SOUTH JERSEY TRANSPORTATION AUTHORITY

Request for Proposals

MANAGEMENT AUDIT OF
THE SOUTH JERSEY TRANSPORTATION AUTHORITY

Proposals Due
Thursday, February 11, 2016 at 4:00 PM
at the SJTA Administration Building located at
the Farley Service Plaza in Elwood, NJ

Please take into consideration when preparing proposals for shipment & delivery
that using overnight delivery services (Fed Ex or UPS) does not guarantee next day
deliveries to our location.

Physical/Courier (Fedex / UPS) Address:
South Jersey Transportation Authority
Farley Service Plaza
Atlantic City Expressway, M. P. 21.3
Elwood, NJ 08217
Attn: Purchasing Department

Mailing (USPS) Address:
South Jersey Transportation Authority
Farley Service Plaza
P.O. Box 351
Hammonton, NJ 08037
Attn: Purchasing Department

Phone: 609-965-6060
Fax: 609-965-7315
bids@sjta.com
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STATEMENT OF RIGHTS

The South Jersey Transportation Authority reserves, holds, and may at its sole discretion, exercise the following rights and options with respect to this Request for Proposals (RFP).

1. To select and enter into an agreement with the one or more Proposer(s) whose proposal best satisfies the interests of the Authority and not necessarily on the basis of price or any other single factor.
2. To reject any and/or all proposals.
3. To issue additional subsequent solicitations for proposals and/or amendments to the RFP.
4. To conduct investigations with respect to the qualifications of each Proposer.
5. To negotiate with Proposers for amendments or other modifications to their proposals.
6. To modify dates.
7. To enter into agreements for only portions (or to not enter into an agreement for any) of the services contemplated by the proposal submitted.
8. All proposals prepared in response to this RFP are at the sole expense of the Proposer, and with the express understanding that there will be no claim, whatsoever, for reimbursement from the SJTA for the expense of preparation.
9. The Open Public Records Act mandates public access to government records. However, proposals submitted in response to this RFP may contain technical, financial, or other data whose public disclosure could cause substantial injury to a Proposer’s competitive position, or constitute a trade secret. To protect these data from disclosure under the Open Public Records Act, the Proposer should specifically identify the pages of the proposal that contain such information, by properly marking the applicable pages and inserting the following notice in the front of its proposal.

NOTICE

The data on pages------------- of this proposal identified by an asterisk (*) contain technical or financial information, which are trade secrets, or information for which disclosure would result in substantial injury to the Proposer’s competitive position.

The Proposer requests that such data be used only for the evaluation of the proposal, but understands that the disclosure will be limited to the extent the SJTA considers proper under the law. If an agreement is entered into with the Proposer, the SJTA shall have the right to use or disclose the data as provided in the agreement, unless otherwise obligated by law.

The SJTA does not assume any responsibility for disclosure or use of marked data for any purpose. In the event that properly marked data is requested, pursuant to the Open Public Records Act, the Proposer will be advised of the request, and may expeditiously submit to the SJTA a detailed statement indicating the reasons it has for believing that the information is exempt from disclosure under the law. This statement will be used by the SJTA in making its determination as to whether disclosure is proper under the law.
The SJTA has diligently prepared this RFP and has presented all known, pertinent data as accurately and as completely as possible. This data is provided for general information purposes only. The SJTA does not guarantee or warrant the correctness of this information; moreover, the SJTA accepts no responsibility for any omissions or deletions of information relating to this Request For Proposals.

DISCLAIMER

“The contents and information provided in this Request for Proposals (RFP) is meant to provide general information to interested parties, and in no way reflects the adherence of the South Jersey Transportation Authority to any public bidding requirements. The successful Proposer shall be required to execute an Agreement with the SJTA that will govern the rights, duties and obligations between the SJTA and the successful Proposer. ACCORDINGLY, THE TERMS SET FORTH WITHIN THIS REQUEST FOR PROPOSALS SHALL NOT CONSTITUTE ANY CONTRACT BETWEEN THE SJTA AND THE SUCCESSFUL PROPOSER. MOREOVER, THE SJTA ACCEPTS NO RESPONSIBILITY FOR ANY OMISSIONS OR DELETIONS RELATING TO THIS REQUEST FOR PROPOSALS. However, the successful proposal will become part of the Agreement.”
PUBLIC NOTICE
REQUEST FOR PROPOSAL

The South Jersey Transportation Authority is soliciting proposals for Management Audit of the South Jersey Transportation Authority.

This Request for Proposal will be available on Wednesday, January 13, 2016 after 1:00 pm from the address below, or downloaded from the Authority’s website at: www.sjta.com, under the “bids and contracts” tab.

One (1) original and eleven (11) copies of said proposals must be received by 4:00 pm on Thursday, February 11, 2016 at the following address:

South Jersey Transportation Authority
Administration Building, Farley Service Plaza
Atlantic City Expressway, M.P. 21.3
Elwood, NJ 08217
Attn: Purchasing Department
609-965-6060

Please be advised that using Federal Express or any other overnight service does not guarantee next day deliveries to our location.

Any packages received after the date and time listed above will be returned to the proposer unopened. Proposals must be enclosed in sealed envelopes bearing the name and address of the proposer on the outside and reference to this particular project. Any other correspondence should be addressed to P.O. Box 351, Hammonton, NJ 08037, Attn: Purchasing Department.

The Authority, in accordance with law, reserves the right to reject any or all proposals either in whole or in part and also to waive any informality in any proposal or proposals so received.

Proposers are also required to comply with the requirements of N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27 Mandatory Equal Employment Opportunity Regulations.

By order of the Director of Business Administration
1.0 INFORMATION FOR PROPOSERS

PURPOSE AND INTENT

The South Jersey Transportation Authority ("SJTA “or “Authority”) was created in 1991 by the South Jersey Transportation Act ("Act"), Chapter 252 of the Laws of New Jersey. The Authority became the successor to the New Jersey Expressway Authority ("NJEA") and the Atlantic County Transportation Authority ("ACTA"). It is constituted as an instrumentality of the State, exercising public and essential governmental functions. The Act empowers the Authority to own and operate various projects, located in the State of New Jersey, including the Atlantic City Expressway, the Atlantic City International Airport and parking and transit operations.

The Authority, which owns and operates the Atlantic City Expressway, the Atlantic City International Airport, parking facilities and transit routes, is required by N.J.S.A. 27:25A-36(b) to cause the performance of a Management Audit of its operational effectiveness and efficiency by an independent consulting firm once every five years.

The Authority is requesting proposals (RFP’s) from qualified management consulting firms to perform the required Management Audit. In accordance with N.J.S.A. 27:25A-36(b) “No firm which has performed a financial audit of the Authority in the five years previous to an impending Management Audit shall be selected by the Authority to perform that impending Management Audit”.

ANTICIPATED PROCUREMENT SCHEDULE

<table>
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In order to be considered for selection, proposals must be received no later than **4:00 PM on Thursday, February 11, 2016** at the address listed below. Proposers mailing proposals should allow for their normal mail delivery time to ensure timely receipt of their proposals. **Please be advised that using overnight delivery services does not guarantee next day deliveries to our location.**

TERM OF CONTRACT

The contract term for the successful Proposer will be **one (1) year with a (1) one-year renewal option that can be executed by mutual agreement only**. The SJTA reserves the right to terminate this contract at any time. The successful proposal will be included as part of the contract document.
SUBMISSION OF PROPOSALS

Proposals submitted in response to this RFP must be of sufficient detail to allow the SJTA to evaluate the proposer’s experience and qualifications, technical and customer service approach and cost. Information provided must relate to this specific project.

One (1) original, (11) copies of the proposal are to be submitted in sealed envelopes, securely fastened and marked on the exterior with the name and address of the proposer, proposal due date and the title “Management Audit of the South Jersey Transportation Authority”. Proposals must be submitted with a cover letter signed by a principal or officer of the proposer.

Proposals received after the date and time specified above will not be accepted for review and will be returned unopened to the responding Proposer. Proposals must be submitted to the following:

Physical/Courier (Fedex/UPS) Address:

South Jersey Transportation Authority
Farley Service Plaza
Atlantic City Expressway, M. P. 21.3
Elwood, NJ 08217
Attn: Purchasing Department

Mailing (USPS) Address:

South Jersey Transportation Authority
Farley Service Plaza
P.O. Box 351
Hammonton, NJ 08037
Attn: Purchasing Department

Phone: 609-965-6060
Fax: 609-965-7315
bids@sjta.com

PROPOSALS SUBMITTED BY FACSIMILE OR ELECTRONICALLY WILL NOT BE CONSIDERED.
QUESTIONS OR REQUESTS FOR CLARIFICATION

All questions about the meaning or intent of the RFP documents, including these instructions or the specifications, shall be submitted in writing to the Authority’s Purchasing Department. Any questions or requests for clarification are to be emailed to bids@sjta.com.

**When submitting a question or request for clarification, the subject line of the email MUST contain the word “Question” followed by the title of the RFP.**

Questions must be received no later than **4:00 PM on Thursday, January 21, 2016.** Questions received after this date and time may not be answered. Only questions answered by formal written addenda will be binding. Oral and other interpretations or clarifications will be without legal effect.

The preferred method of submitting questions or requests for clarification is via email, however questions can also be submitted via fax to 609-965-7315, attention Purchasing Department.

ISSUANCE OF ADDENDA

Responses to all questions of substantive nature will be answered in the form of an addendum. The SJTA shall be the sole judge of the question viability. Any informal explanation, clarification, or interpretation will not bind SJTA, oral or written, by whoever made, that is not incorporated into an addendum.

Addenda will be issued and posted on the Authority’s website at www.sjta.com, under “Bids & Contracts”. **There are no designated dates for release of addenda. Therefore interested proposers should check the Authority’s website on a daily basis from the time of the RFP issuance through the Proposal due date.** It is the sole responsibility of the proposer to be knowledgeable of all addenda related to this procurement. The proposer is also responsible for acknowledging receipt of addenda by signing and returning via fax to the Purchasing Department at (609) 965-7315. Additionally, the proposer must complete the “Acknowledgement of Receipt of Addenda” form, which is included in this RFP as a required Checklist item. Failure to acknowledge receipt of all addenda may render a proposal as non-responsive.

A proposer’s failure to request a clarification, interpretation, correction or amendment will preclude such proposer from, thereafter, claiming any ambiguity, inconsistency or error.

INTERPRETATIONS OR CORRECTIONS BINDING

Only questions answered by formal written addenda will be binding and prospective proposers are warned that no officer, agent, or other employee of the SJTA or its representatives is authorized to give verbal information concerning, explaining or interpreting the RFP.
EQUAL OPPORTUNITY REQUIREMENTS

1. **Affirmative Action**

Proposers shall be required to comply with all applicable affirmative action and equal employment opportunity laws, orders, rules and regulations including, but not limited to N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27 (See Exhibit A). The successful proposer shall be required to submit the applicable Affirmative Action form as described in Exhibit A within seven (7) days after receipt of the SJTA’s intent to award a contract.

2. **Small Business Participation**

*Policy Statement of the South Jersey Transportation Authority*

In accordance with Executive Order No. 84 signed by Governor James J. Florio on March 5, 1993 and Executive Order No. 71 signed by Governor James E. McGreevey on October 2, 2003, it is the policy of the South Jersey Transportation Authority (the “Authority” or “SJTA”) that Small Business Enterprises (“SBE”), as determined and defined by the New Jersey Commerce and Economic Growth Commission (“Commerce Commission”) and the Department of the Treasury (“Treasury”) in N.J.A.C. 12A:10-1 et seq. and N.J.A.C. 12A:10A-1 et seq., respectively, have the opportunity to compete for and participate in the performance of contracts to the purchase of goods and services and for construction services required by the Authority. The Authority further requires that its contractors shall agree to take all necessary and responsible steps, in accordance with the aforementioned regulations, to ensure that SBE’s have these opportunities.

In accordance with Executive Order 151 signed by Governor Jon S. Corzine, it is the policy of the South Jersey Transportation Authority (SJTA) that small businesses (each a “small business enterprise” or “SBE”), as determined and defined by the State of New Jersey, Division of Minority and Women Business Development (“Division”) and the New Jersey Department of the Treasury (“Treasury”) in N.J.A.C. 17"14 et seq. or other application regulation, should have the opportunity to participate in SJTA Contracts.

To the extent the Firm engages subcontractors or sub-consultants to perform Services for the SJTA pursuant to this Contract, the Firm must demonstrate to the SJTA’s satisfaction that a **good faith effort** was made to utilize subcontractor’s and sub-consultants who are **registered with the Division as SBEs**. Furthermore, the Reporting Agency shall be evaluated quarterly by the Division, based on its attainment of the Participation Goals set forth in the State of New Jersey Construction Services Disparity Study (October 2005) and the State of New Jersey Disparity Study of Procurement in Professional Services, Other Services and Goods and Commodities (June, 2005). (These participation goals are set forth below.)
Evidence of a “good faith effort” includes, but is not limited to:

1. The Firm shall request listings of SBEs from the Division (609) 292-2146 and/or the SJTA and attempt to contact same.

2. The Firm shall keep specific records of its efforts, including records of all requests made to the Division, the names of SBEs contacted, and the means and results of such contacts, including without limitation receipts from certified mail and telephone records.

3. The Firm shall actively solicit and shall provide the SJTA with proof of solicitations of SBEs for the provision of Services, including advertisements in general circulation media, professional service publications and small business, minority-owned business or women-owned business focus media.

4. The Firm shall provide evidence of efforts made to identify categories of Services capable of being performed by SBEs.

5. The Firm shall provide all potential subcontractors and sub-consultants that the Firm has contacted pursuant to 2 or 3 above with detailed information regarding the scope of work of the subject contract.

6. The Firm shall provide evidence of efforts made to use the goods and/or services of available community organizations, consultant groups, and local, State, and federal agencies that provide assistance in the recruitment and placement of SBEs.

Furthermore, the Firm shall submit proof of its subcontractors’ and/or sub-consultants’ SBE registrations on the form attached as Reference Document A, and shall complete such other forms as may be required by the SJTA for State reporting as to participation.

Consistent with the findings of the State of New Jersey Construction Services Disparity Study (October 2005) and the State of New Jersey Disparity Study of Procurement in Professional Services, Other Services, and Goods and Commodities (June 13, 2005), each Reporting Agency should aspire to allocate a portion of its total contracting dollars in accordance with the following goals.

1. **Construction Services Contracts/Subcontracts** (including new construction and renovations, except routine building maintenance; residential and non-residential building construction; heavy construction, such as streets, roads and bridges; and special trade construction, such as fencing, HVAC, paving and electrical).

   **State Agencies/Authorities/Commissions**
   - African Americans -- 6.3%
   - Asian Americans -- 4.34%

2. **Professional Services** (with the exception of those professional services deemed to be construction-related, all services that are of a professional nature and requiring special licensing, education degrees and/or very highly
specialized expertise, including accounting and financial services, advertising services, laboratory testing services; legal services; management consulting services; technical services and training).

State Agencies/Authorities/Commissions/Colleges and Universities

African Americans -- 2.47%
Asian Americans -- 1.47%
Hispanics -- 1.1%
Native Americans -- 0.07%
Caucasian Females -- 3.74%

3. **Other Services** (any service that is labor-intensive and neither professional nor construction-related, including, but not limited to equipment rental; janitorial and maintenance services; landfill services; laundry and dry cleaning; maintenance and repairs; printing; real property services; security services; special department supplies; subsidy, care and support; telecommunications; and temporary help).

State Agencies/Authorities/Commissions/Colleges and Universities

African Americans -- 1.22%
Asian Americans -- 0.85%
Hispanics -- 0.67%
Native Americans -- 0.05%
Caucasian Females -- 1.96%

4. **Goods and Commodities** (equipment and consumable items purchased in bulk, or a deliverable product including, but not limited to automobiles and equipment; chemicals and laboratory supplies, construction materials and supplies; equipment parts and supplies; fuels and lubricants; janitorial and cleaning supplies; office equipment; office supplies; radio equipment; special department supplies; technical supplies; tires and tubes; traffic signals; and uniforms).

State Agencies/Authorities/Commissions/Colleges and Universities

African Americans -- 2.71%
Asian Americans -- 1.74%
Hispanics -- 1.32%
Native Americans -- 0.10%
Caucasian Females -- 4.45%

The Contractor agrees to make a good faith effort to award at least 25% of this contract to subcontractors registered by the Commerce Commission as a SBE. Subcontracting goals are not applicable if the prime contractor is a registered Small Business Enterprise (SBE) firm.

**PROPOSER RESPONSIBILITY**

The proposer assumes the sole responsibility for the complete effort required in submitting a proposal in response to this RFP. No special consideration will be given after proposals are opened because of a proposer’s failure to be knowledgeable as to all of the requirements of this RFP. The SJTA assumes no responsibility and bears no
liability for cost incurred by a proposer in the preparation and submittal of a proposal in response to this RFP.

**REVIEW OF PROPOSALS**

The SJTA, in accordance with law, reserves the right to reject any and all proposals received in response to this RFP, when determined to be in the SJTA’s best interest, and to waive minor noncompliance in a proposal. The SJTA further reserves the right to make such investigations as it deems necessary as to the qualifications of any and all proposers submitting proposals in response to this RFP. In the event that all proposals are rejected or if the SJTA, at any time, deems the number of qualified proposers receiving designations as the result of this RFP to be insufficient to meet the potential needs of the SJTA, or for any other reason, the SJTA reserves the right to re-solicit proposals. The SJTA shall not be deemed obligated at any time to award any contract to any proposer.

**CONTENTS OF PROPOSAL**

Subsequent to proposal opening, all information submitted by proposers in response to this solicitation is considered public information, except as may be exempted from public disclosure by the Open Public Records Act, N.J.S.A. 47:1A-1 et seq., and the common law.

A proposer may designate specific information as not subject to disclosure when the proposer has a good faith legal/factual basis for such assertion. The SJTA reserves the right to make the determination concerning such assertion, and will advise the proposer accordingly. The location in the proposal of any such designation should be clearly stated in a cover letter. **THE SJTA WILL NOT HONOR ANY ATTEMPT BY A PROPOSER EITHER TO DESIGNATE ITS ENTIRE PROPOSAL AS PROPRIETARY AND/OR TO CLAIM COPYRIGHT PROTECTION FOR ITS ENTIRE PROPOSAL.**

All proposals, with the exception of information determined by the SJTA or the Court to be proprietary, are available for public inspection after the Notice of Intent to Award is issued to all proposers. At such time, interested parties can make an appointment with the SJTA to inspect proposals received in response to this RFP.

**SIGNATURES**

An officer authorized to make binding commitments for those proposers making proposals shall sign each proposal.

**INCURRING COSTS**

Neither the SJTA nor its consultants shall be liable for any costs incurred by any proposers in the preparation of its proposal for the services requested by this RFP. The Authority shall not be held liable for any activity or costs associated with the preparation or submission of the proposal, proposal conference, oral presentation(s) or any other activity of any kind in regard to this RFP.
ACCEPTANCE OF PROPOSALS

The SJTA intends to award a contract to the proposer or proposers that the SJTA deems best satisfies the needs of the SJTA and its employees. The RFP does not in any manner or form commit the SJTA to award any contract. The contents of the proposal may become a contractual obligation if, in fact, the proposal is accepted and a contract is entered into with the SJTA. The SJTA may award a contract solely on the basis of the proposal submitted without any additional negotiations. The SJTA shall reserve all rights to provide for additional negotiations if it deems in its best interests. Failure of the proposer to adhere to and/or honor any or all of the obligations of the proposal may result in immediate cancellation of the award of the contract by the SJTA.

AWARD OF CONTRACT

The Authority will act to award a contract to the successful proposer or to reject all proposals within ninety (90) calendar days after receipt of the proposals as prescribed by law unless a time extension is obtained in accordance with Authority rules.

FINAL CONTRACT

The contract entered into with the successful proposer or proposers shall be a contract that shall be satisfactory to the SJTA in accordance with the laws of the State of New Jersey. It is understood that the contract shall be awarded on the basis of a professional contract for services within the intent of the statutes and laws of the State of New Jersey.

DISSEMINATION OF INFORMATION

Information included in this document or in any way associated with this RFP is intended for use only for the proposer and the SJTA and is to remain the property of the SJTA. Under no circumstances shall any of said information be published, copied or used, except in replying to this RFP.

ECONOMY OF PREPARATION

Proposals should be prepared simply and economically, providing straightforward, concise description of your proposer’s capabilities to satisfy the requirements of the RFP. Emphasis should be on completeness and clarity of content.

ORAL PRESENTATION

Proposers that submit a proposal in response to this RFP may be required to give an oral presentation of their proposal to staff and members of the Authority. This will provide an opportunity for the proposer to clarify or elaborate on their proposal. The Authority will schedule the time and location of these presentations and notify proposers accordingly. Requests for oral presentations will not represent any commitment on the part of the Authority and should not be construed as intent to award.
REVISIONS TO THE REQUEST FOR PROPOSAL

In the event it becomes necessary for the Authority to revise any part of the RFP, revisions will be provided to all proposers who received the initial RFP. If revisions are necessary after conducting the oral presentations, such revisions will only be provided to those proposers participating in the oral presentations.

PRIME CONTRACTOR RESPONSIBILITIES

The selected proposers will be required to assume sole responsibility for the complete effort as required by these specifications. The Authority will consider the selected proposer to be the sole point of contact with regard to contractual matters.

ASSIGNMENT

The proposer(s) selected is prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this agreement or its rights, title or interest therein or its power to execute such agreement to any other person, company or corporation without the express written consent of the Authority.

TERMINATION OF CONTRACT

The Authority reserves the right to terminate, without reason, a contract entered into as a result of this RFP, provided written notice is given to the proposer at least thirty (30) days prior to such proposed termination date.

ACCOUNTING RECORDS

The proposer selected is required to maintain accounting records and other evidence pertaining to cost incurred on the program and to make records available to the Authority at all reasonable times during the contract period and for three full years from the date of the final payment under the contract.

TOLLS

It is the policy of the South Jersey Transportation Authority not to offer toll free passage on the Atlantic City Expressway for its vendors; New Jersey Title 19:2-6.3(a) (Subchapter 6. Tolls).

JOINT VENTURES

If a joint venture is submitting a bid or proposal, the agreement between the parties related to such joint venture should be submitted with the joint venture’s bid or proposal. Authorized signatories from each party comprising the joint venture must sign the bid or proposal. A separate Ownership Disclosure Form, Chapter 51 and Executive Order 117 Certification and Disclosure forms, Affirmative Action Employee Information Report and NJ Business Registration Certificates must be supplied for each party in the joint venture.
CERTIFICATION OF NON-INFRINGEMENT IN PROHIBITED ACTIVITIES IN IRAN:

Pursuant to N.J.S.A. 52:32-58, the bidder must certify that neither the bidder, nor one of its parents, subsidiaries, and/or affiliates (as defined in N.J.S.A. 52:32-56(e)(3)), is listed on the Department of the Treasury's List of Persons or Entities Engaging in Prohibited Investment Activities in Iran and that neither is involved in any of the investment activities set forth in N.J.S.A. 52:32-56(f). If the bidder is unable to so certify, the bidder shall provide a detailed and precise description of such activities.
INSURANCE REQUIREMENTS

GENERAL INSURANCE REQUIREMENTS:

1. Prior to the commencement of any work or services and until completion / final acceptance of the work as described in the Scope of Services in this Contract, the Contractor will provide and maintain the following minimum levels of insurance at Contractor’s own expense. The cost of the required insurance shall be included in the Contractor’s bid price and no adjustment shall be made to the contract price on account of such costs unless such approval is provided. The term Contractor shall include “Professional Service Contractors” as well as Subcontractors and Sub-Subcontractors of every tier. Contractor shall furnish Certificates of Insurance evidencing and reflecting the effective date of coverage as outlined below. The Services shall not commence until the Contractor has obtained, at their own expense, all of the insurance as required hereunder and such insurance has been approved by the South Jersey Transportation Authority (the “Authority”). Approval of insurance required of the Contractor will be granted only after submission to the Authority of original certificates of insurance signed by the representatives of the insurers or, at the Authority’s request, certified copies of the required insurance policies. If found to be non-compliant at any point during the Contract Term, the Authority may purchase the required insurance coverage(s) and the cost will be borne by the Contractor through direct payment/reimbursement to the Authority or the Authority may withhold payment to the Contractor for amounts owed to them. The required insurance shall not contain any exclusions or endorsements which are not acceptable to the Authority. Failure of the Authority to demand such certificate or other evidence of full compliance with these insurance requirements or failure of the Authority to identify a deficiency from evidence that is provided shall not be construed as a waiver of Contractor’s obligation to maintain such insurance. With respect to insurance maintained after final payment in compliance with a requirement below, an additional certificate(s) evidencing such coverage shall be provided to the Authority with final application for payment and thereafter upon renewal or replacement of such insurance until the expiration of the time period for which such insurance must be maintained.

2. The Contractor shall require all Subcontractors to maintain during the term of the Contract Insurance of the type and in the minimum amounts as described below and required of the Contractor. Any obligations imposed upon the Contractor as part of this contract shall be so imposed upon any and all Subcontractors as well.

3. All insurance required herein, with the exception of the Professional Liability Insurance, shall be written on an “occurrence” basis and not a “claims-made” basis. For Professional Liability “claims-made” coverage:

   a. The retroactive date must be on or prior to the start of work under this contract; and
b. The Contractor must purchase “tail coverage/an extended reporting period” or maintain coverage for a period of two (2) years subsequent to the completion of their work / final payment.

4. The South Jersey Transportation Authority, its commissioners, agents, servants, employees and representatives shall be named as additional insured on the Contractor’s liability insurance program (except Workers Compensation and Professional Liability policies) for ongoing operations and completed operations on a primary noncontributory basis. Coverage to include ongoing and completed operations using ISO Endorsements CG 2010 and CG 2037, or their equivalents. Each of the Additional Insured’s respective members, employees, agents and representatives shall also be afforded coverage as an Additional Insured. Coverage should be provided for a period of two years subsequent to the completion of work/final payment. The Authority reserves the right to require the Contractor to name other parties as additional insureds as required by the Authority. There shall be no “Insured versus Insured Exclusion” on any policies; all policies will provide for “cross liability coverage”.

5. All insurance policies required hereunder shall be endorsed to provide that the policy is not subject to cancellation, non-renewal, or material reduction in coverage until thirty (30) days prior written notice has been given to the Authority. In the event of cancellation or non-renewal of coverage(s), it is the Contractor’s responsibility to replace coverage to comply with the Contract requirements so there is no lapse of coverage for any time period. In the event the insurance carriers will not issue or endorse their policy(s) to comply with the above it is the responsibility of the Contractor to report any notice of cancellation or non-renewal at least thirty (30) days prior to the effective date of this notice.

6. No acceptance and/or approval of any insurance by the Authority shall be construed as relieving or excusing the Contractor or the Contractor’s Surety from any liability or obligation imposed upon either or both of them by provisions of this Contract.

7. Any deductibles or self insured retention’s (SIR) of $10,000 or greater shall be disclosed by the Contractor, and are subject to the Authority’s written approval. Any deductible or retention amounts elected by the Contractor or imposed by the Contractor’s insurer(s) shall be the sole responsibility of the Contractor. In the event any policy includes an SIR, the Contractor is responsible for payment within the SIR of their policy(ies), and the Additional Insured requirements specified herein shall be offered within the SIR amount(s).

8. All insurance companies shall have an AM Best’s rating of at least “A-, Class VIII” or better and be permitted to do business in the State of New Jersey.

9. There shall be no liability upon the Authority, public officials, their employees, their authorized representatives, or agents either personally or as officials of the Authority in carrying out any of the provisions of the Contract nor in exercising any power or
authority granted to them by or within the scope of the Contract, it being understood that in all such matters they act solely as agents and representatives of the Authority.

10. Waiver of Rights of Recovery and Waiver of Rights of Subrogation:
   a. The Contractor waives all rights of recovery against the Authority and all the additional insured's for loss or damage covered by any of the insurance maintained by the Contractor.
   b. If any of the policies of insurance required under this contract require an endorsement to provide for the waiver of subrogation, then the named insured of such policies will cause them to be so endorsed.

11. Any type of insurance or any increase in limits of liability not described above which the Contractor requires for its own protection or on account of statute shall be its own responsibility and at its own expense.

12. The amount of insurance provided in the aforementioned insurance coverages, shall not be construed to be a limitation of the liability on the part of the Contractor.

13. Contractor shall promptly notify the Authority and the appropriate insurance company(ies) in writing of any accident(s) as well as any claim, suit or process received by the insured Contractor arising in the course of operations under the Contract. The Contractor shall forward such documents received to his/her insurance company(ies), as soon as practicable, or as required by his/her insurance policy(ies).

REQUIRED COVERAGE: the following may be provided through a combination of primary and excess policies in order to meet the minimum limits set forth below:

CONTRACTOR’S LIABILITY INSURANCE REQUIREMENTS:

1. Commercial General Liability insurance for bodily injury, personal injury, and property damage including loss of use, etc. with minimum limits of:
   $1,000,000 each occurrence;
   $1,000,000 personal and advertising injury;
   $2,000,000 general aggregate; and
   $2,000,000 products/completed operation aggregate.

This insurance shall include coverage for all of the following:
- Coverage is to be provided on ISO CG 00 01 12 07 or an equivalent form (“Occurrence Form”) including Premises/Operations, Independent Contractors, Products/Completed Operations, Broad Form Property Damage, Contractual Liability, and Personal Injury and Advertising Injury;
- General aggregate limit applying on a per project basis;
- Products/Completed Operations Coverage must be maintained for a period of at least two (2) years after final payment (including coverage for the Additional Insureds as set forth in these Insurance Requirements);
- Coverage for “Resulting Damage”;
- No sexual abuse or molestation exclusion;
- No amendment to the definition of an “Insured Contract”.
2. Business Auto Liability insurance with a minimum combined single limit of $1,000,000 per accident and including, but not limited to, coverage for all of the following:
   - Liability arising out of the ownership, maintenance or use of any auto;
   - Auto non-ownership and hired car coverage
   - Contractual Liability Coverage (including Liability for Employee Injury assumed under a Contract as provided in the standard ISO policy form)
   - For Contractors involved in the transportation of hazardous material, include the following endorsements: MCS-90 and ISO-9948.

3. Workers’ Compensation insurance with statutory benefits as required by any state or federal law, including standard “other states” coverage; employer’s liability insurance with minimum limits of:
   - $1,000,000 each accident for bodily injury by accident;
   - $1,000,000 each employee for bodily injury by disease; and
   - $1,000,000 policy limit for bodily injury by disease.

   1. United States Longshore & Harbor Workers Act Coverage, where applicable.
   2. Includes Sole Proprietorships and Officers of a Corporation who will be performing the work.
   3. Where applicable, if the Contractor is lending or leasing its employees to the Authority for the work under this contract (e.g. crane rental with operator), it is the Contractor’s responsibility to provide the Workers Compensation and Employer’s Liability coverage and to have their policy endorsed with the proper Alternate Employer Endorsement.

4. Professional Liability: Contractors (such as, but not limited to Architects, Engineers, Attorneys, Financial Advisors, Marketing, Physicians and Risk Management Consultants) shall provide liability and/or malpractice insurance with minimum limits of $3,000,000. The definition of “covered services” shall include the services required in the scope of this contract.

5. Umbrella Liability or Excess Liability insurance with minimum limits of:
   - $5,000,000 per occurrence;
   - $5,000,000 aggregate for other than products/completed operations and auto liability; and
   - $5,000,000 products/completed operations aggregate.

   Policy to apply on a Following Form basis of the Commercial General Liability, Commercial Automobile Liability and Employers Liability Coverage.

6. Pollution Liability Insurance (If Designated by Contractor’s Scope of Work)
   - Covering losses caused by pollution incidents that arise from the operations of the Contractor described under the scope of services of this
contract. This is to include all work completed by the Contractor, including testing and/or removal of any and all pollutants.

- Occurrence/Claims Made Limit: $1,000,000 per project
- Insurance to be maintained for the duration of the work and for a period of two (2) years after completion of work/final payment.
- No Exclusions for Silica, Asbestos, Lead, or Lead Based Paint Testing.
- Include Mold Coverage for full policy limit of liability.
- Shall include coverage for all pollutants as defined under the Resource Conservation and Recovery Act, as amended, 42 U.S.C. Section 6901 et. Seq. (“RCRA”) or any related state or city environmental statute or the removal of any petroleum contaminated material.
- All owned and/or 3rd Party disposal facilities must be licensed and maintain pollution liability insurance of not less than $1,000,000, if applicable.

7. Watercraft and Aircraft Liability (If Designated by Contractor’s Scope of Work): If contractor utilizes any owned, used, leased, hired or borrowed watercraft or aircraft to complete their work in accordance with this Contract, the coverage shall be maintained.

   Minimum Limits of Liability:
   - $2,000,000 Per Occurrence
   - $2,000,000 Aggregate

8. Crime
   - Include the Employee Theft and Theft, Disappearance and Destruction coverage parts.
   - The Employee Theft Coverage part shall include the Clients’ Property Endorsement (ISO Form CR 04 01, or its equivalent).
   - Minimum Limits of Liability: $1,000,000 Per Occurrence

9. Privacy Liability
   - Contractor shall maintain coverage for third party liability arising out of breach of privacy, inclusive of confidential and proprietary business information, HIPAA violations and other breaches of personally identifiable information and/or protected health information, which may arise from their work with this contract.
   - Minimum Limits of Liability: $1,000,000 Per Claim / $1,000,000 Aggregate
   - Privacy Breach Notification and Credit Monitoring: $250,000 Per Occurrence

10. Owned, Leased, Rented or Borrowed Equipment (If Designated by Contractor’s Scope of Work):
    - Contractor shall maintain Property Coverage for their owned, leased, rented or borrowed equipment, tools, trailers, etc.

INDEMNIFICATION:

The Consultant shall protect, defend, indemnify and hold harmless the Authority, and their agents and employees from and against all liability, (including liability for violation of any law or any common law duty) claims, damages, losses, and expenses including attorneys' fees
arising in connection with, out of, or resulting from the performance of the work, provided that any such liability, claim, damage, loss or expense (i) is attributable to bodily injury, sickness, disease, or death, or to any statutory or regulatory rule designed to protect against such conditions, or to injury to or destruction of tangible property (other than the work itself), and including the loss of the use resulting there from, and (ii) is caused by or results from, any negligent or willful act or omission of the Contractor, any Subcontractor, Sub-subcontractor(s), anyone direct or indirectly employed by any of them or anyone for whose acts any of them may be liable.

In any and all claims against the Authority or any of their agents or employees, by an employee of the Contractor, Subcontractor, or any Sub-subcontractor, or anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable, the indemnification obligation shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for any Contractor, Subcontractor or any Sub-subcontractor under Workmen’s Compensation Acts, Disability Benefits Acts, or other Employee.
2.0 SCOPE OF SERVICES

The SJTA invites proposals from consulting firms to perform an independent Management Audit of operational effectiveness and efficiency. The services required of the consulting firm are as follows:

Perform a comprehensive management operation review, which may include assessments of the following:

- General management effectiveness;

- Organizational structure, including:
  - Alignment with SJTA Mission and Objectives
  - Clear and accurate responsibilities
  - Proper spans of control

- Operations management functions, including:
  - Performance monitoring and measurement
  - Safety
  - Roadway operations including:
    - Building and Roadway Maintenance
    - Fleet
    - Dispatch
  - Parking operations
  - Shuttle services
  - Airport operations
  - Engineering
  - Information Technology

- Administrative and organizational functions, including:
  - Authority and departmental goals and objectives
  - Planning and decision making processes
  - Human resource program effectiveness
  - Risk management practices
  - Casino Bus Management program
  - Marketing and Communications
  - Employee training and development

- Personnel policies and procedures, including:
  - Policy development and review process
  - Compliance by various departments
  - Effectiveness of policy dissemination

- Resource Management, including:
  - Financial management
  - Toll revenue management
  - Budget management
  - Labor and Staffing levels
  - Asset management and inventory control practices
  - Information Technology
3.0 REQUIRED COMPONENTS OF THE PROPOSAL

Proposals submitted in response to this RFP must be of sufficient detail to allow the SJTA to evaluate the proposer’s experience and qualifications, technical approach and cost. Information being provided must relate to the specific services needed for this project. Please provide the following information:

I. Title Page

II. Transmittal Letter

III. Table of Contents

IV. Executive Summary of Response to RFP (Five (5) page limit)

V. Response to the Scope of Services

a. Approach – Description of the methodology proposed to accomplish each specific task and the entire program within the budget constraints set forth in the Scope of Work; and

b. Work Plan and Schedule – A work plan showing specific task assignments and their inter-relationships and a schedule showing the time period for each task.

VI. Program Organization

a. Program Organization Chart – Integrated organization charts must be provided containing key personnel with their designation of the associated firm and their allocation to specific tasks for each phase;

b. Key Personnel – This section should include a history and personal biography of the principal personnel who will be in charge of the various portions of the program and other senior professionals who will either be in charge of various sub-tasks or be contributing significant effort to the program. All personnel listed in the organization charts Program Management Audits; and

c. Team Composition – this section should address teaming or sub-consultant arrangements. The inter-relationship of all participant firms should be included with respect to expertise, capabilities and task assignments.

VII. Experience on Similar Projects

a. Client References – The references should include in addition to, the short description of the project, the firm’s role in the project, the agency, address, contact person and a current phone number;

b. Samples of management audit projects or similar relevant project documentation should be provided. Documents should represent work by
the prime consultant and sub-consultants most relevant to this program. Limit sample documents to no more than four (4) items. One copy should be bound separately;

c. Experience in providing all services required under Section 2.0, Scope of Service, and shall cover the following areas:

1. Workload

   a. Present Projects - List the names of projects, locations, owners, estimated project costs, work your firm is responsible for, percent of completion and firms associated with, if any.

   b. Capacity - Describe in today’s dollars the volume of consulting services which your firm can handle at this time with:

      1. Your work force; and

      2. Readily available augmentation. Give number and type of additional personnel required.

2. Employee Qualifications

   a. Describe capabilities of personnel available in your firm or joint venture in the areas that specifically apply to your submission.

   d. Summaries or brief descriptions of projects performed by the prime consultant or sub-consultants which are most related to requirements of this program. Limit descriptions to those most relevant to this program and those, which are most representative of the team’s capabilities.

VIII. Proposed fee for services.
4.0 SELECTION PROCESS

All proposals will be reviewed to determine responsiveness. The SJTA may reject non-responsive proposals without evaluation, but may waive minor non-compliance. An Evaluation Committee will evaluate responsive proposals. The Evaluation Committee will have a minimum of five members. The following evaluation criteria categories separate or combined in some manner, and not necessarily listed in order of significance, will be used to evaluate and rank proposals received in response to this RFP:

1. Response to the Scope of Services – Evaluation will include quality and soundness of methodology, work plan schedule, general comprehension of the program’s requirements and general competence;

2. Program Organization and Key Personnel – Evaluation will include qualifications and relevant experience of key personnel, role of local office, functional organization, integration and affirmative action regulations;

3. Experience on Similar Projects – Evaluation will include the proposed staff’s and firm’s experience on similar projects for auditing services, management approach to complete the project within a minimal timeframe within budget, level, complexity and quality of work performed;

4. Capability and Capacity – Evaluation will include the firm’s and staff’s ability to support this project given the existing workload, employee qualifications and depth of expertise; and

5. References – The references to be provided by the proposer for review by the SJTA shall pertain to the nature of the work performed, the duration of the project, the relationship between the owner agency and the proposer, and other considerations regarding the ability and responsibility of the proposer that the SJTA deems appropriate.

6. Price – Negotiations on price will proceed with the most qualified proposer, based on the selection criteria provided herein. If an amicable price cannot be reached between the SJTA and the top ranked proposer, negotiations will proceed with the second ranked proposer and so forth, until a final selection is made.

5.0 CONTRACT AWARD

The final award will be based on consideration of all information provided as part of the proposal as well as any additional information gathered during the evaluation period or which may be requested prior to the award.

Upon recommendation of award, the Authority must seek approval of its governing board at a scheduled board meeting. A resolution must be passed by the Board that is subject to the Governor’s veto period. Upon expiration of the veto period, the Authority can then award a contract to the successful proposer(s).
# CHECK LIST

THE FOLLOWING ITEMS, AS CHECKED BELOW, MUST BE SUBMITTED WITH YOUR PROPOSAL PACKAGE ALONG WITH THE CHECKLIST ITSELF:

<table>
<thead>
<tr>
<th>If Checked, Required by Authority</th>
<th>Check if Read Signed &amp; Submitted</th>
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<td>1. CHECK LIST</td>
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<td>2. MANDATORY EQUAL EMPLOYMENT OPPORTUNITY “EXHIBIT A” LANGUAGE (Professional Services)</td>
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<td>3. QUALIFICATION CERTIFICATE</td>
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<td>4. STOCKHOLDER DISCLOSURE CERTIFICATION</td>
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<td>5. NON-COLLUSION AFFIDAVIT</td>
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<td>8. AFFIRMATIVE ACTION EVIDENCE FORM PROCUREMENT/SERVICE</td>
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<td>9. NJ BUSINESS REGISTRATION CERTIFICATE (sample attached)</td>
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<td>10. SET-OFF FOR STATE TAX</td>
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<td>11. REQUIRED INSURANCE ACKNOWLEDGMENT (see Insurance Requirements)</td>
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<td>12. ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA FORM (IF APPLICABLE)</td>
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<td>13. EXECUTIVE ORDER #129 VENDOR DISCLOSURE FORM</td>
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<td>14. EXECUTIVE ORDER #189 VENDOR CODE OF ETHICS AFFIDAVIT</td>
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<td>15. DISCLOSURE/CERTIFICATION OF INVESTMENT ACTIVITIES IN IRAN (3 pages)</td>
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<td>**NEW: INSTRUCTIONS FOR 2-YEAR VENDOR CERTIFICATION AND DISCLOSURE OF POLITICAL CONTRIBUTIONS (4 pgs.)</td>
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<td>**NEW: 2-YEAR CHAPTER 51 / EXECUTIVE ORDER 117 VENDOR CERTIFICATION AND DISCLOSURE OF POLITICAL CONTRIBUTIONS (3 pgs.)</td>
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**PLEASE NOTE:** IF THE ITEMS CHECKED ABOVE ARE NOT INCLUDED IN YOUR PROPOSAL PACKAGE, IT MAY BE CAUSE FOR REJECTION.

(Company)                                                                 (Title)

(Signature)                                                                (Date)

(Name)
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 will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter 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 meet targeted county employment goals established in accordance with 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, and labor unions, that it does not discriminate on the basis of age, race, 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, race, creed, color, national origin, ancestry, marital status,
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 (electronically provided by the Division and distributed to the public agency through the Division’s website at www.state.nj.us/treasury/contract_compliance)

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.

____________________________________
(Name of Company)

____________________________________
(Signature of Representative)

____________________________________
(Date)
QUALIFICATION CERTIFICATE

The undersigned bidder hereby certifies that it is not now, nor has ever been, disqualified from bidding on any State of New Jersey contracts and if the undersigned bidder has been, or is presently disqualified, said bidder will set forth all details and facts pertaining thereto:

___________________________________________
(Name of Organization)

Remarks:
__________________________________________________________________________________
__________________________________________________________________________________
__________________________________________________________________________________
__________________________________________________________________________________
__________________________________________________________________________________
__________________________________________________________________________________
__________________________________________________________________________________

STATE of ____________________________________
COUNTY of __________________________________

________________________________________ being duly sworn deposes and says that he/she is
(Name)            (Name of Organization)

____________________________ of the above __________________________
(Title)            (Name of Organization)

and that he swears to the foregoing questions and all statements therein are true and correct.

Notarization Section

Subscribed and sworn before me this _______day of _____________ 20___.

Notary Public of ______________________________________

My Commission Expires _______________________________
STOCKHOLDER DISCLOSURE CERTIFICATION

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:

☐ Partnership                ☐ Corporation            ☐ Sole Proprietorship

☐ Limited Partnership ☐ Limited Liability Corporation  ☐ Limited Liability Partnership

☐ 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: _________________________

______________________________________    ________________________________________

Affiant ________________________________

______________________________________

(Print name & title of affiant)

Notarization Section

Subscribed and sworn before me this _______day of _____________ 20____.

Notary Public of ______________________________________

My Commission Expires ____________________________

(Seal)
NON-COLLUSION AFFIDAVIT

STATE: NEW JERSEY

COUNTY OF: _____________________________

I, ____________________________________ of the City/Township of ___________________________
in the ____________________________________ and the State of ______________________ of full age,
being duly sworn according to law on my oath depose and say that:

I am an officer of the firm of ________________________________________________,
(name of bidding firm)

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

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

___________________________________________
(insert name of bidder)

___________________________________________
(insert address of bidder)

___________________________________________
(signature of affiant)

___________________________________________
(type or print name and title of affiant under signature)

Notarization Section

Subscribed and sworn before me this _______ day of _____________ 20___.

Notary Public of ______________________________________________________________________

My Commission Expires __________________________________________________________________
STATE OF NEW JERSEY DEBARRED LIST AFFIDAVIT

STATE: NEW JERSEY

COUNTY OF: ______________________

I, _____________________________ of the City/Township of ______________________________ in the __________________________________________________________________________________________
County of ______________________ and the State of ________________ of full age, being duly sworn ___________________________

According to law on my oath depose and say that:

I am an officer of the firm of ___________________________________________________________________________________________

the bidder making the proposal for the above named work, and that I executed the said Proposal with full authority to do so; that said bidder at the time of making this bid is not included on the State of New Jersey, State Treasurer’s List of Debarred, Suspended and Disqualified Bidders; and that all statements contained in said Proposal and in this affidavit are true and correct, and made with the full knowledge that the South Jersey Transportation Authority, as the Owner, 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 work.

The undersigned further warrants that should the name of the firm making this bid appear on the State Treasurer’s List of Debarred, Suspended and Disqualified Bidders at anytime prior to, and during the life of this Contract, including Guarantee Period, that the South Jersey Transportation Authority shall be immediately so notified by the signatory of this Eligibility Affidavit.

The undersigned understands that the firm making the bid as Contractor is subject to disbarment, suspension and/or disqualification in contracting with the South Jersey Transportation Authority, if the Contractor, pursuant to NJAC 7:1-5.2, commits any of the acts listed therein, and is determined according to applicable law and regulation.

______________________________________________
(insert name of bidder)

______________________________________________
(insert address of bidder)

______________________________________________
(signature of affiant)

______________________________________________
(type or print name and title of affiant under signature)

Notarization Section

Subscribed and sworn before me this ______ day of _____________, 20___.

Notary Public of ______________________________

My Commission Expires ______________________________

(Seal)
**PLEASE BE ADVISED**

New Jersey Election Law Enforcement Commission Requirements for ALL Bids and Requests for Proposals

All Business entities are advised of their responsibility to file an annual disclosure statement of political contributions with the New Jersey Election Law Enforcement Commission (ELEC) pursuant to N.J.S.A. 19:44A:20.27 if they receive contracts in excess of $50,000.00 from public entities in a calendar year. Business entities are responsible for determining if filing is necessary. Additional information on this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us

**DISCLOSURE OF CONTRIBUTIONS TO NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION IN ACCORDANCE WITH N.J.S.A. 19:44A-20.27**

STATE OF ______________________ : SS

COUNTY OF ______________________

I, ___________________________ of the ______________________ of ______________________ in the County of ______________________ and the State of ______________________ of full age, being duly sworn according to law on my oath depose and say that:

I am ________________________________________, a _______________________________________________

(Name) (Title, Position, etc.)

In the firm of ___________________________________________________________ the bidder making the proposal to ____________________________________________ for work under ____________________________________________

(Name of Owner) (Contract No. – Description)

and that I executed the said Proposal with full Authority to do so; that said Bidder acknowledges our responsibility to file an annual disclosure statement of political contributions with the New Jersey Election Law Enforcement Commission (ELEC) pursuant to N.J.S.A. 19:44A-20.27 if in receipt of contracts in excess of $50,000.00 from public entities in a calendar year. I further acknowledge that business entities are solely responsible for determining if filing is necessary and that all statements contained in said Proposal and in this Affidavit are true and correct, and made with full knowledge that the

_________________________________________________________

(Name of Owner)

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 project.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for commission, percentage brokerage, or contingent fee, except Bona Fide employees of the Contractor, and as may be permitted by law.

_________________________________________________________

(Print)

Notarization Section

Subscribed and Sworn to before me this ______________day of ____________20____.

Notary Public of ______________________

MY COMMISSION EXPIRES: ______________
REQUIRED AFFIRMATIVE ACTION EVIDENCE FORM FOR PROCUREMENT, PROFESSIONAL AND SERVICES CONTRACTS

All successful vendors must submit one of the following within seven (7) days of the notice to intent to award:


   OR


   OR


*If your firm has any of the above forms on file, please include a copy with your proposal.

PLEASE COMPLETE THE FOLLOWING QUESTIONNAIRE AS PART OF THE PROPOSAL PACKAGE IN THE EVENT THAT YOU OR YOUR FIRM IS AWARDED THIS CONTRACT.


   Yes _____  No _____

2. Our company has a Certificate of Employee Information Report.

   Yes _____  No _____

3. Our company has neither of the above.  Please send Form AA302 ______ Check here (AFFIRMATIVE ACTION EMPLOYEE INFORMATION REPORT).  NOTE:  This form will be sent only if your company is awarded the bid.

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

NAME ______________________________________________________________
(Please type or print)

SIGNATURE _____________________________________________________________

TITLE ________________________________________________________________

DATE ________________________________________________________________

PHONE # _____________________________________________________________

FAX # ________________________________________________________________
NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

“Pursuant to the terms of N.J.S.A. 52:32-44, all bidders/proposers are required to submit proof of valid business registration issued by the Division of Revenue in the Department of the Treasury. The South Jersey Transportation Authority shall enter into no contract unless the contractor first provides proof of valid business registration. In addition, the successful bidder/proposer is required to receive from any subcontractor it uses for services under this contract, proof of valid business registration with the Division of Revenue. No Subcontract shall be entered into by any contractor under this or any contract with the South Jersey Transportation Authority unless the subcontractor first provides proof of valid business registration.”

If you are already registered go to http://www.state.nj.us/njbgs/index.html to obtain a copy of your Business Registration Certificate. Information for registering your business with the New Jersey Division of Revenue can be obtained by visiting the following link: http://www.state.nj.us/dca/lgs/lpcl/busregis/reg_&_proof.doc

Questions regarding this requirement should be referred to the Division of Revenue hotline @ 609-292-9292.

***PLEASE ATTACH COPY OF YOUR NJ BUSINESS REGISTRATION CERTIFICATE BELOW***

_________________________________________________________________________
(Name of Company)

_________________________________________________________________________
(Signature of Representative)

_________________________________________________________________________
(DATE)
Dear Business Representative:

Recently enacted State law (Public Law 2001, c.134) requires all contractors and subcontractors with State, county and municipal agencies to provide proof of their registration with the Department of the Treasury, Division of Revenue. The law became effective September 1, 2001.

Our records indicate that you are currently registered with the Division of Revenue, and accordingly, we have attached a Proof of Registration Certificate for your use. If you are currently under contract or entering into a contract with a State, county or local agency, you must provide a copy of the certificate to the contracting agency.

Please note that the law sets forth penalties for non-compliance with the provisions above. See N.J.S.A. 54:52-20.

Finally, please note that the new law amended Section 92 of the Casino Control Act, which deals with the casino service industry.

Should you have any questions or require more information about the attached certificate, or are involved with the casino service industry, call (609) 292-1730.

Thank you in advance for your consideration and cooperation.

Sincerely,

Patricia A. Ciaccio
Director, Division of Revenue
NOTICE TO ALL BIDDERS
SET-OFF FOR STATE TAX

Please be advised that, pursuant to L. 1995, c. 159, effective January 1, 1996 and codified at N.J.S.A. 59:49-19 and N.J.S.A. 59:49-20, and notwithstanding any provision of the law to the contrary, whenever any taxpayer, partnership or S corporation under contract to provide goods or services or construction projects to the State of New Jersey or its agencies or instrumentalities, including the legislative and judicial branches of State government, is entitled to payment for those goods and services or construction projects, at the same time a taxpayer, partner or shareholder of that entity is indebted for any State tax, the Director of the Division of Taxation shall seek to set off that taxpayer’s, partner’s or shareholder’s share of the payment of that indebtedness. The amount set off shall not allow for the deduction of any expenses or other deductions which might be attributable to the taxpayer, partner or shareholder subject to set-off.

The Division of Taxation may initiate procedures to set off the tax debt of a specific vendor upon the expiration of ninety (90) days after either the issuance by the Division of a notice and demand for payment of any state tax owed by the taxpayer or the issuance by the Division of a final determination on any protest filed by the taxpayer against an assessment or final audit determination. A set-off reduces the contract payment due to a vendor by the amount of that vendor’s state tax indebtedness or, in the case of a vendor-partnership or vendor-S corporation, by the amount of state tax indebtedness of any member-partner or shareholder of the partnership or S corporation, respectively. N.J.A.C. 18:2-8.3.

The Director of the Division of Taxation shall give notice of the set-off to the taxpayer, partner or shareholder and shall provide an opportunity for a hearing within thirty (30) days of such notice under the procedures for protests established under N.J.S.A. 54:49-18. No requests for conference, protest or subsequent appeal to the Tax Court from any protest permitted under N.J.S.A. 59:49-19 shall stay the collection of the indebtedness. Interest that may be payable by the State to the taxpayer, pursuant to L.1987, c. 184 (N.J.S.A. 52:32-35) shall be stayed.

“I HAVE BEEN ADVISED OF THIS NOTICE”

COMPANY__________________________________________
SIGNATURE__________________________________________
NAME_______________________________________________
TITLE_______________________________________________
DATE_______________________________________________
REQUIRED INSURANCE ACKNOWLEDGMENT

I acknowledge that I have fully read and understand the insurance requirements as detailed on pages 16 – 21 of this RFP.

Further, I acknowledge that if awarded a contract, I will provide a certificate of insurance in accordance with the requirements as specified on pages 16 – 21 of this RFP.

_______________________________________
(Name of Company)

_______________________________________
(Signature of Representative)

_______________________________________
(Date)
ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA FORM

MANAGEMENT AUDIT OF
THE SOUTH JERSEY TRANSPORTATION AUTHORITY

The undersigned bidder/proposer hereby acknowledges receipt of the following notices, revisions, or addenda to the bid advertisement, specifications or bid documents. By indicating date of receipt, bidder acknowledges the submitted bid takes into account the provisions of the notice, revision or addendum. Note that the local unit’s record of notice to bidders shall take precedence and that failure to include provisions of changes in a bid proposal may be subject for rejection of the bid.

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NOTE: IT IS THE PROPOSER’S SOLE RESPONSIBILITY TO BE KNOWLEDGEABLE OF ALL ADDENDA RELATED TO THIS PROCUREMENT. PROPOSERS ARE REMINDED TO CHECK THE SJTA’S WEBSITE ON A DAILY BASIS FROM THE TIME THE RFP IS ISSUED UP UNTIL THE PROPOSAL DUE DATE FOR ALL PERTINENT ADDENDA.

Acknowledged by bidder:

Name of Bidder: __________________________________________

By Authorized Representative:

Signature: ________________________________________________

Printed Name: ____________________________________________

Title: ____________________________________________________

Date: _________________________
VENDOR DISCLOSURE FORM
EXECUTIVE ORDER #129

Please be advised in accordance with Executive Order #129, the South Jersey Transportation Authority has developed this form under the policy and procedures directed under this Order. The State contracting agencies must consider the requirements of New Jersey’s contracting laws, the best interests of the State of New Jersey and its citizens, as well as applicable federal and international requirements.

The State contracting agencies shall ensure that all vendors seeking to enter into any contract in which services are procured on behalf of the State of New Jersey must disclose:

a. The location by country where services under the contract will be performed; and

b. Any subcontracting of services under the contract will be performed; and subcontracted services will be performed.

I certify that all information is true and correct to the best of my knowledge.

Contractor: __________________________ Title: __________________________

THE LOCATION BY COUNTRY WHERE SERVICES UNDER THIS CONTRACT WILL BE PERFORMED:

Contractor: ____________________________ (Location by Country)

Name: __________________________

Address: __________________________

Title: __________________________

Subcontractor: ____________________________ (Location by Country)

Name: __________________________

Address: __________________________

Title: __________________________
Procurement
Code of Ethics for Vendors
EXECUTIVE ORDER # 189

The South Jersey Transportation Authority considers the maintenance of public trust and confidence essential to its proper functioning, and accordingly has adopted this vendors' Code of Ethics. Vendors who do business with the SJTA must avoid all situations where propriety or financial interests, or the opportunity for financial gain, could lead to favored treatment for any organization or individual. Vendors must also avoid circumstances and conduct which may not constitute actual wrongdoing, or a conflict of interest, but might nevertheless appear questionable to the general public, thus compromising the integrity of the Authority.

This code is based upon the principles established in Executive Order 189 and laws governing the Executive Commission on Ethical Standards. N.J.S.A. 52:13D et seq., which, while not strictly applicable to contractors, provides general guidance in this area. Also, this code has been established pursuant to the authority embodied in N.J.S.A. 27:25A et seq., and for good cause.

This Code of Ethics shall be made part of each Request for Proposal (RFP) promulgated by the SJTA and be attached to every contract and agreement to which the SJTA is a party. It shall be distributed to all parties who presently do business with the Authority and, to the extent feasible, to all those parties anticipated doing business with the Authority.

1. No vendor shall employ any SJTA officer or employee in the business of the vendor or professional activity in which the vendor is involved with the Authority officer or employee.

2. No vendor shall offer or provide any interest, financial or otherwise, direct or indirect, in the business of the vendor or professional activity in which the vendor is involved with the Authority officer or employee.

3. No vendor shall cause or influence, or attempt to cause or influence any SJTA officer or employee in his or her official capacity in any manner which might tend to impair the objectivity or independence of judgment of the SJTA official or employee.

4. No vendor shall cause or influence, or attempt to cause or influence any SJTA officer or employee to use or attempt to use his or her official position to secure any unwarranted privileges or advantages for that vendor or for any other person.

5. No vendor shall offer any SJTA officer or employee any gifts or favor, service or other thing of value under circumstances from which it might be reasonably inferred that such gift, service or other thing of value was given or offered for the purpose of influencing the recipient in the discharge of his or her official duties. In addition, officers or employees of the SJTA will not be permitted to accept breakfasts, lunches, dinners, alcoholic beverages, tickets to entertainment and/or sporting events or any other item which could be construed having more than nominal value.
NOTE: This section would permit an SJTA officer or employee to accept food or refreshment of relatively low monetary value provided during the course of a meeting, conference or other occasion where the employee is proper in attendance (for example – coffee, Danish, tea, or soda served during conference break).

Acceptance of unsolicited advertising or promotional material of nominal value (such as inexpensive pens, pencils, or calendars) would be permitted.

Any questions as to what is or is not acceptable or what constitutes proper conduct for an Authority officer or employee should be referred to the Authority’s Ethics Liaison Officer or his or her designee.

6. This code is intended to augment, not to replace, existing administrative orders and the current SJTA Code of Ethics.

*Vendor is defined as any general contractor, subcontractor, consultant, person, firm, corporation or organization engaging in seeking to do business with the SJTA.

I certify that I have read and understand the aforementioned “Vendor Code of Ethics of the South Jersey Transportation Authority”.

Vendor: ________________________________ Title: ____________________________

Date: __________________________
SOUTH JERSEY TRANSPORTATION AUTHORITY
** DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN**

NAME OF CONTRACTOR /BIDDER: _______________________________________

PART 1: CERTIFICATION
CONTRACTORS/BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX.
FAILURE TO CHECK ONE OF THE BOXES SHALL RENDER THE
PROPOSAL NON-RESPONSIVE.

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 neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran. The Chapter 25 list follows this certification and can also be found on the State of New Jersey, Department of Treasury, Division of Purchase and Property website at http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf. Contractors/Bidders must review this list prior to completing the below certification. FAILURE TO COMPLETE THE CERTIFICATION WILL RENDER A CONTRACTOR'S/BIDDER'S PROPOSAL NON-RESPONSIVE. If the Authority finds a person or entity to be in violation of law, it shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party.

PLEASE CHECK THE APPROPRIATE BOX:

☐ I certify, pursuant to Public Law 2012, c. 25, that neither the contractor/bidder listed above nor any of the contractor's/bidder's parents, subsidiaries, or affiliates is listed on the N.J. Department of the Treasury's list of entities determined to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c. 25 (“Chapter 25 List”). I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and I 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 contractor/bidder and/or one or more of its parents, subsidiaries, or affiliates is listed on the Department’s Chapter 25 list. I will provide a detailed, accurate and precise description of the activities in Part 2 below and sign and complete the CERTIFICATION below. Failure to provide such will result in the proposal being rendered a non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.
Part 2: PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN

You must provide a detailed, accurate and precise description of the activities of the bidding person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the requested information below. Please provide thorough answers to each question. If you need to make additional entries, provide the requested information on a separate sheet.

Name____________________Relationship to Contractor/Bidder __________________

Description of Activities
______________________________________________________________________
______________________________________________________________________

Duration of Engagement_________________ Anticipated Cessation Date___________

Contractor/Bidder Contact Name________________Contact Phone Number_________

CERTIFICATION
MUST BE SIGNED BY BIDDER

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

FULL NAME (print): __________________ SIGNATURE__________________________

TITLE: ________________________ DATE:__________________________________
The following list represents entities determined, based on credible information available to the public, to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c. 25 (“Chapter 25”):

| 1. Bank Markazi Iran (Central Bank of Iran) |
| 2. Bank Melat |
| 3. Bank Meli Iran |
| 4. Bank Tejarat |
| 5. National Iranian Tanker Company (NITC) |
| 6. Armona |
| 7. Bank Saderat PLC |
| 8. Bank Sepah |
| 9. Belaz |
| 10. Beloeddin (Balarenoff) |
| 12. China National Offshore Oil Corporation (CNOOC) |
| 13. China National Petroleum Corporation (CNPC) |
| 14. China National United Oil Corporation (ChinaOil) |
| 15. China Petroleum & Chemical Corporation (Sinopac) |
| 16. China Precision Machinery Import-Export Corp. (CPMIEC) |
| 17. Girdley Smith Associates |
| 18. Indian Oil Corporation |
| 19. Kingsley PLC |
| 20. Maire Tecnimont SpA |
| 21. Nafiran Intrade Company (NICO) |
| 22. Oil and Natural Gas Corporation (ONGC) |
| 23. Oil India Limited |
| 24. Persia International Bank |
| 25. PetroChina Company Ltd. |
| 26. Petroleos de Venezuela (PDVSA Petroleo, SA) |
| 27. Samah Akbar Tajik Co. (SATCO) |
| 28. Schwing America Inc. |
| 29. Shandong FN CNC Machine Company, Ltd. |
| 30. Sochydro |
| 31. SK Energy |
| 32. SKS Ventures |
| 33. Som Petrol AS |
| 34. Shahr Zherroo Company |

List Date: August 5, 2015
INFOGRAPHIC AND INSTRUCTIONS
For Completing the “Two-Year Vendor Certification and Disclosure of Political Contributions” Form

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

On September 24, 2008, Governor Jon S. Corzine issued E.O. 117 which is designed to enhance New Jersey’s efforts to protect the integrity of procurement decisions and increase the public’s confidence in government. The Executive Order builds upon the provisions of Chapter 51.

Two-Year Certification Process
Upon approval by the State Chapter 51 Review Unit, the Certification and Disclosure of Political Contributions form is valid for a two (2) year period. Thus, if a vendor receives approval on January 1, 2014, the certification expiration date would be December 31, 2015. Any change in the vendor’s ownership status and/or political contributions during the two-year period will require the submission of new Chapter 51/Executive Order 117 forms to the State Review Unit. Please note that it is the vendor’s responsibility to file new forms with the State should these changes occur.

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

Instructions for Completing the Form

NOTE: Please refer to pages 3 and 4 “USEFUL DEFINITIONS for the purposes of Chapter 51 and Executive Order 117” for guidance when completing the form.

Part 1: BUSINESS ENTITY INFORMATION

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

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

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

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

Business Type - Check the appropriate box that represents the vendor’s type of business formation.

Listing of officers, shareholders, partners or members - Based on the box checked for the business type, provide the corresponding information. (A complete list must be provided.)
Public Law 2005, Chapter 51 and Executive Order 117 (2008)

Part 2: DISCLOSURE OF CONTRIBUTIONS
Read the three types of political contributions that require disclosure and, if applicable, provide the recipient's information. The definition of "Business Entity/Vendor" and "Contribution" can be found on pages 3 and 4 of this form.

Name of Recipient - Enter the full legal name of the recipient.

Address of Recipient - Enter the recipient’s street address.

Date of Contribution - Indicate the date the contribution was given.

Amount of Contribution - Enter the dollar amount of the contribution.

Type of Contribution - Select the type of contribution from the examples given.

Contributor’s Name - Enter the full name of the contributor.

Relationship of the Contributor to the Vendor - Indicate the relationship of the contributor to the vendor. (e.g. officer or shareholder of the company, partner, member, parent company of the vendor, subsidiary of the vendor, etc.)

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

Check the box under the recipient information if no reportable contributions have been solicited or made by the business entity. **This box must be checked if there are no contributions to report.**

Part 3: CERTIFICATION
Check Box A if the representative completing the Certification and Disclosure form is doing so on behalf of the business entity and all individuals and/or entities whose contributions are attributable to the business entity. **(No additional Certification and Disclosure forms are required if Box A is checked.)**

Check Box B if the representative completing the Certification and Disclosure form is doing so on behalf of the business entity and all individuals and/or entities whose contributions are attributable to the business entity with the exception of those individuals and/or entities that submit their own separate form. For example, the representative is not signing on behalf of the vice president of a corporation, but all others. The vice president completes a separate Certification and Disclosure form. **(Additional Certification and Disclosure forms are required from those individuals and/or entities that the representative is not signing on behalf of and are included with the business entity's submittal.)**

Check Box C if the representative completing the Certification and Disclosure form is doing so on behalf of the business entity only. **(Additional Certification and Disclosure forms are required from all individuals and/or entities whose contributions are attributable to the business entity and must be included with the business entity submittal.)**

Check Box D when a sole proprietor is completing the Certification and Disclosure form or when an individual or entity whose contributions are attributable to the business entity is completing a separate Certification and Disclosure form.

**Read the five statements of certification prior to signing.**

The representative authorized to complete the Certification and Disclosure form must sign and print her/his name, title or position and enter the date.
Public Law 2005, Chapter 51 and Executive Order 117 (2008)

State Agency Procedure for Submitting Form(s)

The State Agency should submit the completed and signed Two-Year Vendor Certification and Disclosure forms either electronically to: cdt134@treas.nj.gov or regular mail at: Chapter 51 Review Unit, P.O. Box 230, 33 West State Street, Trenton, NJ 08625-0230. Original forms should remain with the State Agency and copies should be sent to the Chapter 51 Review Unit.

Business Entity Procedure for Submitting Form(s)

The business entity should return this form to the contracting State Agency. The business entity can submit the Certification and Disclosure form directly to the Chapter 51 Review Unit only when:

• The business entity is approaching its two-year certification expiration date and is seeking certification renewal;
• The business entity had a change in its ownership structure; OR
• The business entity made any contributions during the period in which its last two-year certification was in effect, or during the term of a contract with a State Agency.

Questions & Information

Questions regarding the interpretation or application of Public Law 2005, Chapter 51 (N.J.S.A. 19:44A-20.13) or E.O. 117 (2006) may be submitted electronically through the Division of Purchase and Property website at: https://www.state.nj.us/treas/purchase/es134questions.shtml
Reference materials and forms are posted on the Political Contributions Compliance website at: http://www.state.nj.us/treasury/purchase/execorder134.shtml

USEFUL DEFINITIONS for the purposes of Chapter 51 and Executive Order 117

• “Business Entity/Vendor” means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of New Jersey or any other state or foreign jurisdiction. The definition also includes (i) if a business entity is a for-profit corporation, any officer of the corporation and any other person or business entity that owns or controls 10% or more of the stock of the corporation, (ii) if a business entity is a professional corporation, any shareholder or officer, (iii) if a business entity is a general partnership, limited partnership or limited liability partnership, any partner, (iv) if a business entity is a sole proprietorship, the proprietor, (v) if the business entity is any other form of entity organized under the laws of New Jersey or any other state or foreign jurisdiction, any principal, officer or partner thereof, (vi) any subsidiaries directly or indirectly controlled by the business entity, (vii) any political organization organized under 26 U.S.C.A. § 527 that is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee, and (vii) with respect to an individual who is included within the definition of “business entity,” that individual’s civil union partner and any child residing with that person.

• “Officer” means a president, vice president with senior management responsibility, secretary, treasurer, chief executive officer or chief financial officer of a corporation or any person routinely performing such functions for a corporation. Please note that officers of non-profit entities are excluded from this definition.

• “Partner” means one of two or more natural persons or other entities, including a corporation, who or which are joint owners of and carry on a business for profit, and which business is organized under the laws of this State or any other state or foreign jurisdiction, as a general partnership, limited partnership, limited liability partnership, limited liability company, limited partnership association, or other such form of business organization.

“Contributions made by a spouse, civil union partner or resident child to a candidate for whom the contributor is eligible to vote or to a political party committee within whose jurisdiction the contributor resides are permitted.”
USEFUL DEFINITIONS for the purposes of Chapter 51 and Executive Order 117

- “Contribution” is a contribution, including an in-kind contribution, in excess of $300.00 in the aggregate per election made to or received by a candidate committee, joint candidates committee, or political committee, or per calendar year made to or received by a political party committee, legislative leadership committee, or continuing political committee or a currency contribution in any amount.

- “In-kind Contribution” means a contribution of goods or services received by a candidate committee, joint candidates committee, political committee, continuing political committee, political party committee, or legislative leadership committee, which contribution is paid for by a person or entity other than the recipient committee, but does not include services provided without compensation by an individual volunteering a part of or all of his or her time on behalf of a candidate or committee.

- “Continuing Political Committee” includes any group of two or more persons acting jointly, or any corporation, partnership, or any other incorporated or unincorporated association, including a political club, political action committee, civic association or other organization, which in any calendar year contributes or expects to contribute at least $4,300 to aid or promote the candidacy of an individual, or the candidacies of individuals, for elective public office, or the passage or defeat of a public questions, and which may be expected to make contributions toward such aid or promotion or passage or defeat during a subsequent election, provided that the group, corporation, partnership, association or other organization has been determined by the Commission to be a continuing political committee in accordance with N.J.S.A. 19:44A-8(b).

- “Candidate Committee” means a committee established by a candidate pursuant to N.J.S.A. 19:44A-9(a), for the purpose of receiving contributions and making expenditures.

- “State Political Party Committee” means a committee organized pursuant to N.J.S.A. 19:5-4.

- “County Political Party Committee” means a committee organized pursuant to N.J.S.A. 19:5-3.

- “Municipal Political Party Committee” means a committee organized pursuant to N.J.S.A. 19:5-2.

- “Legislative Leadership Committee” means a committee established, authorized to be established, or designated by the President of the Senate, the Minority Leader of the Senate, the Speaker of the General Assembly, or the Minority Leader of the General Assembly pursuant to N.J.S.A. 19:44A-10.1 for the purpose of receiving contributions and making expenditures.

- “Political Party Committee” means:
  1. The State committee of a political party, as organized pursuant to N.J.S.A. 19:5-4;
  2. Any county committee of a political party, as organized pursuant to N.J.S.A. 19:5-3, or
  3. Any municipal committee of a political party, as organized pursuant to N.J.S.A. 19:5-2.
FOR STATE AGENCY USE ONLY

Solicitation, RFP, or Contract No.: ____________________________ Award Amount: ____________________________

Description of Services

State Agency Name: ____________________________ Contact Person: ____________________________

Phone Number: ____________________________ Contact Email: ____________________________

☐ Check if the Contract / Agreement is Being Funded Using FHWA Funds

Part 1: Business Entity Information

Please check if requesting recertification ☐

Full Legal Business Name: ____________________________ (Including trade name if applicable)

Address: ____________________________

City: ____________________________ State: _______ Zip: _______ Phone: ____________________________

Vendor Email: ____________________________ Vendor FEIN (SS# if sole proprietor/natural person): ____________________________

Check off the business type and list below the required information for the type of business selected.

☐ Corporation: LIST ALL OFFICERS and any 10% and greater shareholder

☐ Professional Corporation: LIST ALL OFFICERS and ALL SHAREHOLDERS

☐ Partnership: LIST ALL PARTNERS with any equity interest

☐ Limited Liability Company: LIST ALL MEMBERS with any equity interest

☐ Sole Proprietor

Note: “Officers” means President, Vice President with senior management responsibility, Secretary, Treasurer, Chief Executive Officer or Chief Financial Officer of a corporation, or any person routinely performing such functions for a corporation.

All Officers of a Corporation or PC

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
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10% and greater shareholders of a corporation or all shareholder of a PC

<table>
<thead>
<tr>
<th>Name</th>
<th>Percentage</th>
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</table>

All Equity partners of a Partnership

<table>
<thead>
<tr>
<th>Name</th>
</tr>
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</table>

All Equity members of a LLC

<table>
<thead>
<tr>
<th>Name</th>
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</thead>
</table>

If you need additional space for listing of Officers, Shareholders, Partners or Members, please attach separate page.

IMPORTANT NOTE: You must review the definition of “contribution” and “business entity” on the Information and Instructions form prior to completing Part 2 and Part 3. The Information and Instructions form is available at: http://www.state.nj.us/treasury/purchase/forms.shtml#eo134.
Part 2: Disclosure of Contributions by the business entity or any person or entity whose contributions are attributable to the business entity.

1. Report below all contributions solicited or made during the 4 years immediately preceding the commencement of negotiations or submission of a proposal to any:

   Political organization organized under Section 527 of the Internal Revenue Code and which also meets the definition of a continuing political committee as defined in N.J.S.A. (See Information and Instructions form.)

2. Report below all contributions solicited or made during the 5 ½ years immediately preceding the commencement of negotiations or submission of a proposal to any:

   Candidate Committee for or Election Fund of any Gubernatorial or Lieutenant Gubernatorial candidate
   State Political Party Committee
   County Political Party Committee

3. Report below all contributions solicited or made during the 18 months immediately preceding the commencement of negotiations or submission of a proposal to any:

   Municipal Political Party Committee
   Legislative Leadership Committee

<table>
<thead>
<tr>
<th>Full Legal Name of Recipient</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Address of Recipient</td>
<td></td>
</tr>
<tr>
<td>Date of Contribution</td>
<td>Amount of Contribution</td>
</tr>
<tr>
<td>Type of Contribution (i.e. currency, check, loan, in-kind)</td>
<td></td>
</tr>
<tr>
<td>Contributor Name</td>
<td></td>
</tr>
<tr>
<td>Relationship of Contributor to the Vendor</td>
<td></td>
</tr>
</tbody>
</table>

If this form is not being completed electronically, please attach additional contributions on separate page. Click the "Add a Contribution" tab to enter additional contributions.

Check this box only if no political contributions have been solicited or made by the business entity or any person or entity whose contributions are attributable to the business entity.

Part 3: Certification

(A) □ I am certifying on behalf of the business entity and all individuals and/or entities whose contributions are attributable to the business entity as listed on Page 1 under Part 1: Vendor Information.

(B) □ I am certifying on behalf of the business entity and all individuals and/or entities whose contributions are attributable to the business entity as listed on Page 1 under Part 1: Vendor Information, except for the individuals and/or entities who are submitting separate Certification and Disclosure forms which are included with this submittal.

(C) □ I am certifying on behalf of the business entity only; any remaining persons or entities whose contributions are attributable to the business entity (as listed on Page 1) have completed separate Certification and Disclosure forms which are included with this submittal.

(D) □ I am certifying as an individual or entity whose contributions are attributable to the business entity.

I hereby certify as follows:

1. I have read the Information and Instructions accompanying this form prior to completing the certification on behalf of the business entity.

2. All reportable contributions made by or attributable to the business entity have been listed above.
3. The business entity has not knowingly solicited or made any contribution of money, pledge of contribution, including in-kind contributions, that would bar the award of a contract to the business entity unless otherwise disclosed above:

a) Within the 18 months immediately preceding the commencement of negotiations or submission of a proposal for the contract or agreement to:

(i) A candidate committee or election fund of any candidate for the public office of Governor or Lieutenant Governor or to a campaign committee or election fund of holder of public office of Governor or Lieutenant Governor; OR
(ii) Any State, County or Municipal political party committee; OR
(iii) Any Legislative Leadership committee.

b) During the term of office of the current Governor or Lieutenant Governor to:

(i) A candidate committee or election fund of a holder of the public office of Governor or Lieutenant Governor; OR
(ii) Any State or County political party committee of the political party that nominated the sitting Governor or Lieutenant Governor in the last gubernatorial election.

c) Within the 18 months immediately preceding the last day of the sitting Governor or Lieutenant Governor’s first term of office to:

(i) A candidate committee or election fund of the incumbent Governor or Lieutenant Governor; OR
(ii) Any State or County political party committee of the political party that nominated the sitting Governor or Lieutenant Governor in the last gubernatorial election.

4. During the term of the contract/agreement the business entity has a continuing responsibility to report, by submitting a new Certification and Disclosure form, any contribution it solicits or makes to:

a) Any candidate committee or election fund of any candidate or holder of the public office of Governor or Lieutenant Governor; OR

b) Any State, County or Municipal political party committee; OR

c) Any Legislative Leadership committee.

The business entity further acknowledges that contributions solicited or made during the term of the contract/agreement may be determined to be a material breach of the contract/agreement.

5. During the two-year certification period the business entity will report any changes in its ownership structure (including the appointment of an officer within a corporation) by submitting a new Certification and Disclosure form indicating the new owner(s) and reporting said owner(s) contributions.

I certify that the foregoing statements in Parts 1, 2 and 3 are true. I am aware that if any of the statements are willfully false, I may be subject to punishment.

Signed Name __________________________ Print Name __________________________
Title/Position __________________________ Date __________________________

Procedure for Submitting Form(s)

The contracting State Agency should submit this form to the Chapter 51 Review Unit when it has been required as part of a contracting process. The contracting State Agency should submit a copy of the completed and signed form(s), to the Chapter 51 Unit and retain the original for their records.

The business entity should return this form to the contracting State Agency. The business entity can submit this form directly to the Chapter 51 Review Unit only when it:

· Is approaching its two-year certification expiration date and wishes to renew certification;
· Had a change in its ownership structure; OR
· Made any contributions during the period in which its last two-year certification was in effect, or during the term of a contract with a State Agency.

Forms should be submitted either electronically to: cd134@treas.nj.gov, or regular mail at: Chapter 51 Review Unit, P.O. Box 230, 33 West State Street, Trenton, NJ 08625.