

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
Board of Directors – Audit Committee

REQUEST FOR QUALIFICATIONS / PROPOSALS
for
INDEPENDENT AUDITOR SERVICES
(reference 2010-RFQ/P-001)

ATTACHMENTS & EXHIBITS DETAIL

The **ATTACHMENTS** contained herein are for informational purposes and are provided to assist the Proposer in preparing its proposal response.

ATTACHMENTS:

Attachment A	<i>“Scope of Services”</i>
Attachment B	New Jersey Economic Development Authority Specimen Form of <i>“Contract for Professional Services – Independent Auditor Services”</i>
Attachment C	<i>Executive Order 122 (McGreevey – 2004)</i>
Attachment D	<i>Executive Order 37 (Corzine – 2006)</i>
Attachment E	New Jersey Economic Development Authority 2009 Comprehensive Annual Report
Attachment F	2009 Comprehensive Annual Report – Technology Centre of New Jersey LLC
Attachment G	2009 Comprehensive Annual Report – NJUSB Investment Fund, LLC and Subsidiary
Attachment H	2009 Comprehensive Annual Report - NJUSB Investment Fund-2, LLC and Subsidiary
Attachment I	2009 Comprehensive Annual Report - USB Landis Investment Fund, LLC and Subsidiary
Attachment J	2009 Comprehensive Annual Report – VDC New Markets Investment Fund, LLC and Subsidiary
Attachment K	2009 Comprehensive Annual Report – New Jersey Community Development Entity, LLC
Attachment L	2009 Comprehensive Annual Report - New Jersey Community Development Entity-1, LLC
Attachment M	2009 Comprehensive Annual Report - New Jersey Community Development Entity-2, LLC

Attachment N	2009 Comprehensive Annual Report - New Jersey Community Development Entity-3, LLC
Attachment O	2009 Comprehensive Annual Report - New Jersey Community Development Entity-4, LLC
Attachment P	2009 Comprehensive Annual Report - New Jersey Community Development Entity-5, LLC
Attachment Q	2009 Comprehensive Annual Report - New Jersey Community Development Entity-6, LLC
Attachment R	2009 Comprehensive Annual Report - New Jersey Community Development Entity-7, LLC
Attachment S	2009 Comprehensive Annual Report - New Jersey Community Development Entity-8, LLC
Attachment T	2009 Comprehensive Annual Report – Corporation for Business Assistance in New Jersey

~ IMPORTANT ~
The EXHIBITS contained herein represent various documents and forms which must be completed, signed and returned, as further indicated in the RFQ/P language.

EXHIBITS

Exhibit A	Equal Employment Opportunity / Affirmative Action
Exhibit B	<i>“Employee Information Report” (form AA-302)</i>
Exhibit C	<i>“Certificate of Employee Information Report “</i>
Exhibit D	<i>“Letter of Federal Affirmative Action Plan Approval”</i>
Exhibit E	New Jersey <i>“Business Registration Certificate”</i>
Exhibit F	NJ Department of Treasury - Division of Taxation - <i>“Sales and Use Tax Act”</i> <i>(P.L. 1966, c.30; N.J.S.A. 54:32B- 1 et seq)</i>
Exhibit G	<i>“Source Disclosure Certification” form (P.L. 2005, c.92 and N.J.S.A. 52:34-13.2)</i>
Exhibit H	<i>“Set Aside Information” form</i>
Exhibit I	<i>“Set Aside Compliance Certificate”</i>
Exhibit J	<i>“Monthly Status Report “</i>
Exhibit K	<i>“Two (2) Year Vendor Certification and Disclosure of Political Campaign Contributions / and Ownership Disclosure “(P.L. 2005, c.51 and Executive Order 117 (Corzine)</i>

Exhibit L	RESERVED; not applicable to the <i>RFQ/P</i>
Exhibit M	“Acknowledgement of Receipt of Addenda / Questions & Answers” form
Exhibit N	“Key Team Members Listing” form (reference Form 201)
Exhibit O	“Key Team Member’s Resume” form (reference Form 202)
Exhibit P	RESERVED; not applicable to the <i>RFQ/P</i>
Exhibit Q	RESERVED; not applicable to the <i>RFQ/P</i>
Exhibit R	“Fee Proposal – Lump Sum Fee” form (Form 301)
Exhibit R-1	“Fee Proposal- Hourly Rates” form (Form 302)
Exhibit S	“Notice of Intent to Subcontract” form (P.L. 2009, c. 335 (formerly EO 151 – Corzine – 2009)
Exhibit S-1	“Subcontractor Utilization Plan” form (P.L. 2009, c. 335 (formerly EO 151 – Corzine – 2009)

Exhibit A

EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27 et seq.

GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS

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

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

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

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

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

The contractor or subcontractor agrees to make good faith efforts to afford equal employment opportunities to minority and women workers consistent with good faith efforts to meet targeted county employment goals established in accordance with **N.J.A.C. 17:27-5.2**, or good faith efforts to meet targeted county employment goals determined by the Division, pursuant to **N.J.A.C. 17:27-5.2**.

EXHIBIT A (Continued)

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27

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, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

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

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

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

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

The contractor and its subcontractor shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance 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 Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C.17:27.**

Exhibit B

STATE OF NEW JERSEY
Division of Public Contracts Equal Employment Opportunity Compliance

EMPLOYEE INFORMATION REPORT

IMPORTANT- READ INSTRUCTIONS ON BACK OF FORM CAREFULLY BEFORE COMPLETING FORM. TYPE OR PRINT IN SHARP BALLPOINT PEN. FAILURE TO PROPERLY COMPLETE THE ENTIRE FORM AND **SUBMIT THE REQUIRED \$150.00 NON-REFUNDABLE FEE** MAY DELAY ISSUANCE OF YOUR CERTIFICATE. DO NOT SUBMIT EEO-1 REPORT FOR SECTION B, ITEM 11. For Instructions on completing the Form, go to: www.state.nj.us/treasury/contract_compliance/pdf/aa302ins.pdf

SECTION A - COMPANY IDENTIFICATION

1. FID NO. OR SOCIAL SECURITY	2. TYPE OF BUSINESS <input type="checkbox"/> 1 MFG <input type="checkbox"/> 2 SERVICE <input type="checkbox"/> 3 WHOLESALE <input type="checkbox"/> 4 RETAIL <input type="checkbox"/> 5 OTHER	3. TOTAL NO. EMPLOYEES IN THE ENTIRE COMPANY
4. COMPANY NAME		
5. STREET	CITY	COUNTY
	STATE	ZIP CODE
6. NAME OF PARENT OR AFFILIATED COMPANY (IF NONE, SO INDICATE)		CITY
	STATE	ZIP CODE
7. CHECK ONE IS THE COMPANY <input type="checkbox"/> SINGLE-ESTABLISHMENT EMPLOYER <input type="checkbox"/> MULTI-ESTABLISHMENT EMPLOYER		
8. IF MULTI-ESTABLISHMENT EMPLOYER, STATE THE NUMBER OF ESTABLISHMENTS IN NJ		
9. TOTAL NUMBER OF EMPLOYEES AT ESTABLISHMENT WHICH HAS BEEN AWARDED THE CONTRACT		
10. PUBLIC AGENCY AWARDDING CONTRACT		
	CITY	COUNTY
	STATE	ZIP CODE
Official Use Only	DATE RECEIVED	INAUG. DATE
		ASSIGNED CERTIFICATION NUMBER

SECTION B - EMPLOYMENT DATA

11. Report all permanent, temporary and part-time employees ON YOUR OWN PAYROLL. Enter the appropriate figures on all lines and in all columns. Where there are no employees in a particular category, enter a zero. Include ALL employees, not just those in minority/non-minority categories, in columns 1, 2, & 3. **DO NOT SUBMIT AN EEO-1 REPORT.**

JOB CATEGORIES	ALL EMPLOYEES			PERMANENT MINORITY/NON-MINORITY EMPLOYEE BREAKDOWN										
	COL 1 TOTAL (Cols 2 & 3)	COL 2 MALE	COL 3 FEMALE	***** MALE *****					***** FEMALE *****					
				BLACK	HISPANIC	AMER INDIAN	ASIAN	NON MIN	BLACK	HISPANIC	AMER INDIAN	ASIAN	NON MIN	
Officials/ Managers														
Professionals														
Technicians														
Sales Workers														
Office & Clerical														
Craftworkers (Skilled)														
Operatives (Semi-skilled)														
Laborers (Unskilled)														
Service Workers														
TOTAL														
Total employment From previous Report (if any)														
Temporary & Part-Time Employees	The data below shall NOT be included in the figures for the appropriate categories above.													

12. HOW WAS INFORMATION AS TO RACE OR ETHNIC GROUP IN SECTION B OBTAINED <input type="checkbox"/> 1 Visual Survey <input type="checkbox"/> 2 Employment Record <input type="checkbox"/> 3 Other (Specify)	14. IS THIS THE FIRST Employee Information Report Submitted? 1 YES <input type="checkbox"/> 2 NO <input type="checkbox"/>	15. IF NO, DATE LAST REPORT SUBMITTED MO DAY YEAR
13. DATES OF PAYROLL PERIOD USED From: _____ To: _____		

SECTION C - SIGNATURE AND IDENTIFICATION

16. NAME OF PERSON COMPLETING FORM (Print or Type)	SIGNATURE	TITLE	DATE MO DAY YEAR
17. ADDRESS NO. & STREET	CITY	COUNTY	STATE ZIP CODE PHONE (AREA CODE, NO. EXTENSION)

I certify that the information on this Form is true and correct.

INSTRUCTIONS FOR COMPLETING THE EMPLOYEE INFORMATION REPORT (FORM AA302)

IMPORTANT: READ THE FOLLOWING INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE FORM. PRINT OR TYPE ALL INFORMATION. FAILURE TO PROPERLY COMPLETE THE ENTIRE FORM **AND TO SUBMIT THE REQUIRED \$150.00 NON-REFUNDABLE FEE MAY DELAY ISSUANCE OF YOUR CERTIFICATE.** IF YOU HAVE A CURRENT CERTIFICATE OF EMPLOYEE INFORMATION REPORT, DO NOT COMPLETE THIS FORM UNLESS YOU ARE RENEWING A CERTIFICATE THAT IS DUE FOR EXPIRATION. DO NOT COMPLETE THIS FORM FOR CONSTRUCTION CONTRACT AWARDS.

ITEM 1 - Enter the Federal Identification Number assigned by the Internal Revenue Service, or if a Federal Employer Identification Number has been applied for, or if your business is such that you have not or will not receive a Federal Employer Identification Number, enter the Social Security Number of the owner or of one partner, in the case of a partnership.

ITEM 2 - Check the box appropriate to your TYPE OF BUSINESS. If you are engaged in more than one type of business check the predominate one. If you are a manufacturer deriving more than 50% of your receipts from your own retail outlets, check "Retail".

ITEM 3 - Enter the total "number" of employees in the entire company, including part-time employees. This number shall include all facilities in the entire firm or corporation.

ITEM 4 - Enter the name by which the company is identified. If there is more than one company name, enter the predominate one.

ITEM 5 - Enter the physical location of the company. Include City, County, State and Zip Code.

ITEM 6 - Enter the name of any parent or affiliated company including the City, County, State and Zip Code. If there is none, so indicate by entering "None" or N/A.

ITEM 7 - Check the box appropriate to your type of company establishment. "Single-establishment Employer" shall include an employer whose business is conducted at only one physical location. "Multi-establishment Employer" shall include an employer whose business is conducted at more than one location.

ITEM 8 - If "Multi-establishment" was entered in item 8, enter the number of establishments within the State of New Jersey.

ITEM 9 - Enter the total number of employees at the establishment being awarded the contract.

ITEM 10 - Enter the name of the Public Agency awarding the contract. Include City, County, State and Zip Code. This is not applicable if you are renewing a current Certificate.

ITEM 11 - Enter the appropriate figures on all lines and in all columns. THIS SHALL ONLY INCLUDE EMPLOYMENT DATA FROM THE FACILITY THAT IS BEING AWARDED THE CONTRACT. DO NOT list the same employee in more than one job category. **DO NOT attach an EEO-1 Report.**

Racial/Ethnic Groups will be defined:

Black: Not of Hispanic origin. Persons having origin in any of the Black racial groups of Africa.

Hispanic: Persons of Mexican, Puerto Rican, Cuban, or Central or South American or other Spanish culture or origin, regardless of race.

American Indian or Alaskan Native: Persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

Asian or Pacific Islander: Persons having origin in any of the original peoples of the Far East, Southeast Asia, the Indian Sub-continent or the Pacific Islands. This area includes for example, China, Japan, Korea, the Phillippine Islands and Samoa.

Non-Minority: Any Persons not identified in any of the aforementioned Racial/Ethnic Groups.

ITEM 12 - Check the appropriate box. If the race or ethnic group information was not obtained by 1 or 2, specify by what other means this was done in 3.

ITEM 13 - Enter the dates of the payroll period used to prepare the employment data presented in Item 12.

ITEM 14 - If this is the first time an Employee Information Report has been submitted for this company, check block "Yes".

ITEM 15 - If the answer to Item 15 is "No", enter the date when the last Employee Information Report was submitted by this company.

ITEM 16 - Print or type the name of the person completing the form. Include the signature, title and date.

ITEM 17 - Enter the physical location where the form is being completed. Include City, State, Zip Code and Phone Number.

TYPE OR PRINT IN SHARP BALL POINT PEN

THE VENDOR IS TO COMPLETE THE EMPLOYEE INFORMATION REPORT FORM (AA302) AND RETAIN A COPY FOR THE VENDOR'S OWN FILES. THE VENDOR SHOULD ALSO SUBMIT A COPY TO THE PUBLIC AGENCY AWARDED THE CONTRACT IF THIS IS YOUR FIRST REPORT; AND FORWARD ONE COPY **WITH A CHECK IN THE AMOUNT OF \$150.00 PAYABLE TO THE TREASURER, STATE OF NEW JERSEY(FEE IS NON-REFUNDABLE)** TO:

**NJ Department of the Treasury
Division of Public Contracts
Equal Employment Opportunity Compliance
P.O. Box 206**

Trenton, New Jersey 08625-0206

Telephone No. (609) 292-5473

Exhibit C


SAMPLE CERTIFICATE OF EMPLOYEE INFORMATION REPORT

Certificate _____


CERTIFICATE OF EMPLOYEE INFORMATION REPORT

This is to certify that the contractor has filed the Employee Information Report pursuant to P.L.A.C. 17207-17 of 2007 and that the Treasurer has approved said report. This approval will remain in effect for the period of _____

VOID



VOID



State Treasurer

Exhibit D

Sample Federal Letter of Approval

U.S. Department of Labor

Employment Standards Administration
Office of Federal Control Compliance Programs
Newark Area Office
124 Evergreen Place, Fourth Floor
East Orange, NJ 07108



February 27, 20__

Dear

Our recent compliance review of your establishment's equal employment opportunity policies and practices was completed on February 27, 20__.

We found no apparent deficiencies or violations of Executive Order 11266, as amended, Section 503 of the Rehabilitation Act of 1973 or 38 USC 2012 (the Vietnam Era Veterans Readjustment Assistance Act). Accordingly, your establishment is deemed to be in compliance with these laws based on the material reviewed.

The Office of Federal Contract Compliance Programs sincerely appreciates the cooperation and courtesies extended by you and your staff during the conduct of the compliance review.

Sincerely,

Area Office Director.

Exhibit E

Example 1:

STATE OF NEW JERSEY
TREASURY DEPARTMENT
BUSINESS REGISTRATION CERTIFICATE
FOR STATE LICENSE AND SERVICE CONTRACTORS

TAXPAYER NAME:	FRANK AMERI
TAX REGISTRATION TEST ACCOUNT:	CLIENT REGISTRATION
TAXPAYER IDENTIFICATION:	SEQUENCE NUMBER
870-097-3821000	0107000
ADDRESS:	ISSUANCE DATE:
847 ROEBLING AVE TRENTON NJ 08611	07/14/04
ISSUANCE DATE:	
07/14/04	
ENDORSEMENTS:	

J.P. S. Tully
Director

This Certificate is not to be used or transferred. It must be continuously displayed at above address.

Example 2:



**STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE**

Taxpayer Name: TAX REG TEST ACCOUNT

Trade Name:

Address: 847 ROEBLING AVE
TRENTON, NJ 08611

Certificate Number: 1093907

Date of Issuance: October 14, 2004

For Office Use Only:

20041014112823533

Exhibit F

BUSINESS REGISTRATION CERTIFICATE

PUBLIC LAW 2004, CHAPTER 57

Required for All Procurements

A Business Registration Certificate serves as proof of valid business registration with the New Jersey Division of Revenue. All vendors must provide this documentation when seeking to do business with the State of New Jersey and other public agencies in this state.

- **Any business including an out-of-state business** with a presence or nexus in New Jersey, operating as a corporation, limited partnership, limited liability company or limited liability partnership must first obtain legal authority to operate in this State prior to submitting Form NJ-REG. Generally, this is accomplished by filing a Certificate of Incorporation or Formation with the Division.
- **Out-of-state businesses** that believe they do not have state tax nexus will file a paper form NJ-REG in order to obtain a Business Registration Certificate. Business entities that file form NJ-REG only will be subject to a nexus review, initiated and conducted by the Division of Taxation.
- **Individuals or Unincorporated Construction Contractors with no business tax or employer obligations** may register using Form REG-A instead of Form NJ-REG in order to obtain the Business Registration Certificate. Individuals who have created and are operating as a business entity (e.g. LLC) may not use Form REG-A.
- **Non-profit organizations**, although required to register for tax purposes, are not subject to the proof of registration requirement when contracting with public agencies in this state.

Registering A Business with the New Jersey Department of the Treasury

Business organizations or individuals doing business in New Jersey are required to register with the Department of the Treasury, Division of Revenue. Registration is free and is a one-time action – there are no fees to register. However, you should update your contact and tax eligibility information as needed. Registration is required to conduct most business with any state, county, municipal, local board of education, charter school, county college, authority, or state college or university. The contracting agency may be required to have a copy of the “proof of registration certificate” submitted as part of a public bid or prior to issuing a purchase order.

To register: Businesses must complete **Form NJ-REG** and submit it to the Division of Revenue. The form can be filed form online or by mailing a paper form to the Division. Online filing is strongly encouraged.

- Register online at www.nj.gov/treasury/revenue/taxreg.htm. Click the “online” link and then select “Register for Tax and Employer Purposes.”
- Download the paper form and instructions at www.nj.gov/treasury/revenue/revprnt.htm.
- Call the Division at 609-292-1730 to have a form mailed to you.
- Write to the Division at: Client Registration Bureau, PO Box 252, Trenton, NJ 08646-0252.

Note: If you operate a corporation, limited partnership, limited liability company or limited liability partnership, before registering, you must obtain legal authority to operate in the State of New Jersey. Generally, this is accomplished by filing an original business certificate with the Division of Revenue, such as a Certificate of Incorporation or Formation. For more information on this subject, visit www.nj.gov/treasury/revenue/fileccerts.htm, or call 609-292-9292.

Registering as an individual: There is a simplified registration process for individuals doing business with any New Jersey government agency. The form (NJ-REG-A) may be on the back of this form. If not, it can be downloaded from the web at www.nj.gov/treasury/revenue/pdfforms/reg.a.pdf. To obtain a copy by mail, call 609-292-1730, or write to the Division at the Client Registration Bureau, PO Box 252, Trenton, NJ 08646-0252.

Questions about the registration process? Call 609-292-1730 or submit by e-mail at www.nj.gov/treasury/revenue/revcontact.html.

How do I receive the proof of registration certificate?

- New registrants. When completing Form NJ-REG, make sure you answer “Yes” to the contractor/sub-contractor question (Online - Item 17; Paper Form - Item 18). The Division of Revenue will mail the certificate to the mailing address you supply on your registration form.
- Previously Registered Businesses. Call 609-292-1730 and select option 3. The Division of Revenue’s service agents will take your order and mail you a certificate. Please allow 7 to 10 working days to receive your certificate. Alternately, you may visit the Division’s Client Registration Bureau in person and request a certificate. The address is 847 Roebling Avenue, Trenton, NJ 08611. Service desk hours are 8:30am to 4pm, weekdays, excluding holidays.

What information does the proof of registration contain? The certificate displays the following information: Business Name, Trade Name (If Applicable), Tax Payer ID (Usually the Employer Identification Number), Business Address, Contractor Certification Number (State Issued), Certification Issuance Date, Effective Date (Business Start Date Entered on Form NJ-REG).

Business Registration Notice

All New Jersey and out of State business organizations must obtain a *Business Registration Certificate (BRC)* from the Department of the Treasury, Division of Revenue, prior to conducting business with the New Jersey Economic Development Authority (“Authority”, “NJEDA”). Proof of valid business registration must be submitted by a Bidder or Proposer with its bid / proposal. Failure to submit such valid *Business Registration Certificate* with a bid / proposal will render the bid / proposal materially non-responsive. The business registration form (Form NJ-REG) can be found online at:

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

Definitions

“**Affiliate**” means any entity that (1) directly, indirectly, or constructively controls another entity, (2) is directly, indirectly, or constructively controlled by another entity, or (3) is subject to the control of a common entity. An entity controls another entity if it owns, directly or individually, more than fifty (50%) percent of the ownership in that entity.

“**Business organization**” means an individual, partnership, association, joint stock company, trust, corporation, or other legal business entity or successor thereof.

“**Business registration**” means a *Business Registration Certificate* issued by the Department of the Treasury or such other form or verification that a contractor or subcontractor is registered with the Department of Treasury.

“**Contracting agency**” means the principal departments in the Executive Branch of the State Government, and any division, board, bureau, office, commission or other instrumentality within or created by such department, or any independent State authority, commission, instrumentality or agency, or any State college or university, any county college, or any local unit.

“**Contractor**” means a business organization that seeks to enter, or has entered into, a contract to provide goods or services with the New Jersey Economic Development Authority.

“**Subcontractor**” means any business organization that is not a contractor that knowingly provides goods or performs services for a contractor or another subcontractor in the fulfillment of a contract.

Requirements Regarding Business Registration Form

A contractor shall submit a copy of its *Business Registration Certificate* at the time of submission of its bid proposal in response to a *Request for Qualifications / Proposals (RFQ/P)* or *Request for Bids (RFB)*.

Business Registration Notice (continued)

A subcontractor shall provide a copy of its business registration to any contractor who shall forward it to the Authority. No contract with a subcontractor shall be entered into by any contractor unless the subcontractor first provides proof of valid business registration.

The contractor shall provide written notice to all subcontractors that they are required to submit a copy of their *Business Registration Certificate* to the contractor. The contractor shall maintain a list of the names of any subcontractors and their current addresses, updated as necessary during the course of the contract performance. The contractor shall submit to the New Jersey Economic Development Authority a copy of the list of subcontractors, updated as necessary during the course of performance of the contract. The contractor shall submit a complete and accurate list of the subcontractors to the Authority before a request for final payment is made to the New Jersey Economic Development Authority.

The contractor and any subcontractor providing goods or performing services under the contract, and each of their affiliates, shall, during the term of the contract, collect and remit to the Director of the Division of Taxation in the Department of the Treasury the use tax due pursuant to the "*Sales and Use Tax Act*", P.L. 1966, c. 30 (N.J.S.A. 54:32B-1 et seq.) on all their sales of tangible personal property delivered into the State.

Exhibit G



NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY SOURCE DISCLOSURE CERTIFICATION

Bidder: _____

Contract / PO Number: _____

I hereby certify and say:

I have personal knowledge of the facts set forth herein and am authorized to make this Certification on behalf of the Bidder.

The Bidder submits this Certification as part of a bid proposal in response to the referenced solicitation issued by the New Jersey Economic Development Authority, so that it can comply with the requirements of *Public Law 2005, Chapter 92 – N.J.S.A. 52:34-13.2*.

Instructions:

List every location where services will be performed by the Bidder and all subcontractors.

If any of the services cannot be performed within the United States, the Contractor shall state, with specificity, the reasons why the services cannot be so performed. *Attach additional pages if necessary.*

Bidder and / or Subcontractor(s)	Description of Services	Performance Location(s) by COUNTRY	Reasons why services cannot be performed in USA

Any changes to the information set forth in this Certification, during the term of any contract awarded under the referenced solicitation or extension thereof, will be immediately reported by the Bidder to the Director - Internal Process Management, New Jersey Economic Development Authority, P.O. Box 990, Trenton, New Jersey 08625-0990.

The Director shall determine whether sufficient justification has been provided by the Bidder to form the basis of its certification that the services cannot be performed in the United States and whether to seek the approval of the Chief Executive Officer of the New Jersey Economic Development Authority, in accordance with the requirements of *N.J.S.A. 52:34-13.2*.

I understand that, if after award of a contract to the Bidder, it is determined that the Bidder has shifted services declared above to be provided within the United States to sources outside the United States, prior to a written determination by the Director - Internal Process Management, that extraordinary circumstances require the shift of services or that the failure to shift the services would result in economic hardship to the New Jersey Economic Development Authority, the Bidder shall be deemed in breach of contract, which contract will be subject to termination for cause.

I further understand that this Certification is submitted on behalf of the Bidder in order to induce the New Jersey Economic Development Authority to accept a bid proposal, with knowledge that the New Jersey Economic Development Authority will rely upon the truth of the statements contained herein.

I certify that, to the best of my knowledge and belief, the foregoing statements by me are true. I am aware that if any of the statements are willfully false; I am subject to punishment.

Bidder or Contractor: _____
(Name of Organization or Entity)

By: _____ Title: _____
(Bidding Entity Representative's Signature)

Print Name: _____ Date: _____
(Bidding Entity Representative's Name)

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
SOURCE DISCLOSURE CERTIFICATION

PUBLIC LAW 2005, CHAPTER 92 –
N.J.S.A. 52:34-13.2

Required for All Procurements of Services

All Vendors seeking to enter into any contract with the New Jersey Economic Development Authority, in which services are procured, must disclose the following:

- the location **by country** where services under the contract will be performed; and
- any subcontracting of services under the contract and the location **by country** where any subcontracted services will be performed.

The New Jersey Economic Development Authority cannot award a contract to a Vendor that does not provide all disclosures, as required.

The Authority cannot award a contract to a Vendor that submits a bid or proposal to perform services or have a subcontractor perform services outside the United States, unless one of the following conditions is met:

- the Vendor or its subcontractor provides a unique service and no comparable domestically-provided service can adequately duplicate the unique features of the service provided by the vendor or its subcontractor; or
- a significant and substantial economic cost factor exists such that a failure to use the vendor's or subcontractor's services would result in economic hardship to the New Jersey Economic Development Authority; or
- the Director – Internal Process Management shall determine whether sufficient justification has been provided by the Bidder to form the basis of its certification that the services cannot be performed in the United States and whether to seek the approval of the Chief Executive Officer of the New Jersey Economic Development Authority, in accordance with the requirements of *N.J.S.A. 52:34-13.2*.

If during the term of the contract or any extensions thereto, it is determined that the Bidder has shifted services declared above to be provided within the United States, to sources outside the United States, prior to a written determination by the Authority's Director – Internal Process Management, that extraordinary circumstances require the shift of services or that the failure to shift the services would result in economic hardship to the New Jersey Economic Development Authority, the Bidder shall be deemed in breach of contract, which contract will be subject to termination for cause.

Exhibit H



**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
SET ASIDE INFORMATION FORM
GOODS AND SERVICES**

RFQ/P or RFB#: _____

PROJECT NAME: _____

Company Name: _____

Address: _____

City, State, Zip Code: _____

Contact Name and Title: _____

E-Mail: _____

Telephone Number: _____

Are you registered with the NJ Department of Treasury, Division of Minority and Women Business Development - Office of Business Services (Business Call Center - 866-534-7789) as a Small Business Enterprise (SBE)?

_____ Yes _____ No [If yes, attach copy of *Certificate of Registration*]

If Yes, Registration Number: _____

If no, have you applied with the Division to become registered? _____ Yes _____ No

Application date: _____

Type of Business: _____

Commodity Code: _____

Is your company a corporation? _____ Yes _____ No

Is your Company a Small Business Enterprise (SBE) [*no more than 100 full-time employees*]:

_____ Small Business with Gross Revenues that *do not* exceed \$500,000.

_____ Small Business with Gross Revenues that *do not* exceed \$12 million or the applicable Federal Revenue Standards established at 13 CFR 121.201 incorporated herein by reference, whichever is higher.

Is your company a Minority-Owned Business (MBE)? _____ Yes _____ No [optional]

If yes, please specify Ethnicity: _____ [optional]

Is your company a Woman-Owned Business (WBE)? _____ Yes _____ No [optional]

Please answer all questions, check those responses that apply, and return to:

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
ATTN: Internal Process Management Department
P.O. Box 990
Trenton, NJ 08625-0990**

Exhibit I



**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
SET-ASIDE COMPLIANCE CERTIFICATE
GOODS AND SERVICES CONTRACTS -
SMALL BUSINESS ENTERPRISE (SBE)**

Name of Firm: _____
(“the Firm”)

Street Address: _____

City, State, Zip Code: _____

Contact Name and Title: _____

E-Mail: _____

Telephone Number: _____

I hereby certify that the Firm will comply with New Jersey laws pertaining to set-aside contracts and am aware that the Firm is subject to criminal and civil penalties, including debarment, in the event of non-compliance. I further certify that the Firm will make a good faith effort to meet the set aside goals and am aware that the Firm must document these efforts and supply such documentation to the New Jersey Economic Development Authority.

I am aware that, if awarded a contract, the Firm must submit a *Monthly Status Report* (Exhibit J) with all invoices, to the Authority and that invoices will not be processed unless accompanied by the *Monthly Status Report*. I am also aware that this “Set-Aside Compliance Certificate” is a mandatory requirement to be completed and included as part of the Firm’s proposal and that failure to submit this “Set-Aside Compliance Certificate” shall be a sufficient basis to deem the Firm’s proposal / bid non-responsive and thus subject to mandatory rejection.

The Firm lists the following pool of certified SBE subcontractor firms by attaching a copy of *Set Aside Information Form* (Exhibit H) for each subcontractor, in order to permit the Authority to effectively assess the Firm’s plan for attaining the specified set-aside goals and / or documenting the Firm’s good faith effort to meet the set-aside goals:

- **Small Business with Gross Revenues that *do not* exceed \$500,000 (10%):**
- **Small Business with Gross Revenues that *do not* exceed \$12 Million (15%):**

Dated: _____

By: _____
Name of Authorized Representative of Firm Noted Above

Print Name of Authorized Representative Signing Document

Title of Authorized Representative

SET ASIDE:

In accordance with the requirements of N.J.A.C. 17:13 and N.J.A.C. 17:14, as amended, the Authority is required to develop a set-aside business plan for Small Business Enterprises (SBEs). The Authority encourages the participation of SBE firms as certified by the Department of Treasury, Division of Minority and Women Business Development for the services subject to this RFQ/P. Information regarding SBE certification can be obtained by contacting the Office of Business Services at (609) 292-2246 or at their offices at 33 West State Street, P.O. Box 820, Trenton, NJ 08625-0820 or on-line, via the State's Business website at:

<http://www.newjerseybusiness.gov>

It is the Authority's goal to award twenty-five (25%) percent of the dollar value of its contract to eligible small businesses whose principal place of business is New Jersey, is independently owned and operated, has no more than one hundred (100) full-time employees, and whose gross revenues do not exceed \$12 million dollars or the applicable annual revenue standards set forth in *13 CFR 121.201*, incorporated herein by reference and as may be adjusted periodically, whichever is higher, and satisfies any additional eligibility standards under this chapter.

(reference www.sba.gov/tools/resourcelibrary/laws.and.regultaions/index.html),

(NAICS Codes can be obtained at www.census.gov/epcd/www/naics.html)

FOR GOODS AND SERVICES:

It is the Authority's goal to award:

- Ten (10%) percent of its contracts to eligible small businesses whose principal place of business is New Jersey, is independently owned and operated, has no more than 100 full-time employees, and whose gross revenues do not exceed **\$500,000**;
- Fifteen (15%) percent of its contracts to eligible small businesses whose principal place of business is New Jersey, is independently owned and operated has no more than 100 full-time employees, and whose gross revenues do not exceed **\$12 million dollars** or the applicable federal revenue standards established at *13 CFR 121.201* incorporated herein by reference, whichever is higher.

Therefore, all Proposers and their named Subconsultants should complete the attached "Set Aside Information Form" (**Exhibit H**) and submit it with their bid / proposal.

In addition, all Proposers must complete and submit the attached "Set Aside Compliance Certificate" (Exhibit I) with their bid / proposal. The "Set Aside Compliance Certificate" is considered a mandatory requirement to be completed and included as part of the bid / proposal submission.

IMPORTANT: This DOCUMENT MUST be SUBMITTED with the BID / PROPOSAL.
Exhibit I

Failure to complete and submit the “Set Aside Compliance Certificate “ will be a sufficient basis to deem the Proposer’s proposal / Bidder’s bid non-responsive and thus subject to mandatory rejection.

The Proposer’s / Bidder’s “Set Aside Compliance Certificate” will convey information in sufficient detail to permit the Authority to effectively assess the Proposer’s / Bidder’s plan for attaining the specified set-aside goal or documenting the Proposer’s / Bidder’s good faith effort to meet the set-aside goal.

The successful Proposer / Bidder must submit a “Monthly Status Report” (**Exhibit J**), with its invoice, on a monthly basis to the Authority. Invoices will not be processed unless accompanied by the “Monthly Status Report”.

IMPORTANT:

Failure to complete and submit the “Set Aside Compliance Certificate “will be a sufficient basis to deem the proposal / bid non-responsive and thus subject to mandatory rejection

Exhibit J

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
MONTHLY STATUS REPORT - GOODS AND SERVICES**

2. Original Contract Amount:											
2a. Current Contract Amount:											
2b. Amount Billed to Date (including this invoice):											
2c. Invoice Amount:											
1	2	3	4	5	6	7	8	9	10	11	12
List all contracted SBE firms	Category [SBE < \$500,000] [SBE < \$12 million]	Specify Work Items to be Completed by SBE Firm	Dollar Amount of Executed Contract	Dollar Amount Paid to SBE Firm on this Invoice	Dollar Amount Paid to Date to SBE Firm	Total \$ Paid to SBE Firms to Date	Percentage of \$ Paid to Date (7/2a)	Total Percentage for Contract (4/2a)	Is Firm a MBE? (Yes/No) [optional]	Is Firm a WBE? (Yes/No) [optional]	Is Firm's Business Registration on file at NJEDA? (Yes/No)
						SBE <\$500,000					
<p>13. I CERTIFY THAT THE ABOVE FIRMS WERE AWARDED CONTRACTS, THAT THE AMOUNTS LISTED ARE ACCURATE, AND THAT PAYMENTS WERE MADE IN ACCORDANCE WITH CONTRACTUAL OBLIGATIONS. CANCELED CHECKS AND/OR SUPPORTING INFORMATION WILL BE ON FILE FOR INSPECTION OR AUDIT.</p>											
Firm's Authorized Representative's Signature _____ Date _____ Authorized Representative's Title _____ Telephone # _____						Any questions regarding this form should be directed to Geraldine M. Stout -- Procurement Officer (609) 633-9169 or Steven Quattro -- Program Manager -- Compliance at (609) 341-5292. Please return this form with your monthly invoice to: New Jersey Economic Development Authority P.O. Box 990 Trenton, NJ 08625-0990					
EDA Project Officer Approval Signature _____ Date _____ Comments (if any) _____						Please forward this document with your invoice to the individual responsible for managing your contract.					

Exhibit K

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

Background Information

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

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

Two-Year Certification Process

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

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

Instructions for Completing the Forms

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

Part 1: VENDOR INFORMATION

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

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

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

Vendor Email – Enter the vendor’s primary email address.

Vendor FEIN – Please enter the vendor’s Federal Employment Identification Number.

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

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

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

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

Part 3: DISCLOSURE OF CONTRIBUTIONS MADE

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

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

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

Date of Contribution – Indicate the date of the contribution.

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

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

Contributor Name – Enter the full name of the contributor.

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

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

Part 4: CERTIFICATION

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

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

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

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

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

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

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

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

INFORMATION AND INSTRUCTIONS

For Completing The “Two- Year Vendor Certification and Disclosure of Political Contributions” Forms

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

Agency Submission of Forms

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

Questions & Answers

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

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



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

For AGENCY USE ONLY

General Information

Solicitation, RFP or Contract No. _____ Award Amount _____

Description of Services _____

Agency Contact Information

Agency _____ Contact Person _____

Phone Number _____ Agency Email _____

Part 1: Vendor Information

Full Legal Business Name _____
 (Including trade name if applicable)

Business Type Corporation Limited Partnership Professional Corporation General Partnership
 Limited Liability Company Sole Proprietorship Limited Liability Partnership

Address 1 _____ Address 2 _____

City _____ State _____ Zip _____ Phone _____

Vendor Email _____ Vendor FEIN _____

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

I hereby certify as follows:

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

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

Part 3: Disclosure of Contributions Made

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

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

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

Part 4: Certification

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

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

(CHECK ONE BOX A, B or C)

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

Signed Name _____ Print Name _____
Phone Number _____ Date _____
Title/Position _____

Agency Submission of Forms

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

OWNERSHIP DISCLOSURE FORM

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
 PO BOX 990
 36 WEST STATE STREET
 TRENTON, NJ 08625-0990

BID / RFP / RFQ #:

DUE DATE:

BIDDER:

PAGE

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

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

INSTRUCTIONS: Provide below the names, home addresses, dates of birth, and ownership interest of all individuals not listed above, and any partnerships, corporations and any other owner having a 10% or greater interest in the firm named above. If a listed owner is a corporation or partnership, provide below the same information for the holders of 10% or more interest in that corporation or partnership. If additional space is necessary, provide that information on an attached sheet. **If there are no owners with 10% or more interest in your firm, enter "None" below.** Complete the certification at the bottom of this form. If this form has previously been submitted to the Purchase Bureau in connection with another bid, indicate changes, if any, where appropriate, and complete the certification below.

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

COMPLETE ALL QUESTIONS BELOW

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

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

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

COMPANY NAME: _____ (Signature)

ADDRESS: _____ PRINT OR TYPE { _____ (Name)
 _____ { _____ (Title)

FEIN/SSN#: _____ Date: _____

CHAPTER 51

AN ACT concerning campaign contributions by certain business entities seeking or holding State contracts, supplementing P.L. 1973, c. 83 (C.19:44A-1 et seq.), amending P.L. 2004, c. 19, and repealing section 1 of P.L. 2004, c. 19 (C.19:44A-20.2).

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

C.19:44A-20.13 Findings, declarations relative to certain campaign contributions by business entities.

1. The Legislature finds and declares that:

In our representative form of government, it is essential that individuals who are elected to public office have the trust, respect and confidence of the citizenry; and

All individuals, businesses, associations, and other persons have a right to participate fully in the political process of New Jersey, including making and soliciting contributions to candidates, political parties and holders of public office; and

When a person or business interest makes or solicits major contributions to obtain a contract awarded by a government agency or independent authority, this constitutes a violation of the public's trust in government and raises legitimate public concerns about whether the contract has been awarded on the basis of merit; and

The growing infusion of funds donated by business entities into the political process at all levels of government has generated widespread cynicism among the public that special interest groups are "buying" favors from elected officeholders; and

For the purposes of protecting the integrity of government contractual decisions and of improving the public's confidence in government, it is a compelling interest of this State to prohibit awarding government contracts to business entities which are also contributors to candidates, political parties and the holders of public office; and

There exists the perception that campaign contributions are often made to a State or county political party committee by an individual or business seeking favor with State elected officials, with the understanding that the money given to such a committee will be transmitted to other committees in other parts of the State, or is otherwise intended to circumvent legal restrictions on the making of political contributions or gifts directly to elected State officials, thus again making elected State officials beholden to those contributors; and

County political party committees, through their powers of endorsement, fundraising, ballot slogan or party line designation, and other means, exert significant influence over the gubernatorial primary and general election process; and

Although the right of individuals and businesses to make campaign contributions is unequivocal, that right may be limited, even abrogated, when such contributions promote the actuality or appearance of public corruption; and

It is essential that the public have confidence that the selection of State contractors is based on merit and not on political contributions made by such contractors and it is essential that the public have trust in the processes by which taxpayer dollars are spent; and

It has long been the public policy of this State to secure for the taxpayers the benefits of competition, to promote the public good by promoting the honesty and integrity of bidders for public contracts and the system, and to guard against favoritism, improvidence, extravagance and corruption in order to benefit the taxpayers; and

In the procurement process, our public policy grants to the State broad discretion, taking into consideration all factors, to award a contract to a bidder whose proposal will be most advantageous to the State; and

The operations of the State government must be effectively and fairly managed to ensure public order and prosperity, and malfeasance, in whatever form it may take, must be confronted and uprooted; and

The Legislature must safeguard the integrity of State government procurement by imposing restrictions on State agencies and independent authorities to insulate the negotiation and award of State contracts from political contributions that pose the risk of improper influence, purchase of access, or the appearance thereof.

C.19:44A-20.14 Contributors, certain, ineligibility to enter into agreement with the State or its authorities.

2. The State or any of its purchasing agents or agencies or those of its independent authorities, as the case may be, shall not enter into an agreement or otherwise contract to procure from any business entity services or any material, supplies or equipment, or to acquire, sell, or lease any land or building, where the value of the transaction exceeds \$17,500, if that business entity has solicited or made any contribution of money, or pledge of contribution, including in-kind contributions to a candidate committee or election fund of any candidate or holder of the public office of Governor, or to any State or county political party committee: (i) within the eighteen months immediately preceding the commencement of negotiations for the contract or agreement; (ii) during the term of office of a Governor, in the case of contributions to a candidate committee or election fund of the holder of that office, or to any State or county political party committee of a political party nominating such Governor in the last gubernatorial election preceding the commencement of such term; or (iii) within the eighteen months immediately preceding the last day of the term of office of Governor, in which case such prohibition shall continue through the end of the next immediately following term of the office of Governor, in the case of contributions to a candidate committee or election fund of the holder of that office, or to any State or county political party committee of a political party nominating such Governor in the last gubernatorial election preceding the commencement of the latter term.

C.19:44A-20.15 Certain contributions prohibited by certain contractors of the State or its authorities.

3. No business entity which agrees to any contract or agreement with the State or any department or agency thereof or its independent authorities either for the rendition of services or furnishing of any material, supplies or equipment or for the acquisition, sale, or lease of any land or building, if the value of the transaction exceeds \$17,500, shall knowingly solicit or make any contribution of money, or pledge of a contribution, including in-kind contributions, to a candidate committee or election fund of any candidate or holder of the public office of Governor or to any State or county political party committee prior to the completion of the contract or agreement.

C.19:44A-20.16 "Contribution" defined.

4. For the purposes of this act, a "contribution" means a contribution reportable by the recipient under "The New Jersey Campaign Contributions and Expenditures Reporting Act," P.L.1973, c.83 (C.19:44A-1 et seq.) made on or after the effective date of this act.

C.19:44A-20.17 "Business entity" defined.

5. For the purposes of this act, a "business entity" means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or any other state or foreign jurisdiction. The definition of a business entity includes: (i) all principals who own or control more than 10 percent of the profits or assets of a business entity or 10 percent of the stock in the case of a business entity that is a corporation for profit, as appropriate; (ii) any subsidiaries directly or indirectly controlled by the business entity; (iii) any political organization organized under section 527 of the Internal Revenue Code that is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee; and (iv) if a business entity is a natural person, that person's spouse or child, residing therewith, are also included within this definition.

C.19:44A-20.18 Report of contributions by business entities as part of State procurement process.

6. Prior to awarding any contract or agreement to procure services or any material, supplies or equipment from, or for the acquisition, sale, or lease of any land or building from or to, any business entity, the State or any of its purchasing agents or agencies, as the case may be, shall require, as part of the procurement process, the business entity to report all contributions the business entity made during the preceding four years to any political organization organized

under section 527 of the Internal Revenue Code that also meets the definition of a "continuing political committee" within the meaning of section 3 of P.L.1973, c.83 (C.19:44A-3). Such reporting shall be made in a manner and form to be developed by the State Treasurer with the advice of the New Jersey Election Law Enforcement Commission, which agencies shall promulgate regulations to effect and implement this disclosure obligation. Such reports shall be subject to review by the State Treasurer. If the State Treasurer determines that any such contribution, or any other act that would constitute a breach of contract pursuant to section 9 of this act, poses a conflict of interest in the awarding of any contract or agreement, the State Treasurer shall disqualify such business entity from bidding on or being awarded such contract or agreement.

C.19:44A-20.19 Written certification by business entities relative to contributions.

7. Prior to awarding any contract or agreement to procure services or any material, supplies or equipment from, or for the acquisition, sale, or lease of any land or building from or to, any business entity, the State or any of its purchasing agents or agencies or independent authorities, as the case may be, shall require the business entity to provide a written certification that it has not made a contribution that would bar the award of the contract pursuant to this act. The business entity shall have a continuing duty to report any contribution it makes during the term of the contract. Such reports shall be subject to review by the State Treasurer. If the State Treasurer determines that any such contribution poses a conflict of interest, such contribution shall be deemed a material breach of such contract or agreement.

C.19:44A-20.20 Request for reimbursement of contribution.

8. If a business entity inadvertently makes a contribution that would otherwise bar it from receiving a contract or makes a contribution during the term of a contract in violation of this act, the entity may request a full reimbursement from the recipient and, if such reimbursement is received within 30 days after the date on which the contribution was made, the business entity would again be eligible to receive a contract or would no longer be in violation, as appropriate. It shall be presumed that contributions made within 60 days of a gubernatorial primary or general election were not made inadvertently.

C.19:44A-20.21 Breach of terms of government contract concerning contributions.

9. It shall be a breach of the terms of the government contract for a business entity to: (i) make or solicit a contribution in violation of this act; (ii) knowingly conceal or misrepresent a contribution given or received; (iii) make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution; (iv) make or solicit any contribution on the condition or with the agreement that it will be contributed to a campaign committee of any candidate or holder of the public office of Governor, or to any State or county party committee; (v) engage or employ a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any contribution, which if made or solicited by the business entity itself, would subject that entity to the restrictions of this act; (vi) fund contributions made by third parties, including consultants, attorneys, family members, and employees; (vii) engage in any exchange or contributions to circumvent the intent of this act, or (viii) directly or indirectly, through or by any other person or means, do any act which would subject that entity to the restrictions of this act.

C.19:44A-20.22 Exception for public exigency.

10. This act shall not prohibit the awarding of a contract when the public exigency requires the immediate delivery of goods or performance of services as determined by the State Treasurer.

C.19:44A-20.23 Applicability of act to State agencies and authorities.

11. This act shall apply to all State agencies including any of the principal departments in the Executive Branch, and any division, board, bureau, office, commission or other instrumentality within or created by such department and any independent State authority, board, commission,

instrumentality or agency.

C.19:44A-20.24 Contract, bid applications and specs to describe requirements of act.

12. Every contract and bid application and specifications promulgated in connection therewith covered by this act shall contain a provision describing the requirements of this act and a statement that compliance with this act shall be a material term and condition of said contract or bid application and binding upon the parties thereto upon the entry of all applicable contracts.

C.19:44A-20.25 Inapplicability of act under federal law or eminent domain.

13. The provisions of sections 1 through 12 of this act, P.L.2005, c.51, shall not: a. apply in circumstances when it is determined by the federal government or a court of competent jurisdiction that its application would violate federal law or regulation; or b. prevent the State, its executive departments, agencies or independent authorities from complying with all of the requirements, conditions and obligations of the "Eminent Domain Act of 1971," P.L.1971, c.361 (C.20:3-1 et seq.), as amended and supplemented.

14. Section 6 of P.L.2004, c.19 (C.19:44A-20.7) is amended to read as follows:

C.19:44A-20.7 Definitions relative to certain campaign contributions.

6. As used in sections 2 through 12 of this act:

"business entity" means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other state or foreign jurisdiction;

"interest" means the 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, as appropriate;

"fair and open process" means, at a minimum, that the contract shall be: publicly advertised in newspapers or on the internet website maintained by the public entity in sufficient time to give notice in advance of the contract; awarded under a process that provides for public solicitation of proposals or qualifications and awarded and disclosed under criteria established in writing by the public entity prior to the solicitation of proposals or qualifications; and publicly opened and announced when awarded. The decision of a public entity as to what constitutes a fair and open process shall be final.

"State agency in the Legislative Branch" means the Legislature of the State and any office, board, bureau or commission within or created by the Legislative Branch.

15. Section 7 of P.L.2004, c.19 (C.19:44A-20.8) is amended to read as follows:

C.19:44A-20.8 Business entity to provide written certification, ELEC reports.

7. a. Prior to awarding any contract, except a contract that is awarded pursuant to a fair and open process, a State agency in the Legislative Branch, a county, or a municipality shall require the business entity to which the contract is to be awarded to provide a written certification that it has not made a contribution that would bar the award of a contract pursuant to this act.

b. A business entity shall have a continuing duty to report to the Election Law Enforcement Commission any contributions that constitute a violation of this act that are made during the duration of a contract.

Repealer.

16. Section 1 of P.L.2004, c.19 (C.19:44A-20.2) is repealed.

Superseder.

17. Executive Order No. 134 (2004) is hereby superseded.

18. Sections 14, 15 and 16 shall take effect on the original effective date of P.L.2004, c.19

P.L. 2005, CHAPTER 51

5

(C.19:44A-20.2 et seq.), and the remainder of this act shall take effect immediately and shall be retroactive to October 15, 2004 and shall apply to contributions made and contracts awarded on or after October 15, 2004.

Approved March 22, 2005.

Office Of The Governor

GOVERNOR CORZINE SIGNS FOUR ETHICS REFORM EXECUTIVE ORDERS

TRENTON – Governor Jon S. Corzine signed the following Executive Orders designed to close loopholes in the pay-to-play ban, impose a new ban on pay-to-play for all state redevelopment contracts, creates a task force to recommend ways to strengthen local government ethics and improve enforcement, compliance and training, and updates disclosure requirements for the executive branch of state government.

The full text of Executive Order 117-120 are below.

EXECUTIVE ORDER NO. 117

WHEREAS, the residents of New Jersey are entitled to a government that is effective, efficient, and free from corruption, favoritism, and waste; and

WHEREAS, in pursuit of those goals, a series of actions have been taken in New Jersey since 2004 – through legislation, executive order, and regulation – to protect the integrity of government contractual decisions and increase the public's confidence in government by prohibiting the awarding of government contracts to business entities that also are contributors to certain candidates and political parties; and

WHEREAS, among those actions were the issuance of Executive Order No. 134 (2004) and the codification of its provisions into statute in P.L.2005, c.51 (C.19:44A-20.13 et seq.) ("Chapter 51"); and

WHEREAS, since its adoption, Chapter 51 has significantly reduced the influence of contractor contributions in the process of awarding State government contracts and has proven to be an effective method of ensuring that merit and cost-effectiveness drive the government contracting process; and

WHEREAS, this administration is committed to ensuring the highest ethical standards in government contracting and rooting out corruption, favoritism, and waste; and

WHEREAS, experience has shown that additional measures are needed to ensure there is no dilution of the protections provided by Chapter 51 against the improper influence of political contributions on the process of awarding State government contracts and to ensure compliance with the provisions of Chapter 51; and

WHEREAS, many State government contractors, particularly those that provide professional services, are business entities whose form of business organization and ownership structure are such that the political contribution limits in Chapter 51 apply to few if any of the individuals who own or control the entity; and

WHEREAS, the strong public interest in limiting political contributions by businesses that contract with the State requires that the contribution limits in Chapter 51 be applied to such

individuals and that those limits otherwise be applied in such a way that the purposes of Chapter 51 will be served regardless of the form of business organization of the State government contractor; and

WHEREAS, because New Jersey's campaign finance laws permit large, and in some cases unlimited, political contributions to flow between and among various types of political committees and State officeholders, the effectiveness of the restrictions in Chapter 51 can be, and have been, undermined by the current ability of State government contractors to make large contributions to legislative leadership committees and municipal political party committees; and

WHEREAS, the Constitution of this State requires the Governor to manage the operations of State government effectively and fairly, uphold the law to ensure public order and prosperity, and confront and uproot malfeasance in whatever form it may take; and

WHEREAS, it is the Governor's responsibility to safeguard the integrity of the State government procurement process by ensuring that there is no dilution of the protections provided by Chapter 51 against the improper influence of political contributions on the process of awarding and overseeing the performance of State government contracts and that there be full compliance with the provisions of Chapter 51;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. For the purposes of this Order:

a. "Business entity" means:

(i) a for-profit entity as follows:

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

(B) in the case of a general partnership: the partnership and any partner;

(C) in the case of a limited partnership: the limited partnership and any partner;

(D) in the case of a professional corporation: the professional corporation and any shareholder or officer;

(E) in the case of a limited liability company: the limited liability company and any member;

(F) in the case of a limited liability partnership: the limited liability partnership and any partner;

(G) in the case of a sole proprietorship: the proprietor; and

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

(ii) any subsidiary directly or indirectly controlled by the business entity;

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

(iv) with respect to an individual who is included within the definition of business entity, that individual's spouse or civil union partner, and any child residing with the individual, provided, however, that, this Order shall not apply to a contribution made by such spouse, civil union partner, or child to a candidate for whom the contributor is entitled to vote or to a political party committee within whose jurisdiction the contributor resides unless such contribution is in violation of section 9 of P.L.2005, c.51 (C.19:44A-20.13 et seq.) ("Chapter 51").

b. "Contribution" means a contribution reportable by the recipient under "The New Jersey Campaign Contributions and Expenditures Reporting Act," P.L.1973, c.83 (C.19:44A-1 et seq.) made on or after the effective date of this Order.

2. Any Executive Branch department, agency, authority, or independent State authority charged with implementing and enforcing Chapter 51 shall apply its provisions to a "business entity" as defined in Paragraph 1(a) of this Order in the same manner as those provisions apply to a "business entity" as defined in section 5 of Chapter 51.

3. Any Executive Branch department, agency, authority, or independent State authority charged with implementing and enforcing Chapter 51 shall apply its provisions to a contribution made to a legislative leadership committee or a municipal political party committee in the same manner as those provisions apply to a contribution to any candidate committee, election fund, or political party committee identified in Chapter 51.

4. Any Executive Branch department, agency, authority, or independent State authority charged with implementing and enforcing Chapter 51 shall apply its provisions to a contribution made to a candidate committee or election fund of any candidate for or holder of the office of Lieutenant Governor in the same manner as those provisions apply pursuant to Chapter 51 to a contribution to any candidate committee or election fund of any candidate for or holder of the office of Governor.

5. This Order shall take effect on November 15, 2008, and is intended to have prospective effect only. This Order shall not apply to any contribution made prior to November 15, 2008.

Exhibit L

Exhibit L

Bidders should refer to the RFP specifications document, to which *Exhibit L* is annexed in the electronic file, in MS Word format.

Exhibit M



**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
Internal Process Management Department**

ACKNOWLEDGEMENT of RECEIPT of ADDENDA / Q&A

The undersigned Bidder / Proposer hereby acknowledges receipt of the following Addenda and "Questions & Answers" regarding the following solicitation:

Bid / Proposal #: _____ **Bid / Proposal Title:** _____

NOTE: Bidder / Proposer MUST acknowledge EACH Addendum & EACH "Questions & Answers" posted on the Authority's website for this solicitation. The Bidder / Proposer should complete, sign and return this document, WITH THE BID / PROPOSAL. A bid / proposal will not be reviewed and evaluated, unless and until the Bidder has correctly completed, signed and submitted this form.

Addendum # / Q&A #	Dated	Acknowledge Receipt <small>(Bidder MUST initial for EACH Addendum & "Questions & Answers" issued for this bid)</small>

NOTE: the column labeled "Dated" refers to the date each Addendum or "Questions and Answers" document was posted to the Authority's website; not the date the Bidder / Proposer is executing this document.

Check here if **No ADDENDUM or Q&A** were issued for this bid / proposal.

Submitted by:: _____
(Name of Bidding Entity)

(Signature of Authorized Representative of Bidding Entity)

(Print or type Name of Authorized Representative)

(Title of Authorized Representative)

(Date)

Exhibit N

“KEY TEAM MEMBERS LIST”
(Form 201)

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
BOARD of DIRECTORS
Independent Auditor Services**

FORM 201 - KEY TEAM MEMBER LIST

RESPONDENT FIRM NAME: _____

KEY TEAM MEMBER's NAME <i>(to include Technical Reviewer position)</i>	KEY TEAM MEMBER's CREDENTIALS, LICENSES, ACCREDITATIONS HELD	KEY TEAM MEMBER TITLE / POSITION	PERCENTAGE of TIME ESTIMATED to be ASSIGNED to CONTRACT

For each individual referenced above, the Proposer must indicate all licenses, registrations, professional certifications and qualifications held (whether state, federal or privately mandated) that are legally required to perform the services required herein, in accordance with the practices and standards of the organizations and entities referenced in the section "Introduction / Summary" of this RFQ/P. Such credentials will demonstrate the individual's qualifications to perform the requisite work.

Additional copies of this form may be completed and submitted to properly and fully identify the Proposer's intended Key Staff Members to be assigned to the performance of the Work.

Exhibit O

“KEY TEAM MEMBER’S RESUME Form”
(Form 202)

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
BOARD of DIRECTORS
Independent Auditor Services**

FORM 202 - KEY TEAM MEMBERS' RESUMES

KEY TEAM MEMBER's NAME: _____

PROJECT NAME / CLIENT NAME / PRIME FIRM NAME	CLIENT CONTACT: Name / Title / E-Mail / Phone #	DESCRIPTION of PROJECT (including its size and scope) / DESCRIPTION of KEY TEAM MEMBER's ROLE	Number of Months Involved in Project
1.			
2.			
3.			
4.			
5.			

Additional copies of this form may be competed and submitted to properly and fully identify the Proposer's intended Key Staff Members to be assigned to the performance of the Work.

Exhibit P

RESERVED; Not Applicable to this RFQ/P

Exhibit Q

RESERVED; Not Applicable to this RFQ/P

Exhibit R

“FEE PROPOSAL – Lump Sum Fee” Form
(Form 301)

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
BOARD of DIRECTORS
Independent Auditor Services**

“FORM 301- FEE PROPOSAL - LUMP SUM FEE PROPOSAL”

The “*Lump Sum Fee*” to provide the Services outlined in the “*Scope of Services*” is as follows:

ENTITY TYPE	Fiscal Year 2010	Fiscal Year 2011	Fiscal Year 2012	Fiscal Year 2013 <small>(1st ext. option, if so exercised)</small>	Fiscal Year 2014 <small>(2nd ext. option, if so exercised)</small>
New Jersey Economic Development Authority (NJEDA)					
Camden Center Urban Renewal Limited Partnership (CCURLP)					
Technology Centre of NJ, LLC (LLCs)					
Corporation for Business Assistance in NJ (CBAs)					
NJ Community Development Entities, LLCs (CDEs)					
TOTAL					

I hereby certify that I am duly authorized to sign and submit this “*Fee Proposal*” (which includes “*Form 301 - Lump Sum Fee*” (*Exhibit R*) and “*Form 302 - Loaded Hourly Rates*” (*Exhibit R-1*), on behalf of the named firm:

_____ *Print Name of Proposing Firm*

_____ *Authorized Representative's Name*

_____ *Authorized Representative's Title*

_____ *Authorized Representative's Signature*

_____ *Date*

Exhibit R-1

“FEE PROPOSAL – Hourly Rates” Form
(Form 302)

Exhibits S and S-1

“Notice of Intent to Subcontract”

and

“Subcontractor Utilization Plan”



NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY **NOTICE OF INTENT TO SUBCONTRACT Form**

IMPORTANT:
This form should be completed, signed and submitted WITH the PROPOSAL.
 A proposal cannot be evaluated unless and until a fully completed and signed "Notice of Intent to Subcontract" and "Subcontractor Utilization Plan" is submitted. Failure to do so may result in rejection of the proposal.

RFQ/P #: _____ PROPOSAL DUE DATE: _____

RFQ/P TITLE: _____

Respondent's Name / Respondent Firm's Name and Address:

<i>Respondent Firm Name</i>	<i>Address</i>
<i>Telephone</i>	<i>City / State / Zip Code</i>

INSTRUCTIONS: The Respondent / Respondent Firm MUST check one of the following statements:

_____ If awarded this contract, **I will engage subcontractors / subconsultants** to provide certain goods and / or services.

NOTE: ALL RESPONDENTS THAT INTEND TO ENGAGE SUBCONTRACTORS MUST COMPLETE the "SUBCONTRACTOR UTILIZATION PLAN" Form below.

_____ If awarded this contract, **I do NOT intend to engage subcontractors / subconsultants** to provide certain goods and / or services.

NOTE: ALL RESPONDENTS THAT DO NOT INTEND TO ENGAGE SUBCONTRACTORS OR SUBCONSULTANTS SHALL CERTIFY AS FOLLOWS:

I hereby certify that if the award is granted to my firm and if I determine at any time during the course of the contract to engage subcontractors or subconsultants to provide certain goods and / or services; I understand that I must complete and submit the "Subcontractor Utilization Plan" form to the New Jersey Economic Development Authority for review and approval, PRIOR to such subcontractor / subconsultant performing any work against the resulting contract.

<i>Authorized Representative's Name</i>	<i>Title</i>
<i>Authorized Representative's Signature</i>	<i>Date</i>
	<i>E-Mail</i>

Exhibit S-1

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY **SUBCONTRACTOR UTILIZATION PLAN Form**

INSTRUCTIONS:

Any Respondent / Respondent Firm intending to subcontract any part(s) of the requisite services to be provided against a contract issued by the New Jersey Economic Development Authority, must complete and submit both a "Notice of Intent To Subcontract" and a "Subcontractor Utilization Plan" with its proposal.

Respondents are instructed to list all proposed subcontractors below. **Any Respondent intending to subcontract that does not complete BOTH a "Notice of Intent to Subcontract" and a "Subcontractor Utilization Plan" may be subject to rejection of its proposal as non-responsive.**

INSTRUCTIONS: List all businesses to be used as subcontractors or subconsultants. Attach copies for extended lists.

Subcontractor / Subconsultant Name	Subcontractor / Subconsultant Address	Telephone Number	FEIN #	Type(s) of Goods / Services to be Provided	Est. Value of Subcontract(s)

I hereby certify that this "Subcontractor Utilization Plan" is being submitted in good faith. I certify that each subcontractor has been notified that it has been listed on this Plan and that each subcontractor has consented, in writing, to its name being submitted for this contract. Additionally, I certify that I shall notify each subcontractor listed on this Plan, in writing, if the award is granted to my firm, and shall make all such documentation available to New Jersey Economic Development Authority for review, upon request.

I further certify that all information contained in this Plan is true and correct and I acknowledge that the New Jersey Economic Development Authority will rely on the truth of the information in awarding the contract.

<i>Authorized Representative's Name</i>	<i>Title</i>
<i>Authorized Representative's Signature</i>	<i>Date</i>
	<i>E-Mail</i>