

ADVERTISEMENT

**LINDEN BOARD OF EDUCATION
ADMINISTRATION BUILDING
2 EAST GIBBONS STREET
LINDEN, NEW JERSEY 07036-2951**

Notice is hereby given that sealed bids will be received by the Linden Board of Education (“Board”), Union County, New Jersey for Substitute Staffing Services – School Psychologist and Speech Therapist for the 2023-2024 School Year (“Projects”).

Bid documents for the Projects are available Monday through Friday, except legal holidays, between the hours of 9:00 A.M. and 4:00 P.M. at the offices of John A. Serapiglia, Jr., Business Administrator/Board Secretary, Linden Board of Education, Administration Building, 2 East Gibbons Street, Linden New Jersey 07036-2951.

Sealed bids shall be delivered to the Office of the Business Administrator between the hours 9:00 A.M. and 4:00 P.M. on official business days. Bids shall bear the name and address of the Bidder and shall be endorsed “Substitute staffing services”, and identify the Contract Package for which the bid is being made.

Bids may be submitted to the Board’s Business Administrator, John A. Serapiglia, Jr., Business Administrator at the Board’s offices up to and until **11:00 A.M. prevailing time on April 20, 2023**, and at which time they will be publicly opened and read. Bids must be submitted on the applicable proposal forms in the manner designated.

The Bidder must be prequalified by the New Jersey Department of Treasury, Division of Property Management and Construction, as required by law, and possess a valid and current Notice of Classification prior to the time and date that bids are received.

No bid may be withdrawn for a period of sixty (60) days after the date set for the opening thereof. The Board reserves the right to reject any and all bids and/or to waive informality in the bidding, pursuant to the laws governing same.

Bidders are required to comply with the requirements of NJSA. 10:5-31, et seq., and NJAC 17:27.

Pursuant to N.J.S.A. 34:11-56.50 et. seq., Bidders and their subcontractors are required to be registered with the New Jersey Department of Labor and to possess a current Certificate by said Department indicating compliance prior to the time and date that bids are received.

By Order of the
Linden Board of Education,
Union County, New Jersey

John A. Serapiglia, Jr.
Business Administrator/Board Secretary

DATE OF ADVERTISEMENT: APRIL 5, 2023 (WEDNESDAY)

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INSTRUCTIONS TO BIDDERS AND BID FORMS

DEFINITIONS

Wherever reference is made to the Board, Title of Project, Bidder or Contractor, they shall be as follows:

OWNER/BOARD:

Linden Board of Education
Administration Building
2 East Gibbons Street
Linden, New Jersey 07036-2951

ADDRESS BIDS AND SUBMIT TO:

Linden Board of Education
Administration Building
2 East Gibbons Street
Linden, New Jersey 07036-2951
Telephone: 908.486.2800, Ext 8015
Facsimile: 908.486.8891
Attention: John A. Serapiglia, Jr., Business Administrator/Board Secretary

TITLE OF PROJECT:

Substitute Staffing Services – School Psychologist and Speech Therapist

BIDDER:

Bidder shall be to the lowest responsive Contract bidder based upon the individual packages upon which the Bidder has submitted a bid.

CONTRACTOR:

The lowest responsive and responsible Bidder(s) for each contract as determined by the Board/Owner.

SCOPE

It is the intention that the Drawings, Specifications and other Contract Documents provided for the Project to provide an overall scope of the services to be provided for Substitute staffing services for the 2023-2024 School Year and all work incidental thereto. The work will begin May 1, 2023 and extend through June 30, 2023. The Board reserves the right to extend the contract of the successful bidder for four (4) additional one (1) year periods, in accordance with and as may be permitted by law. All work incidental to providing the annual services or any work necessary to complete the Contract and the work thereunder, shall be included in the bid.

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PREPARATION OF THE BID

The “complete” Bid Form includes the Bidder’s Checklist, Ownership Disclosure Certification, Non-Collusion Affidavit, Political Disclosure, Investment Activity in Iran form, Certification of non-involvement in Prohibited Activities in Russia and Belarus form and any other documents noted in these Instructions to Bidders to be submitted with this Bid.

Bid prices must be filled in, in ink, in both words and figures for the contract or work for which the bid is made.

Insert applicable allowances, if any have been specified applicable to the Bidder’s work. Any allowance, or unused portion thereof, shall belong to the Owner.

Insert applicable unit prices, if any have been specified, applicable to the Bidder’s work. Where unit prices have already been established by the contract documents, the Bidder agrees that such unit prices shall prevail. All unit prices, whether filled in by the Bidder or established by the contract documents, shall become part of the Contract. No award will be made, unless applicable unit prices, as required, are filled in.

Conditional bids will not be accepted. Bids may be withdrawn prior to the advertised time for the opening of bids or authorized postponement thereof. Bids received after the advertised time will not be considered. Bidders shall be solely responsible for premature opening or late delivery of bids, not properly marked or addressed, or which do not arrive by the proper time or at the proper place.

Bidders must submit their bids in a sealed envelope addressed to the Board and bearing on outside: the name of the Bidder, its address, the title of the Contract Package, and the type of work bid upon.

Bidder may bid on more than one Contract but must meet the bid requirements for each Contract Package so bid.

QUALIFICATIONS OF BIDDERS

The Board may make such investigation as it deems necessary to determine the ability of the Bidders to perform the work, which includes investigation of the subcontractors. The Bidder shall furnish any information and data for this purpose as the Board may request.

In accordance with N.J.S.A. 18A:18A-26, (Classification of Bidders as Requisite to Bidding on Public Work), where bids will exceed \$20,000 (twenty thousand dollars), the Bidder and its prime subcontractors must be classified and prequalified by the New Jersey Department of the Treasury, Division of Property Management and Construction (“DPMC”), prior to the time and date that bids are received. Bidders are referred to the Projects Advertisement for required DPMC classifications.

The provisions of N.J.S.A. 18A:18A, Article 6, “Qualification of Bidders” shall govern, as applicable.

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The Bidder, for itself and all prime subcontractors, if applicable, shall submit a current Notice of Classification from the DPMC. Additionally, pursuant to N.J.A.C. 17:19-2.13, Bidder shall include for itself and for all prime trade subcontractors, a certification that their bids for the Project contract will not cause Bidder or the applicable prime trade subcontractor to exceed their aggregate rating limits, including consideration of their backlog of uncompleted construction work, including public and private contracts. A form of certification is included herewith. However, Bidders and prime trade subcontractors may use their own form of certification, including the submission of DPMC Form 701 (Uncompleted Contracts Affidavit), in lieu of the attached form.

DEBARMENT, SUSPENSION, OR DISQUALIFICATION – N.J.A.C. 17:19-4.1

The Board will not enter into a contract for work with any person, company or firm that is on the State Department of Labor and Workforce Development; Prevailing Wage Debarment List, or the State of New Jersey Consolidated Debarment Report (www.state.nj.us/treasury/debarred) or the Federal System for Award – SAM.gov.

All bidders are required to submit a sworn statement indicating whether or not the bidder is, at the time of the bid, included on the State Department of Labor and Workforce Development; Prevailing Wage Debarment List, or the State of New Jersey Consolidated Debarment Report, or the Federal Debarred Vendor List – Excluded Parties List System, through the System for Award Management portal – SAM.gov.

AWARD OF CONTRACT

Contracts, if awarded, will be made to the lowest qualified Bidder for each individual package. Award of the contracts shall be made in accordance with provisions of N.J.S.A. 18A:18A, Article 8, “Awarding Contracts.” The Board reserves its rights to select the bids or particular alternates, or combination of alternates, as may be in the best interest of the Board, in its sole discretion. The Board reserves the right to reject all bids pursuant to N.J.S.A. 18A:18A-1 et seq., to waive any informalities in any bid or bids, and to accept such bid or bids and to make or to not make such awards as may be in the best interest of the Linden Board of Education, in accordance with the law.

CONTRACT RENEWAL/EXTENSIONS

Bidder agrees that the Owner may renew the contract(s) with the successful bidder in accordance with applicable law for up to four (4) additional one (1) year periods. The Bidder agrees that the material markup percent shall remain unchanged for any renewal/extended term. Renewal will be contingent on approval of both Owner and Contractor.

OWNERSHIP DISCLOSURES REQUIRED

Pursuant to P.L. 1977, N.J.S.A. 52:25-24.2, the Bidder shall submit with its Bid, or prior to receipt of bids, a statement setting forth the names and addresses of all stockholders or owners in the corporation, partnership, or other business entity bidding who own ten percent (10%) or greater interest therein.

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If one or more such stockholder or partner is itself a corporation, partnership or other business entity, the Bidder shall submit further disclosures for such entity pursuant to the law. A form of Ownership/Stockholder Disclosure is included herewith.

NON-COLLUSION AFFIDAVIT

The Bidder shall submit with its bid, a statement of non-collusion with verbiage similar to that on the "Sample Non-Collusion Affidavit."

PREVAILING WAGE RATE DETERMINATION

The date of the wage rate determination for this Project will be set forth in the contract. This determination is conclusive for a period of two (2) years from that date, unless superseded by a later determination. Contractor shall be responsible for complying with such determination.

- (a) Pursuant to New Jersey Prevailing Wage Act, N.J.S.A. 34:56.27 and 56.28 the following is mandatory and applies to the project.
- (b) Workers shall be paid not less than such prevailing wage rate in the event it is found that any worker, employed by the contractor or any subcontractor covered by said contract, has been paid a rate of wages less than the prevailing wage required to be paid by such contract, the public body, the lessee to whom the public body is leasing a property or premises or the lessor from whom the public body is leasing or will be leasing a property or premises may terminate the contractor's or subcontractor's right to proceed with the work, or such part of the work as to which there has been a failure to pay required wages and to prosecute the work to completion or otherwise.

NO BIDS WILL BE ACCEPTED FROM BIDDERS WHO BID LESS THAN THE PREVAILING WAGE. IT IS THE RESPONSIBILITY OF CONTRACTOR TO GO TO THE FOLLOWING LINK AND FIND THE CURRENT PREVAILING WAGE RATE DETERMINATION IN FORCE ON THE DATE OF THE BID OPENING:
http://lwd.dol.state.nj.us/labor/forms_pdfs/lse/union.pdf.

TAXES

School projects are exempt from New Jersey State Tax, however, Contractors and Subcontractors are required to comply with New Jersey Sales and Use Tax, in accordance with P.L. 1966, c.30 (C.54:32B-1 et seq.) and, P.L. 2004, c.57. Forms and additional information are available from the New Jersey State Tax Department. No allowance will be made by the Board for any such taxes paid by the Contractor or Subcontractor arising out of the applicability of the New Jersey Sales and Use Tax.

EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE

The successful bidder shall be required to comply with the Mandatory Equal Employment Opportunity Language which will be annexed to the Contract. A copy of the language is included in the bid package.

The successful bidder shall be required to complete and submit to the Board an Initial Project Workforce Report, New Jersey Department of Treasury Form AA-201, upon notification of award. Failure to submit this completed form may result in the contract being terminated.

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The successful bidder shall also be required to submit a copy of its Monthly Project Workforce Report, New Jersey Department of Treasury Form AA-202, to the New Jersey Department of Treasury's Division of Public Contracts Equal Employment Opportunity Compliance and to the Board.

The successful bidder shall be required to submit monthly payroll reports. A copy of its Monthly Project Workforce Report, New Jersey Department of Treasury Form AA-202, shall be submitted to the New Jersey Department of Treasury's Division of Public Contracts Equal Employment Opportunity Compliance and to the Owner.

ANTI-DISCRIMINATION PROVISIONS

The following provisions will be inserted into the Owner/Contractor agreement.

N.J.S.A. 10:2-1. Antidiscrimination provisions. Every contract for or on behalf of the State or any county or municipality or other political subdivision of the State, or any agency of or authority created by any of the foregoing, for the construction, alteration or repair of any building or public work or for the acquisition of materials, equipment, supplies or services shall contain provisions by which 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 or 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, or account of race, creed, 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 or any prior violation of this section of the contract.

No provision in this section shall be construed to prevent a board of education from designating that a contract, subcontract or other means of procurement of goods, services, equipment or construction shall be awarded to a small business enterprise, minority business enterprise or a women's business enterprise pursuant to P.L. 1985, c. 490 (C. 18A:18A-51 et. seq.).

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ANTI-BULLYING BILL OF RIGHTS – REPORTING OF HARRASSMENT, INTIMIDATION AND BULLYING – CONTRACTED SERVICE

The following language will be incorporated into the Owner/Contractor Agreement:

The contracted service provider shall comply with all applicable provisions of the New Jersey Anti-Bullying Rights Act – N.J.S.A. 18A:37-13.1 et. Seq., all applicable code and regulations, and the Anti-Bullying Policy of the Board of Education. The district shall provide to the contracted service provider a copy of the Board’s Anti-Bullying Policy.

In accordance with N.J.A.C. 6A:16.7.7 (c), a contracted service provider, who has witnessed, or has reliable information that a student has been subject to harassment, intimidations, or bullying shall immediately report the incident to any school administrator or safe schools resource officer, or the School Business Administrator/Board Secretary.

CRIMINAL HISTORY BACKGROUND CHECKS – REQUIRED

The following language will be incorporated into the Owner/Contractor Agreement:

The contractor and all subcontractors for the project shall provide to the school district (Director of Facilities or School Business Administrator/Board Secretary) evidence or proof that each worker assigned to the project that comes in regular contact with students, had had a criminal history background check, and that said check indicates that no criminal history record information exists on file for that worker.

The determination of “regular contact with students” will be made by the school district. Failure to provide a proof of criminal history background check for any contractor or subcontractor employee coming in regular contact with students may be cause for breach of contract.

If it is discovered during the course of the contract that a contractor or subcontractor employee has a disqualifying criminal history or the employee has not had a criminal history background check, that employee is to be removed from the project immediately.

CONDITIONS OF THE WORK

Bidders shall submit bids subject to, and in accordance with, all the conditions stated herein, required by the Specifications, Drawings, and actual conditions. Bidders shall carefully examine the site, as well as the Drawings and Specifications and fully inform themselves as to the existing conditions, and to the relationship(s) between their work and the work of others in connection with the Project including both labor and materials even though not especially shown or noted, but that are necessary to obtain a complete and finished condition.

Bidders are advised that construction terms and conditions set forth in the Contract Documents will be rigidly enforced.

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QUALITY, SAFETY AND PERFORMANCE STANDARDS

All goods and services must be constructed and provided with the highest quality materials and workmanship. It is the intent of these specifications that only equipment equal to, or exceeding, the standard specified will be acceptable in order to protect the safety of the students of the School District.

ADDENDA, INTERPRETATIONS, AND EQUIVALENCY DETERMINATIONS

Should any error, omissions, inconsistencies or obscure wording appear or occur in the Specifications, or should there be any discrepancies between any of the Contract Documents, the Bidder shall, before submitting its bid, apply to the Board in writing for an interpretation and determination of the intent of the Specifications and equivalency, if applicable. Requests for such interpretations, to be given consideration, must be received **at least ten (10) business days** prior to the date fixed for the opening of bids (Saturday, Sunday, and Holidays excluded). Failure to request an interpretation shall serve as an acknowledgement by the Bidder that the specifications are complete and contain no discrepancies.

Interpretations and any supplemental instructions will be in the form of written Addenda to the Specifications, which if issued, will be mailed by certified or registered mail with return receipt requested, or sent by facsimile to all bidders of record, **not later than seven (7) business days** prior to the date fixed for the opening of bids (Saturdays, Sundays and holidays excluded). Each Bidder shall ascertain, prior to submitting its bid that it received all Addenda issued and it shall acknowledge their receipt in its bid. Failure of any Bidder to receive any Addenda or interpretation shall not relieve the Bidder from any obligation under its bid as submitted. In addition, a failure on the part of any Bidder to acknowledge receipt of said Addenda may result in disqualification of the entire bid submission. Addenda so issued, shall become part of the Contract Documents.

The price bid for the work of any Contract shall NOT be based in any manner upon oral opinions, or real or alleged instructions of an oral nature, regardless of whether such opinions or instructions are expressed by the Borough or agents or representatives of any of them.

FORM OF CONTRACT

Contracts will be let on the attached Form of Agreement Between Board and Contractor, including supplementary terms and conditions, if any.

The Contract will be subject to all statutory provisions on the matter of Public Works, Public Contracts and Prevailing Rates of Wages under the laws of New Jersey.

The Agreements shall be executed by both parties not later than twenty-one (21) days from the date of the award by the Board (Sundays and holidays excluded); however, such time frame may be extended by agreement of the parties.

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INDEMNIFICATION

The Contractor shall indemnify, defend, and hold harmless, the Board and the Owner/Board from and against, any and all claims, demands, lawsuits, damages, costs and expenses of any type whatsoever, including reasonable attorneys' fees, arising out of, or in any way related to, (1) a breach of the Contractor's Contract with the Board, (2) any personal injury or property damage that may arise out of, or result from the Contractor's or its subcontractor's acts or omissions in performing the Work, (3) the Contractor's or its subcontractor's performance of the Work, the Contractor's or its subcontractor's negligent acts and/or omissions, or (4) the Contractor's or its subcontractor's failure to comply with any law, statute, regulation, ordinance, code or rule.

COMPLIANCE WITH THE PUBLIC WORKS CONTRACTOR REGISTRATION ACT (N.J.S.A. 34:11-56.48 et seq.)

Pursuant to the above-referenced law, Bidders are required to be registered with the New Jersey Department of Labor and to possess a current certificate by said Department indicating compliance with the Act prior to the time and date that bids are received. Bidders are notified of this requirement of their compliance. Such certificates or applications shall also be provided for each Subcontractor furnishing plumbing and gas fitting, and all kindred work, heating and ventilating systems and equipment, electrical work, or structural steel and ornamental iron work.

OBLIGATION OF BIDDER

Prior to the Bid Opening, the Bidder shall examine the contents of the Bid Specifications and assure itself that all pages of the Specifications and other Contract Documents are included in the documents obtained for bidding purposes and contain no ambiguities or conflicting provisions. Should the Specifications or other Contract Documents be incomplete or contain any ambiguities or conflicting provisions, the Bidder shall notify the Owner in writing, who will supply the Bidder with any missing pages of Specifications or other Contract Documents and resolve any ambiguities or conflicts. The lack of such written notification by the Bidder will be construed as evidence that the Specifications and other Contract Documents are full and complete, and as a waiver of any subsequent claim to the contrary.

NEW JERSEY PAY-TO-PLAY REQUIREMENTS

Annual Disclosure

A business entity as defined by law is advised of its responsibility to file an annual disclosure statement on political contributions by the New Jersey Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-20.13 (P.L. 2005 Chapter 271 section 3) if the business entity receives contracts in excess of \$50,000 from public entities in a calendar year. It is the business entity's responsibility to determine if the filing is necessary. Additional information on this requirement is available from the New Jersey Election Law Enforcement Commission at 1-888-313-3532 or at www.elec.nj.us.

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Chapter 271 Political Contribution Disclosure Form - Required

Pursuant to N.J.A.C. 6A:23A-6.3, Bidders shall provide a list of political contributions on the attached forms with their bid. The Board may not award a contract over \$17,500.00 to a bidder that has made a reportable contribution to a member of the district board of education during the preceding one-year period.

NEW JERSEY BUSINESS REGISTRATION CERTIFICATE AND SALES AND USE TAX REQUIREMENTS, P.L. 2004, c.57

Contractors are required to comply with the following:

- a) **Business Registration Certificate Requirements:** Prior to the award of Contract, all Bidders shall provide a current Certificate of Business Registration for itself and any prime subcontractors named in its bid. Such certificates shall have been issued on or before the date and time of the bid opening, unless the law permits otherwise.

In addition, the Contractor shall provide copies of the current valid Certificate of Business Registration for each Subcontractor identified in the bid, immediately upon entering into each subcontract, and prior to entering into a Contract with the Linden Public Schools.

Contractor must maintain and submit a current updated list of Subcontractors, their addresses, and all valid Business Registration forms as a continuing obligation under the Contract. Before final payment on the Contract is made by the Owner, the Contractor shall submit a complete and accurate list for each Subcontractor or supplier for goods provided, or services rendered, or for construction of a construction project used, in the fulfillment of the Contract, and a copy of said subcontract, or shall attest that no Subcontractors were used.

- b) **New Jersey Sales and Use Tax Requirements:** All contractors or contractors with subcontractors, or any of their affiliates, who enter into contracts for the provision of goods or services with or for New Jersey local government entities, including without limitation, boards of education, are required to collect and remit to the New Jersey Director of Taxation in the Department of the Treasury the use tax due on all of their sales of tangible personal property delivered into the State of New Jersey pursuant to the "Sales and Use Tax Act," (N.J.S.A.54:32B-1 et seq.), regardless of whether the tangible personal property is intended for a contract with a contracting agency. This tax shall be remitted for the term of the Contract.

For purposes herein, "affiliate" shall mean any entity that: (a) directly, indirectly, or constructively controls another entity, (b) is directly, indirectly, or constructively controlled by another entity, or (c) is subject to the control of a common entity. For purposes of the immediately preceding sentence, an entity controls another entity if it owns, directly or indirectly, more than fifty percent (50%) of the ownership interest in that entity. N.J.S.A. 52:32-44(g)(3).

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DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

Pursuant to Public Law 2012, c.25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification enclosed in the bid to attest, under penalty of perjury, that the person or entity, or one of the person or entity, or one of the person or entity's parents, subsidiaries, or affiliates, is not identified on a list created and maintained by the Department of the Treasury as a person or entity engaging in investment activities in Iran. If the Board finds a person or entity to be in violation of the principles which are the subject of this law, they shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the person or entity.

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

Pursuant to NJSA 52:32-60.1, et. Seq (PL 2022, c3) any person or entity that seeks to enter into or renew a contract with a NJ public entity must certify that the Vendor/Bidder is not engaged in prohibited activities in Russia or Belarus as such term is defined in P.L.2022, c.3,1 section 1.e, except as permitted by federal law

CONTRACTOR PERFORMANCE EVALUATION

In accordance with N.J.S.A. 18A:18A-15, when the entire cost of a Project exceeds \$20,000.00, the Board, through its authorized agent, shall upon the completion of the contract report to the department as to the contractor's performance, and shall also furnish such report from time to time during performance if the contractor is then in default.

INSURANCE

The successful bidders shall be required to comply with the insurance requirements set forth in the form of Owner/Contractor agreement included in the bid specifications.

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BIDDING DOCUMENTS

The bidding documents consist of the following items:

- **ADVERTISEMENT**
- **CLARIFICATIONS, if issued**
- **INSTRUCTIONS TO BIDDERS**
- **BID FORMS**
- **PROPOSED FORM OF AGREEMENT**
- **POLITICAL DISCLOSURE STATEMENT**
- **DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN**
- **CERTIFICATION OF NON-INVOLVEMENT IN PROHIBITED ACTIVITIES IN RUSSIA AND BELARUS**
- **SPECIFICATIONS: As provided herein.**

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BIDDER'S CHECKLIST

THE FOLLOWING CHECKLIST MUST BE PROPERLY COMPLETED WITH THE BID PACKAGE AND SUBMITTED TO THE BOARD AS PART OF THE BID DOCUMENTS.

ITEM

- REVIEWED THE CONTRACT DOCUMENTS WORK, SITE, LOCALITY, AND ALL LOCAL CONDITIONS AND LAWS AND REGULATIONS THAT IN ANY MANNER MAY AFFECT COST, PROGRESS, PERFORMANCE OR FURNISHING OF WORK
- BIDDER'S PROPOSAL (SIGNED, DATED AND BID ON ALL ALTERNATES APPLICABLE TO THE WORK)
- OWNERSHIP DISCLOSURE CERTIFICATE
- COMPLIANCE WITH NEW JERSEY PREVAILING WAGE ACT
- AFFIDAVIT REGARDING LIST OF DEBARRED, SUSPENDED OR DISQUALIFIED BIDDERS
- PRIOR NEGATIVE EXPERIENCE QUESTIONNAIRE
- NON-COLLUSION AFFIDAVIT
- BIDDER'S CONTRACTOR CERTIFICATION OF QUALIFICATIONS AND CREDENTIALS AFFIDAVIT
- CERTIFICATE OF EQUAL OPPORTUNITY
- AFFIRMATIVE ACTION QUESTIONNAIRE
- CERTIFICATION OF NO MATERIAL CHANGE OF CIRCUMSTANCES
- REVIEWED FORM OF OWNER/CONTRACTOR AGREEMENT AND SPECIFICATIONS
- PROVIDED CURRENT NEW JERSEY DEPARTMENT OF LABOR CONTRACTOR REGISTRATION CERTIFICATE (P.L. 1999 C. 238)
- PROVIDED CURRENT BUSINESS REGISTRATION CERTIFICATE AND TRADE LICENSE, WHERE APPLICABLE (WITHIN TIME PERMITTED BY LAW)

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- CERTIFICATE OF BIDDER SHOWING ABILITY TO PERFORM CONTRACT
- C.271 POLITICAL DISCLOSURE STATEMENT
- DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN
- DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN
- CERTIFICATION OF NON-INVOLVEMENT IN PROHIBITED ACTIVITIES IN RUSSIA AND BELARUS

NOTES: **The failure to complete and submit all of the above documents with your bid proposal may result in the rejection of your proposal.**

By placing a checkmark in the boxes provided above, I acknowledge having read and fully understand all the requirements of each of the documents referenced herein.

BIDDER (Signature)

DATED: _____

BIDDER (Print Name)

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STATEMENT OF OWNERSHIP DISCLOSURE

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

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

Name of Organization: _____

Organization Address: _____

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

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

Part II

The list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. **(COMPLETE THE LIST BELOW IN THIS SECTION)**

OR

No one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. **(SKIP TO PART IV)**

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

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

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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 noncorporate stockholder, and individual partner, and member exceeding the 10 percent ownership criteria established pursuant to N.J.S.A. 52:25-24.2 has been listed. Attach additional sheets if more space is needed.

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

LINDEN BOARD OF EDUCATION

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 ***Linden 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 Board to notify the ***Board*** in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the, permitting the ***Board*** to declare any contract(s) resulting from this certification void and unenforceable.

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

LINDEN BOARD OF EDUCATION

COMPLIANCE WITH NEW JERSEY PREVAILING WAGE ACT

Bidder's Past Record under the New Jersey Prevailing Wage Act (N.J.S.A. 34:11-56.25, inclusive) and all acts amendatory thereof and supplemental hereto.

Special Instructions: Answer each question with a "yes" or "no" entered in the space provided and furnish additional information when required.

1. Has the Bidder been notified pursuant to N.J.S.A. 34:11-56.37 that it has been blacklisted, suspended, or debarred for failure to pay prevailing wages as required by the New Jersey Prevailing Wages Act? _____
2. Has any person having an "Interest" in the Bidder within the meaning of N.J.S.A. 34:11-56.38 been blacklisted, suspended or debarred as aforesaid? _____
3. Has any person having an "Interest" in the Bidder within the meaning of N.J.S.A. 34:11-56.38 had any "Interest" as aforesaid in any firm, corporation, or partnership which has been blacklisted, suspended or debarred as aforesaid? _____
4. If the answer to any of the aforesaid questions is "Yes," annex a full statement showing the date of the action taken by the Commissioner of Labor and Workforce Development, the subsequent action, if any, taken with respect to such action of the Commissioner, the name of the person, firm, corporation or partnership blacklisted, suspended or debarred by the commissioner, and the nature, character and extent of the interest existing between the Bidder and the name which was blacklisted, suspended or debarred as aforesaid.
5. Have you made application for certification pursuant to "The Public Works Contractor Registration Act" (PL 1999 C238)? Attach copy of current certificate, or, if pending, a copy of the completed application and proof of payment of the application fee.

BIDDER (Signature)

Print Name of Bidder

NOTE: FAILURE TO COMPLETE AND SUBMIT THIS DOCUMENT WITH YOUR PROPOSAL MAY RESULT IN THE REJECTION OF YOUR BID.

LINDEN BOARD OF EDUCATION

**AFFIDAVIT REGARDING LIST OF DEBARRED,
SUSPENDED OR DISQUALIFIED BIDDERS**

STATE OF NEW JERSEY/ _____
Specify, of Other

COUNTY OF _____

I, _____, of the (City, Town, Borough) 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 Bidder making the Proposal for the above named Project, and that I executed the said Proposal with full authority to do so; that said Bidder is not at the time of the making this bid included on the New Jersey State Department of Labor and Workforce Development; Prevailing Wage Debarment List, or the State of New Jersey Consolidated Debarment Report or the Federal Debarred Debarment List.

Name of Contractor

By: _____
(Signature of Authorized Representative)

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

(Seal) Notary Public of New Jersey/
Specify Other State
My Commission Expires _____ 20__.

NOTE: FAILURE TO COMPLETE AND SUBMIT THIS DOCUMENT WITH YOUR PROPOSAL MAY RESULT IN THE REJECTION OF YOUR BID

LINDEN BOARD OF EDUCATION

PRIOR NEGATIVE EXPERIENCE QUESTIONNAIRE
(N.J.S.A. 18A:18A-4)

1. Within the past ten (10) years, have you been found, through either court adjudication, arbitration, mediation, or other contractually stipulated alternate dispute resolution mechanism, to have: failed to provide or perform goods or services; or failed to complete the contract in a timely manner; or otherwise performed unsatisfactorily under a prior contract with a board of education or the New Jersey Schools Development Authority, or the New Jersey Economic Development Authority?

_____ yes _____ no If yes, please explain:

2. Within the past ten (10) years, have you defaulted on a contract, thereby requiring a board of education or the New Jersey Schools Development Authority or the New Jersey Economic Development Authority to utilize the services of another contractor to provide the goods or perform the services or to correct or complete the contract?

_____ yes _____ no If yes, please explain:

LINDEN BOARD OF EDUCATION

3. Within the past ten (10) years, have you defaulted on a contract, thereby requiring a board of education or the New Jersey Schools Development Authority or the New Jersey Economic Development Authority to look to your surety for completion of the contract or tender of the costs of completion?

_____ yes _____ no If yes, please explain:

4. Within the past ten (10) years, have you been debarred or suspended from contracting with any of the agencies or departments of the executive branch of the State of New Jersey at the time of the contract award, whether the action was based on experience with a board of education, the New Jersey Schools Development Authority or the New Jersey Economic Development Authority, or any another entity?

_____ yes _____ no If yes, please explain:

LINDEN BOARD OF EDUCATION

I hereby certify that the above statements are true and accurate as of this _____ day of _____, 20__.

Name of Contractor

By: _____
(Signature of Authorized Representative)

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

(Seal) Notary Public of New Jersey/
Specify Other State
My Commission Expires _____ 20__.

LINDEN BOARD OF EDUCATION

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY/ _____
Specify, of Other

COUNTY OF _____

I, _____, of the (City, Town, Borough) 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 Bidder making the Proposal for the above named Projects, and that I executed the said Proposal with full authority to do so; that said Bidder 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 named Project; and that all statements contained in said Proposal and in this affidavit are true and correct, and made with full knowledge, and the State of New Jersey relies upon the truth of the statements contained in this affidavit in awarding the contract for the said Project.

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

Name of Contractor

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

By: _____
(Signature of Authorized Representative)

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

(Seal) Notary Public of New Jersey/
Specify Other State
My Commission Expires _____ 20__

NOTE: FAILURE TO COMPLETE AND SUBMIT THIS DOCUMENT WITH YOUR PROPOSAL MAY RESULT IN THE REJECTION OF YOUR BID.

LINDEN BOARD OF EDUCATION

AGGREGATE RATING CERTIFICATION

BIDDER

Pursuant to N.J.A.C. 17:19-2.13, I hereby certify that the submission of its bid for the Project, including consideration of its backlog of uncompleted construction work, including public and private contracts, will not cause the firm of _____ [insert name of firm] to exceed its aggregate rating limit.

BIDDER (Signature)

(Print Name)

LINDEN BOARD OF EDUCATION

CERTIFICATE OF EQUAL OPPORTUNITY

Name of Bidder _____

Project No. _____

INSTRUCTIONS

This certification is required pursuant to executive order 11246, Part II, 203(B), (30 C.F.R. 12319-25). Each Bidder is required to state in its Bid whether it has participated in any previous contract or subcontract subject to the equal opportunity clause; and, if so, whether it has filed all compliance reports due under applicable filing requirements.

CONTRACTOR'S CERTIFICATE

Contractor's Name: _____

Address: _____

1. Bidder has participated in previous contract or subcontract subject to the equal opportunity clause. Yes _____ No _____

2. Compliance reports were required to be filed in connection with such contract or subcontract. Yes _____ No _____
 If Yes, state what reports were filed and with what agency.

3. Bidder has filed all compliance reports due under applicable instructions. Yes _____ No _____

4. If answer to Item 3 is "No", please explain in detail on reverse side of this certification.

Certification: The information above is true and complete to the best of my knowledge and belief. A willfully false statement is punishable by law. (U.S. Code, Title 18, Section 1001.)

(Name and Title of Signer - Please Type)

(Signature)

Date: _____

NOTE: FAILURE TO COMPLETE AND SUBMIT THIS DOCUMENT WITH YOUR PROPOSAL MAY RESULT IN THE REJECTION OF YOUR BID.

LINDEN BOARD OF EDUCATION

AFFIRMATIVE ACTION QUESTIONNAIRE

The following question must be answered by all prospective contractors.

Do you have a Federal Letter of Affirmative Action Plan Approval from the U.S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP)?

YES _____ NO _____

If yes, please submit a photostatic copy of such approval. This letter cannot be more than one year old from the date of instance.

If no, the prospective Contractor may still bid on the Project as long as the question is answered.

BIDDER'S NAME (PRINT)

BIDDER (SIGNATURE)

NOTE: FAILURE TO COMPLETE AND SUBMIT THIS DOCUMENT WITH YOUR PROPOSAL MAY RESULT IN THE REJECTION OF YOUR BID.

LINDEN BOARD OF EDUCATION

CERTIFICATION OF NO MATERIAL CHANGE OF CIRCUMSTANCES

Bidder's Name: _____

Address: _____

1. A statement as to the financial ability, adequacy of plant equipment, organization and prior experience of the Bidder, as required by N.J.S.A. 18A:18A-28 has been submitted to the Department of Treasury within a period of one year preceding the date of opening of bids for this contract.

2. I certify, as required by N.J.S.A. 18A:18A-32, that there has been no material adverse change in the qualification except:

(Name and Title of Signer - Please print or type)

(Signature)

(Date)

NOTE: FAILURE TO COMPLETE AND SUBMIT THIS DOCUMENT WITH YOUR PROPOSAL MAY RESULT IN THE REJECTION OF YOUR BID.

LINDEN BOARD OF EDUCATION

CERTIFICATE OF BIDDER SHOWING ABILITY TO PERFORM CONTRACT

State of New Jersey

County of _____

STATE OF NEW JERSEY/ _____
Specify, of Other

COUNTY OF _____

I, _____, of the (City, Town, Borough) 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 Bidder making the proposal for the above named Project (“Contractor”), and that I executed said proposal with full authority to do so; and that said Contractor, pursuant to N.J.S.A. 18A:18A-23, certifies that it owns, leases or controls all the necessary equipment required by the Plans, Specifications and Advertisements under which Bids are asked for.

If the Bidder is not the actual owner or lessee of any such equipment, this Certificate shall state the source from which the equipment will be obtained, and shall be accompanied by a certificate from the owner or person in control of the equipment required during such time as may be necessary for the completion of that portion of the contract.

(also type or print name of affiant under signature)

LINDEN BOARD OF EDUCATION

By: _____
(Signature of Authorized Representative)

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

(Seal) Notary Public of New Jersey/
Specify Other State
My Commission Expires _____ 20__.

NOTE: FAILURE TO COMPLETE AND SUBMIT THIS DOCUMENT WITH YOUR
PROPOSAL MAY RESULT IN THE REJECTION OF YOUR BID.

LINDEN BOARD OF EDUCATION

EXHIBIT B

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

CONSTRUCTION CONTRACTS

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

The contractor or subcontractor, where applicable, will not discriminate against any employees 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 or 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, up-grading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selections for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applications for employment, notices to be provided by the Public Agency Compliance officer setting forth provisions of the nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees place by or on behalf of the contractor, state that all qualified applicants will received 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 or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous place 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.

LINDEN BOARD OF EDUCATION

EXHIBIT B *(continued)*

When hiring or scheduling workers in each construction trade, the contractor or subcontractor agrees to make good faith efforts to employ minority and women workers in each construction trade consistent with the targeted employment goal prescribed by N.J.A.C. 17:27-7.2; provided, however, that the Department of Labor and Workforce Development (LWD), Construction EEO Monitoring Program may, in its discretion, exempt a contractor or subcontractor from compliance with the good faith procedures prescribed by the following provisions, A, B and C, as long as the Department of LWD, Construction EEO Monitoring Program is satisfied that the contractor or subcontractor is employing workers provided by a union which provides evidence, in accordance with standards prescribed by the Department of LWD, Construction EEO Monitoring Program, that its percentage of active “card carrying” members who are minority and women workers is equal to or greater than the targeted employment goal established in accordance with N.J.A.C. 17:27-7.2. The contractor or subcontractor agrees that a good faith effort shall include compliance with the following procedures:

- A) If the contractor has a referral agreement or arrangement with a union for a construction trade, the contractor or subcontractor, shall within three (3) business days of the contract award, seek assurances from the union that it will cooperate with the contractor or subcontractor as it full fills its affirmative action obligations under this contract and in accordance with the rules promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et. seq., as supplemented and amended from time to time and the Americans with Disabilities Act. If the contractor or subcontractor is unable to obtain said assurances from the construction trade union at least five (5) business days prior to the commencement of construction work, the contractor or subcontractor agrees to afford equal employment opportunities minority and women workers directly consistent with this chapter. If the contractor or subcontractor’s or subcontractor’s prior experience with a construction trade union, regardless of whether the union has provided said assurances, indicates a significant possibility that the trade union will not refer sufficient minority and women workers consistent with affording equal employment opportunities to minority and women workers directly, consistent with this chapter, by complying with the hiring or scheduling procedures prescribed under (b) below; and the contractor or subcontractor further agrees to take said action immediately if it determines that the union is not referring minority and women workers consistent with the equal employment opportunity goals set forth in the chapter.

- B) If good faith efforts to meet targeted employment goals have not or cannot be met for each construction trade by adhering to the procedures of (a) above, or if the contractor does not have a referral agreement or arrangement with a union for a construction trade, the contractor or subcontractor agrees to take the following actions:
 - (1) To notify the public agency compliance officer, the Department of LWD, Construction EEO Monitoring Program, and minority and women referral organizations listed by the Division pursuant to N.J.A.C. 17:27-5.3, of its workforce needs, and request referral of minority and women workers;

LINDEN BOARD OF EDUCATION

EXHIBIT B *(continued)*

- (2) To notify any minority and women workers who have been listed with it as awaiting available vacancies;
- (3) Prior to commencement of work, to request that the local construction trade union refer minority and women workers to fill job opening, provided the contractor or subcontractor has a referral agreement or arrangement with a union for the construction trade;
- (4) To leave standing requests for additional referral to minority and women workers with the local construction trade union, provided the contractor or subcontractor has a referral agreement or arrangement with a union for the construction trade, the State Training and Employment Service and other approved referral sources un the area;
- (5) If it is necessary to lay off some of the workers in a given trade on construction site, layoffs shall be conducted in compliance with the equal employment opportunity and non-discrimination standards set forth in this regulation, as well as with applicable Federal and State court decisions;
- (6) To adhere to the following procedure when minority and women workers apply or are referred to the contractor or subcontractor;
 - (i) The contractor or subcontractor shall interview the referred minority or woman worker.
 - (ii) If said individuals have never previously received any document or certification signifying a level of qualifications lower than that required in order to perform the work of the construction trade, the contractor or subcontractors shall in good faith determine the qualifications of such individuals. The contractor or subcontractor shall hire or schedule those individuals who satisfy appropriate qualification standards in conformity with the equal employment opportunity and non-discrimination principles set forth in this chapter. However, a contractor or subcontractor shall determine that the individual at least possesses the requisite skills, and experience recognized by a union, apprentice program or a referral agency, provided the referral agency is acceptable to the Department of LWD, Construction EEO Monitoring Program. If necessary, the contractor or subcontractor shall hire or schedule minority and women workers who qualify as trainees pursuant to these rules. All of the requirements, however, are limited by the provisions of (C) below.

LINDEN BOARD OF EDUCATION

EXHIBIT B *(continued)*

- (iii) The name of any interested women or minority individual shall be maintained on a waiting list, and shall be considered for employment as described in (i) above, whenever vacancies occur. At the request of the Department of LWD, Construction EEO Monitoring Program, the contractor shall provide evidence of its good faith efforts to employ women and minorities from the list to fill vacancies.
 - (iv) If, for any reason, said contractor or subcontractor determines that a minority individual or a woman is not qualified or if the individual qualifies as an advanced trainee or apprentice, the contractor or subcontractor shall inform the individual in writing of the reasons for the determination, maintain a copy of the determination in its files, and send a copy to the public agency compliance officer and to the Department of LWD, Construction EEO Monitoring Program.
 - (7) To keep a complete and accurate record of all requests made for the referral of workers in any trade covered by the contract, on forms made available by the Department of LWD, Construction EEO Monitoring Program upon request.
- C) The contractor or subcontractor agrees that nothing contained in (B) above shall preclude the contractor or subcontractor from complying with the union hiring hall or apprenticeship policies in any applicable collective bargaining agreement or union hiring hall arrangement, and, where required by custom or agreement, it shall send journeymen and trainees to the union for referral, or to the apprenticeship program for admission pursuant to such agreement or arrangement. However, where the practice of a union or apprenticeship program for admission, pursuant to such exclusion of minorities and women or the failure to refer minorities consistent with the targeted county employment goal, the contractor or subcontractor shall consider for employment persons referred pursuant to (B) above without regard to such agreement or arrangement; provided further, however, that the contractor or subcontractor shall not be required to employ women or minority advanced trainees and trainees in numbers which result in the employment of advanced trainees and trainees as a percentage of the total workforce for the construction trade, which percentage significantly exceeds the apprentice to journey worker ratio specified in the applicable collective bargaining agreement, or in the absence of a collective bargaining agreement, exceeds the ratio established by practice in the area for said construction trade. Also, the contractor or subcontractor agrees that, in implementing the procedures of (B) above, it shall, where applicable, employ minority and women workers residing within the geographical jurisdiction of the union.

LINDEN BOARD OF EDUCATION

EXHIBIT B *(continued)*

After notification of award, but prior to signing a construction, the contractor shall submit to the public agency compliance officer and the Department of LWD, Construction EEO Monitoring Program an initial project workforce report (Form AA201) electronically provided to the public agency by the Department of LWD, Construction EEO Monitoring Program, through its website, for distribution to and completion by the contractor, in accordance the N.J.A.C.17:27-7.

The contractor also agrees to submit a copy of the Monthly Project Workforce Report once a month thereafter for the duration of this contract to the Division and to the public agency compliance officer.

The contractor agrees to cooperate with the public agency in the payment of budgeted funds, as is necessary, for on the job and/or off-the-job programs for outreach and training of minorities and women.

- D) The contractor and its subcontractors shall furnish such reports or other documents to the Department of LWD, Construction EEO Monitoring Program as may be requested by the Department of LWD, Construction EEO Monitoring Program from time to time in order to carry out the purposes of those regulations, and public agencies shall furnish such information as may be requested by the Department of LWD, Construction EEO Monitoring Program for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code (N.J.A.C.17:27)**.

LINDEN BOARD OF EDUCATION

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM **Contractor Instructions**

Business entities (contractors) receiving contracts from a public agency that are NOT awarded pursuant to a “fair and open” process (defined at N.J.S.A. 19:44A-20.7) are subject to the provisions of P.L. 2005, c. 271, s.2 (N.J.S.A. 19:44A-20.26). This law provides that 10 days prior to the award of such a contract, the contractor shall disclose contributions to:

- any State, county, or municipal committee of a political party
- any legislative leadership committee*
- any continuing political committee (a.k.a., political action committee)
- any candidate committee of a candidate for, or holder of, an elective office:
 - of the public entity awarding the contract
 - of that county in which that public entity is located
 - of another public entity within that county
 - or of a legislative district in which that public entity is located or, when the public entity is a county, of any legislative district which includes all or part of the county

The disclosure must list reportable contributions to any of the committees that exceed \$300 per election cycle that were made during the 12 months prior to award of the contract. See N.J.S.A. 19:44A-8 and 19:44A-16 for more details on reportable contributions.

N.J.S.A. 19:44A-20.26 itemizes the parties from whom contributions must be disclosed when a business entity is not a natural person. This includes the following:

- individuals with an “interest” ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit
- all principals, partners, officers, or directors of the business entity or their spouses
- any subsidiaries directly or indirectly controlled by the business entity
- IRS Code Section 527 New Jersey based organizations, directly or indirectly controlled by the business entity and filing as continuing political committees, (PACs).

When the business entity is a natural person, “a contribution by that person’s spouse or child, residing therewith, shall be deemed to be a contribution by the business entity.” [N.J.S.A. 19:44A-20.26(b)] The contributor must be listed on the disclosure.

Any business entity that fails to comply with the disclosure provisions shall be subject to a fine imposed by ELEC in an amount to be determined by the Commission which may be based upon the amount that the business entity failed to report.

The enclosed list of agencies is provided to assist the contractor in identifying those public agencies whose elected official and/or candidate campaign committees are affected by the disclosure requirement. It is the contractor’s responsibility to identify the specific committees to which contributions may have been made and need to be disclosed. The disclosed information may exceed the minimum requirement.

The enclosed form, a content-consistent facsimile, or an electronic data file containing the required details (along with a signed cover sheet) may be used as the contractor’s submission and is disclosable to the public under the Open Public Records Act.

*N.J.S.A. 19:44A-3(s): “The term “legislative leadership committee” means a committee established, authorized to be established, or designated by the President of the Senate, the Minority Leader of the Senate, the Speaker of the General Assembly or the Minority Leader of the General Assembly pursuant to section 16 of P.L.1993, c.65 (C.19:44A-10.1) for the purpose of receiving contributions and making expenditures.”

LINDEN BOARD OF EDUCATION

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

County Name: Union

State: Governor, and Legislative Leadership Committees

Legislative District #: 20, 21, 22 & 29

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

County:

Freeholders

County Clerk

Sheriff

Surrogate

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

Berkeley Heights Township

Clark Township

Cranford Township

Elizabeth City

Fanwood Borough

Garwood Borough

Hillside Township

Kenilworth Borough

Linden City

Mountainside Borough

New Providence Borough

Plainfield City

Rahway City

Roselle Borough

Roselle Park Borough

Scotch Plains Borough

Springfield Township

Summit City

Union Township

Westfield Town

Winfield Township

Boards of Education (Members of the Board):

Berkeley Heights Township

Clark Township

Cranford Township

Elizabeth City

Garwood Borough

Hillside Township

Kenilworth Borough

Linden City

Mountainside Borough

New Providence Borough

Plainfield City

Rahway City

Roselle Borough

Roselle Park Borough

Scotch Plains-Fanwood Regional

Springfield Township

Union Township

Westfield Town

Winfield Township

Fire Districts (Boards of Fire Commissioners);

None

LINDEN BOARD OF EDUCATION

DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN FORM

BID SOLICITATION/PROPOSAL TITLE _____
VENDOR/BIDDER NAME _____

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

CHECK THE APPROPRIATE BOX

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

OR

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

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

Duration of Engagement _____
Anticipated Cessation Date _____

Attach Additional Sheets If Necessary

CERTIFICATION

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

Signature

Date

Print Name and Title

Version REV. 2.1 202



LINDEN BOARD OF EDUCATION

**CERTIFICATION OF NON-INVOLVEMENT IN PROHIBITED ACTIVITIES
IN RUSSIA OR BELARUS PURSUANT TO P.L.2022, c.3**

CONTRACT / BID SOLICITATION TITLE

CONTRACT / BID SOLICITATION No.

CHECK THE APPROPRIATE BOX

I, the undersigned, am authorized by the person or entity seeking to enter into or renew the contract identified above, to certify that the Vendor/Bidder is not engaged in prohibited activities in Russia or Belarus as such term is defined in [P.L.2022, c.3](#),¹ section 1.e, except as permitted by federal law.

I understand that if this statement is willfully false, I may be subject to penalty, as set forth in P.L.2022, c.3, section 1.d.

OR

I, the undersigned am unable to certify above because the person or entity seeking to enter into or renew the contract identified above, or one of its parents, subsidiaries, or affiliates may have engaged in prohibited activities in Russia or Belarus. A detailed, accurate and precise description of the activities is provided below.

Failure to provide such description will result in the Quote being rendered as non-responsive, and the Department/Division will not be permitted to contract with such person or entity, and if a Quote is accepted or contract is entered into without delivery of the certification, appropriate penalties, fines and/or sanctions will be assessed as provided by law. **Description of Prohibited Activity**

Attach Additional Sheets If Necessary.

¹ Engaged in prohibited activities in Russia or Belarus” means (1) companies in which the Government of Russia or Belarus has any direct equity share; (2) having any business operations commencing after the effective date of this act that involve contracts with or the provision of goods or services to the Government of Russia or Belarus; (3) being headquartered in Russia or having its principal place of business in Russia or Belarus, or (4) supporting, assisting or facilitating the Government of Russia or Belarus in their campaigns to invade the sovereign country of Ukraine, either through in-kind support or for profit.

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If you certify that the bidder is engaged in activities prohibited by P.L. 2022, c. 3, the bidder shall have 90 days to cease engaging in any prohibited activities and on or before the 90th day after this certification, shall provide an updated certification. If the bidder does not provide the updated certification or at that time cannot certify on behalf of the entity that it is not engaged in prohibited activities, the State shall not award the business entity any contracts, renew any contracts, and shall be required to terminate any contract(s) the business entity holds with the State that were issued on or after the effective date of P.L. 2022, c. 3.

Signature of Authorized Representative

Date

Print Name and Title of Authorized Representative

Vendor Name

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SPECIFICATIONS FOR STAFFING OF SCHOOL PSYCHOLOGIST / SPEECH THERAPIST

The names and addresses of the facilities where work may be done are:

<u>FACILITY</u>	<u>ADDRESS</u>
Administration Building	2 E. Gibbons Street
Linden High School	121 W. St. Georges Avenue
Linden Academy of Science & Technology	128 W. St. Georges Avenue
McManus Middle School	300 Edgewood Road
Soehl Middle School	301 E. Elm Street
School #1	728 N. Wood Avenue
School #2	1700 S. Wood Avenue
School #4	1602 Dill Avenue
School #5	1014 Bower Street
School #6	19 E. Morris Avenue
School #8	500 W. Blancke Street
School #9	Kent Place & Deerfield Terrace
School #10	2801 Highland Avenue
Academy of Excellence	170 Husa Street

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SPECIFICATIONS FOR STAFFING OF SCHOOL PSYCHOLOGIST / SPEECH THERAPIST

DIVISION 1 -- GENERAL REQUIREMENTS

1.0 POSITIONS

The District is looking for the staffing of two positions, to be filled by two individuals: 1) School Psychologist 2) Speech Therapist. The duties of the position shall be an addendum to these specifications.

2.0 TIME PERIOD / HOURS WORKED / LOCATIONS

The Linden Board of Education is looking for these two position to be staffed from May 1st 2023 through the end of the school year for 2022-23 (scheduled for June 23, 2023). As stated previously the contract may be renewed each year for up to four (4) years. Allowable increases will be 2% or the CPI for New Jersey as of April of the preceding year. Notice to renew shall be initiated by Linden Board of Education and must be approved by both parties to be in force.

Hours to be worked are as follows:

- 1) School Psychologist: 8:00 am to 4:00 pm, when school is in session
- 2) Speech Therapist: 8:25 am to 3:25 pm, when school is in session

At the request of the Director of Special Services additional time may be requested. This additional time will be paid at 1.5 the rate quoted for hourly as part of this bid.

Should the Linden School District have a reduced work day (delayed opening / early school closing / a scheduled day shorter than the normal school day advertised on the school website) the staff person provided by the bidder shall only be expected to work the length of the shortened day and the district will only be billed for the time worked

The positions may be asked to work at any of the locations listed in this bid. The Director of Special Services reserves the right of location assignment.

3.0 Staffing

All Staff shall have the required certifications to perform the duties assigned. All staff before beginning work shall be interviewed by the Director of Special Services. Director of Special Services will approve ALL staff members prior to their working in district.

Should during the course of the fulfillment of this contract the Linden Board of Education becomes dissatisfied with the staff member provided the contractor will remove the staff member immediately. The district will only be billed for the time the member was on site and will receive no further invoices.

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The staff provided by contractor shall not be an employee of the district and payroll services shall be performed by the winning bidder.

4.0 SUBSTITUTIONS

Should a contracted staffer be unable to work after being approved, for whatever reason, contractor may provide a substitute, provided they satisfy section 3 of these specifications.

5.0 TELEPRACTICE

Telepractice services shall not be performed unless first approved by the Linden Board of Education.

6.0 INSURANCE

The following insurance will be maintained by the winning bidder, and the winning bidder will name the Linden Board of Education as an additional insured.

- General Liability: \$2,000,000 per occurrence and \$4,000,000 aggregate
- Workers Compensation – in accordance with state regulations
- Employers Liability - \$1,000,000
- Excess Liability over General Liability and Employers Liability - \$5,000,000 per occurrence and \$5,000 aggregate
- Professional Liability - \$1,000,000 per occurrence and \$3,000,000 aggregate
- Sexual Abuse and Molestation - \$1,000,00 per occurrence and \$3,000,000 aggregate

7.0 On-Site Responsibility

District will provide all orientation, support, facilities, training and direction.

8.0 Timekeeping and Invoicing

Bidder will provide district with sign in procedures for staffer (sign in sheet / login / etc). Timesheet will be approved by on-site administrator for building assigned to or a designee picked by the district. Time sheets will be submitted by district / staffer weekly. No time sheet shall be paid for that is not signed off on by the district.

Bidder will generate invoices based on time worked and hourly rate that is part of this bid. District will review invoice and speak to bidder about any issues. Invoices shall be generated weekly, bi-weekly or monthly, to be decided by bidder. District shall pay invoices on a monthly basis.

9.0 TERMINATION

Termination shall occur immediately upon notification by district.

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10. Paid Sick Leave

Payment for sick leave shall be the responsibility of the bidder.

11. INDEMNIFICATION

To the extent permitted by law, each party will indemnify, defend and hold harmless the other against third party claims arising from breaches of the parties respective obligations under this agreement.

12. Confidentiality

Bidder will keep confidential all items related to students as required by law.

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CONTRACT PACKAGE #1

SUBSTITUTE STAFFING SERVICES

1. TIME CHARGES

POSITION	CHARGE PER HOUR
School Psychologist	\$_____ /Hour
Speech Therapist	\$_____ /Hour

BIDDER'S CERTIFICATION

The bidder's signature, herein below provided, affirms his knowledge of the statements made in his company's proposal, and certifies his willingness to provide the services outlined in said proposal for fees quoted therein.

Signed: _____

Print: _____

Title: _____

Date: _____

Company Name and Address: _____

Telephone: _____

Fax: _____

E-Mail: _____

Website: _____

SUBSCRIBED AND SWORN TO
BEFORE ME THIS ___ DAY
OF _____, 20__

MY COMMISSION EXPIRES _____, 20__

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ADDENDUM – JOB DESCRIPTIONS

PROFESSIONAL STAFF POSITION

- TITLE:** School Psychologist
- QUALIFICATIONS:**
1. Master's Degree or higher.
 2. New Jersey State Certification as a School Psychologist
- APPOINTMENT:** Board appoints upon recommendation of the Superintendent.
Board sets initial salary.
Work year: 12 months.
- REPORTS TO:** Director of Pupil Personnel Services.
- FUNCTION:** A School Psychologist is a mandated member of a basic Child Study Team in accordance with DEA and N.J.A.C. 6:28. As a team member, the Psychologist shares responsibility for assessment of referred students, determination of eligibility for special education, and case management of assigned classified students.
- DUTIES:**
1. The School Psychologist completes psychological assessments for initial and re-evaluation of students' needs for special education, utilizing appropriate, valid and reliable diagnostic instruments as well as functional measures.
 2. The School Psychologist serves as a member of the child study team in making determinations of eligibility, development of Individual Education Programs (IBP's), effecting and monitoring special education placement for classified students,
 3. Serves as case manager for assigned students, ensuring procedural safeguards, mandated time lines, scheduling and conducting appropriate meetings to facilitate the effectiveness of students' programs and placements. Takes appropriate steps to ensure students are placed and receive services according to their IEP's.
 4. Maintains familiarity with a continuum of special education and related service programs and placements for district students.
 5. May serve as a member of a district CORE team for intervention on behalf of students with regard to substance abuse.
 6. Attends required staff and departmental meetings, and may serve on department and district committees.
 7. May provide counseling as a related service to students whose IEP's delineate this service. Serves as a consultant to students, parents, teachers, administrators, or Learning Assistance Teams regarding student social/emotional adjustment and the

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development of appropriate behavioral management plans for students.

8. Observes all administrative rules, regulations, directives, Board policies, and State and Federal laws governing special education.
9. Takes responsibility for maintaining professional skills through current professional literature and opportunities for professional literature and opportunities for professional development offered by the district or other agencies.
10. Other duties as assigned by supervisor

The list of duties above does not constitute an exclusive listing of the functions but merely sets forth by way of guidance, some of the duties of the position.

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PROFESSIONAL STAFF POSITION

- TITLE:** Speech/Language Specialist
- QUALIFICATIONS:** As set by State Certification authorities.
- APPOINTMENT:** Board appoints upon recommendation of the Superintendent
- REPORTS TO:** Director of Pupil Personnel Services.
- FUNCTION:** To help reduce or eliminate speech/language/hearing disorders that interfere with the individual student's ability to derive full benefit from the district's educational program.
- DUTIES:**
- 1 . To identify through screening those children who are in need of speech/language services.
 2. To carry out a program of speech/language services for those students needing it.
 3. To consult with teachers, principals, and parents as to the individual child's progress as needed.
 4. To compile and maintain pertinent records.
 5. To serve as a consultant to teachers and school staff members on topics concerning speech/language/hearing handicaps.
 6. To provide appropriate individualization programs to meet individual student's needs and correct existing speech/language handicaps.
 7. To attend staff meetings as required and serve on staff committees when requested.
 8. To observe all administrative rules, regulations, directives, and Board policies.
 9. To maintain professional competence through membership in professional organizations related to speech and reading of professional journals and books.
 10. To perform other reasonably assigned duties, as may be determined by the Superintendent of Schools or his/her designee, within the scope of his/her employment and certification.