the paper documents. Copies of any documents requested that are larger than legal size shall be made at the expense of the Proposer at the FMERA office. A copy of digital files will also be available upon request without charge. These materials and documents will not be available for review and inspection during the tour referred to in Section 3.0 below.

This material is “as is” and “where is” and it may include pertinent information regarding the environmental conditions, utility access, and other information related to these facilities. However, FMERA shall not be held responsible or liable for the accuracy or inaccuracy of such information or material reviewed or obtained. All Proposer(s) shall be wholly responsible for their own due diligence efforts. However, any information obtained by the Proposer(s) from the Authority is the property of the Authority and the release of such information to a third party shall only be made with the written approval of the Authority.

## **3.0 TOURS**

All requests for a walk through of the Building are due on August 26, 2011 and the walk-throughs will commence on August 30, 2011 at 10:00 A.M. , Access to the facility prior to September 15, 2011 is limited to United States citizens and visitors will be required to pass an Army background check and possess government-issued photo identification. Visitors will be issued temporary passes for entry onto the Property.

#### **4.0 PROPOSAL SUBMISSION**

**Three (3) copies** of the Proposal (one (1) unbound, original; one (1) bound copy and one (1) copy in PDF format on a CD) must be submitted marked “REQUEST FOR PROPOSALS FOR THE LEASE OF REAL AND PERSONAL PROPERTY” in a sealed package and addressed to:

Bruce Steadman  
Executive Director  
Fort Monmouth Economic Revitalization Authority  
2-12 Corbett Way  
Eatontown, New Jersey 07724

**Proposals must be received by September 12, 2011 at 12:00 P.M. Eastern Daylight Time.**

No faxed or email Proposals will be accepted. Proposals received after the time and date listed above will not be considered. There will be a public bid opening at 12:00 P.M. on September 12, 2011, at the Authority offices referenced above.

The Authority will not be responsible for any expenses in the preparation and/or presentation of the Proposals and oral interviews, if any, for the disclosure of any information or material received in connection with this solicitation, whether by negligence or otherwise.

The Authority reserves the right to request additional information if necessary, or to request an interview with Proposer(s), or to reject any and all Proposals with or without cause, and, in its sole discretion, waive any irregularities or informalities, such as minor elements of non-compliance with regard to the requirements of this RFP, in the Proposals submitted. The Authority further reserves the right to make such investigations as it deems necessary as to the qualifications of any and all firms submitting Proposals. In the event that all Proposals are rejected, the Authority reserves the right to re-solicit Proposals.

The Authority also may seek to obtain business terms that better suit the interests of the Authority and Fort Monmouth by negotiating with the one, two or three potential sublessee(s) that submit the best sublease proposal(s) in accordance with the evaluation criteria set forth in this RFP. The Authority reserves the right to exclude from negotiations any and/or all proposals received based on the initial submissions.

Responding Proposers may withdraw their Proposals at any time prior to the final filing date and time, as indicated on the cover page to this RFP, by written notification signed by an authorized agent of the firm(s). Proposals may thereafter be resubmitted, but only up to the final filing date and time.

The responding Proposer assumes sole responsibility for the complete effort required in this RFP. No special consideration shall be given after the Proposals are opened because of a Proposer's failure to be knowledgeable about all requirements of this RFP. By submitting a

Proposal in response to this RFP, the Proposer represents that it has satisfied itself, from its own investigation, of all of the requirements of this RFP.

Documents and information submitted in response to this RFP shall become property of the Authority and generally shall be available to the general public as required by applicable law, including the New Jersey Open Public Meetings Act and the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

Communications with representatives of the Authority by the Proposer or the Proposer's representatives concerning this RFP are **NOT** permitted during the term of the submission and evaluation process. Communications regarding this RFP in any manner (except as set forth in Section 3 above and Section 5 below) **will result in the immediate rejection** of the Proposer's Proposal.

#### **4.1 PROPOSAL REQUIREMENTS**

In order to be considered, all proposals to lease from the Authority must include the following:

- a. **Cover Letter.** A letter identifying the Proposal and disclosing the documentation included. The Proposer must indicate the name and contact information for the individual who will be its senior contract person for this Proposal. The Proposer must also indicate whether the firm is operating as an individual proprietorship, partnership, corporation or a joint venture. The cover letter should also indicate the state of incorporation of the Proposer and list all licenses obtained and enabling it to operate.
- b. **Proposal Deposit.** A payment of ten (10%) percent of the first year's rent offered by the Proposer which shall be held as a deposit and applied to rental payments for the accepted Proposal, and returned to all others. The deposit shall be in the form of a certified check from a FDIC accredited financial institution.
- c. **Conceptual Redevelopment Plan.** A conceptual redevelopment plan, showing the general site or other subtenant improvements, if any at the Property as well as their estimated costs and the manner in which such improvements shall comply with the requirements of the FMERPA Re-Use and Development Plan dated 22 August, 2008, which incorporates Technical Corrections Adopted by FMERPA Board on October 15, 2008, as well as any applicable State and local zoning and other planning requirements.
- d. **Financing Plan.** The Proposer(s) financial(s) and committed resources evidencing the Proposer's financial ability to meet the financial requirements of the Proposer's redevelopment plan as well as operational expectations.
- e. **Schedule of Critical Paths.** A detailed summary of construction schedules, employment & operational ramp up time frame, as well as occupancy commitment.

- f. **Management & Organizational Plan.** A detailed summary of management and experience, organizational chart, as well as total number of anticipated positions and average wage.
- g. **Jobs Generation.** Provide an estimated number of jobs to be created (new to New Jersey) at the Property for years 1 through 5 as well as the number of jobs being relocated to the Property.

It is recognized that the successful Proposer will be entering into a sub lease agreement with the Authority prior to the Proposer having had the opportunity to more fully evaluate engineering and other technical aspects of its Proposal based on the conceptual redevelopment plan set forth in subparagraph 4 c of this Section 4.1. The successful Proposer shall thereafter have the right to submit to the Authority for its review any proposed modifications to its plan. Any such modifications shall be subject to the prior express written approval of the Authority before the successful Proposer commences construction or operations activity.

#### **4.2 INSTRUCTIONS FOR SUBMITTING A FEE PROPOSAL**

The Proposer must provide a complete Fee Schedule Form (attached hereto as ATTACHMENT #2) setting forth the amount in U.S. dollars (the “monthly rent”) that the Proposer shall pay the Authority monthly for the right and responsibility to sublease the property, for the maximum period of one year subject to the terms and conditions set forth in Section 1.0 above. The monthly rent shall be paid to the Authority on the first of each month, beginning October 2011 and ending September 2012, by certified bank check or money order. In determining the monthly fee, the Proposer shall take into account all the revenue, costs, and all circumstances associated with subleasing and, and maintaining the Property.

#### **5.0 QUESTIONS AND ANSWERS**

The Authority will also accept questions from firms regarding any aspect of this RFP via e-mail only until 5:00 p.m. Eastern Daylight Time on September 2, 2011. Questions should be directed via e-mail to:

**rharrison@njeda.com**

All answers to questions posed will be posted on the Authority website at [www.fortmonmouthredevelopment.com](http://www.fortmonmouthredevelopment.com) and/or through an addendum (if any) to this RFP made available to all potential bidders at the Authority website

#### **6.0 COMPLIANCE WITH STATE LAW REQUIREMENTS**

**6.1 NEW JERSEY BUSINESS REGISTRATION CERTIFICATE - Public Law 2001, chapter 134; Public Law 2004, chapter 57; and Public Law 2009, chapter 315:**

Each entity responding to this RFP must be registered with the New Jersey Department of Taxation – Division of Revenue and obtain a “*Business Registration Certificate*” (“*BRC*”), prior to entering into a contract with the Authority. All New Jersey and out-of-State business organizations must obtain a “*BRC*”, prior to conducting business with the Authority. Proposers and any joint venture partners submitting a proposal are strongly encouraged to submit their *BRC(s)*. The successful Proposer is required to ensure that it, each joint venture partner possess a valid *BRC* throughout the term of the contract and any extensions thereto.

No Authority can award a contract unless a valid *BRC* is obtained for each entity, as required by law. In the event the Proposer or joint venture partners are unable to provide evidence of possessing a valid *BRC* prior to the award of a contract; the proposal may be deemed materially non-responsive

The business registration form (Form NJ-REG) can be found online at

<http://www.state.nj.us/treasury/revenue/gettingregistered.htm#busentity>

Proposers may go to [www.nj.gov/njbgs](http://www.nj.gov/njbgs) to register with the Division of Revenue or to obtain a copy of an existing *BRC*.

INDIVIDUALS, who may be responding to this RFP, must also possess a valid *BRC*. The individual must complete and sign form “NJ-REG-A” (Rev 12/06) and submit it to the Department of Treasury. Evidence of registration with the Department of Treasury – Client Registration Bureau should be submitted with the bid proposal.

The “NJ-REG-A” form may be found at the Department of Treasury’s website:

<http://www.state.nj.us/treasury/revenue/pdforms/regapdf>

**6.2 Chapter 51, Executive Order No. 117 and Executive Order No. 7.** In order to safeguard the integrity of State government, including the Authority, procurement by imposing restrictions to insulate the negotiation and award of State and Authority contracts from political contributions that pose the risk of improper influence, purchase of access, or the appearance thereof, the Legislature enacted P.L. 2005, c. 51 (codified at N.J.S.A. 19:44A-20.13 – 25)(“Chapter 51”), on March 22, 2005, effective retroactive October 15, 2004, superseding the terms of Executive Order No. 134. In addition, on September 24, 2008, Governor Corzine issued Executive Order No. 117, effective on November 15, 2008 (“EO 117”) setting forth additional limitations on the ability of Executive Branch agencies to contract with consultants who have made or solicited certain contributions. Governor Christie issued Executive Order No. 7 on January 20, 2010 (“EO 7”), and effective the same day, setting forth additional limitations on the ability of Executive Branch agencies to contract with consultants who have made or solicited certain contributions. Pursuant to the requirements of Chapter 51, EO 117, and EO 7 the terms and conditions set forth in this section are material terms of this engagement:

### **I. Definitions:**

For the purpose of this section, the following shall be defined as follows:

(a) Contribution means a contribution reportable as a recipient under The New Jersey Campaign Contributions and Expenditures Reporting Act. @ P.L. 1973, c. 83 (C.19:44A-1 et seq.), and implementing regulations set forth at N.J.A.C. 19:25-7 and N.J.A.C. 19:25-10.1 et seq. Contributions in excess of \$300 during a reporting period are deemed "reportable" under these laws.

(b) Business Entity means any natural or legal person, business corporation, professional services corporation, Limited Liability Company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of New Jersey or any other state or foreign jurisdiction. The definition of a business entity includes:

(i) all principals who own or control more than 10 percent of the profits or assets of a business entity or 10 percent of the stock in the case of a business entity that is a corporation for profit, as Appropriate and for a for profit entity, the following:

(1) in the case of a corporation: the corporation, any officer of the corporation, and any Person or business entity that owns or controls 10% or more of the stock of the corporation;

(2) In the case of a general partnership: the partnership and any partner;

(3) In the case of a limited partnership: the limited partnership and any partner;

(4) In the case of a professional corporation: the professional corporation and any shareholder or officer;

(5) In the case of a limited liability company: the limited liability company and any member;



(6) In the case of a limited liability partnership: the limited liability partnership and any partner;

(7) In the case of a sole proprietorship: the proprietor; and

(8) In the case of any other form of entity organized under the laws of this State or any other state or foreign jurisdiction: the entity and any principal, officer, or partner thereof;

(ii) Any subsidiaries directly or indirectly controlled by the business entity;

(iii) any political organization organized under section 527 of the Internal Revenue Code that is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee; and

(iv) if a business entity is a natural person, that person's spouse or civil union partner, or child residing in the same household provided, however, that, unless a contribution made by such spouse, civil union partner, or child is to a candidate for whom the contributor is entitled to vote or to a political party committee within whose jurisdiction the contributor resides unless such contribution is in violation of section 9 of Chapter 51.

(v) Any labor union, labor organization, and any political committee formed by a labor union or labor organization if one of the purposes of the political committee is to make political contributions.

## **II. Breach of Terms of Chapter 51, EO 117 and EO 7 is a breach of this engagement:**

It shall be a breach of the terms of this engagement for the Business Entity to do any of the following:

(a) Make or solicit a contribution in violation of the Chapter 51, EO 117 and EO 7;

(b) Knowingly conceal or misrepresent a contribution given or received;

(c) Make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution;

(d) make or solicit any contribution on the condition or with the agreement that it will be contributed to a campaign committee or any candidate of holder of the public office of Governor, or of Lieutenant Governor, or to any State, county or municipal party committee, or any legislative leadership committee;

(e) engage or employ a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any contribution, which if made or solicited by the business entity itself, would subject that entity to the restrictions of Chapter 51, EO 117 and EO 7;

(f) Fund contributions made by third parties, including consultants, attorneys, family members, and employees;

(g) Engage in any exchange of contributions to circumvent the intent of the Chapter 51, EO 117 or EO 7; or

(h) directly or indirectly through or by any other person or means, do any act which would subject that entity to the restrictions of the Chapter 51, EO 117 and EO 7.

### **III. Certification and disclosure requirements:**

(a) The State or the Authority shall not enter into a contract to procure from any Business Entity services or any material, supplies or equipment, or to acquire, sell or lease any land or building, where the value of the transaction exceeds \$17,500, if that Business Entity has solicited or made any contribution of money, or pledge of contribution, including in-kind contributions to a candidate committee and/or election fund of any candidate for or holder of the public office of Governor or Lieutenant Governor, or to any State, county political party, or to a legislative leadership or municipal political party, committee during certain specified time periods.

(b) Prior to entering any contract with any Business Entity, the Business Entity proposed as the Proposer under the contract shall submit the Certification and Disclosure form, certifying that no contributions prohibited by Chapter 51 have been solicited or made by the Business Entity and reporting all contributions the Business Entity made during the preceding four years to any political organization organized under 26 U.S.C. 527 of the Internal Revenue Code that also meets the definition of a continuing political committee within the mean of N.J.S.A. 19:44A-3(n) and N.J.A.C. 19:25-1.7. The required form and instructions for completion and submission to the Authority at the time of submission of a proposal in response to the RFP are available for review on the Purchase Bureau website at <http://www.state.nj.us/treasury/purchase/forms.htm#eo134>.

(c) Further, the Proposer is required, on a continuing basis, to report any contributions and solicitations Proposer makes during the term of the contract, and any extension(s) thereof, at the time any such contribution or solicitation is made.

(d) Proposer's failure to submit the required forms shall be cause for rejection of the Proposer's proposal in response to the RFP. The State Treasurer or his designee shall review the Disclosures submitted by the Proposer pursuant to this section, as well as any other pertinent information concerning the contributions or reports thereof by the intended Proposer, prior to award, or during the term of the retention agreement. If the State Treasurer determines that any contribution or action by the Proposer violated Chapter 51 or EO 117 the State Treasurer shall disqualify the Proposer from award of such contract. If the State Treasurer or his designees determines that any contribution or action constitutes a breach of contract that poses a conflict of interest, pursuant to Chapter 51 and EO 117, the State Treasurer shall disqualify the Proposer from award of such contract.

**Please refer to ATTACHMENT #3 for copies of the Chapter 51/Executive Order 117 Vendor Certification and Disclosure of Political Contributions form and instructions. Failure to submit the attached Chapter 51/Executive Order 117 Vendor Certification and Disclosure of Political Contributions form shall be cause for rejection of your firm's proposal.** The Proposer selected to provide services to the Authority shall maintain compliance with Chapter 51, EO 117 and EO 7 during the term of their engagement.

**6.3 Ownership Disclosure.** The Ownership Disclosure addresses the requirements of N.J.S.A. 52:25-24.2, and for any contract it must be completed and submitted with the proposal. The contract is not completed unless and until the Ownership Disclosure is properly completed and accepted. The form can be downloaded from the Department of the Treasury website under the heading Vendor Forms: <http://www.state.nj.us/treasury/purchase/forms.htm#eo134> . A copy of the Ownership Disclosure Form is attached hereto as ATTACHMENT #3

**6.4 Chapter 92.** Pursuant to Public Law 2005, Chapter 92 ("Chapter 92), please identify the location by county where the services will be performed. Pursuant to Chapter 92, all services performed by firms selected pursuant to this RFP shall be performed within the United States of America

**6.5 Affirmative Action Supplement with Affirmative Action Employee Information Report.** Affirmative Action Supplement with Affirmative Action Employee Information Report addresses the requirements of N.J.S.A. 10:5-31 to -34 and N.J.A.C. 17:27.3.1 et seq., and for any contract must be completed and submitted with the proposal. The contract is not completed unless and until the form is properly completed and accepted. The forms can be downloaded from the Department of the Treasury website under the heading Vendor Forms: <http://www.state.nj.us/treasury/purchase/forms.htm#eo134>. A copy of the Affirmative Action Supplement with Affirmative Action Employee Information Report is attached hereto as ATTACHMENT #3.

**6.6 Prevailing Wage Requirement.** Proposer shall comply with the Prevailing Wage requirements set forth in N.J.S.A. 52:27I-31 (P.L. 2010, c. 51).

## **7.0 EVALUATION CRITERIA.**


FMERA will evaluate each lease proposal received in accordance with this request for proposal and shall identify the proposal(s) determined to be responsive to all material elements set forth in the notice, including, but not limited to: rent rate per square foot, lease term, total sub tenant investment during sub lease term, estimate of jobs to be created or relocated to the parcel, the potential sub tenant's financial capacity to meet the proposed terms of the sublease, use of sub

leased space, impact to host municipality, and confirmation that the potential subtenant's proposed use is consistent with the development plan.

ATTACHMENT #1  
Description of Building #1075 and Associated Property



## INDIVIDUAL STRUCTURE SURVEY FORM

<b>GENERAL DESCRIPTION</b>	
Building Number: 1075	Building Name: Health Clinic
Location: Main Post	Municipality: Oceanport Borough
Year Built: 1961	National Register Status: Not Eligible
# of Stories (above grade): 1/3	Roof Type: Flat
Form/Plan Type: Irregular	Basement: Yes (Partial)
Structural Type: Unknown	Gross Area: A-81,657; B-13,000; C-11,500; D-11,500sf
Current Use: Health Clinic	Original Use: Health Clinic
	
<b>OVERALL PHYSICAL CONDITION</b>	
Army Condition Designation: GREEN	
Survey Condition Designation: AMBER	
<b>ADAPTIVE USE SUMMARY</b>	
This building would most appropriately be reused as a health clinic. The plan and specific nature of building systems do not lend themselves readily to a new use.	
Re-use Potential Index: 3	

Fort Monmouth Redevelopment Plan  
 Technical Memo  
 Farewell Mills Gatch Architects

Building 1075, Patterson Army Health Clinic  
 September 1, 2007  
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### CONDITION KEY

GREEN = Good – AMBER = Fair – RED = Poor

## INDIVIDUAL STRUCTURE SURVEY FORM

<b>SITING AND RELATED STRUCTURES</b> (road access, proximity, type of parking)			
Access	Two drive-up entrances; service entrance and former ambulance bay at rear		
Siting			
Parking	Several surface lots with handicapped parking		
Remarks:			
Partial basement/mechanical area under primary care			
Big chiller at rear			
Emergency generator			
<b>MATERIALS AND CONDITIONS-EXTERIOR</b>			
Feature	Description, Material	Issues For Rehabilitation	Condition (G, A, R)
Foundation	Concrete/ Masonry	N	G
Structure	Unknown	U	U
Exterior Wall Fabric/ Envelope	Stucco, metal fascia panels, pre-cast exposed aggregate panels	N	A
Fenestration	Aluminum, probably replacement	N	G
Trim	Metal	N	
Roof Drainage	Internal chimneys	N	A
Roof	Unknown	U	U
Chimneys	Unknown	U	U
Other		Y	
Entrances	Metal and glass or canvas canopies @ entrance	N	G
Remarks:			

CONDITION KEY  
G = Good – A = Fair – R = Poor  
ISSUES FOR REHABILITATION KEY  
N = None – U=Unknown – Y=Yes



## INDIVIDUAL STRUCTURE SURVEY FORM

### EXTERIOR PHOTOS:



Service Entrance at three story section



Entrance to VA clinic



Entrance to dental clinic



Entrance to medical clinic



Ramp and landscaping at clinic entrance



Ambulance bay

# **INDIVIDUAL STRUCTURE SURVEY FORM**

<b>MATERIALS AND CONDITIONS-INTERIOR</b>			
<b>Features</b>	<b>Description, Material</b>	<b>Issues For Rehabilitation</b>	<b>Condition (G, A, R)</b>
Radiology	Digital, general X-ray; film; mammography; dark room for mammography	N	A
Laboratory	Labs & offices, break room	N	A
Pharmacy	3 windows, 350 patients a day; waiting area – adjacent to landscaped accessible patient entrance	N	G
Dental clinic	4 chairs, lab & x-ray, offices, waiting/admin area	N	G
Primary care	Main records (about 120 visits per day); 2 pods – 3 providers each & nursing – 6000 enrolled, facilities could support 8-9k; waiting area, treatment rooms, offices all are recently rehabilitated	N	G
Corridors	Vinyl chair rail, corner guards – nursing home type finishes, double set of elevators	N	A
	Former kitchen/dining area converted to “logistics” area, loading dock		R
Basement	Concrete floors, glazed CMU walls, emergency generator, maintenance entrance	N	A
Offices at original wing	VCT floors, 2x4 ceilings, vinyl wall coverings, large conference room	N	G
Trauma room	Former emergency/ambulance entrance	N	G
Optometry, immunization clinic	Waiting area, exam rooms	N	A
Wellness clinic	Mostly closed, waiting area & nurses offices	N	A
Specialty clinic	Closed for 2 years, surgery, ENT set up like primary care, offices w/ exam rooms on each side	N	A
2 <sup>nd</sup> floor	Occupational health, industrial hygiene (former inpatient area) ; preventive medicine ; regional veterinary command, offices in former operating room	N	A

Fort Monmouth Redevelopment Plan  
Technical Memo  
Farewell Mills Gatzsch Architects

Building 1075, Patterson Army Health Clinic  
September 1, 2007  
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## **CONDITION KEY**

G = Good – A = Fair – R = Poor

## **ISSUES FOR REHABILITATION KEY**

N = None – U=Unknown – Y=Yes

N = None – U=Unknown – Y=Yes

**INDIVIDUAL STRUCTURE SURVEY FORM**

3 <sup>rd</sup> floor	VA clinic- primary care clinic in former in-patient, community mental health & social work, rehabilitated in 2000 by tenant	N	A
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**INTERIOR PHOTOS:**



Entrance lobby and hallway



Logistics Area



Radiology room



Typical corridor



Waiting room



Waiting room

*Fort Monmouth Redevelopment Plan  
Technical Memo  
Farewell Mills Gatzsch Architects*

*Building 1075, Patterson Army Health Clinic  
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**CONDITION KEY**

G = Good – A = Fair – R = Poor

## INDIVIDUAL STRUCTURE SURVEY FORM



Typical office



Third floor corridor

OTHER POTENTIAL ISSUES FOR REHABILITATION			Yes/ No/ Unknown
Hazardous Materials Issues			Y
NJ UCC Compliance Issues:			
	Construction Type	5	
	Use Group	B, Business	
	# of Exits	Multiple	
	Windowless Story		Y
	Sprinklers	Fire alarm	Y-Basement N-Upper floors
	Separation Distance	100 + Feet	
ADA Compliance Issues:			
	Accessible Route & Entrance		Y
	Accessible Toilet Rooms		Y
	Elevator	And freight elevator	Y
Remarks:			

ATTACHMENT #2

**FEE SCHEDULE TO FMERA  
FOR  
THE LEASE OF REAL AND PERSONAL PROPERTY**

**THE LEASE OF REAL AND PERSONAL PROPERTY  
FEE SCHEDULE TO FMERA**

Deposit	
<b>MONTH</b>	<b>PROPOSED FEE</b>
October	
November	
December	
January	
February	
March	
April	
May	
June	
July	
August	
September	
<b>Total</b>	

**Bidder's Name:** \_\_\_\_\_

**Bidder's Address:** \_\_\_\_\_

**Bidder's FEIN:** \_\_\_\_\_

By signing below I certify that I am authorized to bind the bidder to the proposed fee stated above

By: \_\_\_\_\_

\_\_\_\_\_  
(Printed Name)

Date: \_\_\_\_\_

ATTACHMENT #3  
**REQUIRED FORMS**





**State of New Jersey**  
**Division of Purchase and Property**  
**Two-Year Chapter 51 / Executive Order 117 Vendor Certification and**  
**Disclosure of Political Contributions**

<b>For AGENCY USE ONLY</b>	
<b>General Information</b>	
Solicitation, RFP or Contract No. _____	Award Amount _____
Description of Services _____	
<b>Agency Contact Information</b>	
Agency _____	Contact Person _____
Phone Number _____	Agency Email _____

**Part 1: Vendor Information**

Full Legal Business Name \_\_\_\_\_  
(Including trade name if applicable)

**Business Type**

<input type="checkbox"/> Corporation	<input type="checkbox"/> Limited Partnership	<input type="checkbox"/> Professional Corporation	<input type="checkbox"/> General Partnership
<input type="checkbox"/> Limited Liability Company	<input type="checkbox"/> Sole Proprietorship	<input type="checkbox"/> Limited Liability Partnership	

Address 1 \_\_\_\_\_ Address 2 \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_

Vendor Email \_\_\_\_\_ Vendor FEIN \_\_\_\_\_

**Part 2: Public Law 2005, Chapter 51/ Executive Order 117 (2008) Certification**

I hereby certify as follows:

1. On or after October 15, 2004, neither the below-named entity nor any individual whose contributions are attributable to the entity pursuant to Executive Order 117 (2008) has solicited or made any contribution of money, pledge of contribution, including in-kind contributions, company or organization contributions, as set forth below that would bar the award of a contract to the vendor, pursuant to the terms of Executive Order 117 (2008).
  - a) Within the preceding 18 months, the below-named person or organization has not made a contribution to:
    - (i) Any candidate committee and/or election fund of any candidate for or holder of the public office of Governor or **Lieutenant Governor**,
    - (ii) Any State, county, **municipal** political party committee; OR
    - (iii) Any **legislative leadership committee**.
  - b) During the term of office of the current Governor(s), the below-named person or organization has not made a contribution to:
    - (i) Any candidate, committee and/or election fund of the Governor or **Lieutenant Governor**; OR
    - (ii) Any State, county or **municipal** political party committee nominating such Governor in the election preceding the commencement of said Governor's term.
  - c) Within the 18 months immediately prior to the first day of the term of office of the Governor(s), the below-named person or organization has not made a contribution to:
    - (i) Any candidate, committee and/or election fund of the Governor or **Lieutenant Governor**; OR
    - Any State, county, **municipal** political party committee of the political party nominating the successful gubernatorial candidate(s) in the last gubernatorial election.

**PLEASE NOTE:** Prior to November 15, 2008, the only disqualifying contributions include those made by the vendor or a principal owning or controlling more than 10 percent of the profits or assets of a business entity (or 10 percent of the stock in the case of a business entity that is a corporation for profit) to any candidate committee and/or election fund of the Governor or to any state or county political party within the preceding 18 months, during the term of office of the current Governor or within the 18 months immediately prior to the first day of the term of Office of Governor.



**Part 3: Disclosure of Contributions Made**

☐ **Check this box if no reportable contributions have been made by the above-named business entity or individual.**

Name of Recipient _____	Address of Recipient _____
Date of Contribution _____	Amount of Contribution _____
Type of Contribution (i.e. currency, check, loan, in-kind) _____	
Contributor Name _____	
Relationship of Contributor to the Vendor _____	
Contributor Address _____	
City _____	State _____ Zip _____

**Add a Contribution**

If this form is not being completed electronically, please attach pages for additional contributions as necessary. Otherwise, click "Add a Contribution" to enter additional contributions.

**Part 4: Certification**

I have read the instructions accompanying this form prior to completing this certification on behalf of the above-named business entity. I certify that, to the best of my knowledge and belief, the foregoing statements by me are true. I am aware that if any of the statements are willfully false, I am subject to punishment.

I understand that this certification will be in effect for two (2) years from the date of approval, provided the ownership status does not change and/or additional contributions are not made. If there are any changes in the ownership of the entity or additional contributions are made, a new full set of documents are required to be completed and submitted. By submitting this Certification and Disclosure, the person or entity named herein acknowledges this continuing reporting responsibility and certifies that it will adhere to it.

(CHECK ONE BOX A, B or C)

(A) ☐ I am certifying on behalf of the above-named business entity and all individuals and/or entities whose contributions are attributable to the entity pursuant to Executive Order 117 (2008).

(B) ☐ I am certifying on behalf of the above-named business entity only.

(C) ☐ I am certifying on behalf of an individual and/or entity whose contributions are attributable to the vendor.

Signed Name \_\_\_\_\_ Print Name \_\_\_\_\_

Phone Number \_\_\_\_\_ Date \_\_\_\_\_

Title/Position \_\_\_\_\_

**Agency Submission of Forms**

The agency should submit the completed and signed Two-Year Vendor Certification and Disclosure forms, together with a completed Ownership Disclosure form, either electronically to [cd134@treas.state.nj.us](mailto:cd134@treas.state.nj.us), or regular mail at Chapter 51 Review Unit, P.O. Box 039, 33 West State Street, 9<sup>th</sup> Floor, Trenton, NJ 08625. The agency should save the forms locally and keep the original forms on file, and submit copies to the Chapter 51 Review Unit.

**Public Law 2005, Chapter 51**

(formerly Executive Order 134) and Executive Order 117 (2008)

**INFORMATION AND INSTRUCTIONS  
For Completing The "Two- Year Vendor Certification and Disclosure of Political  
Contributions" Forms**

**Background Information**

On September 22, 2004, then-Governor James E. McGreevey issued Executive Order 134, the purpose of which was to insulate the negotiation and award of State contracts from political contributions that posed a risk of improper influence, purchase of access or the appearance thereof. To this end, Executive Order 134 prohibited State departments, agencies and authorities from entering into contracts exceeding \$17,500 with individuals or entities that made certain political contributions. Executive Order 134 was superseded by Public Law 2005, c. 51, signed into law on March 22, 2005 ("Chapter 51").

On September 24, 2008, Governor Jon S. Corzine issued Executive Order No. 117 ("E.O. 117"), which is designed to enhance New Jersey's efforts to protect the integrity of procurement decisions and increase the public's confidence in government. The Executive Order builds upon the provisions of Chapter 51.

**Two-Year Certification Process**

Upon approval by the State, the Certification and Disclosure of Political Contributions form (CH51.1R1/21/2009) is valid for a two (2) year period. Thus, if a vendor receives approval on Jan 1, 2009, the certification expiration date would be Dec 31, 2011. Any change in the vendor's ownership status and/or political contributions during the two-year period will require the submission of new Chapter 51/EO117 forms to the State Review Unit. **Please note that it is the vendor's responsibility to file new forms with the State should these changes occur.**

Prior to the awarding of a contract, the agency should first send an e-mail to CD134@treas.state.nj.us to verify the certification status of the vendor. If the response is that the vendor is NOT within an approved two-year period, then forms must be obtained from the vendor and forwarded for review. If the response is that the vendor is within an approved two-year period, then the response so stating should be placed with the bid/contract documentation for the subject project.

**Instructions for Completing the Forms**

**NOTE:** Please refer to the next section, "Useful Definitions for Purposes of Ch. 51 and E.O. 117," for guidance when completing the forms.

**Part 1: VENDOR INFORMATION**

**Business Name** -- Enter the full name of the Vendor, including trade name if applicable.

**Business Type** -- Select the vendor's business organization from the list provided.

**Address, City, State, Zip and Phone Number** -- Enter the vendor's street address, city, state, zip code and telephone number.

**Vendor Email** -- Enter the vendor's primary email address.

**Vendor FEIN** -- Please enter the vendor's Federal Employment Identification Number.

**Public Law 2005, Chapter 51**

(formerly Executive Order 134) and Executive Order 117 (2008)

**INFORMATION AND INSTRUCTIONS**  
**For Completing The "Two- Year Vendor Certification and Disclosure of Political Contributions" Forms**

**Part 2: PUBLIC LAW 2005, Chapter 51 / EXECUTIVE ORDER 117 (2008) DUAL CERTIFICATION**

Read the following statements and verify that from the period beginning on or after October 15, 2004, no contributions as set forth at subsections 1(a)-(c) have been made by either the vendor or any individual whose contributions are attributable to the vendor pursuant to Executive Order 117 (2008).

**NOTE:** Contributions made prior to November 15, 2008 are applicable to Chapter 51 only.

**Part 3: DISCLOSURE OF CONTRIBUTIONS MADE**

**Check the box at top of page 2 if no reportable contributions have been made by the vendor.** If the vendor has no contributions to report, this box must be checked.

**Name of Recipient Entity** – Enter the full name of the recipient entity.

**Address of Recipient Entity** – Enter the recipient entity's street address.

**Date of Contribution** – Indicate the date of the contribution.

**Amount of Contribution** – Enter the amount of the reportable contribution.

**Type of Contribution** – Select the type of contribution from the list provided.

**Contributor Name** – Enter the full name of the contributor.

**Relationship of Contributor to the Vendor** -- Indicate relationship of the contributor to the vendor, e.g. officer or partner of the company, spouse of officer or partner, resident child of officer or partner, parent company of the vendor, subsidiary of the vendor, etc.

**NOTE:** If form is being completed electronically, click "Add a Contribution" to enter additional contributions. Otherwise, please attach additional pages as necessary.

**Part 4: CERTIFICATION**

Check box A if the person completing the certification and disclosure is doing so on behalf of the vendor and all individuals and/or entities whose contributions are attributable to the vendor.

Check box B if the person completing the certification and disclosure is doing so on behalf of the vendor only.

Check box C if the person completing the certification and disclosure is doing so on behalf of an individual and/or entity whose contributions are attributable to the vendor.

Enter the full name of the person authorized to complete the certification and disclosure, the person's title or position, date and telephone number.

**INFORMATION AND INSTRUCTIONS  
For Completing The "Two- Year Vendor Certification and Disclosure of Political  
Contributions" Forms**

**USEFUL DEFINITIONS FOR THE PURPOSES OF Ch. 51 and E.O. 117**

- **"Vendor"** means the contracting entity.
- **"Business Entity"** means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of New Jersey or any other state or foreign jurisdiction. The definition also includes (i) if a business entity is a for-profit corporation, any officer of the corporation and any other person or business entity that owns or controls 10% or more of the stock of the corporation; (ii) if a business entity is a professional corporation, any shareholder or officer; (iii) if a business entity is a general partnership, limited partnership or limited liability partnership, any partner; (iv) if a business entity is a sole proprietorship, the proprietor; (v) if the business entity is any other form of entity organized under the laws of New Jersey or any other state or foreign jurisdiction, any principal, officer or partner thereof; (vi) any subsidiaries directly or indirectly controlled by the business entity; (vii) any political organization organized under 26 U.S.C.A. § 527 that is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee; and (viii) with respect to an individual who is included within the definition of "business entity," that individual's spouse or civil union partner and any child residing with that person.<sup>1</sup>
- **"Officer"** means a president, vice-president with senior management responsibility, secretary, treasurer, chief executive officer, or chief financial officer of a corporation or any person routinely performing such functions for a corporation. Please note that officers of non-profit entities are excluded from this definition.
- **"Partner"** means one of two or more natural persons or other entities, including a corporation, who or which are joint owners of and carry on a business for profit, and which business is organized under the laws of this State or any other state or foreign jurisdiction, as a general partnership, limited partnership, limited liability partnership, limited liability company, limited partnership association, or other such form of business organization.
- **"Reportable Contributions"** are those contributions, including in-kind contributions, in excess of \$300.00 in the aggregate per election made to or received by a candidate committee, joint candidates committee, or political committee; or per calendar year made to or received by a political party committee, legislative leadership committee, or continuing political committee.
- **"In-kind Contribution"** means a contribution of goods or services received by a candidate committee, joint candidates committee, political committee, continuing political committee, political party committee, or legislative leadership committee, which contribution is paid for by a person or entity other than the recipient committee, but does not include services provided without compensation by an individual volunteering a part of or all of his or her time on behalf of a candidate or committee.
- **"Continuing Political Committee"** includes any group of two or more persons acting jointly, or any corporation, partnership, or any other incorporated or unincorporated association, including a political club, political action committee, civic association or other organization, which in any calendar year contributes or expects to contribute at least \$4,300 to aid or promote the candidacy of an individual, or the candidacies of individuals, for elective public office, or the passage or defeat of a public questions, and which may be expected to make contributions toward such aid or promotion or passage or defeat during a subsequent election, provided that the group, corporation, partnership, association or other organization has been determined by the Commission to be a continuing political committee in accordance with N.J.S.A. 19:44A-8(b).

<sup>1</sup> Contributions made by a spouse, civil union partner or resident child to a candidate for whom the contributor is eligible to vote or to a political party committee within whose jurisdiction the contributor resides are permitted.

**INFORMATION AND INSTRUCTIONS  
For Completing The "Two- Year Vendor Certification and Disclosure of Political  
Contributions" Forms**

- **"Candidate Committee"** means a committee established by a candidate pursuant to N.J.S.A. 19:44A-9(a), for the purpose of receiving contributions and making expenditures.
- **"State Political Party Committee"** means a committee organized pursuant to N.J.S.A. 19:5-4.
- **"County Political Party Committee"** means a committee organized pursuant to N.J.S.A. 19:5-3.
- **"Municipal Political Party Committee"** means a committee organized pursuant to N.J.S.A. 19:5-2.
- **"Legislative Leadership Committee"** means a committee established, authorized to be established, or designated by the President of the Senate, the Minority Leader of the Senate, the Speaker of the General Assembly, or the Minority Leader of the General Assembly pursuant to N.J.S.A. 19:44A-10.1 for the purpose of receiving contributions and making expenditures.
- **"Political Party Committee"** means:
  1. The State committee of a political party, as organized pursuant to N.J.S.A. 19:5-4;
  2. Any county committee of a political party, as organized pursuant to N.J.S.A. 19:5-3; or
  3. Any municipal committee of a political party, as organized pursuant to N.J.S.A. 19:5-2.

**Agency Submission of Forms**

The agency should submit the completed and signed Two-Year Vendor Certification and Disclosure forms, together with a completed Ownership Disclosure form, either electronically to [cd134@treas.state.nj.us](mailto:cd134@treas.state.nj.us) or regular mail at Chapter 51 Review Unit, P.O. Box 039, 33 West State Street, 9<sup>th</sup> Floor, Trenton, NJ 08625. Original forms should remain with the Agency and copies should be sent to the Chapter 51 Review Unit.

**Questions & Answers**

Questions regarding the interpretation or application of Public Law 2005, Chapter 51 (N.J.S.A. 19:44A-20.13) or Executive Order 117 (2008) may be submitted electronically through the Division of Purchase and Property website at <http://www.state.nj.us/treasury/purchase/execorder134.shtml>. Responses to previous questions are posted on the website, as well as additional reference materials and forms.

**NOTE:** The Chapter 51 Q&A on the website **DOES NOT** address the expanded pay-to-play requirements imposed by Executive Order 117. The Chapter 51 Q&A are only applicable to contributions made prior to November 15, 2008. There is a separate, combined Chapter 51/E.O. 117 Q&A section dealing specifically with issues pertaining to contributions made after November 15, 2008, available at <http://www.state.nj.us/treasury/purchase/execorder134.shtml#state>.

**OWNERSHIP DISCLOSURE FORM**

DEPARTMENT OF THE TREASURY  
DIVISION OF PURCHASE & PROPERTY  
STATE OF NEW JERSEY  
33 W. STATE ST., 9TH FLOOR  
PO BOX 230  
TRENTON, NEW JERSEY 08625-0230

BID NUMBER: \_\_\_\_\_

BIDDER: \_\_\_\_\_

**INSTRUCTIONS** : Provide below the names, home addresses, dates of birth, offices held and any ownership interest of all officers of the firm named above. If additional space is necessary, provide on an attached sheet.

NAME	HOME ADDRESS	DATE OF BIRTH	OFFICE HELD	OWNERSHIP INTEREST (Shares Owned or % of Partnership)

**INSTRUCTIONS** : Provide below the names, home addresses, dates of birth, and ownership interest of all individuals not listed above, and any partnerships, corporations and any other owner having a 10% or greater interest in the firm named above. If a listed owner is a corporation or partnership, provide below the same information for the holders of 10% or more interest in that corporation or partnership. If additional space is necessary, provide that information on an attached sheet. Complete the certification at the bottom of this form. If this form has previously been submitted to the Purchase Bureau in connection with another bid, indicate changes, if any, where appropriate, and complete the certification below.

If there are no owners with 10% or more interest in your firm, enter "None" below.

NAME	HOME ADDRESS	DATE OF BIRTH	OFFICE HELD	OWNERSHIP INTEREST (Shares Owned or % of Partnership)

**COMPLETE ALL QUESTIONS BELOW**

- |   | YES                   | NO                    |
|---|-----------------------|-----------------------|
| 1. Within the past five years has another company or corporation had a 10% or greater interest in the firm identified above? (If yes, complete and attach a separate disclosure form reflecting previous ownership interests.)  | <input type="radio"/> | <input type="radio"/> |
| 2. Has any person or entity listed in this form or its attachments ever been arrested, charged, indicted or convicted in a criminal or disorderly persons matter by the State of New Jersey, any other State or the U.S. Government? (If yes, attach a detailed explanation for each instance.)   | <input type="radio"/> | <input type="radio"/> |
| 3. Has any person or entity listed in this form or its attachments ever been suspended, debarred or otherwise declared ineligible by any agency of government from bidding or contracting to provide services, labor, material, or supplies? (If yes, attach a detailed explanation for each instance.)   | <input type="radio"/> | <input type="radio"/> |
| 4. Are there now any criminal matters or debarment proceedings pending in which the firm and/or its officers and/or managers are involved? (If yes, attach a detailed explanation for each instance.)   | <input type="radio"/> | <input type="radio"/> |
| 5. Has any Federal, State or Local license, permit or other similar authorization, necessary to perform the work applied for herein and held or applied for by any person or entity listed in this form, been suspended or revoked, or been the subject or any pending proceedings specifically seeking or litigating the issue of suspension or revocation? (If yes, attach a detailed explanation for each instance.) | <input type="radio"/> | <input type="radio"/> |

**CERTIFICATION** : I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge that the State of New Jersey is relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the State to notify the State in writing of any changes to the answers or information contained herein. I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with the State of New Jersey and that the State at its option, may declare any contract(s) resulting from this certification void and unenforceable.

I, being duly authorized, certify that the information supplied above, including all attached pages, is complete and correct to the best of my knowledge. I certify that all of the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Company Name: \_\_\_\_\_

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

FEIN/SSN#: \_\_\_\_\_

PRINT OR TYPE: \_\_\_\_\_

PRINT OR TYPE: \_\_\_\_\_

Date \_\_\_\_\_

(Signature)

(Name)

(Title)

## Affirmative Action Supplement

<b>AFFIRMATIVE ACTION</b>	<b>Term Contract - Advertised Bid Proposal</b>
Department of the Treasury Division of Purchase & Property State of New Jersey 33 W. State St., 9th Floor PO Box 230 Trenton, New Jersey 08625-0230	<b>Bid Number:</b> _____ <b>Bidder:</b> _____

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

**GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS**

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

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

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

The contractor or subcontractor, 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 afford equal employment opportunities to minority and women workers consistent with Good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2, or Good faith efforts to meet targeted 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, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

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

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

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302

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

**\* NO FIRM MAY BE ISSUED A PURCHASE ORDER OR CONTRACT WITH THE STATE UNLESS THEY COMPLY WITH THE AFFIRMATIVE ACTION REGULATIONS**

**PLEASE CHECK APPROPRIATE BOX (ONE ONLY)**

- ☐ I HAVE A CURRENT NEW JERSEY AFFIRMATIVE ACTION CERTIFICATE, (PLEASE ATTACH A COPY TO YOUR PROPOSAL).
- ☐ I HAVE A VALID FEDERAL AFFIRMATIVE ACTION PLAN APPROVAL LETTER, (PLEASE ATTACH A COPY TO YOUR PROPOSAL).
- ☐ I HAVE COMPLETED THE ENCLOSED FORM AA302 AFFIRMATIVE ACTION EMPLOYEE INFORMATION REPORT.