

REQUEST FOR PROPOSALS

RFP #2018-CM1

ON-SITE CONSTRUCTION MANAGEMENT SERVICES

FOR THE

Fair Lawn Board of

Education

Fair Lawn, New Jersey

**ADDITIONS AND ALTERATIONS AT
THOMAS JEFFERSON MIDDLE SCHOOL
and
MEMORIAL MIDDLE SCHOOL**

**SUBMISSION DUE BY:
JUNE 13, 2018, 11:00 A.M.**

ADDRESS PROPOSAL RESPONSES TO:

**Brooke Bartley
Business Administrator/Board Secretary
Fair Lawn School District
37-01 Fair Lawn Avenue
Fair Lawn, NJ 07410
Phone 201.794.5500**

**LEGAL NOTICE
REQUEST FOR PROPOSALS**

The Fair Lawn Board of Education (the “Board”) is soliciting proposals for Construction Management Services utilizing the competitive contracting procurement method in accordance with N.J.S.A.18A:18A-4.1 et seq. and N.J.A.C. 5:34-4.3 et seq. Sealed proposals will be received by the Board’s Business Administrator/Board Secretary and read aloud in public at the office located at the below address, for the following:

ON-SITE CONSTRUCTION MANAGEMENT SERVICES

**Additions and Renovations at the Thomas Jefferson and Memorial Middle Schools
RFP #: 2018-CM1**

DUE DATE: JUNE 13, 2018, 11:00 A.M.

RFP packages are available at the following address:

Fair Lawn Board of Education
37-01 Fair Lawn Avenue
Fair Lawn, New Jersey 07410

Proposals must be mailed to the Board’s Business Office, at the same address listed above; however, no proposal will be considered, regardless of the postmark, unless it is in the hands of the Business Administrator prior to the above time. Proposals may also be delivered to the office of the Business Administrator between the hours of 8:00 A.M. and 4:00 P.M. on official business days. **Proposal packages must be plainly marked with the RFP title and number, and must comply with the specifications contained therein.** The Board will not be responsible for the premature opening of any proposal not so marked. Failure by the Respondent to comply with the required documents as stated in the text of this request may result in the rejection of their proposal. The Board reserves the right to reject any or all proposals, to waive immaterial informalities or to accept any proposal which in its opinion will be in the Board’s best interest.

A non-mandatory pre-proposal meeting will be held for all interested proposers at the address listed above on June 1, 2018 at noon.

General Administrative Requirements of the RFP:

- Conformance with Public School Contracts Law (NJSA 18A:18A-1 et.seq.)
- Conformance with Equal Employment Opportunity requirements (Respondents are required to comply with N.J.S.A. 10:5-31 et. seq. and N.J.A.C. 17:27 et. seq.)
- Ownership Disclosure
- State of New Jersey Department of Treasury, Business Registration Certificate
- State of New Jersey Department of Treasury, Division of Purchase Management and Construction classification.
- Other documents required by the Board of Education

Brooke Bartley
School Business Administrator/Board Secretary

1. GENERAL INFORMATION

CONTRACTING ENTITY (“Owner,” “Board”)

Fair Lawn Board of Education
37-01 Fair Lawn Avenue
Fair Lawn, NJ 07410

CONTACTS

Fair Lawn School District (“District”):
Brooke Bartley
Business Administrator/Board Secretary
(201)794-5500
bbartley@fairlawnschools.org

PURPOSE OF REQUEST

The Board of Education of the Borough of Fair Lawn, County of Bergen (“Board” or “Owner”) is requesting proposals from experienced and qualified construction management firms (“CMF’s”) to provide Construction Management (“CM”) Services in connection with the Construction of Additions and Alterations to certain of the District’s schools. Proposals from qualified responders will be evaluated in accordance with the criteria set forth in this Request for Proposals (“RFP”).

The agreement between the Board and the successful construction management firm is subject to the availability and appropriation of borrowed funds sufficient to satisfy the cost associated with the project, inclusive of construction management services, as would be identified in the construction management firm’s agreement with the Board.

PROCUREMENT PROCESS

Procurement for the services requested under this RFP will be conducted in accordance with the “competitive contracting” provisions of the Public School Contracts Law codified at *N.J.S.A.* 18A:18A-4.1 *et seq.* and related regulations at *N.J.A.C.* 5:34-4.1. Under this law, the Board is permitted to select the proposal that most closely matches the criteria established by the Board for the requested service. The Board’s review will include a weighing of all factors in addition to a consideration of the fees and commissions to be charged. Therefore, the Board’s decision will be based on price and other factors considered.

SUBMITTAL REQUIREMENTS

Construction Management Firms responding to this RFP must prepare their responses for submission as described below.

Format: One original proposal, three copies, and a USB flash drive or CD containing the full proposal must be submitted. **The proposal must be in a sealed envelope or package clearly marked as follows: Construction Management Services – RFP #2018-CM1. The proposals must be received by the Board at the proposal opening location no later than 11:00 a.m. on June 13, 2018, and must be mailed or hand-delivered and addressed to the Board’s Business Administrator as follows:**

Fair Lawn School District
Brooke Bartley - Business Administrator / Board Secretary
37-01 Fair Lawn Avenue
Fair Lawn, NJ 07410

Proposals sent via facsimile or e-mail will not be accepted. The Board is not responsible for delays in mail or hand deliveries and the Board will not open or consider proposals that are received by the Business Administrator at the Business Administrator’s office after the above-referenced time for opening the proposals. At such time, all proposals will be opened in public and key provisions read aloud.

Pursuant to law, the Respondent may not negotiate the terms of its proposal with the District personnel. In submitting its proposal, the Respondent warrants that the signatory has the authority to sign the proposal. The Respondent must provide all requested information in strict conformance with the instructions set forth herein.

The proposals and all related information must be bound and signed by an authorized representative. The failure of a Respondent to examine any form or document shall not relieve it from any obligations associated therewith. By submitting a proposal, the Respondent acknowledges that they fully understand the scope of services, work and activity to be performed.

The Board reserves the right to require firms selected for initial consideration to participate in an interview with the Board or a Board committee.

DETAILED REQUIREMENTS OF THE REQUEST FOR PROPOSAL FOR CONSTRUCTION MANAGEMENT SERVICES

2. PROJECT DESCRIPTION

A referendum was approved by the voters of Fair Lawn on March 13, 2018 in the approximate amount of \$25 million for various additions and renovations at the Thomas Jefferson and Memorial Middle Schools and Fair Lawn High School. The construction management services will only apply to the middle schools.

The project scope includes the following building additions and renovations:

Memorial Middle School:

Construction of a 20,700 square foot addition consisting of new classrooms and a new media center. The new construction will be a second floor addition over sections of the existing first floor of the school. Renovations will be necessary to the existing school to accommodate a new stair tower and elevator to access the existing and proposed second floor level of the school. The electrical service will be upgraded and relocated from the basement to the first floor of the school. The kitchen area of the cafeteria will also be completely renovated.

Estimated hard construction costs: New construction: \$7,360,766 Rehabilitation: \$2,102,763

Thomas Jefferson Middle School:

Construction of a 25,500 square foot addition consisting of new classrooms, a new cafetorium and an addition to the existing kitchen. The renovation work will include the complete upgrade of the existing kitchen area of the cafeteria and connection points of the new addition to the existing school.

Estimated hard construction costs: New construction: \$8,844,945 Rehabilitation: \$1,126,629

Construction of initial components of the Project are anticipated to be undertaken at different intervals. Other work will need to be phased into the buildings, as the buildings will remain operating on the normal school operation schedule. It is anticipated that a total of 16 months, including two summer periods, will be involved with the construction. CM preconstruction services will commence July 1, 2018, with construction anticipated to start by March 2019 and continuing through September 2020. During this period, it is anticipated that construction activity on site will vary, with the summer period (June through August) of 2019 involving the heaviest activity, and the activity level varying at other times of the year as construction will overlap with school use of the facility.

The Board is working with its Architect, LAN Associates, to implement these projects.

3. SCOPE OF SERVICES

The CMF shall work with the Architect and act as a representative/agent of the Board of Education during the pre-construction, construction, and post-construction phases of the Project. In all instances, the CMF shall employ its best efforts to protect the interests of the Board and further the intended goals and purpose of the Project.

The Project scope does not include any of the work at Fair Lawn High School (which only involves HVAC installation).

Minimum services required:

A Pre-Construction Phase

1. Participate in design development meetings with the Architect and the Owner.
2. Review of Contract Documents / Specifications / Drawings for accuracy, completeness and suitability – Constructability Review.
3. Provide one (1) Cost Estimate per project, based on the 95% Documents prepared by the Architectural/Engineering team;
4. Advise the Owner and the Architect of recommended changes to the Contract Documents/General Conditions, Specifications & Drawings.
5. Development of a Master Summary Schedule, milestones, and phasing plans, if applicable, in conjunction with Architect and Owner.
6. Provide advice and guidance regarding bid strategy, bid packaging, etc.
7. Assist Architect as required in development of competent bidder and subcontractor list.
8. Prepare Cash Flow Projection (total project budget) to assist in projecting pre-construction and construction phase expenses based upon the total project schedule;
9. Attend Pre-Bid Conference and assist Architect, as required, with Pre-Bid Conference issues and questions.
10. Attend Bid Opening, assist Architect and Owner in evaluation of bids received and suitability of lowest responsible bidder or bidders.
11. Meet with Borough Council, committees, or other public groups on an as-needed basis.

B. Construction Phase (varied intensity from March 2019 through August 2020)

1. On site monitoring of contractors for Quality Construction and conformance with the Contract Documents.
2. Support contract administration duties of A/E; role and responsibility to ensure the Board's interests are protected and that the contract administration is handled effectively and efficiently.
3. Serve as Project's primary point of contact throughout the Construction Phase.
4. Assist the Owner in hiring and coordination with the Owner's construction testing, balancing, inspection activities, and commissioning agent.
5. Manage and document via minutes the scheduled weekly Project Meetings among contractor(s), Architect and Owner.
 - a. Review safety meetings with the contractor.
 - b. Attend weekly meetings with contractor's superintendents and subcontractors.
6. Attend Emergency Meetings called by Owner or Architect in response to problems.
7. Provide appropriate notification to the Owner and the Architect when work is not being performed in accordance with contract drawings.
8. Provide a review and recommendation for all change orders submitted by a contractor to the owner and the architect prior to discussions with the contractor.
9. Maintain minutes for Project and Emergency Meetings to document action items assigned and any Project decisions made.
10. Maintain on-site records of documentation, minutes, shop drawings, inspections, tests,

correspondence, etc.

11. Provide a monthly report to the Owner, including an executive summary, progress report, financial report of Project, discussion on schedule, project photos updated, change orders log, updated project budget summary and other critical issues.
12. Provide a review and recommendation on certified payment applications submitted by contractors and coordinate with the architects review schedule prior to the submission to the owner.
13. Track each contractor's compliance with Master Project Construction Schedule, participate in monthly updates.
14. Coordinate as required with contractor and design team for solutions to problems encountered during Project.
15. Act as a liaison with Owner and Sub-Code Officials, Owner's testing agency, commissioning agent, etc. and their inspection staff to verify compliance of contractor work with all applicable building codes and standards.
16. Communicate the results of all inspections conducted by the Owner's team and local officials having jurisdiction to the Owner and Architect.
17. Keep an activity report recording time on the job and a summary of actions and/or activities performed and/or observed while on the Project.
18. Verify that the contractor is maintaining on-site a properly documented set of as-built drawings for incorporation into the final set of permanent drawings prepared by Architect.
19. Assist Owner with coordination of Owner provided items, equipment and installation.
20. Perform quality assurance in cooperation with the Owner, Architect and contractors as the Project progresses.
21. Provide the Owner and Architect with digital photograph documentation of the Project and/or conditions as required.
22. Prepare along with Architect and review with Owner a punch list of items at Project completion.

D. Project Close-Out / Post-Construction Phase (Anticipated July 2020 through September 2020)

1. Coordinate completion of punch list items to the satisfaction of Owner, Commissioning Agent and Architect including recommendations for acceptability.
2. Obtain close-out documents and owner's manuals pertaining to the Project for transfer to the Owner at completion.
3. Assist the Contractor to obtain a Certificate of Occupancy.
4. Review and provide recommendation to Owner and Architect regarding final payments and release of retainage amounts.
5. Assist Owner, Commissioning Agent and Architect as requested in evaluation and inspection of building systems involved in the Project prior to the expiration of warranties to determine acceptability.
6. Assist Owner, Commissioning Agent (if applicable) and Architect as required in resolution of construction related problems and required warranty repairs.

It is anticipated that the provision of on-site office and/or work space will be provided by a contractor within the scope of bid work or by the Owner. The CMF is to provide all computers, cameras, cell phones, travel expenses, supplies, etc.

All on-site staff are subject to review and acceptance by Owner.

4. STANDARD REQUIREMENTS OF TECHNICAL PROPOSAL

All proposals must be submitted in strict compliance with the instructions included in this Request for Proposals document. The Board of Education may refuse to consider a proposal if a proposing firm fails to submit a complete package. Proposals shall be sent as directed on page 1 of this Request for Proposal.

Proposers should submit a technical proposal which contains the following:

1. **FIRM OVERVIEW:**

- a) The name of the proposer, the principal place of business and office location from which this project will be served;
- b) The age of the proposer's firm and the average number of employees over the past three years;
- c) Proof of professional liability insurance, workers' compensation and employer's liability insurance in accordance with New Jersey law;
- d) Statement that neither the firm nor any individuals assigned to this engagement are disbarred, suspended, or otherwise prohibited from professional practice by any federal, state, or local agency;
- e) A description of any litigation with New Jersey school districts or other New Jersey Public Entities relative to services performed by the proposer in the past 3 years;
- f) Evidence of your firm's current New Jersey Schools Development Authority prequalification status, New Jersey Business Registration and Affirmative Action Certificate.

2. **PROJECT TEAM:**

- a) It is the CMF's responsibility to propose staffing that will be adequate to provide the scope of services requested and achieve a successful project outcome. Describe the education, qualifications, experience, and training of all persons who would be assigned to provide services along with their names and titles. Identify their proposed level (monthly hours) of commitment to this project. Include an organization chart and resumes for all persons identified as potential key staff. You are required to identify the Project Executive/On-site Construction Manager who will be committed to this project for the duration unless otherwise advised or approved by the Owner. **Minimum qualification requirements** include:
 1. **Project Executive** should have at least 10 years of management experience with a minimum of 5 New Jersey public projects of a similar size and scope. This individual will be a licensed P.E., Registered Architect or a Certified Construction Manager.
 2. **Construction Managers** should have good communication and computer skills, at least 5 years of management experience on comparable public building construction projects; or shall have a degree in Architectural, Engineering or Construction Management with a minimum of 5 years of experience.

3. **EXPERIENCE:**

- a) Provide narrative of proposer's experience providing similar services to NJ Schools, experience with the design team, work experience with County agencies, participation in NJ public school organizations, NJDOE processes, etc.
- b) A minimum of 5 project profiles of comparable projects completed in the past 10 years. Include the following information: project location, client, architect, services provided, completion date, construction value, change orders and contact person. The Board of Education may obtain references from any of the parties listed;
- c) A description of all other areas of expertise of the proposer, with emphasis on a description of those services of interest to a Board of Education client;
- d) Five (5) references with contact name, e-mail address, telephone, and fax numbers;

4. **MANAGEMENT APPROACH:**

- a) A detailed plan for providing the proposed services, with a description of the proposing firm's approach to construction management, client satisfaction, specific scope of services and description of your approach to quality assurance.

5. **FEE PROPOSAL**

The proposer must submit a fee proposal for providing the services outlined in this Request for Proposal.

- Preconstruction Phase: Provide a single Lump Sum Cost for preconstruction activities. Assume projects as listed in attachment 1 accompanying this request for proposals.
- Construction Phase: Provide a monthly fee inclusive of all reimbursables and all projects occurring within that particular month's provision of services.

- Post Occupancy: Provide a single average hourly billing rate for post construction phase services as described. Also provide a “not-to-exceed” monthly post occupancy fee.

The Board of Education does not provide payment for or reimbursement for travel expenses, phone, facsimile use, etc.

6. PRESELECTION QUESTIONS

Firms may submit questions on this request for proposals to the Architect on behalf of the Board of Education as follows:

LAN Associates - Mr. Steve Secora
445 Godwin Ave.
Midland Park, NJ 07432

In addition, a non-mandatory pre-proposal meeting will be held at the Board’s central offices, 37-01 Fair Lawn Avenue, Fair Lawn, New Jersey on **June 1, 2018 at 12:00 noon**. While attendance is not mandatory, all proposers are encouraged to attend the meeting to review any questions about the RFP.

The Board will provide written answers to all firms that have submitted questions no later than five days prior to the due date for proposals. The Board will make a good faith effort to properly and effectively answer all questions; however, the Board reserves the right not to answer certain questions. In addition, firms submitting proposals must recognize that the Board will make a good faith effort to answer any and all questions, but the Board accepts no liability for any mistakes or errors in proposals or assumptions that are made in reliance on the answers to submitted questions.

7. DISCUSSIONS WITH PROPOSERS

An oral presentation by a proposer to clarify a proposal, but not to negotiate changes to the proposal, may be required at the sole discretion of the Board of Education based on the initial proposals received without discussion with the proposer. The proposer will not be compensated for making the presentation.

8. PROPOSAL EVALUATION

The Board of Education will select the most advantageous proposal based on all of the evaluation factors set forth at the end of this RFP; however, cost is important to the Board of Education. The Board of Education will make the award that is in the best interest of the District based on cost and other considerations.

Each proposal must satisfy the objectives and requirements detailed in this RFP. The features of the proposal, considered together with its economic and other benefits, will form the basis for the evaluation process.

The successful proposer shall be determined by an evaluation of the total content of the proposal submitted. The Board reserves the right to:

- a. Not select any of the proposals.
- b. Select only portions of a particular proposer’s proposal for further consideration (however, proposers may specify portions of the proposal that they consider “bundled”.)
- c. Award a contract for the requested services at any time within 60 days of the selection of the most advantageous proposal. Every proposal should be valid through this time period.

The Board shall not be obligated to explain the results of the evaluation process to any proposer. The Board may require proposers to demonstrate any services described in their proposal prior to award.

9. PROCUREMENT SCHEDULE AND AWARD OF THE CONTRACT

Procurement Schedule:

Issuance of RFP – May 21, 2018
Preproposal meeting – June 1, 2018
Receipt of proposal statements – June 13, 2018
Opening of proposals – June 13, 2018
Analysis of proposals – June 13 – 22, 2018
Board appointment – June 25, 2018

The successful proposer will be notified, in writing, of the Award of the Contract. The successful Construction Management firm will enter into a Form of Contract (a modified AIA C132-2009) to be prepared by the Board.

10. PROPOSAL LIMITATIONS

This RFP is not intended to be an offer, order or contract and should not be regarded as such, nor shall any obligation or liability be imposed on the Board of Education by issuance of this RFP. The Board reserves the right at the Board's sole discretion to refuse or reject any proposal submitted.

11. USE OF INFORMATION

Any specifications, drawings, sketches, models, samples, data, computer programs, documentation, technical or business information and the like ("Information") furnished or disclosed by the Board of Education to the proposer in connection with this RFP shall remain the property of the Board. Unless such information was previously known to the proposer, free of any obligation to keep it confidential, or has been or is subsequently made public by the Board or a third party, it shall be held in confidence by the proposer, shall be used only for the purposes of this RFP, and may not be used for other purposes except upon such terms and conditions as may be mutually agreed upon in writing.

12. PROPRIETARY INFORMATION

Any proposal submitted may become public information. Proprietary information such as client lists and non-public financial statements may be protected under limited circumstances. Pricing and service elements are not considered proprietary. An entire proposal may not be marked as proprietary.

Proposers must clearly identify in the proposal any specific proprietary information they request be protected. Proposals may be reviewed and assessed by any person at the discretion of the Board of Education. All materials submitted become the property of the Board of Education and may be returned only at the Board's option.

13. REQUIRED FORMS AND INSURANCE

Each Respondent must also submit the following forms with its proposal:

- Proposal letter;
- Ownership disclosure Certification (attached)
- References
- Non-Collusion Affidavit (attached)
- Notice of Classification issued by the NJDPMC
- Total amount of uncompleted contracts
- Political Contribution Disclosure (C.271 form-attached)
- Current Business Registration Certificate (N.J. Dept. of Treasury)
- Corporate Resolution if applicable

- Equal Employment Opportunity Language/Certification (attached)
- Disclosure of Investment Activities in Iran Certification (attached)

After award of the contract, proof of liability insurance naming the Board as an additional insured must be submitted before execution of the contract. At a minimum the Respondent must maintain the following coverages:

- | | |
|--------------------------------|-------------|
| • Commercial General Liability | \$1,000,000 |
| • Excess/Umbrella Liability | \$5,000,000 |
| • Comprehensive Auto Liability | \$1,000,000 |
| • Workers' Compensation | \$ 500,000 |
| • Professional Liability | \$1,000,000 |

14. **SELECTION CRITERIA**

The Board will evaluate the proposals utilizing the following criteria:

Technical Ability 15%

The Board will review the following items in evaluating the technical proficiency of each proposal:

- Does the proposal demonstrate a clear understanding of the scope of work and related objectives?
- Is the proposal complete and responsive to the RFP requirements?
- Has the past performance of the Respondent's methodology been documented?
- Does the proposal include sound environmental practices?

Level of Experience 35%

The Board will take into consideration the number of clients served, including the number of projects that were equal in scope to this Project; and will analyze the resumes of the partners, officers and staff who will be assigned to the Project. Additionally, the Board will review the results of reference checks and the following items in evaluating experience:

- Does the Respondent demonstrate a record of reliability of timely delivery and on-time budget implementation?
- Does the Respondent demonstrate a track record of service as evidenced by on-time, on-budget and contract compliance performance?
- Does the Respondent document industry experience?

Management 20%

The Board will review the overall management structure of the Respondent's firm and the ability of its personnel to attend any District or Board meetings as requested by the Board and/or the Superintendent or designee. Additionally, the Board will review the following items in evaluating Respondent's management:

- Is there a project management plan?
- Does the Respondent have a record of moral integrity?
- To what extent does the Respondent rely on in-house resources vs. contracted resources and is this documented in the proposal?
- Does the Respondent have a record of providing experienced project managers from start to finish on each job and is this documented?

Cost

30%

The Board will review the lump sum fee to perform the services requested for the initial term of the Contract, along with hourly rates for any additional work to be performed at the request of the Board, including rates for each level of staff that may be assigned.

ENCLOSURE CHECK OFF

PROPOSAL STATEMENT YES _____ NO _____

EXECUTED LETTER OF PROPOSAL YES _____ NO _____

AFFIRMATIVE ACTION QUESTIONNAIRE SIGNED YES _____ NO _____

BUSINESS REGISTRATION CERTIFICATE ENCLOSED YES _____ NO _____

NJ DPMC CLASSIFICATION NOTICE ENCLOSED YES _____ NO _____

TOTAL AMOUNT OF UNCOMPLETED CONTRACTS YES _____ NO _____

NON-COLLUSION AFFIDAVIT SIGNED YES _____ NO _____

OWNERSHIP DISCLOSURE STATEMENT SIGNED YES _____ NO _____

SEXUAL HARASSMENT STATEMENT SIGNED YES _____ NO _____

POLITICAL CONTRIBUTION DISCLOSURE FORM SIGNED YES _____ NO _____

REQUEST FOR REFERENCE FORM YES _____ NO _____

IRAN CERTIFICATION ENCLOSED YES _____ NO _____

The District reserves the right to request any provider to explain the method used to arrive at any or all figures.

THIS PAGE MUST BE RETURNED IN YOUR SEALED PROPOSAL

FORM OF NON-COLLUSION AFFIDAVIT

(To accompany the proposal)

STATE OF NEW JERSEY, COUNTY OF _____

I, _____ of the _____
(City, Township, Borough)
of _____, in the county of _____

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

I am _____ of the firm of _____

the entity making the proposal for Construction Management Services, and that I executed the
said proposal with full authority to do so, that said proposer has not, directly or indirectly,
entered into any agreement, participated in any collusion, or otherwise taken any action in
restraint of free, competitive bidding in connection with the above proposal and that all
statements continued in said proposal and in this affidavit are true and correct, and made with
full knowledge that the State of New Jersey relies upon the truth of the statement continued in
said proposal and in the statements continued in this affidavit in awarding the contract for the
said project.

(Name of Proposer Contractor)

(N.J.S.A. 52:34-15)

Subscribed and sworn before me this

_____ Day of _____, 2018

(Seal) Notary Public of New Jersey

My commission expires _____, 20_____

THIS PAGE MUST BE RETURNED IN YOUR SEALED PROPOSAL

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, GENERAL SERVICES AND PROFESSIONAL SERVICES 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 will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

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 meet targeted county employment goals established in accordance with 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, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

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, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal

court decisions.

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

Letter of Federal Affirmative Action Plan Approval;

Certificate of Employee Information Report; or

Employee Information Report Form AA302 (electronically provided by the Division and distributed to the public agency through the Division's website at http://www.state.nj.us/treasury/contract_compliance)

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Purchase & Property, CCAU, EEO Monitoring Program 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 Purchase & Property, CCAU, EEO Monitoring Program for conducting a compliance investigation pursuant to N.J.A.C. 17:27-1.1 et seq.

AFFIRMATIVE ACTION QUESTIONNAIRE

1. Our company has a federal Affirmative Action Plan approval.

YES

NO

a. If yes, a photo static copy of said approval shall be submitted to the Board of Education with the bid documents

2. Our company has a New Jersey State Certificate of Approval.

YES

NO

3. If you answered No to both questions above, an Affirmative Action Employee Information Report (AA-301) will be mailed to you. Complete the form and forward it to the Affirmative Action Office Department of Treasury, CN 209, Trenton, NJ 08625. A copy shall be submitted to the Board of Education within seven (7) days of the notice of the intent to award the contract or the signing of the contract.

I certify that the above information is correct to the best of my knowledge.

NAME _____

SIGNATURE _____

TITLE _____

DATE _____

THIS PAGE MUST BE RETURNED IN YOUR SEALED PROPOSAL

To be completed, signed and returned with Bid/Proposal

STATEMENT OF OWNERSHIP DISCLOSURE

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

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

Name of Organization: _____

Organization Address: _____

City, State, ZIP: _____

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

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

Part II Check the appropriate box

- The list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. **(COMPLETE THE LIST BELOW IN THIS SECTION)**
- OR**
- No one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. **(SKIP TO PART IV)**

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

Name of Individual or Business Entity	Home Address (for Individuals) or Business Address

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

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

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

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

Stockholder/Partner/Member and Corresponding Entity Listed in Part II	Home Address (for Individuals) or Business Address

Part IV Certification

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

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

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

STATEMENT OF OWNERSHIP (N.J.S.A. 52:25-24.2)

Statement of Ownership

No business organization, regardless of form of ownership, shall be awarded any contract for the performance of any work or the furnishing of any goods and services, unless, prior to the receipt of the bid or accompanying the bid of said business organization, bidders shall submit a statement setting forth the names and addresses of all persons and entities that own ten percent or more of its stock or interest of any type at all levels of ownership.

The included Statement of Ownership shall be completed and attached to the bid proposal. This requirement applies to all forms of business organizations, including, but not limited to, corporations and partnerships, publicly-owned corporations, limited partnerships, limited liability corporations, limited liability partnerships, sole proprietorship, and Subchapter S corporations. **Failure to submit a disclosure document shall result in rejection of the bid as it cannot be remedied after bids have been opened.**

Not-for-profit entities should fill in their name, check the not-for-profit box, and certify the form. No other information is required.

SEXUAL HARASSMENT STATEMENT

The Provider will maintain an environment that is free from sexual harassment. The District Board of Education’s policy defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature when made to any member of the school staff or any student.

Sexual harassment may include, but is not limited to, verbal harassment or abuse, pressure for sexual activity, repeated remarks to a person, with sexual or demeaning implications and unwelcome touching.

We would expect all Provider representatives conducting business with us to adhere to our established sexual harassment policy. Failure to comply with our policy in this area may result in the termination of our contractual agreement.

COMPANY _____

SIGNATURE _____

TITLE _____

DATE _____

THIS PAGE MUST BE RETURNED IN YOUR SEALED PROPOSAL

REQUEST FOR REFERENCE FORM

Construction Management Services

1. Name _____
Address _____
Telephone _____ Email address _____
Contact Individual _____
2. Name _____
Address _____
Telephone _____ Email address _____
Contact Individual _____
3. Name _____
Address _____
Telephone _____ Email address _____
Contact Individual _____
4. Name _____
Address _____
Telephone _____ Email address _____
Contact Individual _____
5. Name _____
Address _____
Telephone _____ Email address _____
Contact Individual _____

**List of Agencies with Elected Officials Required for Political Contribution Disclosure
N.J.S.A. 19:44A-20.26**

County Name: Bergen

State: Governor, and Legislative Leadership Committees

Legislative District #: 32, 35, 36, 37, 38, 39, 40

State Senator and two members of the General Assembly per district.

County:

Freeholders

County Clerk

Sheriff

County Executive

Surrogate

Municipalities (Mayor and members of governing body, regardless of title):

Allendale Borough	Hasbrouck Heights Borough	Ridgefield Borough
Alpine Borough	Haworth Borough	Ridgefield Park Village
Bergenfield Borough	Hillsdale Borough	Ridgewood Village
Bogota Borough	Ho-Ho-Kus Borough	River Edge Borough
Carlstadt Borough	Leonia Borough	River Vale Township
Cliffside Park Borough	Little Ferry Borough	Rochelle Park Township
Closter Borough	Lodi Borough	Rockleigh Borough
Cresskill Borough	Lyndhurst Township	Rutherford Borough
Demarest Borough	Mahwah Township	Saddle Brook Township
Dumont Borough	Maywood Borough	Saddle River Borough
East Rutherford Borough	Midland Park Borough	South Hackensack Township
Edgewater Borough	Montvale Borough	Teaneck Township
Elmwood Park Borough	Moonachie Borough	Tenafly Borough
Emerson Borough	New Milford Borough	Teterboro Borough
Englewood City	North Arlington Borough	Upper Saddle River Borough
Englewood Cliffs Borough	Northvale Borough	Waldwick Borough
Fair Lawn Borough	Norwood Borough	Wallington Borough
Fairview Borough	Oakland Borough	Washington Township
Fort Lee Borough	Old Tappan Borough	Westwood Borough
Franklin Lakes Borough	Oradell Borough	Woodcliff Lake Borough
Garfield City	Palisades Park Borough	Wood-Ridge Borough
Glen Rock Borough	Paramus Borough	Wyckoff Township
Hackensack City	Park Ridge Borough	
Harrington Park Borough	Ramsey Borough	

(continued on next page)

Boards of Education (Members of the Board):

Allendale Borough	Haworth Borough	Ramapo-Indian Hill Regional
Alpine Borough	Hillsdale Borough	Ramsey Borough
Bergenfield Borough	Ho Ho Kus Borough	Ridgefield Borough
Bogota Borough	Leonia Borough	Ridgefield Park Township
Carlstadt Borough	Little Ferry Borough	Ridgewood Village
Carlstadt-East Rutherford	Lodi Borough	River Dell Regional
Cliffside Park Borough	Lyndhurst Township	River Edge Borough
Closter Borough	Mahwah Township	River Vale Township
Cresskill Borough	Maywood Borough	Rochelle Park Township
Demarest Borough	Midland Park Borough	Rockleigh
Dumont Borough	Montvale Borough	Rutherford Borough
East Rutherford Borough	Moonachie Borough	Saddle Brook Township
Edgewater Borough	New Milford Borough	Saddle River Borough
Elmwood Park	North Arlington Borough	South Hackensack Township
Emerson Borough	Northern Highlands Regional	Teaneck Township
Englewood Cliffs Borough	Northern Valley Regional	Tenafly Borough
Fair Lawn Borough	Northvale Borough	Teterboro
Fairview Borough	Norwood Borough	Upper Saddle River Borough
Fort Lee Borough	Oakland Borough	Waldwick Borough
Franklin Lakes Borough	Old Tappan Borough	Wallington Borough
Garfield City	Oradell Borough	Westwood Regional
Glen Rock Borough	Palisades Park	Wood Ridge Borough
Hackensack City	Paramus Borough	Woodcliff Lake Borough
Harrington Park Borough	Park Ridge Borough	Wyckoff Township
Hasbrouck Heights Borough	Pascack Valley Regional	

Fire Districts (Board of Fire Commissioners):

None

FAIR LAWN BOARD OF EDUCATION
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

Project Description: Construction Management Services, TJ and Memorial Middle Schools

Vendor Name and Address: _____

Pursuant to Public Law 2012, c. 25 (codified at N.J.S.A. 52:32.55 et seq.) (the “Act), any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract with the Fair Lawn Board of Education (“District”) must complete the certification below to attest, under penalty of perjury, that the person or entity, or one of the person’s or entity’s parents, subsidiaries, or affiliates, is not identified on a list created and maintained by the New Jersey Department of the Treasury as a person or entity engaging in investment activities in Iran. If the District finds a person or entity to be in violation of the Act or of the principles which are subject to the Act, the District shall take action as may be appropriate and permitted by law, rule, or contract, including but not limited to, seeking sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the person or entity.

CERTIFICATION

State of New Jersey)

ss:

County of _____)

I, _____, certify, pursuant to the Act, that the person or entity listed above as “Vendor” for which I am authorized to submit a proposal:

- a) is not identified on the list created and maintained by the New Jersey Department of Treasury pursuant to N.J.S.A. 52:32-57(b)
- b) has not engaged in investment activities in Iran, as defined by N.J.S.A. 52:32-56(f)

I, _____, being duly sworn upon my oath, hereby represent and state under the pains and penalties of perjury, that the foregoing information is 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 District is relying on the information contained herein and that I am under a continuing obligation to notify the District in writing if there is a change to the answers provided herein during the performance of any contracts with the District. 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 and/or my firm am subject to criminal prosecution, and further penalties as described in N.J.S.A. 52:32-59.

Full Name (Print): _____ Signature: _____

Title: _____ Date: _____

Sworn and subscribed to before me this _ day of _____, 2018.

Notary Public of _____

My Commission Expires: _____, 20____

In the event that the Vendor referenced above is unable to make the above certification because it or one of its parents, subsidiaries, or affiliates has engaged in the above-referenced activities, a **separate detailed, accurate and precise description** of the activities must be provided to the District under penalty of perjury. Failure to provide such description will result in the proposal being rendered as non-responsive and appropriate penalties, fines, and/or sanctions will be assessed as provided by law.