

# **Borough of Matawan**

**201 Broad Street, Matawan New Jersey 07747**

**(732) 566-3898**

**(732) 290-7585 Fax**



## **Bid Proposal**

### **Communications Equipment for the Borough of Matawan Volunteer Fire Department**

- 1. Motorola APX 7000 VHF / 700-800 MHz Multi-Band Portable Radio (or equal)**
- 2. Motorola APX 7500 VHF / 700-800 MHz Multi-Band Portable Radio (or equal)**

**Bids will be received by the Borough Clerk of the Borough of Matawan  
Matawan Municipal Community Center  
201 Broad Street, Matawan, New Jersey 07747**

**Bid Opening  
May 17, 2022 At 10:00 AM**

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**NOTE: This packet contains a complete set of instructions, bidding forms and specifications.**

**WHEN SUBMITTING A BID YOU MUST RETURN THE COMPLETE PACKET.**

**BOROUGH OF MATAWAN  
NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN that sealed bids will be received by the Borough Clerk in the Borough of Matawan, County of Monmouth, State of New Jersey on Tuesday, May 17, 2022 at 10:00 A.M., Matawan Municipal Community Center, 201 Broad Street, Matawan, New Jersey 07747, at which time and place bids will be opened and read in public for:

**COMMUNICATIONS EQUIPMENT FOR THE  
BOROUGH OF MATAWAN VOLUNTEER FIRE DEPARTMENT**

- 1. Motorola APX 7000 VHF / 700-800 MHz Multi-Band Radio (or equal)**
- 2. Motorola APX 7500 VHF / 700-800 MHz Multi-Band Radio (or equal)**

Specifications and bid information may be obtained on the Borough website ([www.matawanborough.com](http://www.matawanborough.com)), requested electronically via [karen.wynne@matawanborough.com](mailto:karen.wynne@matawanborough.com), or in person from the Clerk weekdays during the hours of 8:30 A.M. to 4:30 P.M.

**BID SECURITY:** Is required in an amount of not less than ten percent (10%) of the total amount indicated in the Bid, but not in excess of Twenty Thousand Dollars (\$20,000.00); and may for certain equipment, materials and services be accompanied by a Certificate of Surety from a surety company authorized to do business in the State of New Jersey indicating consent to be bound as surety and guarantor for performance required under the contract documents.

**SUBMISSION OF BIDS:** The completed bid form and other items required shall be placed in sealed envelopes including the name and address of the bidder and the name of the item on the outside, addressed to the Borough Clerk, Borough of Matawan, 201 Broad Street, Matawan, NJ 07747 and delivered prior to bid opening at the above address for receiving bids.

**STATUTORY REQUIREMENTS:** Bidders are required to comply with requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 (Affirmative Action); and must include a Statement of Ownership of 10% or more of the stock of the bidder corporation or partnership pursuant to P.L. 1977, C. 33 of the laws of New Jersey.

**REJECTION OF BIDS:** The Borough Council reserves the right to reject any and all bids or to waive any formalities, where such formality is detrimental to the best interest of the Municipality.

## **SECTION A: INSTRUCTION TO BIDDERS AND STATUTORY REQUIREMENTS**

### **I. SUBMISSION OF BIDS**

- A. Sealed bids shall be received by the Borough of Matawan, hereinafter referred to as "owner" in accordance with public advertisement as required by law. With a copy of said notice being attached hereto and made a part of these specifications.
- B. Sealed bids will be opened and read aloud by the Borough Clerk, Borough of Matawan, Matawan Municipal Community Center, 201 Broad Street, Matawan, New Jersey 07747 on Tuesday, May 17, 2022 at 10:00 A.M. as stated in the Notice to Bidders.
- C. The bid shall be submitted in a sealed envelope:
  - (1) addressed to the Borough of Matawan,
  - (2) bearing the name and address of the bidder written on the face of the envelope, and
  - (3) clearly marked "BID" with the contract title.
- D. It is the bidder's responsibility that bids are presented to the Borough of Matawan at the time and place designed. Bids may be hand delivered or mailed; however, the owner disclaims any responsibility for bids forwarded by regular or overnight mail. If the bid is sent by express mail service, the designation in sub-section C, above, must also appear on the outside of the express mail envelope. Bids received after the designated time and date will be returned unopened.
- E. Sealed bids forwarded to the owner before the time of opening of bids may be withdrawn upon written application of the bidder who shall be required to produce evidence showing that the individual is or represents the principal or principals involved in the bid. Once bids have been opened, they shall remain firm for a period of (60) sixty calendar days.
- F. All prices and amounts must be written in ink printed. Bids containing any conditions, omissions, unexplained erasure or alterations, items not called for in the bid proposal form, attachment of additive information not required by the specifications, or irregularities of any kind may be rejected by the owner. Any changes, whiteouts, strikeouts, etc., in the bid must be initialed with ink by the person signing the bid.
- G. Each bid proposal form must give the full business address, business phone, fax and e-mail if available, of the contract person of the bidder, and be signed by an authorized representative as follows:
  - Bids by partnerships must furnish the full name of all partners and must be signed in the partnership name by one of the members of the partnership or by an authorized representative, followed by the signature and designation of the person signing.

- Bids by corporations must be signed in the legal name of the corporation, followed by the name of State in which incorporated and must contain the signature and designation of the president, secretary or other person authorized to bid the corporation in the matter.
  - Bids by sole proprietorship shall be signed by the proprietor.
  - When requested, satisfactory evidence of the authority of the officer signing shall be furnished.
- H. Bidder should be aware of the following statutes that represent "Truth in Contracting": laws:
- NJSA 2C:21-34, et seq. governs false claims and representations by bidders. It is a serious crime for the bidder to knowingly submit a false claim and /or knowingly make material misrepresentation.
  - NJSA 2C:27-10 provides that a person commits a crime if said person offers a benefit to a public servant for an official act performed or to be performed by public servant, which is a violation of official duty.
  - NJSA 2C:27-11 provides that a bidder commits a crime if said person, directly or indirectly, confers or agrees to confer any benefit not allowed by law to a public servant.
  - Bidder should consult the statutes or legal counsel for further information.

## II. BID SECURITY AND BONDING REQUIREMENTS

The following provisions shall be applicable to this bid and be made a part of bid documents:

### A. BID GUARANTEE – **WAIVED FOR THIS BID**

Bidder shall submit with the bid a certified check, cashier's check or bid bond in the amount of ten percent (10%) of the total price bid, but not in excess of \$20,000, payable unconditionally to the owner. When submitting a Bid Bond, it shall contain Power of Attorney for full amount of Bid Bond from a surety company authorized to do business in the State of New Jersey and acceptable to the owner. The check or bond of the unsuccessful bidder(s) shall be returned pursuant to NJSA 40A:11-24a. The check or bond of the bidder to whom the contract is awarded shall be retained until a contract is executed and the required performance bond or other security is submitted. The check or bond of the successful bidder shall be forfeited if the bidder fails to enter into a contract pursuant to NJSA 40A:11-21.

### B. CONSENT OF SURETY – **WAIVED FOR THIS BID**

Bidder shall submit with the bid a Certificate (Consent of Surety) with Power of Attorney for full amount of bid price from a Surety Company authorized to do business in the State of New Jersey and acceptable to the owner stating that it will provide said bidder with a Performance Bond in the full amount of the bid. This certificate shall be obtained in order to confirm that the bidder to whom the contract is awarded will furnish Performance and Payment Bonds from an acceptable surety company on behalf of said bidder, any or all subcontractors or by each respective subcontractor or by any combination thereof which results in

performance security equal to the total amount to the contract, pursuant to N.J.S.A. 40A:11-22.

Failure to submit consent of surety form shall result in rejection of the bid.

**C. PERFORMANCE BOND – WAIVED FOR THIS BID**

Bidder shall simultaneously with the delivery of the executed contract, submit an executed bond in the amount of one hundred percent (100%) of the acceptable bid as security for the faithful performance of this contract.

Failure to submit this with the executed contract shall be cause for declaring the contract null and void pursuant to N.J.S.A. 40A:11-22.

**III. INTERPRETATION AND ADDENDA**

- A. The bidder understands and agrees that its bid is submitted on the basis of the specifications prepared by the owner. The bidder accepts the obligation to become familiar with these specifications.
- B. Bidders are expected to examine the specifications and related bid documents with care and observe all their requirements. Ambiguities, errors or omissions noted by bidders should be properly reported in writing to the appropriate official. Any prospective bidder who wishes to challenge a bid specification shall file such challenges in writing with the contracting agent no less than three business days prior to the opening of the bids. Challenges filed after that time shall be considered void and having no impact on the contracting unit or the award of contract, pursuant to NJSA 40A:11-13. In the event the bidder fails to notify the owner of such ambiguities, error or omissions, the bidder shall be bound by the requirements of the specification and the bidder's submitted bid.
- C. No oral interpretation and or clarification of the meaning of the specifications for any goods and services will be made to any bidder. Such request shall be in writing, addressed to the owner's representative stipulated in the specification. In order to be given consideration, a written request must be received at least seven (7) business days prior to the date fixed for the opening of the bid for goods and services.

All interpretations, clarifications and any supplemental instructions will be in the form of written addenda to the specifications and will be distributed to all prospective bidders. All addenda so issued shall become part of the specifications/bid documents and shall be acknowledged by the bidder. The owner's interpretations or corrections thereof shall be final.

When issuing addenda, the owner shall provide required notice prior to the official receipt of bids to person who has submitted a bid or who has received a bid package pursuant to NJSA 40A:11-23c.

D. DISCREPANCIES IN BIDS

1. If the amount shown in words and its equivalent to figures do not agree, the written words shall be binding. Ditto marks are not considered writing or printing and shall not be used.

2. In the event that there is a discrepancy between the unit prices and the extended totals, the unit prices shall prevail. In the event there is an error of the summation of the extended totals, the computation by the owner of the extended totals shall govern.

**IV. INDEMNIFICATION**

A. INDEMNIFICATION (EXHIBIT B)

Bidder shall indemnify and hold harmless the owner from all claims, suits or actions, and damages and costs of every incident by name and description to which the owner may be subjected or put by reason of injury, the person or property of another, or the property of the owner, resulting from negligent acts or omissions on the part of the contractor, the contractor's agent, servants or subcontractors in the delivery of goods and services, or in the performance of the work under the contract.

**V. PRICING INFORMATION FOR PREPARATION OF BIDS**

A. The owner is exempt from any local, state or federal sales, use or excise tax.

B. Bidder shall be responsible for obtaining any applicable permits or licenses from any government entity that has jurisdiction to require the same. All bids submitted shall have included this cost.

**VI. STATUTORY AND OTHER REQUIREMENTS**

The following are mandatory requirements of this bid and contract.

A. MANDATORY AFFIRMATIVE ACTION CERTIFICATION

No firm may be issued a contract unless it complies with the affirmative action provision of NJSA 10:5-31 et seq. and NJAC 17:27-1 et seq. The following information summarizes the full requirements, which are included as Exhibit D of this bid specification.

1. Goods and Services (including professional services) Contracts.

Each bidder shall submit to the public agency, after notification of award but prior to execution of goods and services contract, one of the following three documents;

- i. A photocopy of a valid letter that the contractor is operating under an existing federally approved sanctioned affirmative action program (good for one year from the date of the letter); or
- ii. A photocopy of a Certificate of Employee Information Report approval, issued in accordance with NJAC 17:27-4; or
- iii. A photocopy of an Employee Information Report (Form AA302) provided by the Division of distributed to the public agency to be completed by the contract in accordance with NJAC 17:27

#### B. AMERICANS WITH DISABILITIES ACT OF 1990

Discrimination on the basis of disability in contracting for the purchase of goods and services is prohibited. Bidders are required to read Americans with Disabilities language and agree that the provisions of Title II of the Act are made a part of the contract. The contractor is obligated to comply with the act and to hold the owner harmless.

#### C. STOCKHOLDER DISCLOSURE

NJSA 52:25-24.2 provides that no corporation or partnership shall be awarded any contract for the performance of any work or the furnishing of any good and services, unless, prior to the receipt of bid or accompanying the bid of said corporation or partnership, bidders submit a statement setting forth the names and address of all stockholders in the corporation or partnership who owns ten percent or more of its stock of any class, or of all individual partners in the partnership who own ten percent or greater interest therein. The included Statement of Ownership shall be completed and attached to the bid proposal. This requirement applies to all forms of corporations and partnerships, including but not limited to, limited partnerships, limited liability corporations, limited liability partnerships and Subchapter S corporations. Failure to submit a stockholder disclosure document shall result in rejection of the bid.

#### D. PROOF OF BUSINESS REGISTRATION

Each bidder (contractor) shall submit proof of business registration with the bid proposal. Proof of registration shall be a copy of the bidder's Business Registration Certificate (BRC). A BRC is obtained from the New Jersey Division of Revenue. Information on obtaining a BRC is available on the Internet at [www.nj.gov/njbgs](http://www.nj.gov/njbgs) or by phone at (609) 292-1730. NJSA 52:32-33 imposes the following requirements on contractors and all subcontractors that knowingly provide goods or perform service for a contractor fulfilling this contract.

- 1) The bidder shall provide written notice to its subcontractors and suppliers to submit proof of business registration to the contractor;
- 2) Prior to receipt of final payment from a contracting agency, a contractor must submit to the contracting agency an accurate list of all subcontractors or attest that none was used;



3) During the term of this contact, the bidder and its affiliates shall collect and remit, and shall notify all sub-contractor and their affiliates that they must collect and remit the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act, (NJSA 54:32B-1 et seq.) on all sales of tangible personal property delivered into this State.

A contractor, subcontractor or supplier who fails to provide proof of business registration or provides false business registration information shall be liable to a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration not properly provided or maintained under a contact with a contracting agency. Information of the law and its requirements is available by call (609) 292-9292.

E. NON-COLLUSION AFFIDAVIT

The affidavit shall be properly executed and submitted with the bid proposal.

## VII. METHOD OF CONTRACT AWARD

A. The length of the contract shall be stated in the technical specifications. Pursuant to the requirement NJAC 5:30-5.1 et seq., any contract resulting from this bid shall be subject to the availability and appropriation of sufficient funds annually. Please see Section IX. Termination of Contract, Sub-section for additional information.

**B. Award of contract will be made on the basis of per unit prices to that responsible bidder submitting the lowest unit price/bid.**

## VIII. CAUSES FOR REJECTING BIDS

Bids may be rejected for any of the following reasons:

- A. All bids pursuant to NJSA 40A:11-13.2;
- B. If more than one bid is received from an individual, firm partnership corporation or association under the same name
- C. Multiple bids from an agent representing competing bids;
- D. The bid is inappropriately unbalanced;
- E. The bidder is determined to possess, pursuant to NJSA 40A:11-4bm "Prior Negative Experience."
- F. If the successful bidder fails to enter into a contract within 21 days, Sundays and holidays except or an otherwise agreed upon by the parties to the contact, in this case at its option, the owner may accept the bid of the next lowest responsible bidder.

## **IX. TERMINATION OF CONTRACT**

A. If, through any cause, the bidder shall fail to fulfill in a timely and proper manner obligations under the contract or if the bidder shall violate any of the requirements of the contract, the owner shall thereupon have the right to terminate the contract by giving written notice to the contractor of such termination and specifying the effective date of termination. Such termination shall relieve the owner of any obligation for balances to the contract of any sum or sums set forth in the contract. Owner will pay only for goods and services accepted prior to termination.

B. Notwithstanding the above, the contractor shall not be relieved of liability to the owner for damages sustained by the owner by virtue of any breach of the contract by the contractor and the owner may withhold any payments to the contact for the purpose of compensation under such time as the exact amount of the damages due the owner from the contractor is determined.

C. The bidder agrees to indemnify and hold the owner harmless from any liability to subcontractor/suppliers concerning payment for work performed or goods supplied arising out of the lawful termination of the contact by the owner under this provision.

D. In case of default by the bidder, the owner may procure the goods or services from other sources and hold the contactor responsible for any excess cost.

E. Continuation of the terms of the contact beyond the fiscal year is contingent on availability of funds in the following year's budget. In the event of unavailability of such funds, the owner reserves the right to cancel the contract.

F. ACQUISITION, MERGER, SALE AND/OR TRANSFER OF BUSINESS, ETC.

It is understood by all parties that it, during the life of the contract, the contractor disposes of his/her business concern by acquisition, merger, sale or transfer, or by any means convey his/her interest(s) to another party, all obligations are transferred to that new party. In this event, the new owner(s) will be required to submit all documents/legal instruments that were required in the original bid/contract. Any change shall be approved by the Owner.

G. The bidder will not assign any interest in the contract and shall not transfer any interest in the same without the prior written consent of the owner.

H. The owner may terminate the contract for convenience by providing 60 calendar days advanced notice to the contractor.

## **X. PAYMENT**

A. No payment will be made unless duly authorized by the Owner's authorized representative and accompanied by proper documentation.

B. Payment will be made in accordance with the Owner's policy and procedures.

**REQUIREMENTS OF PROSPECTIVE BIDDERS  
P.L. 1977 CHAPTER 33**

**(Ownership Statement of Compliance)**

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

No corporation or partnership shall be awarded any contract nor shall any agreement be entered into for the performance of any work or the furnishing of any materials or supplies, the cost of which is to be paid with or out of any public funds, by the State or any County, Municipality or School District or any subsidiary or agency of the State, or of any County, Municipality or School District, or by any authority, board or commission which exercises governmental functions, unless prior to the receipt of the bid of said corporation or accompanying the bid of said corporation or partnership, there is submitted a statement setting forth the names and addresses of all stockholders in the corporation or partnership who own 10% or more of its stock, of any class or of all individual partners in the partnership who own a 10% or greater interest therein as the case may be. If one or more such stockholders holding 10% or more of that corporation does stock, or the individual partners own 10% or greater interest in that partnership, as the case may be, shall also be listed. The Disclosure shall be continued until names and addresses of every stockholder owning 10% of the stock of the bidding corporation or 10% of the stock of a corporate stockholder owning 10% of the stock of the bidding corporation or their corporate stockholders are submitted non-corporate stockholder, and individual partner, exceeding the 10% ownership criteria established in this act, have been listed.

This act shall take effect immediately.

Also enclosed herewith is the Ownership Statement of Compliance Form in compliance with Public Law 197.

## **BOROUGH OF MATAWAN**

### **Invitation to Bid**

#### **INVITATION**

Bidders are invited to bid on the items listed below in accordance with the Bid Specifications and the standard Borough terms and conditions.

#### **GENERAL TERMS**

Bidder is to deliver all specified services under the direction of the Borough, and to assist in placing in service all services, materials and equipment contracted by the Borough. The Borough specifically reserves the right to inspect, at its convenience, all services, materials and equipment delivered and to run what acceptance tests it may deem appropriate.

#### **DELIVER**

Services and materials shall be delivered as provided in the detailed requirements.

#### **QUALITY**

The Borough requires first quality service, materials and equipment. When delivered, if the service, materials and equipment do not meet the Borough quality standards, or where the materials and equipment delivered are incomplete or damaged, the Borough reserves the right to refuse delivery and the right to return the unsatisfactory item.

#### **SPECIFICATION TERMS**

All bidders must answer compliance questions in full. If a bidder is basing his/her proposals on services other than what is specified in these bid documents and wishes the services he/she proposes to be considered as a "approved equal" he shall SUBMIT ON A SEPARATE SHEET, in the exact format of the Technical specifications contained herein, an item by item description of that which he/she proposes to substitute. Failure to carry out the provisions noted herein may be deemed sufficient reason not to consider the bidder's proposal.

#### **TAXES**

Municipality ID# 21-6000836

# **DETAILED REQUIREMENTS**

## **COMMUNICATIONS EQUIPMENT FOR THE BOROUGH OF MATAWAN VOLUNTEER FIRE DEPARTMENT**

- 1. Motorola APX 7000 VHF / 700-800 MHz Dual Band Radio (or equal)**
- 2. Motorola APX 7500 VHF / 700-800 MHz Dual Band Radio (or equal)**

### **1. Motorola APX 7000 Multi-Band Portable Radio Price Per Unit**

- a. Dual band features will include VHF and 700-800MHz**
- b. 1.5" Top Display**
- c. Battery**
  - i. 7.4V Lithium Ion Battery Comparable to Motorola Model PMNN44038**
- d. Antenna**
- e. Single Charger**
- f. Flash Code: 982178-001490-0**

### **2. Motorola APX 7500 Multi-Band Portable Radio Price Per Unit**

- a. Dual band features will include VHF and 700-800MHz**
- b. Complete Remote Setup**
- c. Flash Code: 9L1358-811490-2**

- All radios shall be auto tuned to factory specifications by the vendor prior to delivery.**
- Warranty: The warranty on all radios shall be no less than 180 calendar days from the date of delivery. This warranty shall cover, at minimum, any radio failure that may be experienced as a result of normal use, wear and tear. Any and all deficiencies experienced as a result of the aforementioned will result in a total replacement of the affected product(s).**
- If a bidder proposes to supply another make/model of radios as an "Equal," the bidder shall submit complete product specifications with bid.**

**BID DOCUMENT CHECKLIST**

Failure to submit any of these document(s) is **MANDATORY** cause for rejection of Bid.

			Items submitted with bid (Bidder's INITIALS)
<b>1</b>	<b>Form of Bid Proposal</b>	<b>Mandatory</b>	
<b>2</b>	<b>Bid Guarantee (10% of bid)</b>	<b>WAIVED</b>	
<b>3</b>	<b>Consent of Surety</b>	<b>WAIVED</b>	
<b>4</b>	<b>Ownership Statement of Compliance</b>	<b>Mandatory</b>	
<b>5</b>	<b>List of Subcontractors</b>	<b>If applicable</b>	
<b>6</b>	<b>NJ Business Registration Certificate</b>	<b>Mandatory</b>	

Failure to submit any of these document(s) may be cause for rejection of bid.

			Items submitted with bid (Bidder's INITIALS)
<b>7</b>	<b>Bidder Qualification Form</b>		
<b>8</b>	<b>Non-Collusion Affidavit</b>		
<b>9</b>	<b>Exhibit A- Mandatory Affirmative Action Language</b>		
<b>10</b>	<b>Procurement and Service contracts Language "A"</b>		
<b>11</b>	<b>Bidder's Reference Sheet</b>		

The undersigned bidder herewith submits the above required documents.

\_\_\_\_\_  
**Name of Person preparing Proposal**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Telephone #**

\_\_\_\_\_  
**Date**

**THIS CHECKLIST SHOULD BE INITIALED AND SIGNED WHERE INDICATED AND RETURNED WITH ALL DOCUMENTS.**

**BOROUGH OF MATAWAN**

**BID PROPOSAL**

**FOR THE PROVISION OF THE BOROUGH OF MATAWAN**

**TO: MAYOR AND BOROUGH COUNCIL**  
**Borough of Matawan, Monmouth County**

**RE: COMMUNICATIONS EQUIPMENT FOR THE BOROUGH OF MATAWAN**  
**VOLUNTEER FIRE DEPARTMENT**

- 1. Motorola APX 7000 VHF / 700-800 MHz Dual Band Radio (or equal)**
- 2. Motorola APX 7500 VHF / 700-800 MHz Dual Band Radio (or equal)**

We, the undersigned, do hereby certify and declare that we have carefully examined the bid specifications and contract terms contained in the Invitation to Bid, Specification, and Contract Terms to furnish Motorola Radios for the Borough of Matawan, New Jersey and understand that our bid proposal is required to be received in the office of the Borough Clerk on \_\_\_\_\_, \_\_\_\_\_, 2022 at 10:00 A.M. prevailing time.

\_\_\_\_\_

**Witness**

**Company Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Print Name and Title:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_

**(Seal)**

**PROPOSAL**

**COMMUNICATIONS EQUIPMENT FOR THE BOROUGH OF MATAWAN VOLUNTEER FIRE DEPARTMENT, MONMOUTH COUNTY, NEW JERSEY**

- 1. Motorola APX 7000 VHF / 700-800 MHz Dual Band Radio (or equal)**
- 2. Motorola APX 7500 VHF / 700-800 MHz Dual Band Radio (or equal)**

The undersigned hereby declare that they have carefully examined the component parts of this contract and that they will contract to perform such work as specified herein for the bid stated.

It is understood that the total price stated by the following price schedule will control the award of the contract.

**DESCRIPTION: COMMUNICATIONS EQUIPMENT FOR THE BOROUGH OF MATAWAN VOLUNTEER FIRE DEPARTMENT**

- 1. Motorola APX 7000 VHF / 700-800 MHz Dual Band Radio or equal**

\$ \_\_\_\_\_ per unit.

\_\_\_\_\_

**Written dollars and cents**

- 2. Motorola APX 7500 VHF / 700-800 MHz Dual Band Radio or equal**

\$ \_\_\_\_\_ per unit.

\_\_\_\_\_

**Written dollars and cents**

\_\_\_\_\_  
Witness

**Company Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Print Name and Title:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_

(Seal)

Amounts are to be shown in both words and figures. In case of discrepancy, the amount shown in words will govern.



**STOCKHOLDER DISCLOSURE CERTIFICATION**  
**This Statement Shall Be Included with Bid Submission**

**Name of Business** \_\_\_\_\_

I certify that the list below contains the names and home addresses of all stockholders holding 10% or more of the issued and outstanding stock of the undersigned.

**OR**

I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

**Check the box that represents the type of business organization:**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Partnership              | <input type="checkbox"/> Corporation                   | <input type="checkbox"/> Sole Proprietorship           |
| <input type="checkbox"/> Limited Partnership      | <input type="checkbox"/> Limited Liability Corporation | <input type="checkbox"/> Limited Liability Partnership |
| <input type="checkbox"/> Subchapter S Corporation |  |  |

**Sign and notarize the form below, and, if necessary, complete the stockholder list below.**

Stockholders:

Name: \_\_\_\_\_ Name: \_\_\_\_\_

Home Address: \_\_\_\_\_ Home Address: \_\_\_\_\_

\_\_\_\_\_

Name: \_\_\_\_\_ Name: \_\_\_\_\_

Home Address: \_\_\_\_\_ Home Address: \_\_\_\_\_

\_\_\_\_\_

Name: \_\_\_\_\_ Name: \_\_\_\_\_

Home Address: \_\_\_\_\_ Home Address: \_\_\_\_\_

\_\_\_\_\_

Subscribed and sworn before me this \_\_\_\_ day of \_\_\_\_\_, 2022. \_\_\_\_\_  
(Affiant)

(Notary Public) \_\_\_\_\_  
(Print name & title of affiant)

My Commission expires: \_\_\_\_\_  
(Corporate Seal)

**BIDDER QUALIFICATION FORM  
(NJSA 40A:11-20)**

**Project known as** \_\_\_\_\_

**Name of Prospective Bidder** \_\_\_\_\_

**Address** \_\_\_\_\_

**Phone Number** \_\_\_\_\_ **Date** \_\_\_\_\_

**1) How many years has your organization been in business under your present name?**

\_\_\_\_\_

**2) Have you ever failed to complete any work awarded you? Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, State where and reasons why.**

\_\_\_\_\_

\_\_\_\_\_

**3) Has any officer or partner of your organization ever failed to complete a contract handled in his own name? Yes \_\_\_\_\_ No \_\_\_\_\_  
Give full details**

\_\_\_\_\_

\_\_\_\_\_

**4) Have any liens or lawsuits of any kind been filed against any of your contracts? Yes \_\_\_\_\_ No \_\_\_\_\_  
Give full details**

\_\_\_\_\_

\_\_\_\_\_

**5) List Surety Companies which have heretofore bonded you (name, address & amount of bond.)**

\_\_\_\_\_

\_\_\_\_\_

**6) List all contracts which you are now performing or for which you have signed Contract's, but not started work (owners name, location and amounts).**

\_\_\_\_\_

\_\_\_\_\_

**7) State all equipment owned by you for use in this contract.**

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**8) Additional remarks:**

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**9) Provide the names, address and phone number or references for the three (3) projects listed above:**

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**Signature of bidder's authorized representative:** \_\_\_\_\_

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

**Witness:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**(seal)**

**NON-COLLUSION AFFIDAVIT**

**COMMUNICATIONS EQUIPMENT FOR THE  
BOROUGH OF MATAWAN VOLUNTEER FIRE DEPARTMENT**

**1. Motorola APX 7000 VHF / 700-800 MHz Dual Band Radio (or equal)**

**2. Motorola APX 7500 VHF / 700-800 MHz Dual Band Radio (or equal)**

State of \_\_\_\_\_ County of \_\_\_\_\_

I, \_\_\_\_\_ of the Municipality of \_\_\_\_\_  
(Print Name)  
in the County of \_\_\_\_\_ and the State of \_\_\_\_\_

I, am \_\_\_\_\_ of the firm of \_\_\_\_\_  
Name of Partner or Officer Title Name of the Firm

located at \_\_\_\_\_  
Business Address

in the County of \_\_\_\_\_ and State of \_\_\_\_\_ being of full age, and duly  
sworn according to law on my oath depose and say that I am \_\_\_\_\_ of the firm of

\_\_\_\_\_ the bidder making the Proposal for the above named project, and that I  
executed said Proposal with full authority to do so; that said bidder has not, directly or indirectly, entered into  
any agreement, participated in collusion, or otherwise taken any action in restraint of free, competitive bidding  
in connection with the above named project; and that statements contained in said Proposal and in this affidavit  
are true and correct, and made with full knowledge that the Borough of Matawan relies upon the truth of the  
statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract  
for said project.

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

\_\_\_\_\_ in accordance with NJSA 52:34-15.  
Name of Successful bidder

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Print name and Title

Subscribed and sworn to before me

this \_\_\_\_ date of \_\_\_\_\_, 2022

SEAL

\_\_\_\_\_  
**Signature of Notary Public**  
**Seal**

**PROCUREMENT AND SERVICE CONTRACTS**  
**AFFIRMATIVE ACTION REGULATIONS**  
PUBLIC LAW 1975, C. 127 (N.J.A.C. 17:27)

**LANGUAGE "A"**

In the event that you or your firm is awarded this contract, upon award, will send the necessary additional forms. These should be submitted within seven (7) working days of notification, (Bidders are required to comply with the requirements of N.J.S.A. 10:531 et seq., codified at N.J.A.C .17:-1.1 et seq.)

1. Does this contract have the potential of having a dollar value \$17,500 or more?

\_\_\_\_ Yes (If yes, complete #2)

\_\_\_\_ NO (If no, no further documentation is required)

2. Does your company have a Federal Affirmative Action Plan Approval Letter?

\_\_\_\_ Yes (If yes, submit a Photostat copy)

\_\_\_\_ NO (If no, complete "A" below)

A. Does your company have a Certificate of Employee Information Report?

\_\_\_\_ Yes (If yes, submit a Photostat copy)

\_\_\_\_ NO (If no, complete "A" below)

B. If you do not have either of the above-mentioned documents, an Affirmative Action Employee Information Report form (AA-302) will be returned to you for your completion.

3. Each contract over \$17,500 must also contain Language "A".

4. Are you're a minority-owned business?

\_\_\_\_ Yes

\_\_\_\_ No

All successful vendors must submit one o the following forms of evidence:

1. Letter of Federal Approval      OR      2. Certificate of Employee Information Report

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

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

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

**Special Note:** This questionnaire must be completed, signed and returned with you contract or bid proposal.

**\*\*\* AN EQUAL OPPORTUNITY EMPLOYER\*\*\***

**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, sex, 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, sex, affectional or sexual orientation.

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 P.L. 1975, c.127, 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 female workers consistent with the applicable county employment goals prescribed by N.J.A.C. 17:27-5.2, promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time or in accordance with a binding determination of the applicable county employment goals determined by the Division of Contract Compliance & EEO pursuant to N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation, 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 law and applicable Federal court decisions.

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

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.**

## **INDEMNIFICATION EXHIBIT B**

### **Hold Harmless Provision**

Contractual Liability Insurance: The Contractor shall indemnify, defend, and hold harmless the BOROUGH OF MATAWAN, its consultants, its officers, agents, contractors, subcontractors, servants and employees, from and against any and all claims, demands, suits, proceedings, fees, because of bodily injury, sickness, disease or death, sustained by any person or persons or injury or damages to, or destruction of, any property directly or indirectly arising out of, relating to, or in connection with the work, whether or not due or claimed to be due, in whole or in part, to the active, passive or concurrent negligence or fault of the Contractor, its officers, agents, servants, or employees and/or any other person or persons and whether or not such claims, demands, suits or proceedings are just, unjust, groundless, false, or fraudulent. The Contractor shall furnish evidence to the BOROUGH OF MATAWAN that with respect to accomplishing the work in the Agreement, it carries said contractual Liability Insurance in the amounts specified in Paragraph B above.

**"BUSINESS REGISTRATION CERTIFICATE"**

(C. 57, Laws 2004 S1778)

Pursuant to P.L. 2004, C.57 all Bidders are required to submit a Business Registration Certificate issued by the New Jersey Department of Treasury, Division of Revenue, which will establish that, the Bidder is registered pursuant to the Business Registration Act.

(NOTE: required for both Contractor & Sub-contractor)

**\*Bidder to attach a copy of Business Registration Certificate"**

**"Contractor & Sub-Contractors**



**LIST OF SUBCONTRACTORS (IF APPLICABLE)**

N.J.S.A. 40A:11-16 provides that bidders on public projects shall provide “the name or names of all subcontractors to who the bidder will subcontract with, each of which subcontractors shall be qualified in accordance with this act.”

The bidder to provide the name, address and description of work to be performed by all subcontractors.

Name of Bidder: \_\_\_\_\_

Address: \_\_\_\_\_

The undersigned bidder declares that the subcontractors listed below be used as subcontractors to complete certain portions of the work in this project.

The subcontractors identification form shall set for the scope of work for which the subcontractor has submitted a price quote and which the bidder has agreed to award to each subcontractor should the bidder be awarded the contract.

Subcontractor Name and Address	Nature of Work to be completed by Subcontractor
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Attach additional sheets if necessary

Signature of Bidder’s Authorized Representative: \_\_\_\_\_

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

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

**BIDDER REFERENCE SHEET**

1. Name and address of all previous locations where said service has been performed.

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_
- d. \_\_\_\_\_
- e. \_\_\_\_\_

2. Name, address and telephone number of the principal party to whom you or your firm were responsible for the satisfactory performance of this service.

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_
- d. \_\_\_\_\_
- e. \_\_\_\_\_

\_\_\_\_\_  
Name of Person preparing Proposal

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Telephone #

\_\_\_\_\_  
Date



**DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN FORM**

STATE OF NEW JERSEY  
DEPARTMENT OF THE TREASURY - DIVISION OF PURCHASE AND PROPERTY  
33 WEST STATE STREET, P.O. BOX 230 TRENTON, NEW JERSEY 08625-0230

**BID SOLICITATION # AND TITLE:** \_\_\_\_\_

**VENDOR/BIDDER NAME:** \_\_\_\_\_

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

**CHECK THE APPROPRIATE BOX**

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

**OR**

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

**Entity Engaged in Investment Activities** \_\_\_\_\_  
**Relationship to Vendor/ Bidder** \_\_\_\_\_  
**Description of Activities** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
**Duration of Engagement** \_\_\_\_\_  
**Anticipated Cessation Date** \_\_\_\_\_  
*Attach Additional Sheets If Necessary.*

**CERTIFICATION**

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name and Title