

**Request for Proposals – Special Forensic Audit Services  
Board of Education of the  
Edgewater School District of the County of Bergen**

**2019-2020 School Year**

**REQUEST, SOLICITATION AND INVITATION FOR PROPOSAL  
FOR THE POSITION OF  
BOARD OF EDUCATION OF THE EDGEWATER SCHOOL DISTRICT  
  
SPECIAL FORENSIC AUDIT SERVICES**

INTRODUCTION

The Board of Education of the Edgewater School District ("Board"), County of Edgewater and State of New Jersey, is seeking proposals for special forensic audit services for the 2015-2019 School/Fiscal Years. This proposal should be inclusive of The Edgewater School District.

The Edgewater School District are independent reporting entities within the criteria adopted by the Governmental Accounting Standards Board "GASB" as established by GASB 14.

The response to this request, together with the related costs, data, and supporting documentation will be used to make the final vendor selection. The proposals will be included as part of the contract between the Board of Education of the Edgewater School District and the selected firm. The district reserves the right to reject any and all proposals and the right to its option to waive or refuse to waive any defect or informality in any proposal. Qualified district personnel for the purpose of selecting proposals with whom negotiations may be conducted, will subject all responsive proposals received to an evaluation.

Offeror(s) are cautioned to initially submit sufficient information to enable the evaluation personnel to fully ascertain each offeror(s) capability to perform all the requirements contemplated by this solicitation. All commitments made in the proposal shall become a part of any resultant contract. Negotiations may be conducted with all offeror(s) considered to be in the competitive range, if it is determined that negotiations are required. However, the district may award a contract without discussion.

Proposal must be submitted so as to arrive to the Board Office no later than **10:00 a.m. on Wednesday, May 20, 2020.**

Attention: Kathleen Marano School Business  
Administrator/Board Secretary Edgewater School District  
251 Undercliff Avenue, Edgewater, NJ 07020

Award of contract(s) will be made in the best interest of The Board of Education of the Edgewater School District.

## **DESCRIPTION OF SERVICES REQUIRED**

### **A. Purpose**

a. The Edgewater School District is soliciting Request for Proposals for the purpose of entering into a Contract for Professional Services – Forensic Audit 2015 – 2019.

### **B. Scope of Work to be Performed**

a. The auditor shall perform such forensic accounting procedures as necessary to identify, quantify and ameliorate any and all irregular contracting, purchasing, procurement, inventory, standard operation procedures, policies, regulations, and/or other financial activity past and present relating to SY/FY 2015/2016, SY/FY 2016/2017, SY/FY 2017/2018, SY/FY (CY) 2018/2019, and 1<sup>st</sup> quarter of CY 2019/2020. Submission must include quotes for hourly rates.

b. During the course of the initial investigation, the scope of work may be further expanded or altered at the recommendation of the auditor, with written approval by the Board of Education and/or Board Solicitor. Submission must include quotes for hourly rates for additional services.

c. After completion of the service contract with this request, further forensic investigation may be requested. Further, the auditor shall be available as a witness both fact and expert, to support any and all legal action on behalf of the Board. Submission must include quotes for hourly rates for additional services.

### **C. Reports to be Issued**

a. Following the completion of the audit, the auditor shall issue a written report communicating all discovered abnormal activity, past or present, its quantification, cause and consequence.

b. Immediately upon completing of the Forensic Auditor, the auditor shall orally report its finding to the Board of Education and Board Solicitor.

c. For the forensic activity so engaged, the auditor will be required to quantify and document its results to a level consistent with Generally Accepted Accounting Principles and Government Auditing Standards.

d. It is further expected that the auditor will advise the Board and recommend to the Board appropriate actions to prevent further irregular activities relating to contracting, purchasing, inventory, standard operating procedures, policies, regulations, procurement and other financial activity.

e. All working papers and reports must be retained, at the auditor's expense for a minimum of seven (7) years unless the firm is notified by the Board in writing to extend that period. In addition, the auditor shall respond to reasonable inquires of successor auditors and allow successor auditors to review working papers relating to matters of continuing account and contractual significance.

### **D. Professional & Minimum Qualifications Required**

a. Firms submitting quotes must be qualified to perform independent audits of School Districts (County) in the State of New Jersey and have certification in financial forensics (CFF) as well as Certified Fraud Examiner (CFE). The firm must have been engaged during the last five (5) years, as independent Forensic Auditors. The selected firm shall be retained for the express purpose of rendering an opinion on the activity and procedures related to the financial affairs of the Edgewater School District for the periods previously indicated.

- b. The firm must demonstrate their experience and expertise in conducting forensic audits of public entities, including staff that are Certified in Financial Forensics as well as Certified Fraud Examiners.
- c. The firm must be a member of the American Institute of Certified Public Accountants.
- d. The firm must employ a minimum of five (5) certified public accountants who have been licensed in that capacity for a period of not less than five (5) years each prior to the date of appointment.
- e. The firm must employ a minimum of one (1) public school accountant licensed and qualified in that capacity for a minimum of five (5) years prior to the appointment.
- f. The firm must have a minimum of five (5) years of experience in providing auditing services to Boards of Education within the State of New Jersey.
- g. The firm must maintain a current principal office within the State of New Jersey.
- h. Describe any special services available to school Board clients.
- i. Must provide a list of current public entity clients and School Board clients.

#### E. Independence

- a. The firm should provide an affirmative statement that it is independent of the Board of Education of Edgewater School District as defined by generally accepted accounting standards and the U.S. Comptroller General's Government Auditing Standards.
- b. The firm should also list and describe the firm's professional relationships involving the Board of Education of Edgewater School District or any of its agencies for the past five (5) years, together with a statement explaining why such relationships do not constitute a conflict of interest relative to performing the proposed audit.

#### F. Firm Experience

- a. The proposal should state the size of the firm, the size of the firm's forensic governmental audit staff, the location of the office(s) from which the work on this engagement is to be performed and the number and nature of the staff to be employed on this engagement.
- b. The firm shall also provide information on the results of the firm's latest federal or state desk reviews or field reviews of its audits. In addition, the firm shall provide information on the circumstances and status of any disciplinary action taken or pending against the firm during the past three (3) years with state regulatory bodies or professional organizations.

#### G. Insurance / Indemnification

- a. The successful respondent to who the contract is awarded shall provide to the Board of Education of Edgewater School District with contract documents a Professional Liability Insurance Certificates with the following limits.
  - i. \$1,000,000 Each Incident; Occurrence, Wrongful Act
  - ii. \$3,000,000 Aggregate.
- b. The insurance certificated names as to the certificate holder shall be as follows:
  - i. Board of Education of Edgewater School District and remain in full force during the term of Contract.
- c. The successful respondent shall defend and indemnify the Board and hold, it, its officers, agents, representatives and employees, harmless from any and all losses, claims, liabilities or damages of any kind, including attorney's fees and costs, for personal injury (including death),

professional liability, damage to property or other liabilities of any kind resulting from, or arising out of, the performance, or lack thereof, of the successful respondent's, its employees' and its agents' obligations under the contract.

#### H. Miscellaneous

- a. The successful respondent shall comply with all local, state and federal directives, orders and laws as applicable to this agreement including not but not limited to NJSA Title 18A and NJAC Title 6A.
- b. All submissions in addition to the above shall include all legally required documents.
- c. The contract, if awarded, shall be awarded to the Professional Service Provider who submits a response which is deemed to provide for the highest quality of service at a fair and competitive price which is most advantageous to the Board, price and other factors considered.

### **PROPOSAL PREPARATION & SUBMISSION**

All Firms responding the RFP are expected to comply with the preparation instructions and submission requirements presented in this section for content and format. Failure to comply with these instructions and requirements may result in the disqualification of the offeror(s) proposal from further consideration.

It is the offeror(s) responsibility to ensure that they have a complete and thorough understanding of all the requirements, expressed or implied, regarding the specifications of the RFP prior to the submission of the proposal.

Two (2) proposals shall be enclosed in a single sealed package plainly marked with the words "PROPOSAL FOR SPECIAL FORENSIC AUDIT SERVICES". All proposals will be firm offers and may not be withdrawn for sixty (60) day following the last day for acceptance of best and final offer. Proposals must be signed by an officer of the Firm who is authorized to bind the Firm.

## **Request for Proposal**

### **Special Forensic Audit Services 2015-2019**

#### **Required Documentation**

The following documents should be included in proposal by all prospective firms:

- Certificate of Liability Insurance (Attachment A)
- Conflict of Interest Certification (Attachment B)
- Proposal Certification (Attachment C)
- Statement of Corporate Ownership (Attachment D)
- Chapter 271 Political Disclosure Statement (Attachment E)
- One of the following: (Signed Attachment F)
  - o Letter of Federal Affirmative Action Plan Approval o
  - Certificate of Employee Information Report o Employee
  - Information Report Form AA302
- Business Registration Certificate (Attachment G)
- Iran Statement (Attachment H)
- McBride Principles Form (Attachment I)

Date:

Board of Education of the Edgewater School District 251 Undercliff Avenue, Edgewater, NJ 07020

Re: Request, Solicitation and Invitation for proposal – Special Forensic Audit Services

Dear Board of Education:

The undersigned hereby submits the enclosed proposal for the position of Special Forensic Audit Services.

The undersigned hereby undertakes and promises to serve as Special Forensic Auditor and to do all work requested as appropriate and required herein as well as the contract documents concerning the same, including all written amendments and changes thereto, if any, which are incorporated herein by reference and made a part of this proposal.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
BUSINESS NAME

\_\_\_\_\_  
Type or Print Full Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Fax Number

\_\_\_\_\_  
E-Mail

**ATTACHMENT A**

**CERTIFICATION OF INSURANCE**

I HEREBY CERTIFY THAT MY OFFICE CARRIES INSURANCE ADEQUATE TO PROTECT THE EDGEWATER SCHOOL DISTRICT BOARD OF EDUCATION ("BOARD") AND INDEMNIFY THE BOARD FOR ANY ERROR OR OMISSION COMMITTED BY THE UNDERSIGNED THAT CREATES LIABILITY TO THE BOARD. THIS INCLUDES ERRORS AND OMISSIONS POLICY AND ANY OTHER TYPE OF POLICY THAT CAN BE UTILIZED TO PROTECT THE INTERESTS OF THE BOARD. I HAVE ATTACHED COPIES OF THE DECLARATION PAGES OF EACH POLICY THAT DOES OR CAN PROTECT THE BOARD FROM ANY ERROR, OMISSION OR ACTIVITY IN WHICH I OR ANYONE FROM MY OFFICE MIGHT ENGAGE IN ON BEHALF OF THE BOARD.

I FURTHER CERTIFY THAT THE POLICIES OF INSURANCE THAT ARE CARRIED BY MY OFFICE SHALL CONTINUE TO BE CARRIED DURING THE ENTIRE TERM OF MY APPOINTMENT AS SOLICITOR, IN THE EVENT THAT MY OFFICE IS SELECTED TO SERVE IN THAT CAPACITY. IN THE EVENT THAT THE DECLARATIONS PAGE(S) SUBMITTED SHOWS THE POLICY OR POLICIES OF INSURANCE WILL LAPSE DURING THE COURSE OF THE TERM OF MY APPOINTMENT, I WILL PROVIDE TO THE BOARD A COPY OF THE RENEWAL POLICY DECLARATION PAGE. I FURTHER CERTIFY THAT THE RENEWED POLICY SHALL HAVE THE SAME OR GREATER LIMITS OF LIABILITY AS THE ONE PROVIDED FOR AT THE BEGINNING OF MY APPOINTMENT.

CERTIFYING OFFICIAL: NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_



**ATTACHMENT B**

**CONFLICT OF INTEREST CERTIFICATION**

THE UNDERSIGNED CERTIFIES TO THE EDGEWAATER SCHOOL DISTRICT BOARD OF EDUCATION ("BOARD"), COUNTY OF BERGEN, STATE OF NEW JERSEY THAT IN PERFORMING SERVICES TO THE BOARD HE/SHE IS AWARE OF NO CIRCUMSTANCE THAT WOULD CONSTITUTE A CONFLICT OF INTEREST, FINANCIAL OR OTHERWISE, BETWEEN HIMSELF/HERSELF (OR HIS/HER FIRM) AND THE INTERESTS OF THE BOARD. THE UNDERSIGNED CERTIFIES THAT HE/SHE HAS MADE A SEARCH OF HIS/HER FIRM'S CLIENT BASE AND HAS EXECUTED THIS CERTIFICATION SUBSEQUENT TO SUCH SEARCH.

THE UNDERSIGNED ACKNOWLEDGES THIS IS A CONTINUING CERTIFICATION, AND SHALL REMAIN IN EFFECT FOR THE TERM OF THE SERVICES CONTAINED IN THE SOLICITED REQUEST FOR PROPOSAL. I CERTIFY THAT THE FOREGOING STATEMENTS MADE BY ME ARE TRUE. I AM AWARE THAT IF ANY OF THE FOREGOING STATEMENTS MADE BY ME ARE FALSE, THE BOARD IS FREE TO TERMINATE ANY PROFESSIONAL SERVICE AGREEMENT ENTERED INTO WITH THE UNDERSIGNED AND/OR HIS OR HER FIRM.

Applicant Signature: \_\_\_\_\_

Typed Firm Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**ATTACHMENT C**

**I HEREBY CERTIFY THE INFORMATION CONTAINED IN THIS PROPOSAL IS CORRECT AND ACCURATE TO MY PERSONAL KNOWLEDGE. I AM MAKING THIS CERTIFICATION IN GOOD FAITH.**

CERTIFYING OFFICIAL: NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

**ATTACHMENT D**

**STATEMENT OF CORPORATE OWNERSHIP**

**Part I – Ownership Disclosure Certification**

I certify that the list below contains the names and home addresses of all owners having an “Interest” in the “Business Entity”.

**Check the box that represents the type of Business Entity:**

- Partnership       Corporation       Sole Proprietorship       Subchapter S Corporation  
 Limited Partnership       Limited Liability Corporation       Limited Liability Partnership

<b>NAME OF OWNER</b>	<b>HOME ADDRESS</b>

**Part 2 – Signature and Certification:**

I certify that the foregoing statements made by me are true to the best of my knowledge, information and belief. I am aware that if made any statements that are knowingly false, I am subject to punishment under the law.

Name of Business Entity: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

# C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

## Public Agency Instructions

This page provides guidance to public agencies entering into contracts with business entities that are required to file Political Contribution Disclosure forms with the agency. **It is not intended to be provided to contractors.** What follows are instructions on the use of form local units can provide to contractors that are required to disclose political contributions pursuant to N.J.S.A. 19:44A-20.26 (P.L. 2005, c. 271, s.2). Additional information on the process is available in Local Finance Notice 2006-1 ([http://www.nj.gov/dca/divisions/dlgs/resources/lfns\\_2006.html](http://www.nj.gov/dca/divisions/dlgs/resources/lfns_2006.html)). Please refer back to these instructions for the appropriate links, as the Local Finance Notices include links that are no longer operational.

1. The disclosure is required for all contracts in excess of \$17,500 that are **not awarded** pursuant to a “fair and open” process (N.J.S.A. 19:44A-20.7).
2. Due to the potential length of some contractor submissions, the public agency should consider allowing data to be submitted in electronic form (i.e., spreadsheet, pdf file, etc.). Submissions must be kept with the contract documents or in an appropriate computer file and be available for public access. **The form is worded to accept this alternate submission.** The text should be amended if electronic submission will not be allowed.
3. The submission must be **received from the contractor and** on file at least 10 days prior to award of the contract. Resolutions of award should reflect that the disclosure has been received and is on file.
4. The contractor must disclose contributions made to candidate and party committees covering a wide range of public agencies, including all public agencies that have elected officials in the county of the public agency, state legislative positions, and various state entities. The Division of Local Government Services recommends that contractors be provided a list of the affected agencies. This will assist contractors in determining the campaign and political committees of the officials and candidates affected by the disclosure.
  - a. The Division has prepared model disclosure forms for each county. They can be downloaded from the “County PCD Forms” link on the Pay-to-Play web site at <http://www.nj.gov/dca/divisions/dlgs/programs/lpcl.html#12>. They will be updated from time-to-time as necessary.
  - b. A public agency using these forms **should edit them to properly reflect the correct legislative district(s)**. As the forms are county-based, **they list all legislative districts** in each county. **Districts that do not represent the public agency should be removed from the lists.**
  - c. Some contractors may find it easier to provide a single list that covers all contributions, regardless of the county. These submissions are appropriate and should be accepted.
  - d. The form may be used “as-is”, subject to edits as described herein.

- e. The “Contractor Instructions” sheet is intended to be provided with the form. It is recommended that the Instructions and the form be printed on the same piece of paper. The form notes that the Instructions are printed on the back of the form; where that is not the case, the text should be edited accordingly.
- f. The form is a Word document and can be edited to meet local needs, and posted for download on web sites, used as an e-mail attachment, or provided as a printed document.

5. It is recommended that the contractor also complete a “Stockholder Disclosure Certification.” This will assist the local unit in its obligation to ensure that contractor did not make any prohibited contributions to the committees listed on the Business Entity Disclosure Certification in the 12 months prior to the contract. (See Local Finance Notice 2006-7 for additional information on this obligation at [http://www.nj.gov/dca/divisions/dlgs/resources/lfn\\_2006.html](http://www.nj.gov/dca/divisions/dlgs/resources/lfn_2006.html)) A sample Certification form is part of this package and the instruction to complete it is included in the Contractor Instructions. **NOTE: This section is not applicable to Boards of Education.**

Part I – Vendor Information

Vendor Name:			
Address:			
City:		State:	Zip:

The undersigned being authorized to certify, hereby certifies that the submission provided herein represents compliance with the provisions of N.J.S.A. 19:44A-20.26 and as represented by the Instructions accompanying this form.

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Signature	Printed Name	Title
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**Part II – Contribution Disclosure**

Disclosure requirement: Pursuant to N.J.S.A. 19:44A-20.26 this disclosure must include all reportable political contributions (more than \$300 per election cycle) over the 12 months prior to submission to the committees of the government entities listed on the form provided by the local unit.

Check here if disclosure is provided in electronic form.

Contributor Name	Recipient Name	Date	Dollar Amount
			\$

Check here if the information is continued on subsequent page(s)

## ATTACHMENT F

### EXHIBIT A

**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE**  
**N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127) N.J.A.C. 17:27**  
**GOODS, PROFESSIONAL SERVICE 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 take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting 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 employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

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

In conforming with the applicable employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, 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 subcontractors shall furnish such reports or other documents to the Div. of Contract Compliance & EEO as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Div. of Contract Compliance & EEO for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

CERTIFYING OFFICIAL:	NAME: _____
	TITLE: _____
	SIGNATURE: _____
	DATE: _____

**ATTACHMENT G**

SECTION 000296 – DEPARTMENT OF TREASURY BUSINESS REGISTRATION

AFFIDAVIT

I \_\_\_\_\_ being of full age under oath depose and say:

1. I am a(n) owner, partner, shareholder or officer of the company set forth below and am duly authorized to execute this affidavit on its behalf.
2. \_\_\_\_\_, has registered in writing with the Department of Treasury in accordance with P.L. 1999, c39, the Title and text of P.L. 2001, c.134 and R.S.54:50-9, repealing section 3 of P.L. 2001, c.134 (C.:52-20), and supplementing Title 54 of the Revised Statutes in its entirety and have included the following information:

A contractor shall provide proof of valid registration with the Division of Revenue in the Department of the Treasury to any contracting State agency; no contract shall be entered into by any contracting State agency unless the contractor first provides proof of a valid copy of its business registration in accordance with the following schedule:

- a. In response to a request for bids or a request for proposals, at the time a bid or proposal is submitted; or
- b. For all other transactions, before the issuance of a purchase order or other contracting document. In its sole discretion, the contracting unit may waive this requirement if a business registration has been previously provided to the contracting agency.

A subcontractor under any contract with a contracting State agency shall provide proof of a valid copy of its business registration with the Division of Revenue to any contractor; verification information who shall be forwarded by the contractor forward it to the contracting State agency. No contract with a subcontractor shall be entered into by any contractor under any contract with a contracting State agency unless the subcontractor first provides proof of valid business registration. The contracting agency shall file all business registrations received by the contracting agency with other procurement documents related to the contract.

A contract entered into by a contracting State agency with a provider of goods or services or a contractor or subcontractor of a construction project shall contain a notice of the provisions include provisions under subsection b. of this section and this subsection for the contractor to comply with, and for the contractor to notify subcontractors by written notice to comply with subsection c. of this section. A contracting agency shall not be responsible for a contractor's failure to comply with this section. The contractor shall maintain and submit to the contracting agency a list of subcontractors and their addresses that may be updated from time to time during the course of the contract performance. A complete and accurate list shall to be submitted before final payment is made for goods provided or services rendered or for construction of a construction project under the contract.

Notice of the provisions of this section shall be included by the contracting agency in any bid specification, requests for proposals, or other documents notifying potential contractors of opportunities to provide goods or perform services for a contracting agency.

Nothing in this section shall in any way alter the provisions or change the responsibilities or obligations of casino industry licensees as set forth in section 92 of P.L.1977, c.110(C.5:12-92).

DEPARTMENT OF TREASURY BUSINESS REGISTRATION

00029-1

NAME/TITLE: \_\_\_\_\_

SIGNATURE/DATE: \_\_\_\_\_



**ATTACHMENT H**

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

Quote Number: \_\_\_\_\_ Bidder/Offeror: \_\_\_\_\_

**PART 1: CERTIFICATION**

**BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX**

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

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

**PLEASE CHECK THE APPROPRIATE BOX:**

**I certify, pursuant to Public Law 2012, c. 25, that neither the bidder listed above nor any of the bidder’s parents**

**Subsidiaries, or affiliates is listed** on the N.J. Department of the Treasury’s list of entities determined to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c. 25 (“Chapter 25 List”). I further certify that I am the person listed above or representative of the entity listed above and am authorized to make this certification on its behalf. **I will skip Part 2 and sign and complete the Certification below.**

**OR**

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

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

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

**EACH BOX WILL PROMPT YOU TO PROVIDE INFORMATION RELATIVE TO THE ABOVE QUESTIONS, PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, CLICK THE “ADD AN ADDITIONAL ACTIVITIES ENTRY” BUTTON.**

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

**ADD AN ADDITIONAL ACTIVITIES ENTRY**

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

Full Name (Print): \_\_\_\_\_ Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

**ATTACHMENT I**

**MACBRIDE PRINCIPLES FORM**

**NOTICE TO ALL BIDDERS REQUIREMENT TO PROVIDE A CERTIFICATION IN COMPLIANCE WITH MACBRIDE PRINCIPLES AND NORTHERN IRELAND ACT OF 1989**

Pursuant to Public Law 1995, c. 134, a responsible bidder selected, after public bidding, by the Director of the Division of Purchase and Property, pursuant to N.J.S.A. 52:34-12, or the Director of the Division of Building and Construction, pursuant to N.J.S.A. 52:32-2, must complete the certification below by checking one of the two representations listed and signing where indicated. If a bidder who would otherwise be awarded a purchase, contract or agreement does not complete the certification, then the Directors may determine, in accordance with applicable law and rules, that it is in the best interest of the State to award the purchase, contract or agreement to another bidder who has completed the certification and has submitted a bid within five (5) percent of the most advantageous bid. If the Directors find contractors to be in violation of the principles which are the subject of this law, they shall take such action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party.

I certify, pursuant to N.J.S.A. 52:34-12.2 that the entity for which I am authorized to bid:

\_\_\_\_\_ has no ongoing business activities in Northern Ireland and does not maintain a physical presence therein through the operation of offices, plants, factories, or similar facilities, either directly or indirectly, through intermediaries, subsidiaries or affiliated companies over which it maintains effective control; or

\_\_\_\_\_ will take lawful steps in good faith to conduct any business operations it has in Northern Ireland in accordance with the MacBride principles of nondiscrimination in employment as set forth in N.J.S.A. 52:18A-89.8 and in conformance with the United Kingdom's Fair Employment (Northern Ireland) Act of 1989, and permit independent monitoring of their compliance with those principles.

I certify that 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.

DATE: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_