

**BORDENTOWN SEWERAGE AUTHORITY
COUNTY OF BURLINGTON
STATE OF NEW JERSEY**

**NOTICE FOR SOLICITATION OF QUALIFICATIONS/PROPOSALS FOR
PROFESSIONAL SERVICES FOR BANKING SERVICES
UNDER A FAIR AND OPEN PROCESS**

Notice is hereby given that sealed qualifications/proposals for professional services, in accordance with *N.J.S.A. 40A:11-5* and *N.J.S.A. 19:44A-20.5*, will be received by the Administrative Manager of the Bordentown Sewerage Authority. The sealed qualifications/proposals will be opened and recorded at the Authority's office, 954 Farnsworth Avenue, Bordentown, NJ 08505 on Thursday, November 6, 2025 at 10:00 AM by the Administrative Manager and/or the Executive Director. Each sealed envelope containing a proposal shall be plainly marked "A Proposal for Banking Services" on the outside to clearly show the specific service for which an individual or firm is submitting a proposal.

Each submission to be considered shall comport to the criteria set forth in the Request for Proposals. The Request for Proposals may be obtained online posted on the Bordentown Sewerage Authority website www.bordentownsa.org, under the Proposals & Contracts menu.

Elizabeth Kwelty
Administrative Manager
Bordentown Sewerage Authority

REQUEST FOR PROPOSAL

I. **Background:**

Bordentown Sewerage Authority is seeking proposals from financial institutions to provide the Authority's primary banking services.

One (1) original, paper/hard copy marked "A Proposal for Banking Services" will be received no later than 10:00 AM local time prevailing, on Thursday, November 6, 2025 addressed to:

Bordentown Sewerage Authority
Elizabeth Kwelty, Administrative Manager
954 Farnsworth Avenue, PO Box 396
Bordentown, NJ 08505

Nothing herein is intended to exclude any responsible firm or in any way restrain or restrict competition. On the contrary, all responsible firms are encouraged to submit proposals.

All proposals submitted shall be binding for ninety (90) calendar days following the above due date.

Proposals received by the Bordentown Sewerage Authority after the time specified will not be considered.

All information required by the "Request for Proposal" must be supplied to constitute a valid proposal.

II. **Terms of the Banking Agreement:**

A. The effective date of the agreement is anticipated to be **December 1, 2025**.

B. Proposals will be accepted from parties which:

1. Have the capacity to provide services with an experienced professional staff.
2. Are fully qualified as a "Public Depository" pursuant to NJSA 17:9-41, or otherwise known as the Governmental Unit Protection Act. **Please submit a copy.**

- C. The Bordentown Sewerage Authority requires all banking institutions submitting a proposal to have a satisfactory rating by Federal examiners under the Federal Community Reinvestment Act (CRA). **Please submit a copy of the most recent rating.**
- D. The Bordentown Sewerage Authority is not liable for any costs incurred in the preparation of proposals.
- E. The Bordentown Sewerage Authority reserves the right to conduct personal interviews or require oral presentations of any or all proposers prior to selection. The Authority will not be liable for any costs incurred by the proposer in connection with such interviews. (i.e. travel, accommodations, etc).
- F. By submitting a proposal, the proposer certifies that they have fully read and understands the "Request for Proposal" and have full knowledge of the scope, nature, quantity, and quality of the work to be performed.
- G. The proposer shall furnish such additional information as the Bordentown Sewerage Authority may reasonably require. The Authority reserves the right to make investigations of the qualifications of the proposer as it deems appropriate.
- H. The Bordentown Sewerage Authority reserves the right to reject any/or all proposals or to informally negotiate certain points of the final agreement with a qualified proposer. The Bordentown Sewerage Authority reserves the right to split the relationship among different financial institutions if such would provide the Bordentown Sewerage Authority an overall cost savings. The Authority reserves the right to waive minor irregularities in the procedures. The Authority further reserves the right to seek new proposals when such a procedure is in its best interest. The Authority shall not be obligated to provide reasons for the rejection of any proposal.
- I. The Bordentown Sewerage Authority does not guarantee any minimum or maximum volume activities or balances. All vendors are to indicate unit prices for all services. Failure to submit all information requested will be considered non-responsive and may be disqualified.
- J. The successful financial institution will be required to submit a valid Business Registration Certificate pursuant to N.J.S.A. 52:32-44. **Please submit a copy of the most recent rating.**

- K. Services and pricing must be guaranteed and locked in for a minimum of three (3) years.
- L. The fees/formulas/services indicated in the RFP are those that will be in effect for the duration of the Contract. The bidder certifies that the formula for affixing the rate of interest and the guaranteed minimum interest rate will be in effect for the duration of the Contract.

III. Evaluation of Proposals:

The Contract will be awarded to the institution that best meets the needs of the Bordentown Sewerage Authority. The following criteria will be used but not limited to for the evaluation of this proposal:

- A. Responsiveness of the proposal related to the scope of the work.
- B. Qualifications of the individuals who will perform the service and overall knowledge and familiarity with the operations of an Authority.
- C. Ability, capacity, and skill of the financial institution to perform the services on a timely basis, including staffing and familiarity with the subject matter.
- D. Location (distance) of local branch in relation to the Authority's administrative office.
- E. Experience of the financial institution in establishing and maintaining similar accounts.
- F. Cost.
- G. The reputation, stability, and longevity of the institution.

IV. General Information & Required Services

- A. The banking services detailed in this section are to be performed for the Bordentown Sewerage Authority. The Authority reserves the right to terminate such contract by giving ninety (90) days advance written notice.
- B. It is the intent of the Bordentown Sewerage Authority to have one single banking institution provide all the general banking service needs of the Authority (except for services such as investments-, short- and long-term loans, lease financing, etc. which will be negotiated separately).

- C. The total sewer rents billed for fiscal year 2024 was \$4,727,072.82. All sewer rent collections are deposited into the Revenue Account.
- D. The 2024 adopted Authority budget was \$5,439,695.00. The cash on deposit as of the year ended November 30, 2024 was \$2,826,301.30
- E. The Bordentown Sewerage Authority will maintain multiple separate bank accounts. Please see below for current accounts as well as their average monthly balance and number of checks deposited for January 31, 2024 to December 31, 2024:

Account Name	Average Monthly Balance	Total Number of Checks Deposited	Coin/currency processed
Revenue Fund	\$535,576.52	SEE ITEM G	SEE ITEM G
Operating Disbursement	\$55,104.25	0	N/A
Operating Transfer Trustee	\$461,746.16	0	N/A
Payroll	\$16,419.82	0	N/A
Unemployment	\$28,160.38	0	N/A
Performance Guarantee	\$46,231.76	0	N/A
Connection Fees	\$1,305,057.84	8	N/A
Developers Escrow	\$71,795.25	23	N/A
ESCROW DISBURSEMENT ACCTS:			
206 Bordentown Urban Renewal	\$62,155.61	1	N/A
First Industrial LP	\$1,834.23	1	N/A

- F. Interest is to be calculated on all funds. The formula for calculating interest must be listed on the attached proposal form. Interest will be calculated on the average daily collected balance and will be credited to each account monthly on the final business day of each month. For a specific listing of accounts, the bank shall automate internal interest transfers between accounts after the monthly interest is credited. The specific listing will be provided by the Authority. The list, once set up does not change.
- G. The Bordentown Sewerage Authority issues approximately 600 checks annually from the Authority's Operating checking account and pays 15 employees bi-weekly from its payroll checking account. The operating account acts as the central disbursement account for all disbursements except for payroll and developer's escrow. Other banking activity for a 4-month period is shown in the following chart.

Banking Activity	January 2024	February 2024	March 2024	April 2024	Total 4 Months
Deposits Processed (at local branch)– Revenue	11	24	12	30	77
# of checks deposited	207	1618	117	833	5463
Coin/currency processed	\$604.21	\$1,952.59	\$1,388.45	\$2,891.48	\$13,069.25
ACH Debits - Received	1	3	3	4	11
ACH Credits - Received	63	75	63	79	280
Returned Checks - Revenue	0	2	0	0	2
Domestic Wire Out – Revenue to Trustee	1	1	1	1	4
Checks Paid - Operating	37	54	58	50	199
Stop Payments	0	0	4	1	5
Automatic Internal Interest Transfer- Debit	6	6	6	6	24
Automatic Internal Interest Transfer - Credit	6	6	6	6	24

- H. The banking institution shall allow Authority staff to drop-off the Authority's daily deposits without waiting for the deposits to be processed.
- I. The banking institution shall provide deposit slips and deposit bags, check stock, and depository stamps for all accounts to the Authority as needed at no direct cost or fee.
- J. The banking institution shall provide the ability to process employee direct deposits for payroll, with at least two bank accounts per employee. The

Authority's software creates a NACHA formatted file to be imported on the banks online system.

- K. All checks that are "Returned Items" will be mailed by the bank to Authority finance office personnel within the time limit prescribed by the U.C.C. These returned items shall be presented to the Authority no less than 50% of their original size and shall be legible.
- L. All deposits and/or wires that are received by 3:00pm will receive credit for that day.
- M. The proposal shall provide locations of bank branches in close proximity to Bordentown Sewerage Authority, 954 Farnsworth Ave Bordentown, NJ 08505.
- N. The Bordentown Sewerage Authority requires, at a minimum, the following no fee services on all their accounts as well as future accounts:
 - 1. Overdraft/Non-sufficient funds item
 - 2. Uncollected Funds
 - 3. Stop Payment
 - 4. Certified Check
 - 5. Wire Transfer-Incoming and Outgoing
 - 6. Monthly Maintenance
 - 7. Per paid check
 - 8. Per Deposit Item
 - 9. Check copies
 - 10. Deposited item returned
 - 11. Emailed Copies
 - 12. Statements including cleared check imaging
- O. The successful banking institution **must** provide full service on-line banking software. The on-line banking software **must** have the capability of providing for the following:
 - 1. Wire transfers –Out-going
 - 2. Same day inquiry of Incoming and Out-going wires
 - 3. Stop payments
 - 4. ACH transfers
 - 5. Transfers between accounts
 - 6. Payee Positive Pay
 - 7. Automatic internal interest transfers
 - 8. Statement retrieval

9. Next day inquiry of account balances.
10. Next day inquiry of account activity.
11. At least one (1) year prior account information lookup
12. Front and back images of all checks paid must be available for at least one (1) year.
13. Ability to require multiple user approval levels in combination for authorization of ACH payments and out-going wires.
14. Escrow account system for multiple accounts

- P. The successful banking institution will maintain the various Authority accounts, providing monthly statements online no later than the 7th day of the following month along with front and back images of all checks paid. The statement cut-off date for all accounts shall be the last banking day of the month. All accounts will receive monthly statements regardless of activity.
- Q. The Authority expects the financial institution to provide at least next business bank day availability for checks being deposited in the Authority accounts.
- R. The successful banking institution shall have read the “Best Practices for Wire Transfers and ACH Payments” memo submitted by Municipal Excess Liability Fund to all members which includes the Bordentown Sewerage Authority.

V. RFP Response Forms:

1. The cost proposals submitted to the Authority must be all inclusive. All services not mentioned or general services incidental to the operations of accounts maintained by the Authority and not addressed are expected to be provided at no cost.
2. All forms indicated in section VII.
3. A completed Proposal Sheet “A” must be submitted with your proposal. The Authority requests that all questions be answered, and all information provided.

VI. Questions and Additional Information:

1. To ensure fair consideration for all responses, the Authority prohibits communication to or with any official, department, or employee during the submission process except in writing directly to the Administrative Manager.
2. The Administrative Manager can be reached in writing with any questions relative to interpretation of specifications or the RFP no later than 1:00 PM on Friday, October 17, 2025.

Elizabeth Kwelty, Administrative Manager
Bordentown Sewerage Authority
954 Farnsworth Avenue
Bordentown NJ 08505 or ekwelty@bordentownsa.org

Responses will be in writing and available to all proposers as addenda to this RFP on the Authority's website.

<https://bordentownsa.org/proposalscontracts/request-for-proposals/>

VII. Checklist of documents to submit with proposal:

- ☐ Documents indicated in Section II (pages 2-3)
- ☐ Banking Proposal (pages 14-15)
- ☐ Acknowledgment of Receipt of Addenda (page 16)
- ☐ Statement of Ownership Disclosure (pages 17-18)
- ☐ Affirmative Action Compliance Notice (pages 19-21)
- ☐ Disclosure of Investment Activities in Iran (pages 22-24)
- ☐ Certification of Non-Involvement in Prohibited Activities in Russia or Belarus (page 25)
- ☐ C. 271 Political Contribution Disclosure Form (pages 26-29)

MEMORANDUM

TO: All Members of the Municipal Excess Liability Fund

FROM: Fred Semrau, Fund Attorney
Dave Grubb, Executive Director
Joe Hrubash, Executive Director
Paul Shives, Safety Director
Pauline Kontomanolis, Chief Accounting Officer
Ed Cooney, Underwriting Manager

DATED: October 31, 2023

RE: MEL's JCMI Banking Best Practices - Wire Transfers, ACH Payments (Automatic Clearing House) and Check Issuance.

Dear Covered Entity:

Wire transfer fraud cyber-attacks cost U.S. businesses billions of dollars each year. A number of covered entities have experienced breaches to their information systems related to wire transfers with financial institutions that have resulted in losses that far exceed their crime and cyber insurance coverage. Many of these events could have been avoided by applying vigilant oversight and compliance with "best practice" guidelines.

The following is a list of best practices that the MEL JCMI requires the JCMI and MEL affiliated members to review and implement with their Administration, Chief Financial Officer, and lending institution to ensure all necessary protections are in place. Failure to adhere to these required practices may lead to an increase in deductible, denial of claim or termination of coverage.

Best Practices for Wire Transfers and ACH Payments

1. **Review contracts with financial institutions** – Your entity's legal counsel must immediately review all agreements and be certain that the "presumptive liability" is placed on financial institutions that process wire transfers and ACH payments.

2. **Confirm receipt of Best Practices** – Verify that your Chief Financial Officer has reviewed each of these practices and provides specific “no exception guidelines” as to wire transfer and ACH payment policy and procedures.

3. **Include Best Practices in Annual Cash Management Plan** – Require that your Chief Financial Officer includes the entire Best Practices for Wire Transfer, ACH Payments, and Check Issuance protocol as part of the Annual Cash Management Plan pursuant to N.J.S.A. 40A:5-14, which is required to be adopted annually by the governing body.

4. **Establish specific wire transfer and ACH payment requirements** – Wire transfers payments are completed the same day while ACH payments take 1-2 business days for the transaction to be completed. Banking institutions have indicated that ACH payments are more secure than wire transfers. The following requirements must be part of your wire transfer and ACH payments policy:

a. Identify at least two authorized individuals in the covered entity who are authorized to execute and confirm wire transfers and ACH payments respectively. The Official with financial administrative rights that is tasked with this process is required to have an appropriate level of responsibility. This official will set up the wire transfer or the ACH payment and the other official, also with an appropriate level of responsibility will authorize the release of the wire or ACH payment directly with the bank utilizing a separate platform other than the electronic platform utilized to initiate the wire, i.e., Telephone call or Phone Text, not an email on the same network.

b. Free form wire transfers and ACH payments must be blocked in the banking system. Only wire transfers where an approved wire or ACH template is authorized are allowed. Wire and ACH Template authorizations should go through the same approval process as noted in a. above, wherein the Finance office initiates and the Administrative office confirms. Also, any changes to a template must be authorized using this same process. A wire transfer or ACH payment requires at least two forms of verification from the vendor bank before a transfer can be authorized. The verification should include: (i) Multi-factor authentication for each authorized user; (ii) user verbal authorization and verbal confirmation using phone contact information on file, not the phone number in an email; and (iii) a limited email exchange to confirm the wire transfer. The additional factor(s) can be a text with a code sent to an authorized user's smartphone, a hard token, or biometrics. The email exchange shall never contain specific information relating to the actual contents of the transfer.

- c. For all wire/ACH transfer of funds, the following information is required:
 - i. Must create a template for all transactions.
 - ii. Name of person spoken to, including the recipient vendor title and telephone number.
 - iii. Name of the two individuals from the covered entity that verbally and in writing confirmed the authorization of the transfer, and the receiving bank information, including routing number, account number and dollar amount.
 - iv. Confirming telephone call to vendor/receiving entity verifying transfer authorization, receiving bank information including routing number, account number and dollar amount.
 - v. Memorialization of the transfer and confirmation of completion of the transaction.
 - vi. Exception to the above is when a recurring transaction with an established template is transacted, steps iii-v will not have to be completed.
- d. Memorialization of each transfer/payment must be filed with the Chief Financial Officer/JIF treasurer and made available for audit.
- e. A detailed description of all wire transfers and ACH payments must be filed with the Chief Administrative Officer and the Clerk.
- f. Verbally confirm, within 24 hours, with receiving vendor/entity that the funds were credited to their account.
- g. Entities are required to establish a policy restricting the frequency of wire transfers to infrequent or emergent matters, and real estate transactions, rather than for routine payments to vendors. The frequency of fraudulent transactions for wire transfers is far greater than for checks. Templates must be set up for wire transfers and ACH payments.
- h. Entities are required to placing a dollar limit on wire transfers and ACH payments that is reasonable to your size entity but recognize when setting that limit that your coverage is limited to the maximum coverage of the crime policy and your entity will be responsible for any losses between the coverage limits and the wire limit you set.
- i. Establish on-line banking alerts for all wires & ACHs changes to a template. The online banking policy must include a requirement that the wire/ACH is not released until the recipient of the alert approves it.

j. Covered entities are required to restrict all permissions on international wires. Authorized users are required to set up the restrictions on the banking institution's on-line system.

k. Each Chief Financial Officer must utilize blocks and alerts in their banking system to ensure that any transactions not specifically authorized will be flagged by the banking system, and the Chief Financial Officer must authorize each flagged transaction. **The use of a Payee Positive Pay system for all checks and ACH transactions is required.** Additionally, daily review of overnight transactions and balances to identify any unusual transactions or events is strongly recommended.

l. Notify the bank and Chief Financial Officer/Treasurer/Responsible individual immediately if suspicious activity is detected.

Cyber Insurance and Wire Transfers

Generally speaking, wire transfer fraud is considered a theft and there may be limits of up to \$250,000 depending on the incident. That leaves a potential gap for significant exposure to . There are important coverage contingencies in many policies, such as that the coverage will apply only if you “**properly verify the instructions to transfer such assets by following a prearranged procedure to authenticate the request.**” The bottom line is, insurers have been moving to restrict or eliminate coverage altogether, especially if proper controls are not in place. Many of the losses that we are seeing today throughout government agencies are easy to prevent, but also easy to create significant losses. Prudent controls must be implemented to protect our members and covered entities and minimize exposure, as well as to qualify for coverage.

Conclusion

In conclusion, we would ask that you thoroughly review this memorandum and ensure that your legal counsel, Administration and Chief Financial Officer have, at a minimum, adhered to these best practices.

If you have any questions, please do not hesitate to contact the undersigned.

BANKING PROPOSAL

BORDENTOWN SEWERAGE AUTHORITY

NAME OF BANK:_____ **DATE:**_____

ADDRESS OF LOCAL BANK BRANCH:_____

CONTACT :_____ **(Name)** _____ **(Title)**

PHONE NUMBER:_____

a. Please provide the formula for fixing rate of interest:

b. Please initial that the banking institution has read and agrees to the payment and sweeping of interest as detailed in Section IV, subsection letters F, G, H of the RFP.

INITIAL:_____.

c. Please initial that the banking institution has read Section IV, subsection letters I through R of the RFP and agrees to these requirements.

INITIAL:_____.

- d. Please initial that the banking institution agrees to the “Terms of the Banking Agreement”, Section II of the RFP.

INITIAL:_____.

- e. Please initial that the banking institution agrees to all other provisions of the RFP that are not included above.

INITIAL:_____.

- f. Please initial that the banking institution has provided copies of the certificates that were requested in Section II, subsections B and C of the RFP.

INITIAL:_____.

- g. Please initial that the banking institution has reviewed the memorandum (pages 10-13) for “Best Practices for Wire Transfers and ACH Payments” submitted from Municipal Excess Liability Fund.

INITIAL:_____.

Note: If additional space is required for response to this RFP, it is appropriate to utilize additional sheets of paper. Please attach the additional sheets to this proposal.

Bordentown Sewerage Authority

RFP: Banking Services

ACKNOWLEDGMENT OF RECEIPT OF ADDENDA

Addenda will be posted on the Authority's website:

<https://bordentownsa.org/proposalscontracts/request-for-proposals/>

The undersigned Bidder hereby acknowledges receipt of the following Addenda:

Addendum Number

Dated

Acknowledge Receipt
(initial)

☐ **No addenda were received:**

Acknowledged for: _____
(Name of Bidder)

By: _____
(Signature of Authorized Representative)

Name: _____
(Print or Type)

Title: _____

Date: _____

STATEMENT OF OWNERSHIP DISCLOSURE

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

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

Name of Organization: _____

Organization Address: _____

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

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

Part II

- ☐ The list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. **(COMPLETE THE LIST BELOW IN THIS SECTION)**
- OR**
- ☐ No one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. **(SKIP TO PART IV)**

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

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

Part III DISCLOSURE OF 10% OR GREATER OWNERSHIP IN THE STOCKHOLDERS, PARTNERS OR LLC MEMBERS LISTED IN PART II

If a bidder has a direct or indirect parent entity which is publicly traded, and any person holds a 10 percent or greater beneficial interest in the publicly traded parent entity as of the last annual federal Security and Exchange Commission (SEC) or foreign equivalent filing, ownership disclosure can be met by providing links to the website(s) containing the last annual filing(s) with the federal Securities and Exchange Commission (or foreign equivalent) that contain the name and address of each person holding a 10% or greater beneficial interest in the publicly traded parent entity, along with the relevant page numbers of the filing(s) that contain the information on each such person. **Attach additional sheets if more space is needed.**

Website (URL) containing the last annual SEC (or foreign equivalent) filing	Page #’s

Please list the names and addresses of each stockholder, partner or member owning a 10 percent or greater interest in any corresponding corporation, partnership and/or limited liability company (LLC) listed in Part II **other than for any publicly traded parent entities referenced above.** The disclosure shall be continued until names and addresses of every noncorporate stockholder, and individual partner, and member exceeding the 10 percent ownership criteria established pursuant to N.J.S.A. 52:25-24.2 has been listed. **Attach additional sheets if more space is needed.**

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

Part IV Certification

I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the bidder/proposer; that the Bordentown Sewerage Authority is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with the Authority to notify the Authority in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the Authority, permitting the Authority to declare any contract(s) resulting from this certification void and unenforceable.

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

AFFIRMATIVE ACTION COMPLIANCE NOTICE
N.J.S.A. 10:5-31 and N.J.A.C. 17:27

GOODS AND SERVICES CONTRACTS
(INCLUDING PROFESSIONAL SERVICES)

This form is a summary of the successful bidder's requirement to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et seq.

The successful bidder shall submit to the public agency, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

(a) A photocopy of a valid letter that the contractor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);

OR

(b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-4;

OR

(c) A photocopy of an Employee Information Report (Form AA302) provided by the Division and distributed to the public agency to be completed by the contractor in accordance with N.J.A.C. 17:27-4.

The successful vendor may obtain the Affirmative Action Employee Information Report (AA302) from the contracting unit during normal business hours.

The successful vendor(s) must submit the copies of the AA302 Report to the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (Division). The Public Agency copy is submitted to the public agency, and the vendor copy is retained by the vendor.

The undersigned vendor certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27.1 et seq. and agrees to furnish the required forms of evidence.

The undersigned vendor further understands that his/her bid shall be rejected as non-responsive if said contractor fails to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et seq.

COMPANY: _____ SIGNATURE: _____

PRINT NAME: _____ TITLE: _____

DATE: _____

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.**

STANDARD BID DOCUMENT REFERENCE						
Name of Form	DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN					
Statutory Reference	N.J.S.A. 52:32-55 et seq. N.J.S.A. 40A:11-2.1 N.J.S.A. 18A:18A-49.4					
Applicability		Y/N		Mandatory	Optional	N/A
	LPCL	Y	Goods and Services	X		
	PSCL	Y	Construction			X
Instructions Reference						
Description	P.L. 2012, c.25 prohibits the awarding of State and local public contracts for goods and services with persons or entities engaging in certain investment activities in energy or finance sectors of Iran. Prior to contract award, vendors and contractors must certify that neither they nor any parent entity, subsidiary, or affiliate is listed on the New Jersey 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").					

The Certification form requires the insertion of contracting unit identification information which should be filled in (in italics on the form) prior to its use.

Disclosure of Investment Activities in Iran

Person or Entity

Part 1: Certification

COMPLETE PART 1 BY CHECKING **EITHER BOX.**

Pursuant to Public Law 2012, c. 25, any person or entity that is a successful bidder or proposer, 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 parent entity, subsidiary, or affiliate is identified on the State Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran. The list is found on Treasury's website at www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf.

The Chapter 25 list must be reviewed prior to completing the below certification. If a vendor or contractor is found to be in violation of law, action may be taken as appropriate and as may 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 Public Law 2012, c. 25, that neither the person or entity listed above, nor any parent entity, subsidiary, or affiliate thereof 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 I am an officer 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 person or entity and/or a parent entity, subsidiary, or affiliate thereof is listed on the N.J. Department of the Treasury's Chapter 25 list. I will provide a detailed, accurate and precise description of the activities in Part 2 below sign and complete the Certification below.

Part 2: Additional Information

PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN.

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

Part 3: Certification of True and Complete Information

I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments there to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the above-referenced person or entity.

*I acknowledge that the **Name of Contracting Unit** 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 **Reference to Contracting Unit** to notify the **Reference to Contracting Unit** in writing of any changes to the answers of information contained herein.*

*I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, 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 **Name of Contracting Unit** and that the **Reference to Contracting Unit** at its option may declare any contract(s) resulting from this certification void and unenforceable.*

Full Name (Print)		Title	
Signature		Date	



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

Pursuant to N.J.S.A. 52:32-60.1, et seq. ([L. 2022, c. 3](#)) any person or entity (hereinafter "Vendor"ⁱ) that seeks to enter into or renew a contract with a State agency for the provision of goods or services, or the purchase of bonds or other obligations, must complete the certification below indicating whether or not the Vendor is identified on the Office of Foreign Assets Control (OFAC) Specially Designated Nationals and Blocked Persons list, available here: <https://sanctionssearch.ofac.treas.gov/>. If the Department of the Treasury finds that a Vendor has made a certification in violation of the law, it shall take any 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, the undersigned, certify that I have read the definition of "Vendor" below, and have reviewed the Office of Foreign Assets Control (OFAC) Specially Designated Nationals and Blocked Persons list, and having done so certify:

(Check the Appropriate Box)

☐ A. That the Vendor is not identified on the [OFAC Specially Designated Nationals and Blocked Persons list on account of activity related to Russia and/or Belarus](#).

OR

☐ B. That I am unable to certify as to "A" above, because the Vendor is identified on the [OFAC Specially Designated Nationals and Blocked Persons list on account of activity related to Russia and/or Belarus](#).

OR

☐ C. That I am unable to certify as to "A" above, because the Vendor is identified on the [OFAC Specially Designated Nationals and Blocked Persons list](#). However, the Vendor is engaged in activity related to Russia and/or Belarus consistent with federal law, regulation, license or exemption. A detailed description of how the Vendor's activity related to Russia and/or Belarus is consistent with federal law is set forth below.

(Attach Additional Sheets If Necessary.)

Signature of Vendor's Authorized Representative	Date
Print Name and Title of Vendor's Authorized Representative	Vendor's FEIN
Vendor's Name	Vendor's Phone Number
Vendor's Address (Street Address)	Vendor's Fax Number
Vendor's Address (City/State/Zip Code)	Vendor's Email Address

ⁱ Vendor means: (1) A natural person, corporation, company, limited partnership, limited liability partnership, limited liability company, business association, sole proprietorship, joint venture, partnership, society, trust, or any other nongovernmental entity, organization, or group; (2) Any governmental entity or instrumentality of a government, including a multilateral development institution, as defined in Section 1701(c)(3) of the International Financial Institutions Act, 22 U.S.C. 262r(c)(3); or (3) Any parent, successor, subunit, direct or indirect subsidiary, or any entity under common ownership or control with, any entity described in paragraph (1) or (2).

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Contractor Instructions

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

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

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

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

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

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

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

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

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

The contractor must also complete the attached Stockholder Disclosure Certification. This will assist the agency in meeting its obligations under the law. **NOTE: This section does not apply to Board of Education contracts.**

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

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Required Pursuant To N.J.S.A. 19:44A-20.26

**This form or its permitted facsimile must be submitted to the local unit
no later than 10 days prior to the award of the contract.**

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.

Signature

Printed Name

Title

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)

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

County Name: Burlington

State: Governor, and Legislative Leadership Committees

Legislative District #: 7

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

County:

Freeholders

County Clerk

Sheriff

Surrogate

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

Bordentown City

Bordentown Township

Boards of Education (Members of the Board):

Bordentown Regional School District

Fire Districts (Board of Fire Commissioners):

Bordentown Township Fire District No. 1

Bordentown Township Fire District No. 2