

**BOROUGH OF HADDON HEIGHTS
CAMDEN COUNTY
NEW JERSEY**

**TEMPORARY LABOR SERVICES
BID PACKET**

Project Name: TEMPORARY LABOR SERVICES

Date Packet Available: Wednesday, March 6, 2017

Bid Due By: Tuesday, March 21, 2017, 10:00 a.m.

Bid Submitted By: _____

NOTICE TO BIDDERS

Notice is hereby given that sealed bids will be received by the Borough Clerk, for the Borough of Haddon Heights, a municipal corporation in the County of Camden and State of New Jersey, on Tuesday, March 21, 2017, 10:00 a.m., prevailing time at the Borough of Haddon Heights, 625 Station Avenue, Haddon Heights, New Jersey at which time and place bids will be opened and read in public for “**TEMPORARY LABOR SERVICES.**”

The Bid package for this service is available online at www.haddonhts.com and in the Clerk’s Office in Borough Hall, located at 625 Station Avenue, Haddon Heights, NJ 08035 during regular business hours (9:00 a.m. to 5:00 p.m.).

Bids must be submitted on standard form, available with the specifications. Bids must be enclosed in sealed envelopes bearing the name and address of the bidder and shall be marked on the outside for “**TEMPORARY LABOR SERVICES.**”

Bidders are required to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27 et seq.

By order of the Mayor and Council of the Borough of Haddon Heights

Kelly Santosusso, RMC
Borough Clerk

BOROUGH OF HADDON HEIGHTS
INSTRUCTIONS TO BIDDERS

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1.0 DEFINED TERMS

Capitalized terms used in Bid Documents have the meanings assigned herein as set forth below. Terms used in the Bid Documents have both singular and plural meanings.

ADDENDA shall mean a written or graphic instrument issued by the architect before execution of the construction contract that modifies or interprets the bidding documents by additions, deletions, clarifications, or corrections.

BID shall mean the completed and executed Specification Bid Form, enclosed Bid Security and any and all other information required in Instruction to Bidders.

BID DOCUMENTS shall mean the Invitation to Bid, Instruction to Bidders, Bid Form, Specifications, Drawings and Addenda if issued.

BID OPENING shall mean the location, date and time set forth in the Invitation to Bid.

BOROUGH shall mean the Borough of Haddon Heights, in the County of Camden, New Jersey.

BOROUGH CLERK shall mean Kelly Santosusso, Borough Clerk, Haddon Heights Borough Hall, 625 Station Avenue Haddon Heights, New Jersey 08035.

BIDDER shall mean one who submits a bid.

CONTRACT shall mean the contract or authorizing purchase order consistent with the bid documents.

CONTRACTOR shall mean the successful Bidder with whom the Borough enters into Contract.

DAY shall mean a calendar day irrespective of a holiday.

NOTICE OF INTENT shall mean a written notice issued by Borough to the lowest responsive, responsible bidder that sets forth Borough's intention to enter into a contract regarding product or services solicited pursuant this bid document.

2.0 COMPLETION OF BID FORM

2.1 Bid Documents.

- (a) Borough is not responsible for any failure of Bidder to examine Bid Documents.
- (b) Borough may require pre-bid meetings. If so, the time, date, and location will be specified in the bid specification.
- (c) Bidder is to initial each of the four pages of these Bid Instructions, in the lower left corner.

2.2 Contract

- (a) Bidder, if issued a Notice of Intent, shall within the time set forth in the Notice, execute the Contract.

2.3 Bid Prices. Bidders shall set forth all Bid prices in words, and numbers, either handwritten in black ink or typewritten.

Bidder's Initials: _____

**BOROUGH OF HADDON HEIGHTS
INSTRUCTIONS TO BIDDERS**

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- 2.4 Bid Security
- (a) Bid Security is required in the amount of ten percent (10%) of the bid price, by a certified check, cashier's check or bid bond issued by a surety/bonding company licensed in the State of New Jersey.
 - (b) Bidder shall understand and accept that the Bid Security shall be forfeited if Bidder fails to enter into a Contract with Borough after receiving a Notice of Intent.
 - (c) If a bond is submitted, the surety shall acknowledge, in the bond document that the total amount of the bond shall be subject to forfeiture if Bidder fails to enter into the Contract with Borough after receiving a Notice of Intent.
- 2.5 Consent of Surety. No instructions other than what is set forth on enclosed form.
- 2.6 Affirmative Action Language. Sign, date and return in Bid.
- 2.7 Americans with Disabilities Act of 1990. No other instructions.
- 2.8 Stockholder Disclosure Certification. No instructions other than what is set forth on enclosed form.
- 2.9 Business Registration Certificate. Copy of New Jersey Business Registration Certificate must be included with submitted bid proposal.
- 2.10 Public Works Contractor Registration. Copy of New Jersey Public Works Contractor Registration Certificate should be included with submitted bid proposal.
- 2.11 Subcontractor Declaration. No instructions other than what is set forth on enclosed form.
- 2.12 Debarred List Affidavit. No instructions other than what is set forth on enclosed form.
- 2.13 Non-Collusion Affidavit. No instructions other than what is set forth on enclosed form.
- 2.14 Request for Prevailing Wage Determination. No other instructions than what is set forth on enclosed form.
- 2.15 Acknowledgement of Receipt of Addenda. No other instructions than what is set forth on enclosed form. Must be included with submitted bid proposal.
- 2.16 Hold Harmless. No instructions other than what is set forth on enclosed information sheet.
- 2.17 Insurance Coverage Requirements. No instructions other than what is set forth on enclosed information sheet.
- 2.18 Specification Bid Form. No instructions other than what is set forth on enclosed form.
- 2.19 Disclosure of Contributions to New Jersey Election Law Enforcement Commission (Elec). No instructions other than what is set forth on enclosed form.

3.0 SUBMISSION OF BID DOCUMENTS

- 3.1 The Bid.
Bidder shall complete and execute the Specification Bid Form, the Statement of Corporate Ownership, Affirmative Action Language, Debarred List Affidavit, Non-Collusion Affidavit, Prevailing Wage Compliance Declaration, and Bid Security, and other information as identified in the project bid specifications. Together these documents shall constitute a Bid.
- 3.2 Sealed bids shall be received by the Borough of Haddon Heights in accordance with public advertisement as required by law, with a copy of said notice being attached hereto and made a part of these specifications.

Bidder's Initials: _____

**BOROUGH OF HADDON HEIGHTS
INSTRUCTIONS TO BIDDERS**

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- 3.3 Sealed bids will be received by the designated representative at Tuesday, March 21, 2017, 10:00 a.m. in the Mayor's Office, Borough of Haddon Heights, 625 Station Avenue, Haddon Heights, NJ 08035, as stated in the Notice to Bidders, and at such time and place will be publicly opened and read aloud.
- 3.4 The bid shall be submitted in a sealed envelope: (1) addressed to the Borough of Haddon Heights, (2) bearing the name and address of the bidder written on the face of the envelope, and (3) clearly marked "BID" with the contract title and/or bid # being bid.
- 3.5 It is the bidder's responsibility that bids are presented to the Borough of Haddon Heights at the time and at the place designated. Bids may be hand delivered or mailed; however, the Borough of Haddon Heights disclaims any responsibility for bids forwarded by regular or overnight mail. If the bid is sent by express mail service, the designation in sub-section 3.4, above, must also appear on the outside of the express mail envelope. Bids received after the designated time and date will be returned unopened.
- 3.6 Sealed bids forwarded to the Borough of Haddon Heights before the time of opening of bids may be withdrawn upon written application of the bidder who shall be required to produce evidence showing that the individual is or represents the principal or principals involved in the bid. Once bids have been opened, they shall remain firm for a period of sixty (60) calendar days.
- 3.7 All prices and amounts must be written in ink or preferably machine-printed. Bids containing any conditions, omissions, unexplained erasures or alterations, items not called for in the bid proposal form, attachment of additive information not required by the specifications, or irregularities of any kind, may be rejected by the Borough of Haddon Heights. Any changes, whiteouts, strikeouts, etc. in the bid must be initialed in ink by the person signing the bid.
- 3.8 Each bid proposal form must give the full business address, business phone, fax, e-mail if available, the contact person of the bidder, and be signed by an authorized representative as follows:
- a) Bids by partnerships must furnish the full name of all partners and must be signed in the partnership name by one of the members of the partnership or by an authorized representative, followed by the signature and designation of the person signing.
 - b) Bids by corporations must be signed in the legal name of the corporation, followed by the name of the State in which incorporated and must contain the signature and designation of the president, secretary or other person authorized to bind the corporation in the matter.
 - c) Bids by sole-proprietorship shall be signed by the proprietor.
 - d) When requested, satisfactory evidence of the authority of the officer signing shall be furnished.
- 3.9 Bidder should be aware of the following statutes that represent "Truth in Contracting" laws:
- a) N.J.S.A. 2C:21-34, et seq. governs false claims and representations by bidders. It is a serious crime for the bidder to knowingly submit a false claim and/or knowingly make material misrepresentation.
 - b) N.J.S.A. 2C:27-10 provides that a person commits a crime if said person offers a benefit to a public servant for an official act performed or to be performed by a public servant, which is a violation of official duty.
 - c) N.J.S.A. 2C:27-11 provides that a bidder commits a crime if said person, directly or indirectly, confers or agrees to confer any benefit not allowed by law to a public servant.
 - d) Bidder should consult the statutes or legal counsel for further information.
- 3.10 Starting in January, 2007, 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 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.

Bidder's Initials: _____

**BOROUGH OF HADDON HEIGHTS
INSTRUCTIONS TO BIDDERS**

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4.0 DISPOSITION OF BIDS

- 4.1 At any time prior to Bid Opening, Borough may withdraw the Invitation to Bid and not accept Bids. Any Bid received prior to withdrawal of the Invitation to Bid will be returned unopened to the Bidder.
- 4.2 Borough will open the Bids and read such Bids aloud publicly at the location, date and time set forth for Bid Opening in the Invitation to Bid.
- 4.3 The decision to award or reject bids, based on the provisions of this Bid Document and/or State law, shall be made by the Council of the Borough of Haddon Heights in the form of a duly adopted resolution.
- 4.4 Borough will be the sole party to determine whether or not Bids comply with the prescribed requirements set forth in the Bid Documents.
- 4.5 Borough reserves the right to accept and/or reject any or all Bids or to waive any immaterial defect or informality in any bid.
- 4.6 Notwithstanding any terms to the contrary, Borough reserves the right to reject any and/or all Bids if Borough deems it in its best interest to do so, pursuant to law.
- 4.7 Borough will reject Bids other than the three (3) apparent lowest responsive, responsible Bids and return the Bid Security for rejected Bids within ten (10) business days after the Bid Opening. The Borough reserves the right not to carry out the provisions of this section if it is in the best interests of the Borough.
- 4.8 Borough may hold at least the three (3) apparent lowest responsive, responsible Bids for sixty (60) days after the Bid Opening. The Borough reserves the right, with the approval of the Bidders, to extend said period between Bid Opening and issuance of Notice of Intent.
- 4.9 After the awarding and signing of the Contract and approval of the contractor's performance bond, Bid Security for the remaining unsuccessful Bidders will be returned within three days, Sundays and holidays excepted.
- 4.10 If all Bids are rejected, Borough will return Bid Security to Bidders within sixty (60) days after Bid Opening, unless such time is otherwise extended.

5.0 AWARD

- 5.1 If a Bid is awarded by the Council, Borough will issue a Notice of Intent to the lowest responsive, responsible Bidder within sixty (60) days after Bid Opening and will hold Bidder's Bid Security pending execution of the contract. The sixty (60) days may be waived by the Bidder upon request of the Borough.
- 5.2 Borough's Notice of Intent will state Borough's intention to enter into the Contract with Bidder and Bidder shall execute the Contract within 45 days following receipt of Notice of Intent; otherwise, Borough shall consider Bid to be abandoned and Bid Security forfeited to Borough.

6.0 SCHEDULE OF LIQUIDATED DAMAGES

- 6.1 Not applicable to this bid.

Bidder's Initials: _____

BOROUGH OF HADDON HEIGHTS

BID FORM

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(Must be Completed and submitted as part of Bid)

Project Name: **TEMPORARY LABOR SERVICES**

1. Bid Documents: Bidders understand and accept the terms and conditions of the Bid Documents.
2. Contract: Bidders understand and accept that the successful Bidder shall enter into a Contract with the Borough of Haddon Heights.
3. Bid Security: Bidders submit herewith Bid Security in the amount of ten percent (10%) of the Bid, but not in excess of \$20,000. Bidder understands and accepts that Bidder's Bid Security may be forfeited for failure by Bidder to comply with the provisions of the Contract.
4. Required Documents
 - a. Failure to submit the following documents is mandatory cause for the bid to be rejected (N.J.S.A. 40A:11-23.2). Please check in Bidder's Initial Column confirming that document is included with Bid.

Document	Bidder's Initial Indicating Inclusion in Bid
A Bid Security (Bid Bond, Certified Check or Cashier's Check) N.J.S.A. 40A:11-21	n/a
Stockholder Disclosure Certification N.J.S.A. 52:25-24.2	
A Listing of Subcontractors, if applicable (Subcontractor's Declaration) N.J.S.A. 40A:11-16	n/a
Bid Form	
Business Registration Certificate	
Bidder's acknowledgement of receipt of any notice(s) or revisions(s) or addenda to an advertisement, specifications or bid document(s)	
A certificate from a surety company. N.J.S.A. 40A:11-22	n/a

- b. Failure to submit the following documents may be cause for the bid to be rejected (N.J.S.A. 40A: 11-23.1b).

Document	Bidder's Initial Indicating Inclusion in Bid
Affirmative Action Compliance Notice	
Debarred List Affidavit	
Non-Collusion Affidavit (form <u>must</u> be notarized)	
Prevailing Wage Compliance Declaration	n/a
Public Works Contractor Registration Certificate	n/a

BOROUGH OF HADDON HEIGHTS

BID FORM

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Project Name: **TEMPORARY LABOR SERVICES**

BID PROPOSAL

Furnishing the temporary labor in accordance with the forgoing specifications.

TO: Borough of Haddon Heights
625 Station Avenue
Haddon Heights, N.J. 08035

Commissioners:

The undersigned has carefully examined the forgoing specifications and agrees to supply the temporary labor requested for the price given below. Estimated hours per 12 month period are listed by job category.

Job Category	Estimated hours	Hourly Rate	Total Cost
General Laborer	5,000	_____ x 7,800 =	_____
		Grand Total	_____

Does the bidder supply transportation for his employees to the job site? Yes ___ No ___

Signed _____

Name (print) _____

Company Name _____

Fed.I.D. # or Soc.Security # _____

ATTEST: _____

Address _____

Name _____

(print) _____

Title _____

Phone _____

Date _____

Contact Person _____

E-mail address _____

BOROUGH OF HADDON HEIGHTS
AFFIRMATIVE ACTION COMPLIANCE NOTICE
Project Name: **TEMPORARY LABOR SERVICES**

Each 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:

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

This form provides the bidder guidance on the requirements. It is advisory in nature only and is a non-mandatory, waiveable form.

For information on the requirements of the Affirmative Action Law, contact:

Division of Contract Compliance & Equal Employment Opportunity in Public Contracting
Department of the Treasury
State of New Jersey
P.O. Box 209
Trenton, NJ 08625-0209
(609) 292-5473

Web Address: www.state.nj.us/treasury/contract_compliance/ccmail.html

**BOROUGH OF HADDON HEIGHTS
AFFIRMATIVE ACTION COMPLIANCE NOTICE
N.J.S.A. 10:5-31 AND N.J.A.C. 17:27**

**GOODS AND SERVICES CONTRACTS
(INCLUDING PROFESSIONAL SERVICES)**

Project Name: **TEMPORARY LABOR SERVICES**

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

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

(a) A photocopy of a valid letter that the contractor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);

OR

(b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-4;

OR

(c) A photocopy of an Employee Information Report (Form AA302) provided by the Division and distributed to the public agency to be completed by the contractor in accordance with N.J.A.C. 17:27-4.

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

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

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

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

COMPANY _____

SIGNATURE _____

PRINT NAME _____

TITLE _____

DATE _____

EXHIBIT A

P.L. 1975. C. 127 (N.J.A.C. 17:27) MANDATORY AFFIRMATIVE ACTION LANGUAGE

PROCUREMENT, PROFESSIONAL AND 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 or sex. Except with respect to affectional or sexual orientation, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, nation origin, ancestry, marital status, affectional or sexual orientation or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the public agency compliance officer setting for the provisions of this non-discrimination clause.

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

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

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

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

The contractor or subcontractor agrees to inform in writing 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, 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 applicable employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, or sex, and conform with the applicable Federal law and consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal court decisions.

EXHIBIT A – Page 2

**P.L. 1975. C. 127 (N.J.A.C. 17:27)
MANDATORY AFFIRMATIVE ACTION LANGUAGE**

PROCUREMENT, PROFESSIONAL AND SERVICE CONTRACTS

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Contract Compliance and EEO 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 Contract Compliance and EEO for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code NJAC 17:27.**

BOROUGH OF HADDON HEIGHTS
MANDATORY LANGUAGE – AMERICANS WITH DISABILITIES ACT OF 1990
Project Name: **TEMPORARY LABOR SERVICES**

The Federal Americans with Disabilities Act of 1990 requires bid specifications and contracts to contain language that prohibits discrimination on the basis of disability by public entities in all services, programs and activities provided or made available by public entities.

The requirement is described in the Instructions in section VII-B and fully displayed in Appendix B.

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

The contractor and the Borough of Haddon Heights, (hereafter "owner") do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act")(42 U.S.C. s121 01 ET SEQ.), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant there unto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the owner pursuant to this contract, the contractor agrees that the performance shall be in strict compliance with the Act. In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the owner in any action or administrative proceeding commenced pursuant to this Act. The contractor shall indemnify, protect, and save harmless the owner, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The contractor shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses rising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the owner's grievance procedure, the contractor agrees to abide by any decision of the owner which is rendered pursuant to said grievance procedure, the contractor agrees to abide by any decision of the owner which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the owner, or if the owner incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the contractor shall satisfy and discharge the same at its own expense.

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

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

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

CONSENT OF SURETY

Project Name: **TEMPORARY LABOR SERVICES**

When the Borough of Haddon Heights required a performance bond, all bidders are required to submit a Consent of Surety certificate from a surety company stating that said company will provide the bidder with a performance bond. The Borough has the option to require bonding for contracts with a value of less than \$100,000. A Consent of Surety for construction contracts is required for those contracts over \$100,000. If a performance bond is required on this project, a certificate in substantially the following form shall be included:

TO _____
(Owner)

RE _____
(Contractor)

(Project Description)

This is to certify that the _____
(Surety Company)

Will provide to _____ a performance bond in the full amount
(Owner)

of awarded contract in the event that said contractor is awarded a contract for the above project.

(Contractor)

(Authorized Agent of Surety Company)

Date _____

**CERTIFICATE OF SURETY MUST BE SIGNED BY AN AUTHORIZED AGENT
OR REPRESENTATIVE OF A SURETY COMPANY AND NOT BY THE
INDIVIDUAL OR COMPANY REPRESENTATIVE SUBMITTING THE BID.**

BOROUGH OF HADDON HEIGHTS
STOCKHOLDER DISCLOSURE CERTIFICATION
Project Name: **TEMPORARY LABOR SERVICES**

No corporation or partnership shall be awarded any contract for the performance of any work or the furnishing of any materials or supplies, unless, prior to the receipt of the bid or accompanying the bid of said corporation or partnership, there is submitted a statement setting forth the names and addresses of all stockholders in the corporation or partnership who own ten (10) percent or greater interest therein. Form of Statement shall be completed and attached to the bid proposal.

The Attorney General has concluded that the provisions of N.J.S.A, 53:25-24.2, in referring to corporations and partnerships, are intended to apply to all forms of corporations and partnerships, including, but not limited to, Limited partnerships, limited liability corporations, limited liability partnerships, and Subchapter S corporations.

This requires bidders to disclose whether they are a partnership, corporation or sole proprietorship. This form shall be completed, signed and notarized. Failure of the bidder to submit the required information is cause for automatic rejection of the bid.

STOCKHOLDER DISCLOSURE CERTIFICATION
(This statement shall be included with Bid Submission)

Project Name: **TEMPORARY LABOR SERVICES**

Name of Business _____

I certify that the list below contains the names and home addresses of all stockholder holding 10% or more of the issued and outstanding stock of the undersigned.

OR

I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business organization:

- | | | |
|--|--|---|
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Limited Liability Corporation | <input type="checkbox"/> Subchapter S Corporation |
| <input type="checkbox"/> Corporation | <input type="checkbox"/> Limited Liability Partnership | |
| <input type="checkbox"/> Sole Proprietorship | | |
| <input type="checkbox"/> Limited Partnership | | |

Signed and notarize the form below, and, if necessary, complete the stockholder list below.
(use additional paper if necessary)

Stockholders:

Name: _____ Name: _____

Home Address: _____ Home Address: _____

Name: _____ Name: _____

Home Address: _____ Home Address: _____

Name: _____ Name: _____

Home Address: _____ Home Address: _____

Name: _____ Name: _____

Home Address: _____ Home Address: _____

Subscribed and sworn before me this ____ day of _____, 20__.

(Notary Public)

My Commission expires:

(Affiant)

(Print name & title of affiant)

(Corporate Seal)

BOROUGH OF HADDON HEIGHTS
BUSINESS REGISTRATION CERTIFICATE
Project Name: **TEMPORARY LABOR SERVICES**

In compliance with P.L. 2004, c. 57, starting September 1, 2004, all business organizations and individuals that do business with the Borough of Haddon Heights are required to be registered with the State of New Jersey and provide proof of that registration to the Borough.

The Statute states that failure to submit the Business Registration Certificate is mandatory cause for the bid to be rejected.

Please take the time now to apply for the certificate and include a copy with the Bid packet.

There is no charge to obtain a certificate. Businesses can obtain a certificate by calling (609) 292-1730 or at www.nj.gov/njbgs. Individuals performing personal services can obtain a certificate by calling (609)292-1730 or at www.nj.gov/treasury/revenue/pdforms/rega.pdf.

The Business Registration Certificate should not be confused with the Public Works Contractor Registration Act required for construction contracts or the Certificate of Authority.

**BOROUGH OF HADDON HEIGHTS
PUBLIC WORKS CONTRACTOR REGISTRATION FORM**

Project Name: **TEMPORARY LABOR SERVICES**

C.34:11-56.48, P.L. 1999, Ch 238 requires that contractors and subcontractors, be registered with the New Jersey Department of Labor, Division of Wage and Hour Compliance. The definition in the law is as follows:

“Contractor means a person, partnership, association, joint stock company, trust, corporation, or other legal business entity or successor thereof who enters into a contract which is subject to the provisions of the “New Jersey Prevailing Wage Act, P.L. 1963, c.150 (C.34:11-56.25 et seq)” and includes any subcontractor or lower tier subcontractor of a contractor as defined herein.”

Please indicate below, for the bidder and all subcontractors listed on the “Subcontractor Declaration” herein, as to their registration with the NJ Department of Labor, Division of Wage and Hour Compliance in accordance with P.L. 1999, Ch 238.

A contractor’s certification can be confirmed by contacting the Department of Labor’s [Division of Wage and Hour Compliance website \(www.nj.gov/labor/lssc/lspubcon.html\)](http://www.nj.gov/labor/lssc/lspubcon.html). This site only shows approved contractors; there is no “pending” approval or a “grace” period. If a contracting unit encounters a problem in its review of certifications, or difficulty in making an award because of a non-registered contractor, they should contact the Contractor Registration Unit as soon as possible.

N.J.S.A. 34:11-56.56 provides several methods for the Department of Labor to enforce the law. The Department can deny renewal, revoke or suspend the registration of a contractor for a period of not more than five years, or, as a condition of initial or continued registration, require a surety bond payable to the State of New Jersey.

Copies of the Public Works Contractor Registration shall be submitted and attached to this form.

<u>NAME</u>	<u>NOT REGISTERED</u>	<u>REG. #</u>
Bidder _____	_____	_____
(Subcontractor) _____	_____	_____
(Subcontractor) _____	_____	_____
(Subcontractor) _____	_____	_____
(Subcontractor) _____	_____	_____

Subscribed and sworn
Before me this _____ day
of _____ 20____.

Notary Public of _____

My Commission Expires _____, 20____.

Signature

Name and Title
(Type or Print)

BOROUGH OF HADDON HEIGHTS
SUBCONTRACTOR DECLARATION
Project Name: **TEMPORARY LABOR SERVICES**

Each bidder shall set forth in the bid the names, addresses and license number (when required) of each subcontractor for the furnishing of plumbing and gas fitting, and all kindred work, and of the steam and hot water heating and ventilating apparatus, steam power plants and kindred work, and electrical work, structural steel and ornamental iron work, if any, for the construction, alteration or repair of any public buildings.

A general contractor that intends to utilize a specific subcontractor to perform work in one or more of the specialty trade categories shall provide the required information with regard to that subcontractor in the appropriate space for each specialty trade category applicable to the contract.

All bidders seeking to perform plumbing work on a publicly bid contract are required to comply with N.J.S.A. 45:14C-2 and N.J.A.C. 13:32-1.3. These provisions require that plumbing work on such contract may only be performed by an entity in which a licensed master plumber owns not less than 10% of the issued and outstanding shares of stock in the corporation, or not less than 10% of the capital of the partnership, or not less than 10% of the ownership of any other firm or legal entity. Accordingly, if a bidder intends to perform plumbing work on a publicly bid contract with its own employees or by the bidder himself, a master plumber must possess an ownership interest that complies with N.J.S.A. 45:14C-2 and N.J.A.C. 13:32-1.3 in the entity submitting the bid. Alternately, if a bidder intends to perform such work through a subcontractor, a master plumber must possess an ownership interest that complies with N.J.S.A. 45:14C-2 and N.J.A.C. 13:32-1.3 in the subcontractor.

There shall be submitted proof that each subcontractor is qualified in accordance with the rules and regulations of the State of New Jersey when such rules and regulations exist.

A general contractor that intends to perform work in one or more of the specialty trade categories through the use of its own employees or the general contractor himself rather than through the utilization of a subcontractor shall write the work “**IN-HOUSE**” next to each applicable category and then insert the name, and license number where required, of each such employee of the general contractor or the general contractor himself in the appropriate spaces for each specialty trade category applicable to the contract.

If the contract does not involve any of the specialty trade categories below, please insert the word “**NONE**” in each appropriate space provided.

Plumbing and Gas Fitting and All Kindred Work:

Name _____ Phone # _____
Address _____
License Number _____

Steam Power Plants, Steam and Hot Water Heating and Ventilating:

Name _____ Phone # _____
Address _____

Electrical Work:

Name _____ Phone # _____
Address _____
License Number _____

Structural Steel and Ornamental Iron Work:

Name _____ Phone # _____
Address _____

BOROUGH OF HADDON HEIGHTS
REQUEST FOR PREVAILING WAGE DETERMINATION

N.J.S.A. 34:11-56.25 et seq

Project Name: **TEMPORARY LABOR SERVICES**

Page 1

The Public Works Contractor Registration Act (PWCRA) requires that all contractors, including named subcontractors, to register with the Department of Labor prior to submitting price proposals or engaging on certain public works contracts that exceed the prevailing wage threshold.

Because the PWCRA uses the definition of public works contracts under the prevailing wage law, where the law uses the term “bidding”, contracting units are advised to read that as meaning to “submit” a price proposal.” Thus, the law applies to the formal bidding process where the contract is awarded to the lowest responsible bidder, and the receipt of informal quotations awarded to the vendor whose proposal is the “most advantageous, price and other factors considered.”

The PWCRA defines “public works projects” as contracts for "public work" as defined in the Prevailing Wage Act [N.J.S.A. 34:11-56.26(5)]. The term means:

- “Construction, reconstruction, demolition, alteration, or repair work, or maintenance work, including painting and decorating, done under contract and paid for in whole or in part out of the funds of a public body, except work performed under a rehabilitation program.
- "Public work" shall also mean construction, reconstruction, demolition, alteration, or repair work, done on any property or premises, whether or not the work is paid for from public funds,...
- “Maintenance work" means the repair of existing facilities when the size, type or extent of such facilities is not thereby changed or increased. While “maintenance” includes painting and decorating and is covered under the law, it does not include work such as routine landscape maintenance or janitorial services.

In order to provide guidance to contracting officials on implementing the law, nine key principles have been identified in the law. The nine items follow:

1. The law applies to all “public works contracts” that exceed the contracting unit’s prevailing wage threshold, as set by N.J.S.A. 34:11-56.26 (a) and (b).
2. The law applies to contracts for which public bidding is required, as well as those for which quotations are received.
3. All named contractors in a bid proposal (including out-of-state contractors) must be registered with the Department of Labor’s Division of Wage and Hour Compliance at the time proposals **are received** by the public entity.

For clarity, Local Finance Notice 2004-9 dated 4/28/04 uses the following term: “Received,” in context of when “proposals are received,” means the deadline or moment in time when proposals are formally opened and no other proposals are accepted.

4. The law requires contractors to submit certificates after a bid proposal is received and prior to awarding the contract. (N.J.S.A. 34:11-56.55)
5. After bid proposals are received, and prior to contract award, the contractor most likely to receive the contract award must submit to the public entity copies of certifications of all listed sub-contractors.
6. The contracting agent must review the certificates to be sure they were in effect at the time the bid proposals were received.
7. Non-listed subcontractors do not have to be registered until they physically start the public work assigned to them.
8. Bid proposal documents need to inform those submitting proposals of these requirements.
9. Emergency work is covered under the provisions of the Prevailing Wage Act and the PWCRA.

**BOROUGH OF HADDON HEIGHTS
REQUEST FOR PREVAILING WAGE DETERMINATION**

N.J.S.A. 34:11-56.25 et seq

Project Name: TEMPORARY LABOR SERVICES

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Additional information on the PWCRA can be obtained from the:

Contractor Registration Unit	Telephone: 609-292-9464
Division of Wage and Hour Compliance	Fax: 609-633-8591
New Jersey Department of Labor	E-mail: contreg@dol.state.nj.us
PO Box 389	Web site: www.nj.gov/labor/lssc/lspubcon.html
Trenton, New Jersey 08625-0389	

The web site has links to the PWCRA Registration Form, Listing of Contractors, Prevailing Wages and other useful information.

Contact the Division of Local Government Services at (609) 292-7842, by fax at (609) 633-6243 or by e-mail at lpcl@dca.state.nj.us for assistance in the application of the Local Public Contracts Law or related PWCRA issues. As specific situations are presented to the contracting unit, local legal advisors should review this guidance as to its applicability.

If the Borough of Haddon Heights has requested prevailing wage rates for this project the appropriate rates for Camden County will be included in this bid package.

Bidder's Initials: _____

BOROUGH OF HADDON HEIGHTS
ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA
Project Name: **TEMPORARY LABOR SERVICES**

The undersigned Bidder hereby acknowledges receipt of the following Addenda:

<u>Addendum Number</u>	<u>Dated</u>	<u>Acknowledge Receipt</u> (initial)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

No addenda were received

Acknowledged for: _____
(Name of Bidder)

By: _____
(Signature of Authorized Representative)

Name: _____
(Print or Type)

Title: _____

Date: _____

**BOROUGH OF HADDON HEIGHTS
HOLD HARMLESS**

Project Name: **TEMPORARY LABOR SERVICES**

The contractor agrees to indemnify and hold harmless the Borough of Haddon Heights and all its employees from and against any and all claims, damages, losses, actions, suits, injury, liability and expenses (including attorney's fees) or other costs of any nature whatsoever which they may suffer or incur directly or indirectly in the connection with the negligent acts or omissions of the contractor, its agents, employees or subcontractors, and the agents, employees or any of them or anyone directly or indirectly employed by the contractor in connection with the carrying out of the contractor's obligations under this contract, including the furnishing of the equipment, materials and supplies at the site of the proposed work; and without limiting the generality of the foregoing, the same shall include injury or death to any person or persons and damage to any tangible property (including the loss of use resulting therefrom), including that of the Borough.

Bidder's Initials: _____

BOROUGH OF HADDON HEIGHTS
INSURANCE COVERAGE REQUIREMENTS
Project Name: **TEMPORARY LABOR SERVICES**

The contractor must assume all risks connected with this work. He shall comply with all State Laws and Regulations concerning Worker's Compensation and shall maintain such insurance as will protect him against all claims for damages for personal injury, including death, and property damage which may arise during or as a result of the work done under this contract, either by himself or by any subcontractor or anyone directly or indirectly employed by either of them.

The contractor shall not commence work under this contract until he has obtained all insurance required by this section and such insurance has been approved by the Borough of Haddon Heights, nor shall the contractor allow any subcontractor to commence work in his subcontract until all similar insurance required of the subcontractor has been obtained and approved. The contractor's insurance shall apply to and provide coverage for all subcontractors and/or suppliers unless the contractor forwards to the Borough the Certificate of Insurance for the subcontractor and/or supplier. Insurance coverage shall remain in effect until all work under the contract has been accepted by the Borough and at all times thereafter when the contractor may be removing or replacing defective work.

The contractor shall furnish the Borough with proof of insurance by providing a Certificate of Insurance from his authorized agent. The Borough of Haddon Heights shall be named as an additional insured. The contractor shall give the Borough 30 days written notice of any material change in, cancellation of, or expiration of the policies. Any insurance company providing coverage must be authorized to do business in the State of New Jersey.

The following insurance is required:

General Liability – minimum \$1,000,000 each occurrence & aggregate
(Bodily injury and property damage combined)

Coverage must include:

- Comprehensive Form
- Premises-Operations
- Explosion & Collapse Hazard
- Products/Completed Operations Hazard
- Contractual (blanket)
- Broad Form Property Damage
- Independent Contractors
- Personal Injury

Workers Compensation and Employer Liability - Statutory

Bidder's Initials: _____

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

Project Name: **TEMPORARY LABOR SERVICES**

N.J.S.A. 19:44A-20.27 establishes a new disclosure requirement for business entities. It requires that, when a business entity has received in any calendar year \$50,000 or more in public contracts with public entities, it must file an annual report with the Election Law Enforcement Commission (ELEC). The report shall disclose any contribution of money or any other thing of value, including an in-kind contribution, or pledge to make a contribution of any kind:

- To a candidate for or the holder of any public office having ultimate responsibility for the awarding of public contracts, or,
- To a political party committee, legislative leadership committee, political committee or continuing political committee.

The report will include all reportable contributions made by the business entity during the 12 months prior to the reporting deadline. ELEC will be promulgating a form and procedures for filing commencing in January 2007. ELEC can also impose fines for failure to comply with this requirement.

While the local unit has no role in this process, it is recommended that all bid or proposal specifications and contracts should include language notifying business entities of their potential obligation under the law. Such language could read as follows:

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 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.

Bidder's Initials: _____

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

Quote Number: _____ Bidder/Offeror: _____

PART 1: CERTIFICATION

BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX.

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

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran. The Chapter 25 list is found on the division's website at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Bidders **must** review this list prior to completing the below certification. **Failure to complete the certification will render a bidder's proposal non-responsive.** If the Director finds a person or entity to be in violation of law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default, and seeking debarment or suspension of the party.

PLEASE CHECK THE APPROPRIATE BOX:

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

OR

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

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

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

EACH BOX WILL PROMPT YOU TO PROVIDE INFORMATION RELATIVE TO THE

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

ABOVE QUESTIONS. PLEASE PROVIDE THOROUGH ANSWERS TO EACH

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

Full Name (Print) : _____ Signature: _____

Title: _____ Date: _____