

**REQUEST FOR PROPOSAL
FOR
COMPUTER CONSULTANT
WATCHUNG BOROUGH**

**SUBMISSION DEADLINE
AT WHICH TIME PROPOSALS WILL BE OPENED IS**

**December 5, 2023
10:00 am**

ADDRESS ALL PROPOSALS TO:

**William Hance, QPA
Watchung Borough
15 Mountain Boulevard
Watchung, New Jersey 07069**

**Attn: 2024 Computer
Services RFP**

NOTICE OF REQUEST FOR PROPOSALS

The Borough of Watchung is soliciting proposals through a fair and open process in accordance with N.J.S.A. 19:44A-20.5 et seq.

Sealed Request For Proposal (RFP) responses will be received by the Borough Clerk on December 5, 2023 at 10:00 am in the Office of the Borough Clerk, Watchung Municipal Building, 15 Mountain Boulevard, Watchung, New Jersey, at which time and place responses will be opened for:

IT Services

Each sealed envelope containing a proposal shall be plainly marked on the outside to clearly show the specific service for which an individual or firm is submitting a proposal. The proposals will be evaluated by the Mayor and Council of the Borough of Watchung and contracts will be awarded based on (1) individual or firm experience and reputation in the field (a copy of the resume of each individual performing the work is to be included); (2) knowledge of the Borough of Watchung and subject matters to be addressed under the contract; (3) availability to accommodate any required meetings; (4) compensation proposal; (5) at least 2 references with address and phone number; (6) a certification that no immediate relatives of any principal of the firm is employed by, or serve as elected officials of the Borough of Watchung; (7) an explanation as to when each individual performing work received his or her license to practice in this State; (8) a copy of the firm's Certificate of Liability Insurance; (9) a copy of the firm's Business Registration Certificate, and (10) Submission of all the information requested in the RFP. All contracts pursuant to the fair and open process will be awarded by resolution and require a majority vote of the Borough Council at a public meeting. These contracts shall be awarded in compliance with N.J.S.A. 19:44A-20.4 et. seq., N.J.S.A. 10:5-31 and N.J.A.C. 17:27 42 U.S.C. Section 12101 et. seq. (Americans with Disabilities Act of 1990), N.J.S.A. 40A:11-23.2 (as authorized by N.J.S.A. 52:25-24.2) -Disclosure of Ownership and N.J.S.A. 52:32-44 (Business Registration). Any questions regarding this notice should be directed to the Borough of Watchung, Office of the Chief Financial Officer, 15 Mountain Blvd., Watchung, New Jersey

Specifications and instructions may be obtained at the Office of the Borough Clerk, Municipal Building, 15 Mountain Blvd., Watchung, New Jersey or at the Borough website, www.watchungnj.gov.

Edith Gil
Borough Clerk October 30, 2023

GENERAL INFORMATION & SUMMARY

ORGANIZATION REQUESTING PROPOSAL

Watchung Borough
15 Mountain Boulevard
Watchung, New Jersey 07069

CONTACT PERSON

Please direct all questions in writing to:

Watchung Borough
15 Mountain Boulevard
Watchung, New Jersey 07069
Attention: Professional Services RFP for 2024

William Hance, QPA Phone: (908) 756-0080 X216
Fax: (908) 757-7027
Email: bhance@watchungnj.gov

PURPOSE OF REQUEST

Watchung Borough desires to hire a computer consultant who will facilitate the Borough's need to maintain and protect data and records via computer network systems. Applicants should demonstrate experience and knowledge in the field of computers, operating systems and networking especially with existing systems operating within Watchung Borough.

PERIOD OF CONTRACT

One (1) year from date of award.

CONTRACT FORM

The successful proposer shall be required to execute the Borough's form contract, which includes the indemnification, insurance, termination and licensing provisions set forth in this RFP.

LOCATIONS TO BE SERVICED

Borough Hall- 15 Mountain Boulevard
Fire Department- 57 Mountain Boulevard
DPW - 880 Somerset Street
Texier House- 10 Mountain Boulevard

There are 61 Desktop and laptop computers and 2 Windows 2016 servers.

**DETAILED REQUIREMENTS OF THE
REQUEST FOR PROPOSAL FOR COMPUTER CONSULTANT SERVICES**

SCOPE OF SERVICES:

Any persons or firms interested in providing professional services to Watchung Borough (“Watchung”) as defined in the New Jersey Statutes, N.J.S.A. 40A:11-2(6).

A. **Computer Consultant Contract.** A computer consultant shall be hired for a term of 1 year following the Borough Council approval. Compensation will be agreed upon and determined by the Council.

B. **Standard Requirements of Technical Proposal.**

The Proposer should submit a technical proposal which contains the following:

1. The name of the proposer, the principal place of business and, if different, the place where the services will be provided;
2. The age of the proposer’s firm and average number of employees over the past three years;
3. The education, ***certifications**, qualifications, experience, and training of all persons who would be assigned to provide services along with their names and titles;

***Certification:**

- All consultants **must** be fully vetted by the Police Department and records **must** be provided.
4. A listing of all other municipalities where services of the types being proposed were provided. Contact information for the recipients of the similar services must be provided.
 5. A description of all other areas of expertise of the proposer, with emphasis on a description of those services of interest to a municipal government client;
 6. A detailed plan for providing the proposed services;
 7. Proof of professional liability insurance with coverage of \$1,000,000.;
 8. Proof of any necessary professional license or certification from the State of New Jersey for all professionals assigned to the engagement;
 9. Statement that the firm has Workers’ Compensation and Employer’s Liability Insurance in accordance with New Jersey law;

10. Statement that neither the firm nor any individuals assigned to this engagement are disbarred, suspended, or otherwise prohibited from professional practice by Any federal, state, or local agency;
11. A description of the proposer's office location and an explanation of the proposer's availability for meetings, conferences, training and emergency response at Watchung Borough's facilities.
12. An Affirmative Action Statement;
13. A completed Non-Collusion Affidavit;
14. A completed Owner Disclosure Statement;
15. A statement that the proposer will comply with the General Terms and Conditions required by Watchung and enter into the Watchung Borough standard Professional Services Contract;
16. A copy of the Proposer's Business Registration Certificate.
17. A statement that the respondent has read the Americans with Disabilities language that is part of the documents attached hereto and agrees that the provisions of Title II of the Act are made part of the contract. The contractor is obligated to comply with the Act and hold Watchung harmless.

Specialized Requirements of Technical Proposal:

- A. The proposer shall perform management, maintenance, and security of Watchung's network infrastructure.
- B. The proposer shall identify and recommend hardware, software and firewall operating systems and upgrades for network and office technology. Consideration for future growth should also be considered such as additional sites or bandwidth upgrades.
- C. The proposer shall provide remote monitoring services 24/7 on all key network devices, monitoring key services such as but not limited to virus scanning, data backup, and security intrusions.
- D. The proposer shall provide call center support with access to real time phone support to handle all desktop issues.
- E. The proposer shall provide onsite service to Watchung Borough between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday, excluding public holidays.
- F. The proposer shall provide emergency repair service and maintenance outside the normal working hours of Watchung Borough, defined as 8:00 a.m. and 4:00 p.m. Monday through Friday, excluding public holidays, which shall include Saturdays and Sundays.
- G. The proposer shall troubleshoot problems with appropriate vendors and maintenance of software from the application software providers.

APPLICANT'S/PROPOSER'S RESPONSIBILITY IN RESPONDING TO THE BOROUGH'S REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES

COST PROPOSAL- Proposers should submit a cost proposal which would include any proposed retainer, the services to be provided for the retainer, and hourly billing rates.

PROPOSAL EVALUATION- Watchung will select the most advantageous proposal based on all of the evaluation factors set forth at the end of this RFP. Watchung will make the award that is in the best interest of the Borough based on cost and other considerations. Each proposal must satisfy the objectives and requirements detailed in this RFP. The features of the proposal, considered together with its economic and other benefits, will form the basis for the evaluation process. The successful proposer shall be determined by an evaluation of the total content of the proposal submitted. The Borough reserves the right to:

- a) Not select any of the proposals;
- b) Award a contract for the requested services at any time within 60 days of the selection of the most advantageous proposal. Every proposal should be valid through this time period.

PROPOSAL LIMITATIONS- This RFP is not intended to be an offer, order or contract and should not be regarded as such, nor shall any obligation or liability be imposed on Watchung by issuances of this RFP. Watchung reserves the right to refuse any proposal submitted.

USE OF INFORMATION- Any specifications, drawings, sketches, models, samples, data, computer programs, documentation, technical or business information and the like ("Information") furnishes or disclosed by Watchung to the proposer in connection with this RFP shall remain the property of the Watchung. When in tangible form, all copies of such information shall be returned to Watchung upon request. Unless such information was previously known to the proposer, free of any obligation to keep it confidential, or has been or is subsequently made public by the Watchung or a third party, it shall be held in confidence by the proposer, shall be used only for the purposes of this RFP, and may not be used for other purposes except upon such terms and conditions as may be mutually agreed upon in writing.

GENERAL TERMS AND CONDITIONS –

A. Watchung reserves the right to reject any or all proposals, if necessary, or to waive any informality in the proposals, and unless otherwise specified by the proposer, to accept any item, items or services in the proposals should it be deemed in the best interest of the Borough.

B. In case of failure by the successful proposal, Watchung may procure the articles or services from other sources, deduct the cost of the replacement from money due to the proposer under the contract, and hold the proposer responsible for any excess cost occasioned thereby.

C. The proposer shall be responsible for, shall keep, save and hold Watchung harmless from, shall indemnify and shall defend Watchung against any claim, loss, liability, expense (specifically

including but not limited to costs, counsel fees and/or experts' fees), or damage resulting from all mental or physical injuries or disabilities, including death, to employees or recipients of the proposer's services or to any other persons, or from any damage to any property sustained in connection with this contract which results from any acts or omissions, including negligence or malpractice, of any of its officers, directors, employees, agents, servants or independent contractors, or from the proposer's failure to provide for the safety and protection of its employees, or from proposer's performance or failure to perform pursuant to the terms and provisions of this contract. The proposer's liability under this agreement shall continue after the termination of this agreement with respect to any liability, loss, expense or damage resulting from acts occurring prior to termination.

D. The proposer shall maintain sufficient insurance to protect against all claims under Workmen's Compensation, General Automobile Liability and shall be subject to approval for adequacy of protection.

E. Each proposal must be signed by the person authorized to do so.

F. Where applicable, payments will be made upon approval of vouchers submitted by the successful proposer in accordance with the requirements of Watchung and subject to the standard procedures of Watchung.

G. Watchung is exempt from any State sales tax or Federal Excise Tax. In submitting its proposal, the proposer certifies that its total base proposal does not include any NJ State Sales Tax.

H. The contract shall be in effect for one (1) year from date of award unless otherwise stated.

I. Proposals may be delivered to the Purchasing Agent per the instructions.

J. If awarded a contract, the successful bidder shall be required to comply with the requirements of N.J.S.A. 10:5-31 et seq. And N.J.A.C. 17:27, and shall submit evidence of appropriate affirmative action compliance prior to the execution of a contract.

K. All services shall be performed within the United States of America.

L. All proposals submitted shall include in the price any applicable permits or fees required by any other government entity that has jurisdiction to require the same.

M. By submission of the proposal, the proposer certifies that the service to be furnished will not infringe upon any valid patent, trademark or copyright and the successful proposer shall, at its expense, defend any and all actions or suits charging such infringement, and will save Watchung harmless in any case of any such infringement.

N. No proposer shall influence or attempt to influence or cause to be influenced any Watchung officer or employee to use his/her official capacity in any manner which might tend to impair the objectivity or independence of judgment or said officer or employee.

O. No proposer shall cause or influence or attempt to cause or influence any Watchung officer or employee to use his/her official capacity to secure unwarranted privileges or advantages for the proposer or any other person.

BASIS for AWARD CONTRACT/AGREEMENT for PROFESSIONAL SERVICES

The Borough shall award all professional service contracts or agreements based on qualification, merit and cost competitiveness. Selection criteria will include:

1. Qualifications of the individual or firms who will perform the service or activity. 10 %
2. Experience and references. 10 %
3. Ability to perform the service or activity in a timely fashion, including staffing and the staff's familiarity of the service or activity. 15 %
4. Cost Competitiveness. 20 %
5. Knowledge of the Borough Computer Systems. 25 %
6. Required forms submitted with proposal. 10 %
7. Women / minority owned business. 10%

The Borough reserves the right to conduct an interview or interviews with the prospective Professional to discuss the scope of the professional services as outlined in the applicant's/ proposer's proposal.

All awards will be by resolution acted on by the Watchung Borough Council.

All awards are subject to availability of funds.

This policy will include, but not be limited to, all of the above listed requirements.

REQUEST FOR PROPOSAL CHECKLIST

THIS CHECKLIST MUST BE COMPLETED AND SUBMITTED WITH YOUR PROPOSAL:

Please initial below, indicating that your proposal includes the itemized document.

A PROPOSAL SUBMITTED WITHOUT THE FOLLOWING DOCUMENTS

IS CAUSE FOR REFUSAL

INITIAL

BELOW

- A. An original complete proposal and an electronic copy (USB or CD) _____
- B. Non-Collusion Affidavit properly notarized _____
- C. Public Disclosure Statement, properly notarized, listing the names of all persons owning ten (10) percent or more of the proposing entity. _____
- D. Authorized signatures on all forms. _____
- E. Business Registration Certificate(s) **Must be submitted prior to award** _____
- F. Americans with Disabilities Form _____
- G. Disclosure of Investment Activities in Iran Form _____
- H. Pay-to-Play Certification _____

Note: N.J.S.A 52:32-44 provides that the borough shall not enter into a contract for goods or services unless the other party to the contract provides a copy of its business registration certificate for the State of New Jersey, and the business registration certificate of any subcontractors, at the time that it submits its proposal. The contracting party must also collect the state use tax where applicable.

**THE UNDERSIGNED HEREBY ACKNOWLEDGES
THE ABOVE LISTED REQUIREMENTS.**

NAME OF PROPOSER:

Person, Firm or Corporation

BY:

(NAME)

TITLE)

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

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

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

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

The contractor or subcontractor agrees to make good faith efforts to afford equal employment opportunities to minority and women workers consistent with Good faith efforts to meet targeted Borough employment goals established in accordance with N.J.A.C. 17:27-5.2, or Good faith efforts to meet targeted borough 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 targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

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

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302

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

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY

Watchung Borough

ss:

I am _____

Of the Firm of

UPON MY OATH, I DEPOSE AND SAY:

1. That I executed the said proposal with full authority so to do;
2. That this proposer has not, directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of fair and open competition in connection with this engagement;
3. That all statements contained in said proposal and in this affidavit are true and correct, and made with full knowledge that Watchung Borough relies upon the truth of the statements contained in said proposal and in the statements contained in this affidavit in awarding the contract for the said engagement; and
4. That no person or selling agency has been employed to solicit or secure this engagement agreement or understanding for a commission, percentage, brokerage or contingent fee, except bona fide employees or bona fide established commercial of selling agencies of the proposer. (n.j.s.a.52: 34-25)

(Type or print name of Affiant under signature)

Subscribed and sworn to before me this _____ day of _____, 2019.

Notary public of

My Commission expires: _____ 20 _____

STOCKHOLDER DISCLOSURE CERTIFICATION
N.J.S.A. 52:25-24.2 (P.L. 1977 c.33)
FAILURE OF THE BIDDER/RESPONDENT TO SUBMIT THE REQUIRED
INFORMATION IS CAUSE FOR AUTOMATIC REJECTION

CHECK ONE:

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.

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

Check which business entity applies:

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

Complete if the bidder/respondent is one of the 3 types of Corporations:

Date Incorporated: _____ Where incorporated: _____

Business Address:

Street Address	City	State	Zip
Telephone #	Fax#	Email	

Listed below are the names and addresses of all stockholders, partners or individuals who own 10% or more of its stock of any classes, or who own 10% or greater interest therein.

_____	_____
Name	Home Address
_____	_____
Name	Home Address
_____	_____
Name	Home Address

CONTINUE ON ADDITIONAL SHEETS IF NECESSARY: Yes No

Signature: _____ Date: _____

Printed Name and Title: _____

Sworn and subscribed
before me this _____
day of _____ 20__

AMERICANS WITH DISABILITIES ACT
Equal Opportunities for Individuals with Disabilities

The Contractor and Watchung Borough do hereby agree that the provision of Title II of the Americans With Disabilities Act of 1990 (the "ADA") (42 U.S.C. Section 12101 et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs and activities provided or made available by public entities, and the rules and regulations promulgated pursuant thereto, are made a part of this contract. In providing any aid, benefit or service on behalf of the Borough pursuant to this contract, the Contractor agrees that the performance shall be in strict compliance with the ADA. In the event that the Contractor, its agents, servants, employees or subcontractors violate or are alleged to have violated the ADA during the performance of this contract, the Contractor shall defend the Borough in any action or administrative proceeding commenced pursuant to this ADA. The Contractor shall indemnify, protect and save harmless the Borough, its agents, servants and employees from and against any and all suits, claims, losses, demands or damages of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The Contractor shall, at its own expense, appear, defend and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the Borough grievance procedure, the Contractor agrees to abide by any decision of the Borough which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the Borough or if the Borough incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the Contractor shall satisfy and discharge the same at its own expense.

The Borough shall, as soon as practicable after a claim has been made against it, give written notice thereof to the Contractor along with full and complete particulars of the claim. If any action or administrative proceeding is brought against the Borough or any of its agents, servants, and employees, the Borough shall expeditiously forward or have forwarded to the Contractor every demand, complaint, notice, summons, pleading or other process received by the Borough or its representatives.

It is expressly agreed and understood that any approval by the Borough of the services provided by the Contractor pursuant to this contract will not relieve the Contractor of the obligation to comply with the ADA and to defend, indemnify, protect, and save harmless the Borough pursuant to this paragraph.

It is further agreed and understood that the Borough assumes no obligation to indemnify or save harmless the Contractor, its agents, servants, employees and subcontractors for any claim which may arise out of their performance of this agreement. Furthermore, the Contractor expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the Contractor's obligations assumed in this agreement, nor shall they be construed to relieve the Contractor from any liability, nor preclude the Borough from taking any other actions available to it under any other provisions of this agreement or otherwise by law.

Name of Proposer: _____ Date: _____
(Person, Firm or Corporation)

By: _____
(NAME) (Title)

DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

RFP Title: _____ **Proposer:** _____

PART 1: CERTIFICATION

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

I certify, pursuant to Public Law 2012, c. 25, that the person or entity listed above, for which I am authorized to submit a proposal, nor any of the proposer's parents, subsidiaries, or affiliates (check each box if appropriate):

_____ is not providing goods or services of \$20,000,000 or more in the energy sector of Iran, including a person or entities that provides oil or liquefied natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas, for the energy sector of Iran, AND

_____ is not a financial institution that extends \$20,000,000 or more in credit to another person or entity, for 45 days or more, if that person or entity will use the credit to provide goods or services in the energy sector in Iran.

In the event that a person or entity is unable to make the above certification because it or one of its parents, subsidiaries, or affiliates has engaged in the above-referenced activities, a detailed, accurate and precise description of the activities must be provided in Part 2 below to Watchung Borough under penalty of perjury. Failure to provide such will result in the proposal being rendered as non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.

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

Where appropriate, provide a detailed, accurate and precise description of the activities of the proposer, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below. Please provide thorough answers to each question. Provide an attachment if you need to make additional entries.

Name: _____ Relationship to Proposer: _____

Description of Activities: _____

Duration of Engagement: _____ Anticipated Cessation Date: _____

Proposer Contact Name: _____ Contact Phone Number: _____

PART 3: CERTIFICATION

I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the above-referenced person or entity. I acknowledge that Watchung Borough 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 Borough to notify the Borough 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 Watchung Borough and that the Borough at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): _____ Signature: _____

Title: _____ Date: _____

PAY-TO-PLAY” LAW

**CERTIFICATION BY A BUSINESS ENTITY OR INDIVIDUAL
THAT HAS NOT MADE A CONTRIBUTION
THAT WOULD BAR AWARD OF A CONTRACT FOR OVER \$17,500
UNLESS AWARDED PURSUANT TO A “FAIR AND OPEN” PROCESS**

**(TO BE ATTACHED TO BID SPECIFICATIONS AND PROPOSALS FOR
CONTRACTS HAVING ESTIMATED VALUE IN EXCESS OF \$17,500 UNLESS
“FAIR AND OPEN” PROCESS IS FOLLOWED)**

(Name of Business Entity or Individual)

seeks to be awarded a contract by Watchung Borough and hereby certifies under penalty of perjury that such entity or individual has not made and will not make any contribution(s) that would bar the award of a contract pursuant to an act concerning campaign contributions by certain business entities seeking or holding a municipal contract (the New Jersey “Pay-to-Play Law”). This certification is made and submitted in fulfillment of the requirement of *N.J.S.A. 19:44A-20.8* of the Pay-to-Play Law which reads as follows:

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

Said business entity or individual has not made (and will not make) prior to January 1, 2013, and will not make during the term of the contract, reportable contributions (currently those in excess of \$300 per *N.J.S.A. 19:44A-8.d.* and *N.J.A.C. 19:25-10.2, et seq.*) to any municipal committee of a political party in Watchung if a member of that political party is serving in an elective public office in Watchung when the contract is awarded, or to any candidate committee of any person serving in an elective public office of Watchung when the contract is awarded.

I hereby certify that all of the foregoing statements made by me are true; I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated:

Name:

Title:

Company: