



**Borough of Dunellen
2026 ANNUAL PROFESSIONAL SERVICES
Public Notice of Fair and Open Procurement Process**

Notice To Vendors

Notice is hereby given that sealed proposals will be received until **11:00 a.m. on Tuesday, December 16, 2025**, by the authorized representative of the Borough of Dunellen in the courtroom, 2nd floor of Borough Hall, 355 North Ave, Dunellen, NJ 08812, for:

Request for Proposal (RFQ) – 2026 ANNUAL PROFESSIONAL SERVICES

In accordance with New Jersey Local Public Contracts Law and N.J.S.A. 19:44A-20.4 et. seq., the Borough of Dunellen (“Borough”), County of Middlesex, a municipal corporation of the State of New Jersey, is soliciting professional services qualifications through a fair and open process. The Borough will require the following services for the upcoming calendar year beginning January 1, 2026, and ending December 31, 2026:

- Municipal Auditor
- Municipal Bond Counsel
- Municipal Engineer
- Municipal Labor Counsel
- Municipal Public Defender
- Borough Attorney
- Health Insurance Broker
- Planning Board Attorney
- Planning Board Planner
- Tax Appraisal Services
- Tax Appeal Attorney
- Planning Board Engineer
- Borough Planner
- Affordable Housing/Fair Share Element Planner
- Redevelopment Planner
- Redevelopment Attorney
- Affordable Housing Administrative Agent
- Affordable Housing Attorney
- Financial Advisor
- Borough Risk Manager/Consultant
- Bond Counsel for Redevelopment
- Human Resources/Payroll Vendor

One (1) original; and one (1) digital copy of your sealed responses to this request for proposals must be submitted to the Borough of Dunellen, 355 North Avenue, Dunellen, New Jersey 08812 by no later than 11:00 a.m. local prevailing time on Tuesday, December 16, 2025, at which time and place responses are scheduled to be opened by the Municipal Clerk or their designee.

Each sealed envelope containing a proposal shall be plainly marked on the outside to clearly show the specific service for which an individual or firm is submitting a proposal.

The proposals will be evaluated and contracts awarded based on:

- Relevance and extent of qualifications, experience, reputation, and training of assigned personnel.
- Knowledge of the Borough of Dunellen and subject matter.
- Availability of personnel and resources.
- Relevance and extent of similar engagements performed.
- Completeness of technical proposal.
- Reasonableness of cost proposal.

All contracts pursuant to the fair and open process will be awarded by resolution and require a majority vote of the Borough Council at a public meeting. In addition to full compliance with N.J.S.A. 19:44A-20.4 et. seq. ("Pay to Play"), individuals or firms awarded contracts under these procedures will be required to comply with N.J.S.A. 10:5-31 and N.J.A.C. 17:27-4 (Affirmative Action and Equal Employment Opportunity), 42 U.S.C. Section 12101 et. seq. (Americans with Disabilities Act of 1990), N.J.S.A. 52:25-24.2 (Disclosure of Ownership) and N.J.S.A. 52:32-44 (Business Registration).

Specifications may be obtained by visiting the Borough of Dunellen website, <https://www.dunellen-nj.gov/index.php> or via email to: ldarr@dunellenborough.com.

For questions or other information, email: crountree@dunellenborough.com.

The Borough of Dunellen reserves the right to consider proposals for sixty (60) days after their receipt and reserves the right to waive any informalities, to accept a proposal which is deemed most favorable to the interest of the Borough in accordance with the specifications and current New Jersey State and Federal regulations.

Vendors are required to comply, where applicable, with the requirements of N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27-1 et seq., New Jersey Statutes Title 19 Fair and Open Process, and all other applicable laws.

Date of Publication: November 20, 2025

**REQUEST FOR QUALIFICATIONS FOR
2026 ANNUAL PROFESSIONAL SERVICES**



Borough of Dunellen

**Period of Qualifications:
January 1, 2026 – December 31, 2026**

SUBMISSION DEADLINE

**4:00 PM
December 10, 2025**

ADDRESS ALL PROPOSALS TO:

Borough of Dunellen
Lauren Staats, Municipal Clerk
355 North Avenue
Dunellen, New Jersey 08812
732-968-3033

GENERAL INFORMATION & SUMMARY

ORGANIZATION REQUESTING PROPOSAL

Borough of Dunellen

355 North Avenue
Dunellen, NJ 08812

CONTACT PERSON

Lauren Staats, Municipal Clerk
Phone: 732-968-3033
Email: ldarr@dunellenborough.com

PURPOSE OF REQUEST

The Borough will require the following services for the upcoming calendar year beginning January 1, 2026 and ending December 31, 2026:

- Municipal Auditor
- Municipal Bond Counsel
- Municipal Engineer
- Municipal Labor Counsel
- Municipal Public Defender
- Borough Attorney
- Health Insurance Broker
- Planning Board Attorney
- Planning Board Planner
- Tax Appraisal Services
- Tax Appeal Attorney
- Planning Board Engineer
- Borough Planner
- Affordable Housing/Fair Share Element Planner
- Redevelopment Planner
- Redevelopment Attorney
- Affordable Housing Administrative Agent
- Affordable Housing Attorney
- Redevelopment Area Financial Analyst
- Borough Risk Manager/Consultant
- Bond Counsel for Redevelopment

Proposals will be evaluated in accordance with the criteria set forth in this RFQ. One or more individuals/firms may be selected to provide services.

PERIOD OF QUALIFICATIONS

January 1, 2026, through December 31, 2026

CONTRACT FORM

The successful proposer shall be required to execute the Borough's form contract, which includes the indemnification, insurance, termination, and licensing provisions.

It is also agreed and understood that the acceptance of the final payment by the Contractor shall be considered a release in full of all claims against the Borough arising out of, or by reason of, the work done and materials furnished under this Contract.

DETAILED REQUIREMENTS OF THE REQUEST FOR QUALIFICATIONS FOR BOROUGH PLANNER

1. BOROUGH OF DUNELLEN FACTS AND FIGURES

The Borough of Dunellen is a municipal governmental entity located in Middlesex County, New Jersey. The Borough operates under the Borough form of government, consisting of a Mayor and a six-member Borough Council. The Governing Body sets policy, adopts the operating and capital budgets, enacts ordinances, and establishes the direction of how the Borough of Dunellen provides government services.

Located in the northwest section of Middlesex County, the Borough covers roughly 1 square mile, approximately thirty miles southwest of New York and sixty-five miles northeast of Philadelphia. Encompassing approximately one square mile, Dunellen has an estimated population of 7,700. Abutting the communities of Plainfield in Union County, Green Brook in Somerset County, and Piscataway and Middlesex in Middlesex County, Dunellen is traversed by State Highway Route 28, which is the Borough's main street running east/west. State Highway Route 22 is located about one mile north of and parallel to Route 28. Washington Avenue (County Road 529) runs north/south, intersecting North Avenue, and is a major connection to Interstate 287 and Route 22. These State and County roads provide accessibility to other major highways such as the Garden State Parkway, Route 78, and the New Jersey Turnpike.

Dunellen is a compact, transit-oriented community, featuring a traditional downtown area, residential neighborhoods, and access to NJ Transit rail service. The Borough provides a variety of services to its residents, including public safety, public works, recreation, and administrative support functions.

2. NATURE/SCOPE OF SERVICES

The Borough will require the following services for the upcoming calendar year beginning January 1, 2026 and ending December 31, 2026:

- Municipal Auditor
- Municipal Bond Counsel
- Municipal Engineer
- Municipal Labor Counsel
- Municipal Public Defender
- Borough Attorney
- Health Insurance Broker
- Planning Board Attorney

- Planning Board Planner
- Tax Appraisal Services
- Tax Appeal Attorney
- Planning Board Engineer
- Borough Planner
- Affordable Housing/Fair Share Element Planner
- Redevelopment Planner
- Redevelopment Attorney
- Affordable Housing Administrative Agent
- Affordable Housing Attorney
- Redevelopment Area Financial Analyst
- Borough Risk Manager/Consultant
- Bond Counsel for Redevelopment

Proposals will be evaluated in accordance with the criteria set forth in this RFQ. One or more individuals/firms may be selected to provide services.

3. STANDARD REQUIREMENTS OF TECHNICAL PROPOSAL

Proposers should submit a technical proposal containing the following:

Name and principal place of business of the proposer, and, if different, the location where services will be provided.

- Minimum of at least five (5) years servicing municipal or government clients.
- Education, qualifications, experience, and training of all personnel who would be assigned, along with their names and titles.
- Listing of all other engagements where similar services were provided within the past five (5) years, including contact information for at least three (3) references.
- Statement confirming that neither the firm nor any assigned individuals are disbarred, suspended, or otherwise prohibited from professional practice, and that the responsible person holds a valid New Jersey license.
- Identification of the primary person responsible for the account and likely to attend Borough and Board meetings.
- Affirmative Action Statement (attached).
- Non-Collusion Affidavit (attached).
- Owner Disclosure Statement (attached).
- Statement confirming compliance with Borough's general terms and agreement to enter into the Borough's standard Professional Services Contract.
- Copy of the firm's Business Registration Certificate.
- Completed Partnership Disclosure Statement.

4. PROPOSAL EVALUATION

The Borough will select the most advantageous firms based on all of the evaluation factors set forth at the end of this RFQ. The Borough will make the award(s) that is in the best interest of the Borough.

Each proposal must satisfy the objectives and requirements detailed in this RFQ. The successful proposer shall be determined by an evaluation of the total content of the proposal submitted.

The Borough shall not be obligated to explain the results of the evaluation process to any proposer.

5. PROPOSAL LIMITATIONS

This RFQ is not an offer or contract and does not obligate the Borough to award a contract. The Borough reserves the right, in its sole discretion, to reject any or all proposals.

6. USE OF INFORMATION

All information furnished or disclosed by the Borough in connection with this RFQ shall remain the property of the Borough and shall be used solely for purposes of this RFQ.

7. GENERAL TERMS AND CONDITIONS

- The Borough reserves the right to reject any or all proposals, if necessary, or to waive any informalities in the proposals, and, unless otherwise specified by the proposer, to accept any item, items or services in the proposals should it be deemed in the best interest of the Borough to do so.
- In case of failure by the successful proposer, the Borough of Dunellen may procure the articles or services from other sources, deduct the cost of the replacement from money due to the proposer under the contract and hold the proposer responsible for any excess cost occasioned thereby.
- The proposer shall maintain sufficient insurance to protect against all claims under Workmen's Compensation, General, Professional and Automobile Liability.
- Each proposal must be signed by the person authorized to do so.
- The contract shall be in effect through December 31, 2025, unless otherwise stated. However, the Borough reserves the right to cancel any contract entered into upon thirty (30) days written notice to contractor.

- Proposals may be hand delivered or mailed consistent with the provisions of the legal notice to proposers. In the case of mailed proposals, the Borough assumes no responsibility for proposals received after the designated date and time and will return late proposals unopened. Proposals will not be accepted by facsimile or e-mail.
- In accordance with Affirmative Action Law, P.L. 1975, c.127 (N.J.A.C. 17:27) with implementation of July 10, 1978, successful proposers must agree to submit individual employer certifications and numbers or complete Affirmative Action employee information report (form AA-302). Also, during the performance of this contract, the contractor agrees as follows: (a) The contractor or subcontractor where applicable, will not discriminate against any employee because of age, race, creed, color, national origin, ancestry, marital status or affectional or sexual orientation. The contractor will take affirmative action to ensure that such applicants are recruited and employed and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, sex or handicap. 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 section for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notice to be provided by the Public Agency Compliance Officer setting forth provisions of this non-discrimination clause: (b) the contractor or subcontractor, where applicable, will in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, sex or handicap; (c) the contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or worker's representative of the contractor's commitments under this act and shall post copies of the notice; (d) the contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the treasurer pursuant to the P.L. 1975, c.127, as amended and supplemented from time to time. Submissions received by the Borough before the time of opening of submissions may be withdrawn upon written application of the professional service entity who shall be required to produce evidence showing that they are or they represent the principal or principals involved in the submission. Submission may not be withdrawn within twenty-four hours of the stipulated time of the opening of

submissions. Once submissions have been opened, they must remain firm for a period of sixty (60) days. This time period may be extended at the request of the Borough.

- By submission of the proposal, the proposer certifies that the service to be furnished will not infringe upon any valid patent, trademark or copyright and the successful proposer shall, at its expense, defend any and all actions or suits charging such infringement, and will hold the Borough harmless in any case of any such infringement.
- No proposer shall influence, or attempt to influence, or cause to be influenced, any Borough officer or employee to use his/her official capacity in any manner which might tend to impair the objectivity or independence of judgment of said officer or employee.
- No proposer shall cause or influence, or attempt to cause or influence, any Borough officer or employee to use his/her official capacity to secure unwarranted privileges or advantages for the proposer or any other person.
- Should any difference arise between the contracting parties as to the meaning or intent of these instructions or specifications, the Borough Council's decision shall be final and conclusive.
- The Borough of Dunellen shall not be responsible for any expenditure of monies or other expenses incurred by the proposer in making its proposal.
- The checklist, affidavits, notices and the like presented at the end of this Request for Qualifications are a part of this Request for Qualifications and shall be completed and submitted as part of this proposal.

8. BASIS OF AWARD – EVALUATION FACTORS

The Borough evaluation committee will consider the following factors:

- Relevance and extent of qualifications, experience, reputation, and training of assigned personnel.
- Knowledge of the Borough of Dunellen and subject matter.
- Availability of personnel and resources.
- Relevance and extent of similar engagements performed.
- Completeness of technical proposal.
- Reasonableness of cost proposal.

END OF GENERAL INSTRUCTIONS

DOCUMENT SUBMISSION CHECKLIST

The following checklist is provided as assistance to the development of the RFP Response. It in no way supersedes or replaces the requirements of the RFP. Failure to submit the following documents may be a cause for the proposal to be rejected. (N.J.S.A. 40A:11-23.1b.)

Submission Item	Initial
Proposal (One Original and One Electronic Copy)	
Non-Collusion Affidavit	
Disclosure of Ownership	
Affirmative Action Certification	
Mandatory Equal Opportunity Language	
Americans with Disabilities Act	
New Jersey Anti-Discrimination Provisions	
Copy of Licenses/Certifications	
Proof of Insurance	
Disclosure Prohibited Russia-Belarus Activities & Iran Investment Activities	
Corporate Disclosure Statement (if applicable)	
Corporate Resolution (if applicable)	
Business Registration Certificate	
Acknowledgement of Receipt of Addenda (if applicable)	
State of New Jersey Debarred List Affidavit	
Certification of Non-Debarment for Federal Government Contracts	

SIGNATURE: The undersigned hereby acknowledges and has submitted the above-listed requirements, and reviewed the entire RFQ package.

Name of Vendor: _____

By Authorized Representative: _____

Print Name and Title: _____ Date: _____

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY

§:

COUNTY OF _____

I, _____ of the _____

of _____ in the County of _____

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

I am _____ of the firm of _____

The Consultant making the proposal for the above named project, attests that they execute the said proposal with full authority to do so; that said Consultant has not directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive proposals in connection with the above named project; and that all statements contained in said proposal and in this affidavit are true and correct, and made with full knowledge that the _____ of _____ relies upon the truth of the statements contained in said proposal and in the statements contained in this affidavit in awarding the contract for said project.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon agreement or understanding for a commission, percentage, brokerage or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by

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

NAME OF COMPANY

Subscribed and sworn to

Before me this _____ day

Of _____ 20__

(Also type or print name of affiant under signature)

NOTARY PUBLIC OF

My Commission Expires

DISCLOSURE OF OWNERSHIP

(If the Consultant is a sole proprietorship, check here [] and do not complete this statement.)

The UNDERSIGNED, as a Consultant, in accordance with N.J.S.A. 52:25-24..2, declares and submits this Statement of Ownership:

[] I certify that the list below contains the names and home addresses of all stockholders 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"/> Corporation | <input type="checkbox"/> Limited Liability Partnership |
| <input type="checkbox"/> Sole Proprietorship | <input type="checkbox"/> Subchapter S Corporation |
| <input type="checkbox"/> Limited Partnership | |

Full Name of Individual (Stockholder) (Partner)	Home Address of Individual (Stockholder) (Partner)
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____

THIS STATEMENT MUST BE INCLUDED WITH PROPOSAL SUBMISSION

Notes: Attach additional sheets in this format, if necessary.

Subscribed and sworn before me

This ____ day of _____
_____ 20__
(Notary Public)

My Commission expires:

Signature

Print Name

Title
(Corporate Seal)

AFFIRMATIVE ACTION CERTIFICATION

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. 17:27-1 et seq.

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 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. 17:27.1 et seq. 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. 17:27-1 et seq.

COMPANY: _____ SIGNATURE: _____

PRINT NAME: _____ TITLE: _____

DATE: _____

Note: a consultant's proposal must be rejected as non-responsive if a Consultant fails to comply with the Requirements of P.L. 1975, c.127, within the time frame.

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

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

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

EXHIBIT A

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

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

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

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

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

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

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities,

labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

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

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

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

Letter of Federal Affirmative Action Plan Approval
Certificate of Employee Information Report
Employee Information Report Form AA302

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

AMERICANS WITH DISABILITIES ACT

Equal Opportunity For Individuals With Disabilities

The Consultant and the Borough of Dunellen do hereby agree that the provision of Title II of the Americans With Disabilities Act of 1990 (the "Act") (42 U.S.C. S12101 et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs and activities provided or made available by public entities, and the rules and regulations promulgated pursuant thereto, are made a part of this contract. In providing any aid, benefit or service on behalf of the Borough pursuant to this contract, the Consultant agrees that the performance shall be in strict compliance with the Act. In the event that the Consultant, its agents, servants, employees or sub-contractors violate or are alleged to have violated the Act during the performance of this contract, the Consultant shall defend the Borough in any action or administrative proceeding commenced pursuant to this Act. The Consultant shall indemnify, protect and save harmless the Borough, 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 Consultant shall, at its own expense, appear, defend and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the Borough grievance procedure, the Consultant agrees to a proposal by any decision of the Borough which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the Borough or if the Borough incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the Consultant shall satisfy and discharge the same at its own expense.

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

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

It is further agreed and understood that the Borough assumes no obligation to indemnify or save harmless the Consultant, its agents, servants, employees and subcontractors for any claim which may arise out of their performance of this agreement. Furthermore, the Consultant expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the Consultant's obligations assumed in this agreement, nor shall they be construed to

relieve the Consultant from any liability, nor preclude the Borough from taking any other actions available to it under any other provisions of this agreement or otherwise by law.

NEW JERSEY ANTI-DISCRIMINATION PROVISIONS

N.J.S.A. 10:2-1 ET SEQ.

Pursuant to N.J.S.A. 10:2-1, if awarded a contract, the contractor agrees that:

- A. In the hiring of persons for the performance of work under this contract or any subcontract hereunder, or for the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under this contract, no contractor, nor any person acting on behalf of such contractor or subcontractor, shall, by reason of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex, discriminate against any person who is qualified and available to perform the work to which the employment relates;
- B. No contractor, subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee engaged in the performance of work under this contract or any subcontract hereunder, or engaged in the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under such contract, on account of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex;
- C. There may be deducted from the amount payable to the contractor by the contracting public agency, under this contract, a penalty of \$50.00 for each person for each calendar day during which such person is discriminated against or intimidated in violation of the provisions of the contract; and
- D. This contract may be canceled or terminated by the contracting public agency, and all money due or to become due hereunder may be forfeited, for any violation of this section of the contract occurring after notice to the contractor from the contracting public agency of any prior violation of this section of the contract.

Prohibited Russia-Belarus Activities & Iran Investment Activities

Person or
Entity

Part 1: Certification

COMPLETE PART 1 BY CHECKING **ONE OF THE THREE BOXES BELOW**

Pursuant to law, any person or entity that is a successful bidder or proposer, or otherwise proposes to enter into or renew a contract, for goods or services must complete the certification below prior to contract award to attest, under penalty of perjury, that neither the person or entity, nor any parent entity, subsidiary, or affiliate, is identified on the Department of Treasury's Russia-Belarus list or Chapter 25 list as a person or entity engaging in prohibited activities in Russia, Belarus or Iran. Before a contract for goods or services can be amended or extended, a person or entity must certify that neither the person or entity, nor any parent entity, subsidiary, or affiliate, is identified on the Department of Treasury's Russia-Belarus list. Both lists are found on the Treasury's website at the following web addresses:

<https://www.nj.gov/treasury/administration/pdf/RussiaBelarusEntityList.pdf>
www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf.

As applicable to the type of contract, the above-referenced lists must be reviewed prior to completing the certification below.

A person or entity unable to make the certification must provide a detailed, accurate, and precise description of the activities of the person or entity, or of a parent entity, subsidiary, or affiliate, engaging in prohibited activities in Russia or Belarus and/or investment activities in Iran. The person or entity must cease engaging in any prohibited activities and provide an updated certification before the contract can be entered into.

If a vendor or contractor is found to be in violation of law, action may be taken as appropriate and as may be 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.

CONTRACT AWARDS AND RENEWALS	
<input type="checkbox"/>	<p><i>I certify, pursuant to law, that neither the person or entity listed above, nor any parent entity, subsidiary, or affiliate appears on the N.J. Department of Treasury's lists of entities engaged in prohibited activities in Russia or Belarus pursuant to P.L. 2022, c. 3 or in investment 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. (Skip Part 2 and sign and complete the Certification below.)</i></p>
CONTRACT AMENDMENTS AND EXTENSIONS	
<input type="checkbox"/>	<p><i>I certify, pursuant to law, that neither the person or entity listed above, nor any parent entity, subsidiary, or affiliate is listed on the N.J. Department of the Treasury's lists of entities determined to be engaged in prohibited activities in Russia or Belarus pursuant to P.L. 2022, c. 3. 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. (Skip Part 2 and sign and complete the Certification below.)</i></p>
IF UNABLE TO CERTIFY	
<input type="checkbox"/>	<p><i>I am unable to certify as above because the person or entity and/or a parent entity, subsidiary, or affiliate is listed on the Department's Russia-Belarus list and/or Chapter 25 Iran list. I will provide a detailed, accurate, and precise description of the activities as directed in Part 2 below, and sign and complete the Certification below. <u>Failure to provide such will prevent the award of the contract to the person or entity, and appropriate penalties, fines, and/or sanctions will be assessed as provided by law.</u></i></p>

Part 2: Additional Information

PLEASE PROVIDE FURTHER INFORMATION RELATED TO PROHIBITED ACTIVITIES IN RUSSIA OR BELARUS AND/OR INVESTMENT ACTIVITIES IN IRAN.

You must provide a detailed, accurate, and precise description of the activities of the person or entity, or of a parent entity, subsidiary, or affiliate, engaging in prohibited activities in Russia or Belarus and/or investment activities in Iran in the space below and, if needed, on additional sheets provided by you.

Part 3: Certification of True and Complete Information

I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments there, 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 Contracting Unit is relying on the information contained herein and hereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the Contracting Unit to notify the Contracting Unit 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. 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 Contracting Unit and that the Contracting Unit at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print)		title	
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Signature		Date	
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RESOLUTION OF AUTHORIZATION IF CONSULTANT IS A CORPORATION

RESOLVED that _____ be authorized to sign and submit the proposal or proposal of this corporation for this project, and to include in such proposal the certificate as to non-collusion as the act and deed of such corporation, and for any inaccuracies or misstatements in such certificate this corporate Consultants shall be liable under the penalties of perjury. If awarded the contract(s), said individual is also authorized to sign and execute the Contract Agreement as the act and deed of such corporation.

The foregoing is a true and correct copy of the resolution adopted by _____ at a meeting of its Board of Directors held on _____ day of _____, 20____.

SEAL OF CORPORATION

Secretary

MAILING ADDRESS

The terms used in this proposal, which are defined in the General Conditions of the Construction Contract included as part of the Contract Documents, have the meanings assigned to them in the General Conditions.

SUBMITTED on _____, 20____

ACKNOWLEDGEMENT OF RECEIPT ADDENDA

Pursuant to N.J.S.A. 40A: 11-23.1a, the undersigned hereby acknowledges receipt of the following notices, revisions, or addenda to the RFP advertisement, specifications or RFP documents. By indicating date of receipt, applicant acknowledges the submitted RFP takes into account the provisions of the notice, revision or addendum. Note that the local unit's record of notice to applicants shall take precedence and that failure to include provisions of changes in a RFP may be subject for rejection of the proposal.

<u>Addendum Number</u>	<u>How Received (mail, fax, pick-up, etc.)</u>	<u>Date Received</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Company/Applicant: _____

By Authorized Representative: _____

Signature: _____

Printed Name and Title: _____

Date: _____

STATE OF NEW JERSEY DEBARRED LIST AFFIDAVIT

I, _____ of the _____ (Borough) in the County of _____ and the State of _____ being of full age and fully sworn according to law on my oath depose and say that:

I am an officer of the firm of _____ the bidder making the Proposal for the above named work, and that I executed the said Proposal with full authority to do so; that said bidder at the time of making this bid is not included on the State of New Jersey, Treasurer's List of Debarred, Suspended and Disqualified Bidders; and that all statements contained in said Proposal and in this affidavit are true and correct, and made with the full knowledge that the Borough of Dunellen, as the Owner, relies upon the truth of the statements contained in said Proposal and in the statements contained in the affidavit in awarding the contract for said work.

The undersigned further warrants that should the name making this bid appear on the State Treasurer's List of Debarred, Suspended and Disqualified Bidders at any time prior to, and during the life of this Contract, including the Guarantee Period, that the Local Governing Unit shall be immediately so notified by the signatory of the Eligibility Affidavit.

The undersigned understands that the firm making the bid, Contractor, is subject to disbarment, suspension and/or disqualification in contracting with the State of New Jersey, if the Contractor pursuant to NJAC 7:1-5.2, commits any of the acts listed therein, and as determined according to applicable law and regulation.

Contractor: _____

Name and Title of Affiant: _____

Subscribed and sworn before me this ___ day of _____ 20___ .

_____(Notary Signature)

Notary Public of _____

My Commission Expires: _____

CERTIFICATION OF NON-DEBARMENT FOR FEDERAL GOVERNMENT CONTRACTS

N.J.S.A. 52:32-44.1 (P.L. 2019, c.406) This certification shall be completed, certified to, and submitted to the contracting unit prior to contract award, except for emergency contracts where submission is required prior to payment.

PART I: VENDOR INFORMATION	
Individual or Organization Name	
Physical Address of Individual or Organization	
Unique Entity ID (if applicable)	
CAGE/NCAGE Code (if applicable)	
Check the box that represents the type of business organization:	

- Sole Proprietorship (skip Parts III and IV)
- Non-Profit Corporation (skip Parts III and IV)
- For-Profit Corporation (any type)
- Limited Liability Company (LLC)

- Partnership
 - Limited Partnership
 - Limited Liability Partnership (LLP)
 - Other (be specific):
-

PART II – CERTIFICATION OF NON-DEBARMENT: Individual or Organization
<p>I hereby certify that the individual or organization listed above in Part I is not debarred by the federal government from contracting with a federal agency. I further acknowledge: that I am authorized to execute this certification on behalf of the above-named organization; that the <name of contracting unit> is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the date of contract award by <type of contracting unit> to notify the <type of contracting unit> 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 <type of contracting unit>, permitting the <type of contracting unit> to declare any contract(s) resulting from this certification void and unenforceable.</p>

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

**PART III – CERTIFICATION OF NON-DEBARMENT: Individual or Entity
Owning Greater than 50 Percent of Organization**

Section A (Check the Box that applies)

<input type="checkbox"/>	Below is the name and address of the stockholder in the corporation who owns more than 50 percent of its voting stock, or of the partner in the partnership who owns more than 50 percent interest therein, or of the member of the limited liability company owning more than 50 percent interest therein, as the case may be.
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Name of Individual or Organization	
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Physical Address	
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OR

<input type="checkbox"/>	No one stockholder in the corporation owns more than 50 percent of its voting stock, or no partner in the partnership owns more than 50 percent interest therein, or no member in the limited liability company owns more than 50 percent interest therein, as the case may be.
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Section B (Skip if no Business entity is listed in Section A above)

<input type="checkbox"/>	Below is the name and address of the stockholder in the corporation who owns more than 50 percent of the voting stock of the organization's parent entity, or of the partner in the partnership who owns more than 50 percent interest in the organization's parent entity, or of the member of the limited liability company owning more than 50 percent interest in organization's parent entity, as the case may be.
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Stockholder/Partner/Member Owning Greater Than 50 Percent of Parent Entity	
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Physical Address	
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OR

<input type="checkbox"/>	<p>No one stockholder in the parent entity corporation owns more than 50 percent of its voting stock, no partner in the parent entity partnership owns more than 50 percent interest therein, or no member in the parent entity limited liability company owns more than 50 percent interest therein, as the case may be.</p>
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Section C – Part III Certification

I hereby certify that no individual or organization that is debarred by the federal government from contracting with a federal agency owns greater than 50 percent of the **Organization listed above in Part I** or, if applicable, owns greater than 50 percent of a parent entity of **<name of organization>**. I further acknowledge: that I am authorized to execute this certification on behalf of the above-named organization; that the **<name of contracting unit>** is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the date of contract award **<type of contracting unit>** to notify the **<type of contracting unit>** 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 **<type of contracting unit>**, permitting the **<type of contracting unit>** to declare any contract(s) resulting from this certification void and unenforceable.

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

Part IV – CERTIFICATION OF NON-DEBARMENT: Contractor – Controlled Entities

Section A

<input type="checkbox"/>	<p>Below is the name and address of the corporation(s) in which the Organization listed in Part I owns more than 50 percent of voting stock, or of the partnership(s) in which the Organization listed in Part I owns more than 50 percent interest therein, or of the limited liability company or companies in which the Organization listed above in Part I owns more than 50 percent interest therein, as the case may be.</p>
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Name of Business Entity	Physical Address

Add additional sheets if necessary	
OR	
<input type="checkbox"/>	The Organization listed above in Part I does not own greater than 50 percent of the voting stock in any corporation and does not own greater than 50 percent interest in any partnership or any limited liability company.

Section B (skip if no business entities are listed in Section A of Part IV)	
<input type="checkbox"/>	Below are the names and addresses of any entities in which an entity listed in Part III A owns greater than 50 percent of the voting stock (corporation) or owns greater than 50 percent interest (partnership or limited liability company).
Name of Business Entity Controlled by Entity Listed in Section A of Part IV	Physical Address
Add additional Sheets if necessary	
OR	
<input type="checkbox"/>	No entity listed in Part III A owns greater than 50 percent of the voting stock in any corporation or owns greater than 50 percent interest in any partnership or limited liability company.
Section C – Part IV Certification	

I hereby certify that the **Organization listed above in Part I** does not own greater than 50 percent of any entity that that is debarred by the federal government from contracting with a federal agency and, if applicable, does not own greater than 50 percent of any entity that in turns owns greater than 50 percent of any entity debarred by the federal government from contracting with a federal agency. I further acknowledge: that I am authorized to execute this certification on behalf of the above-named organization; that the **<name of contracting unit>** is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the date of contract award by **<type of contracting unit>** to notify the **<type of contracting unit>** 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 **<type of contracting unit>**, permitting the **<type of contracting unit>** to declare any contract(s) resulting from this certification void and unenforceable.

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