

**Lower Township
Municipal Utilities Authority**

Request for Qualifications and Proposals

For

**Wireless Telecommunications Equipment Site Leasing Consultant
Contract**

June 2022

**Lower Township Municipal Utilities Authority
2900 Bayshore Road
Villas, NJ 08251**

Phone (609) 886-7146

www.LTMUA.org

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**NOTICE OF
AVAILABILITY OF REQUESTS FOR QUALIFICATIONS AND
PROPOSALS FOR WIRELESS TELECOMMUNICATIONS EQUIPMENT SITE
LEASING CONSULTANT CONTRACT**

**LOWER TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
2900 Bayshore Road
Villas, New Jersey 08251
(609) 886-7146**

PLEASE TAKE NOTICE that the Lower Township Municipal Utilities Authority is requesting qualifications and proposals from individuals and/or from firms for the following contract: Wireless Telecommunications Equipment Site Leasing Consultant Contract.

The qualifications and proposals are being solicited through the competitive contracting process that is set forth in N.J.S.A. 19:44A-4.1, *et. seq.*

Sealed qualifications and proposals will be received by the Authority's Executive Director, Lower Township MUA, 2900 Bayshore Road, Villas, New Jersey, 08251 on **Thursday, June 30, 2022 at 10:00 a.m., prevailing time.** No prospective contractor may withdraw their proposal within sixty (60) days after the actual date of the opening thereof.

The General Information and Specifications for Prospective Contractors and other request for proposal documents have been filed in the office of the MUA Secretary and may be obtained therefrom between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday. The proposal documentation for the contract also is available by clicking on the link provided at www.ltmua.org.

Qualifications and Proposals must be enclosed in a sealed envelope and plainly marked with the identity of the contract (*i.e.*, "Proposal for Wireless Communications Equipment Site Leasing Consultant Contract") and the envelope shall contain the name and address of the prospective contractor.

Contractors will be required to comply with the anti-discrimination laws of the State of New Jersey; in particular with the requirements of Chapter 127 of P.L. 1975. The statutory language required by N.J.S.A. 10:2-1 and 10:5-33 shall be incorporated into the subject contract by reference. Contractors will be required to comply with the requirements of N.J.S.A. 10:5-31, *et. seq.* and N.J.A.C. 17:27 (Contract Compliance and Affirmative Action for Public Contracts). The statutory and regulatory language of those statutes and administrative regulations are incorporated into the specifications and the contract with the successful bidder by reference.

Prospective contractors are required to comply with the requirements of the Public Law, 1975, C.127 N.J.S.A. 34:11-56, 25 et. seq. as amended in Chapter 64 of the Laws of 1974 and P.L. 1977 Ch. 33, N.J.S.A. 52:25-24.2 which requires a statement setting forth the names and addresses of all stockholders in the prospectively contracting corporation or partnership who own 10% or more of its stock, of any class, or of all individual partners in the prospectively contracting partnership who own 10% or greater interest therein, as the case may be. For the purpose of this requirement, a limited liability company will be deemed a partnership.

Prospective contractors to whom contracts are awarded will be required to submit a New Jersey Business Registration Certificate pursuant to the requirements of N.J.S.A. 52:32-44 prior to award of the contract.

Upon receipt of qualifications and proposals, the MUA Executive Director shall review each proposal and then shall transmit copies of each proposal and his report on the proposal(s) received, as required by NJSA 40A:11-4.5, to a review committee consisting of the MUA Chairman and one other member of the Authority as the Chairman may designate. Proposals will be evaluated on the basis of the most advantageous, price and other factors considered. The evaluation will consider:

- a. Experience and reputation of the prospective contractor in the field that is the subject matter of the contract;
- b. Knowledge of the Authority, issues that are unique to the Authority and the subject matter to be addressed under the contract;
- c. Number of years open for business providing these services;
- d. Number of years providing wireless telecommunication equipment site leasing, financial and real estate revenue assessment;
- e. Number of employees involved in providing telecommunication equipment site leasing consulting services;
- f. Number of employees supplying administrative support
- g. Experience of top five (5) employees.
- h. Certifications held by company and key employees of the company
- i. Other factors as demonstrated to be in the best interest of the authority

Upon completion of the review process, the review committee shall transmit its findings and recommendations to the Authority Members who may award the subject contract on or about Wednesday July 6, 2022 by Resolution.

Prospective contractors are required to comply with the requirements of N.J.S.A. 19:44A-20.27. 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), if they receive contracts in excess of \$50,000 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.

The Lower Township Municipal Utilities Authority reserves the right to reject any and all proposals or to waive any minor irregularities or informalities as may be permitted by law.

BY ORDER OF THE LOWER
TOWNSHIP MUA

Dated: June 8, 2022

/s/ Sharon Otto, Secretary

**GENERAL INFORMATION AND SPECIFICATIONS FOR PROSPECTIVE
CONTRACTORS SUBMITTING PROPOSALS FOR WIRELESS
TELECOMMUNICATIONS EQUIPMENT SITE LEASING CONSULTING
SERVICES CONTRACT**

I. Background Information; Miscellaneous Data.

- a. **Background Information.** The Lower Township Municipal Utilities Authority (“Authority” or “LTMUA” or “MUA”) is an independent authority which was created in 1968 by Ordinance of the Township of Lower under the New Jersey Municipal and Counties Utilities Authorities Law P.L. 1957, c. 183, s. 1, c40:14B-4 *et. seq.* The Authority was created for the purpose of constructing and operating a sanitary sewerage system, for the collection and disposal of wastewater, and a water supply and distribution system within the Township. In that regard the LTMUA operates a wastewater treatment plant and collection system that services more than 13,000 customers. The Authority is responsible for the distribution of drinking water in the Township of Lower in Cape May County, New Jersey. In that regard the MUA’s water distribution system consists of wells, water towers and stand pipes that service more than 9,500 customers.

The Authority has broad powers under the Municipal and Counties Utilities Authority Law including, among others, the following: to hold, operate and administer its property; provide for bonds and secure their payment and rights to holders thereof; to charge and collect user fees to ensure the revenues of the Authority will at all times be adequate to pay all operating and maintenance expenses, including reserves, insurance, extensions and replacements, and to pay the principal of, and interest on, any bonds; to maintain such reserves or sinking funds therefore as may be required by the terms of any contract of the Authority; and to make and enforce rules and regulations for the management of its business and affairs.

- b. **Miscellaneous Data.** Additional information that may assist the prospective vendor in further evaluating the relative size of the engagement and in preparing its proposal:
- i. The size of Lower Township in Square Miles - 27.8
 - ii. Population 24,000 permanent; 90,000 seasonal
 - iii. Customer accounts (approx.) Water - 9,500; Sewer 13,300
 - iv. Number of purchase orders processed approx. – 850 per year
 - v. Water Storage Tanks 2.66 mg
 - a) Stand Pipe – 2

- b) Elevated – 1
- c) Hydro Sphere – 1
- vi. Wells in operation – 6
- vii. Sewer pump stations in operation – 27
- viii. Activated Sludge Sewerage treatment plant - 4.0 mgd

II. Invitation to Submit Qualifications and Proposal. The Authority is requesting proposals from qualified vendors for the following contract: Wireless Telecommunications Equipment Site Leasing Consultant. The contract will be a five-year contract. The qualifications and proposals are being solicited through the competitive contracting procedures that are set forth in N.J.S.A. 40A:11-4.1, *et. seq.*

III. Submitting and Delivery of Proposals. Qualifications and Proposals must be submitted on or before **Thursday, June 30, 2022 at 10:00 a.m. prevailing time** and may be submitted either by mail or in person by the prospective contractor or his agent. Proposals must be enclosed in a sealed envelope and plainly marked “Proposal for Wireless Telecommunications Equipment Site Leasing Consultant” and the envelope also shall have plainly marked on it the name and address of the prospective contractor.

IV. Time and Place for Acceptance of Proposals. The Authority Executive Director has been designated as the person authorized to receive all proposals. All proposals must be submitted in sealed envelopes to the Authority Executive Director, Lower Township Municipal Utilities Authority, 2900 Bayshore Road, Villas, New Jersey, 08251, either by mail or in person by the prospective contractor or his agent on or prior to **Thursday, June 30, 2022 at 10:00 a.m., prevailing time**. The Authority Executive Director will record the date and time of receipt of all proposals on the sealed envelope. No proposal will be received after the time designated for receipt.

V. Proposal; Qualifications; Insurance; Indemnification.

- a. **Proposal. The resume’s or curricula vitae of all individuals who will perform consulting services on behalf of the Authority shall be submitted with the prospective contractor’s proposal.** Additionally, the prospective contractor’s proposal, at a minimum, should include the following information:
 - i. Name and address of the firm and the contact individual or corporate officer authorized to execute a contract with the MUA.
 - ii. A brief description of the firm’s history, ownership, and organizational structure, location of its management, charter authorization, and licenses to do business in the State of New Jersey.

- iii. Facility address from which service personnel are dispatched.
- iv. An affirmation that the respondent is properly licensed.
- v. Number of full-time employees that are employed for the company including owners.
- vi. A list of the company's top five customers, with a key individual for each customer we may contact for the purpose of checking performance.
- vii. Provide resume' or history of experience for Owner(s) and key employees that are responsible for the day-to-day operation of the business.
- viii. Provide a description of at least three (3) successful Wireless Telecommunications Equipment Site Lease negotiations, renegotiations or renewals within the past five (5) years that were negotiated by your company.
- ix. Provide any additional information that demonstrates the company's unique qualifications in the field that is the subject of this Request for Proposals.
- x. An affirmation that the respondent does not have a record of substandard work with the State of New Jersey or the Authority.
- xi. An affirmation that the respondent meets any other specific qualification requirements imposed by Federal or State law.
- xii. The prospective contractor's proposal shall clearly set forth the proposed financial compensation to be paid to the contractor under the contract.
- xiii. **A proposed contract shall be submitted with the contractor's proposal. Failure to submit a proposed contract with the contractor's proposal may render the proposal non-responsive.**

- b. **Insurance.** As a condition precedent to the MUA's obligation to award a contract, the contractor is required to submit to the MUA evidence (consisting of certificates of insurance) satisfactory to the MUA showing that the contractor has obtained all insurance coverages required herein.

Nothing contained herein shall be construed as limiting the extent of the contractor's liability for claims or damages resulting from or related to the performance by the contractor of any covenant under the terms of the contract or from or related to any of the contractor's activities upon the MUA's premises.

All insurance required hereunder shall include the interests of the MUA which shall be listed as an additional insured on such policies. The contractor waives all rights against the MUA for all losses and damages caused by any of the perils covered by such policies and all such policies shall contain provisions to the effect that in the event of payment of any loss or damage the insurer will have no rights of recovery against the MUA.

The contractor acknowledges that the MUA has insurable interests under the contractor's insurance policies.

The contractor shall purchase and maintain, at its sole expense and with a company or companies licensed to do business in the State of New Jersey and satisfactory to the MUA, insurance as follows:

- i. Worker's Compensation and Employer's Liability Insurance – Covering all of the contractor's employees and this insurance shall comply with the statutory requirements of the State of New Jersey.
- ii. Commercial General Liability Insurance – Comprehensive Broad-Form General Public Liability Insurance for all known risks and hazards including, but not limited to, general liability, recreational liability, public liability and such other risks and hazards with a limit of not less than \$1,000,000.00 per occurrence, \$2,000,000.00 general aggregate for bodily injury, death and property damage arising from the contractor's performance of the contract.
- iii. Motor Vehicle Liability Insurance – During the life of this contract the Contractor shall procure and maintain Motor Vehicle Liability Insurance, including applicable No-Fault coverage, with limits of liability not less than \$1,000,000.00 per accident combined single limit Bodily Injury and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.
- iv. Policy Limits – Specified above are minimum and wherever the law requires higher limits, the higher limits shall govern.

v. Periods of Coverage – All policies of insurance required under this contract shall remain in full force and effect until such time as the term of this contract or any extensions thereof comes to an end.

vi. Certificates – Certificates of insurance required above must be filed with the MUA before the contract is signed on behalf of the MUA and thereafter upon each renewal of each policy of insurance required by this contract to be maintained by contractor. All certificates of insurance must provide for thirty (30) days prior written notice to the LTMUA of policy cancellation or material change.

vii. Indemnification and Hold Harmless Agreement – The contractor agrees to indemnify and hold harmless the LTMUA and its officials, agents and employees from and against all claims, damages, losses and expenses, including reasonable attorney's fees, in case an action or claim is brought or filed and which arises out of the contractor's performance of the contract which is for bodily injury, illness or death to any person or for any property damage, including loss of use, that is caused in whole or in part by the contractor's negligent acts or omissions or that of any person(s) employed by the contractor or for whose acts the contractor may be liable. This indemnification and hold harmless agreement shall apply in all instances whether the LTMUA, as well as its officials, agents and employees, is made a direct party to the initial action or claim or subsequently is made a party to the action by third-party in-pleading or is made a party to a collateral action arising, in whole or in part, from any of the issues emanating from the original cause of action or claim.

VI. Selection Process & Award of Contract. Upon receipt of qualifications and proposals, the Authority Executive Director will transmit copies of each proposal, along with his report regarding the proposal(s) received as required by N.J.S.A. 40A:11-4.5, to a review committee that consists of the Chairman of the Authority and one other member of the Authority as the Chairman may designate. Proposals will be evaluated on the basis of the most advantageous, price and other factors considered. The evaluation will consider:

- a. Experience and reputation of the prospective contractor in the field that is the subject matter of the contract;
- b. Knowledge of the Authority, issues that are unique to the Authority and the subject matter to be addressed under the contract;
- c. Number of years open for business providing these services;

- d. Number of years providing wireless telecommunication equipment site leasing, financial and real estate revenue assessment;
- e. Number of employees involved in providing telecommunications equipment site leasing consulting services;
- f. Number of employees providing administrative support;
- g. Experience of top five employees;
- h. Certifications held by company and key employees of the company; and
- i. Other factors as demonstrated to be in the best interest of the the Authority.

The methodology for evaluating the foregoing criteria will include a weighting of the criteria. The foregoing criteria are not listed in any specific order and prospective contractors should not assume that any particular factor will be accorded more weight because it is listed before other factors.

Upon completion of the review process, the review committee shall transmit its findings and recommendations to the Authority which may award the subject contract on or about **Wednesday, July 6, 2022** by Resolution.

VII. Obligation of Prospective Contractor. At the time of receipt of proposals, each prospective contractor will be presumed to have read and to be thoroughly familiar with the contents of the Notice of Availability of Requests for Qualifications and Proposals that has been posted on the Authority's website and published and with the contents of this document. The failure or omission of any prospective contractor to receive or examine either document shall in no way relieve any prospective contractor from any obligation with respect to the proposal submitted.

VIII. Investigation of Qualifications. The LTMUA will make such investigations as it deems necessary to determine the responsibility of the prospective contractor and the prospective contractor shall furnish the LTMUA all such information as may be requested by the LTMUA notwithstanding the fact that the release of such information to the LTMUA may result in the disqualification of the prospective contractor and the proposal submitted.

IX. Signing of Proposal Documentation. The qualification and proposal documentation that is submitted by the prospective contractor shall be signed by the individual or on behalf of the entity to be bound by the contract.

X. New Jersey Business Registration Certificate; Ownership Disclosure Statement;

Disclosure of Investment Activities in Iran

- a. **New Jersey Business Registration Certificate.** Business organizations or individuals doing business in New Jersey are required to register with the Department of Treasury, Division of Revenue. Under the provisions of N.J.S.A. 52:32-44b(1), contractors shall provide the LTMUA with a copy of their New Jersey Business Registration Certification prior to award of a contract by the LTMUA. Therefore, it is strongly recommended that prospective contractors include with their proposal a copy of their New Jersey Business Registration Certificate at the time that their proposal is submitted to the Authority.
- b. **Ownership Disclosure Statement.** Prospective contractors are required to comply with the requirements of the Public Law, 1975, C.127 N.J.S.A. 34:11-56, 25 et. seq. as amended in Chapter 64 of the Laws of 1974 and P.L. 1977 Ch. 33, N.J.S.A. 52:25-24.2 which requires a statement setting forth the names and addresses of all stockholders in the corporation or partnership who own 10% or more of its stock, of any class, or of all individual partners in the partnership who own 10% or greater interest therein, as the case may be. An Ownership Disclosure Statement is annexed.
- c. **Disclosure of Investment Activities in Iran.** Prospective contractors are required to comply with the requirements of P.L. 2012, c.25 and N.J.S.A. 40A:11-2.1 which require that any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract with a local contracting unit must complete a certification attesting, under penalty of perjury, that the person or entity, or one of the person or entity's parents, subsidiaries or affiliates is not identified on a list created or maintained by the New Jersey Department of the Treasury as a person or entity engaging in investment activities in Iran. A Certification is annexed.

XI. Miscellaneous.

- a. All contracts awarded by the LTMUA shall be governed by and interpreted in accordance with the Laws of the State of New Jersey.
- b. In the event the LTMUA elects to terminate the Contract for reasons not the fault of the Contractor, then the Contractor shall be entitled to compensation for services performed to date of termination which have been accepted to the satisfaction of the LTMUA.
- c. The LTMUA reserves the right to reject any and all proposals or to waive any minor irregularities or informalities as may be permitted by law.

- d. For additional information contact: Stephen Blankenship, Executive Director, Lower Township Municipal Utility Authority, 2900 Bayshore Road, Villas, New Jersey, 08251, Telephone: 609-886-7146

XII. Proposal Documents Checklist. Prospective Contractors are required to submit an original plus two copies of all of the following documents:

- ___ Proposal in the form described above.
- ___ Ownership Disclosure Statement
- ___ New Jersey Business Registration Certificate (Prior to award of contract)
- ___ Statement of Bidder's Qualifications, Experience and Financial Ability
- ___ Affirmative Action Affidavit
- ___ Resume's or curricula vitae of all key individuals who will perform services under the contract.
- ___ Disclosure of Investment Activities in Iran
- ___ Non-Collusion Affidavit

Where a form is provided by the LTMUA with these Specifications, prospective contractors are required to utilize the form supplied and substitutions will not be accepted. If more space is needed to complete any form that is supplied than has been provided in the form then extra pages are to be attached to the form for which extra space is needed.

STATEMENT OF OWNERSHIP DISCLOSURE

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

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

Name of Organization: _____

Organization Address: _____

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

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

Part II

The list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. **(COMPLETE THE LIST BELOW IN THIS SECTION)**

OR

No one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. **(SKIP TO PART IV)**

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

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

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

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

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

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

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

Part IV Certification

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

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

Signature: _____

Date: _____

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

Notary Public of _____
My Commission expires _____, _____.

QUESTIONNAIRE

This Questionnaire must be filled out and submitted as part of the contract proposal for:
Wireless Telecommunications Equipment Site Leasing Contract. Failure to complete this form or to provide any of the information required herein shall result in rejection of the proposal.

Answers should be typewritten or printed neatly in black or blue ink. Answers must be legible. Any answer that is illegible or unreadable will be considered incomplete. If additional space is required, the vendor shall add additional sheets and identify clearly the question being answered.

1. How many years (or months if less than one year) has the vendor been in business under its present name?

ANSWER:

2. List any other names under which the vendor, its partners or officers have conducted business in the past five years.

ANSWER:

3. Set forth the name of every municipality or municipal or county utilities authority in New Jersey with which the vendor has entered into a contract, within the past three years, that is similar in nature to that which is the subject of the present proposal. If

the vendor has not entered into any such contracts with New Jersey municipalities or municipal or county utilities authority then list the municipalities or municipal or county utilities authority outside of New Jersey with which the vendor has entered into a contract, within the past three years, that is similar in nature to that which is the subject of the present proposal.

ANSWER:

4. Has the vendor, in any jurisdiction whatsoever, ever been named as a party to litigation that arose out of performance or non-performance of a contract that was similar in nature to that which is the subject of the present proposal? If the answer is "Yes," set forth the full caption of the litigation, including the names of all parties, the name of the court and jurisdiction wherein the litigation was instituted or venued, the docket number of the case and the name and address of the attorney that represented vendor in said litigation.

ANSWER:

5. Is the vendor's principal place of business located outside of the State of New Jersey? If the answer is "Yes," attach copies of any certificates or other documents that evidence authorization by the New Jersey Secretary of State to conduct business within the State of New Jersey.

ANSWER:

6. Set forth the names and address of three credit or bank references.

ANSWER:

7. If you have any additional remarks or comments that you think will assist the Lower Township MUA in assessing vendor's ability to fully and completely perform all that would be required of vendor if awarded the contract that is the subject of the present proposal.

AFFIRMATIVE ACTION AFFIDAVIT

STATE OF NEW JERSEY : ss.:
COUNTY OF _____ :

Lower Township Municipal Utilities Authority: **Wireless Telecommunications Equipment Site
Leasing Consultant Contract**

I, _____, of the City of _____
Name of Affiant

in the State [Commonwealth] of _____, being of full age and duly
sworn according to law, on my oath depose and say that:

I am acting on behalf of the firm of _____, the vendor submitting the
Name of Vendor

Contract Proposal for the above-named contract, in the capacity of _____,
Position of Affiant With Vendor
(e.g, Owner, President, etc.)

and I have executed the Contract Proposal with full authority to do so. Further, the vendor will
comply with the provisions of Public Law 1975, Chapter 127 (see Attachment #1 attached hereto),
and shall require all subcontractors, if any, to comply with the provisions of Public Law 1975,
Chapter 127.

Name of Firm or Individual Title

By: _____

Subscribed and sworn to before me this
_____ day of _____, 20__.

Notary Public of
My Commission expires: _____

ATTACHMENT #1

Procurement and Service Contract - Mandatory Language P.L. 1975, C. 127 (N.J.A.C. 17:27)

MANDATORY AFFIRMATIVE ACTION LANGUAGE PROCUREMENT, PROFESSIONAL AND SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation. The contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause;

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

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

The contractor or subcontractor, where applicable, agrees to comply with the regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to attempt in good faith to employ minority and female workers consistent with the applicable county employment goals prescribed by N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time or in accordance with a binding determination of the applicable county employment goals determined by the Affirmative Action Office pursuant to N.J.A.C. 17:27-5.2 promulgated by

the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time.

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

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

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

The contractor and its subcontractors shall furnish such reports or other documents to the Affirmative Action Office 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 Affirmative Action Office for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code (N.J.A.C. 17:27).

**LOWER TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN**

RFP Title: _____ Proposer: _____

PART 1: CERTIFICATION

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

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

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

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

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

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

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

Name: _____ Relationship to Proposer: _____

Description of Activities: _____

Duration of Engagement: _____ Anticipated Cessation Date: _____

Proposer Contact Name: _____ Contact Phone Number: _____

PART 3: CERTIFICATION

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