

PERTH AMBOY REDEVELOPMENT AGENCY

Apparent Low Bidder

FOR

CONSTRUCTION OF THE BORINQUENEER PARK

BID OPENING:

September 2, 2021
11:00 AM

LOCATION:

City Hall Council Chambers, Second Floor, 260 High Street, Perth Amboy, NJ 08861

- **BID ADVERTISEMENT DATE: July 16, 2021**
- **PROPOSED BID AWARD DATE: October 5, 2021**

**PERTH AMBOY REDEVELOPMENT AGENCY
MIDDLESEX COUNTY, NJ**

08.18.2021

SECTION 00 4100

BID PRICING FORM

This document replaces the bid form in the original bid package.

FOR: Borinqueneer Park Construction, Perth Amboy, NJ

Submitted by: Flanagan's Contracting Group Inc.

TO: Perth Amboy Redevelopment Agency
260 High Street
Perth Amboy, NJ 08861

The undersigned hereby unconditionally offers to furnish the Perth Amboy Redevelopment Agency (PARA) at the firm fixed unit price(s) quoted below in conformance with the contractual terms and specifications received from PARA, which have been carefully examined and agreed to by submittal of this bid. The prices quoted are exclusive of all federal, state and local taxes, and include all charges for materials, labor, delivery, and any other goods or services necessary for the successful completion of the subject matter of this contract.

Description	Unit	Unit Price	Qty.	Extended Price
DIVISION 1 – GENERAL CONDITIONS				
1. Site Preparation	ls.	50000.00	1	50000.00
2. Execution and Closeout Requirements / General Conditions	ls.	571900.00	1	571900.00
DIVISION 3 - CONCRETE				
3. C.I.P. Concrete Footings (reinf. Included)	cy.	750.00	160	120000.00
4. C.I.P. Concrete Retaining Walls	cy.	1000.00	165	165000.00
5. C.I.P. Concrete Curb	lf.	19.75	3,550	70,112.50
6. C.I.P. Concrete Stair	ls.	13702.00	1	13702.00
7. C.I.P. Concrete Seatwall	lf.	175.00	460	80500.00
8. C.I.P. Concrete for Skateparks (reinf. and Joints Sealants Included)	sf.	12.33	17,500	215775.00
DIVISION 4 - MASONRY				
9. Reconstruct Block Curb at Existing Curb Cut	lf.	35.00	145	5075.00
10. CMU Wall	lf.	558.00	110	61380.00
DIVISION 5 - METALS				
11. Stainless Steel Handrail at Stairs	lf.	525.00	30	15750.00
12. Stainless Steel Play Rail	lf.	165.00	44	7260.00
DIVISION 11 - EQUIPMENT				
13. Composite Playground Equipment	ls.	98155.00	1	98155.00
14. Freestanding Playground Equipment	ls.	70116.00	1	70116.00

SECTION 00 4100

BID PRICING FORM

15. Climbing Handholds	ls.	7139.00	1	7139.00
DIVISION 12 - FURNISHINGS				
16. Bench with Back	ea.	4870.00	15	73050.00
17. Bench	ea.	4108.00	13	53404.00
18. Picnic Tables	ea.	9758.00	4	39032.00
19. Bicycle Racks	ea.	1390.00	10	13900.00
20. Trash Receptacles	ea.	1564.00	14	21896.00
21. Drinking Fountain	ea.	7686.00	2	15372.00
22. Outdoor Grill	ea.	5366.00	2	10732.00
23. Beach Access Mat	ea.	6370.00	2	12740.00
24. Fence at Planting	lf.	21.50	1065	22897.50
25. Prefabricated Equipment Shed	ls.	10000.00	1	10000.00
26. Light Pole and Luminaire	ea.	9437.00	16	150992.00
27. Handrail Luminaire	ea.	1081.00	6	6486.00
DIVISION 13 – EXTERIOR FOUNTAINS				
28. Interactive Splash Pad	ls.	65047.00	1	65047.00
DIVISION 26 - ELECTRICAL				
29. Main Disconnect Switch	ea.	3745.00	1	3745.00
30. Utility Meter	ea.	3210.00	1	3210.00
31. Panelboards	ea.	8827.00	1	8827.00
32. Receptacles	ea.	589.00	14	8246.00
33. Junction Box	ea.	1284.00	1	1284.00
34. Photosensors	ea.	8399.00	1	8399.00
35. Pullboxes	ea.	2140.00	1	2140.00
36. Conduits and wiring	ls.	159965.00	1	159965.00
DIVISION 31 - EARTHWORK				
37. Fine Grading	ls.	27000.00	1	27000.00
38. Gabions	cy.	175.00	15	2625.00
39. Reno Mattress	sy.	30.00	35	1050.00
DIVISION 32 – EXTERIOR IMPROVEMENTS				
40. Asphalt Paving	sf.	4.72	10,170	48002.40
41. Red Asphalt Paving	sf.	10.24	9,950	101888.00
42. C.I.P. Concrete Paving with Exposed Recycled Glass Aggregate	sf.	32.99	1,420	46845.80
43. C.I.P. Concrete Pavement	sf.	13.67	10,710	146405.70
44. Stabilized Stone Screenings	sf.	12.25	4,820	59045.00
45. Playground Protective Surfacing	sf.	36.00	6,605	237780.00
46. Chain Link Fence	lf.	87.00	1,750	152250.00
47. Project Rail	lf.	1018.00	275	279950.00
48. Seating Boulders	ea.	2500.00	18	45000.00
49. Stacked Stone	ea.	1660.00	93	154380.00

SECTION 00 4100

BID PRICING FORM

50. Fabricated Pedestrian Bridges	lf.	3264.00	65	212160.00
51. Irrigation System	ls.	75000.00	1	75000.00
52. Structural Soils	ls.	29455.00	1	29455.00
53. Planting Soils	cy.	61.93	12,145	752139.85
54. Beach Sand	cy.	52.00	87	4524.00
55. Certified Clay Cap Material	cy.	135.00	138	18630.00
56. Lawn Seeding	ls.	20273.00	1	20273.00
57. Little Bluestem Seeding	ls.	706.00	1	706.00
58. Metal Landscape Edging	lf.	10.80	1,700	18360.00
59. Tree Planting	ls.	129175.00	1	129175.00
60. Shrub Planting	ls.	72459.00	1	72459.00
61. Herbaceous Perennial and Climbing Vine Planting	ls.	75487.00	1	75487.00
62. Mulch	sf.	.30	83,920	25176.00
DIVISION 33 – UTILITIES				
63. Inlet Type 'A'	unit	1928.00	5	9640.00
64. Manhole, 4' Diameter	unit	2240.00	8	17920.00
65. Manhole, 5' Diameter	unit	3500.00	2	7000.00
66. Yard Inlet	unit	2000.00	7	14000.00
67. Trench Drain	lf.	200.00	220	44000.00
68. 4" High Density Polyethylene Pipe	lf.	22.00	262	5764.00
69. 8" Polyvinyl Chloride Pipe	lf.	35.00	77	2695.00
70. 10" High Density Polyethylene Pipe	lf.	32.00	47	1504.00
71. 12" High Density Polyethylene Pipe	lf.	32.00	802	25664.00
72. 18" High Density Polyethylene Pipe	lf.	45.00	175	7875.00
73. 24" High Density Polyethylene Pipe	lf.	53.90	533	28728.70
74. 30" High Density Polyethylene Pipe	lf.	61.40	316	19402.40
75. Concrete Headwall, 12" Pipe	unit	2489.00	1	2489.00
76. Concrete Headwall, 18" Pipe	unit	2600.00	1	2600.00
77. Concrete Headwall, 30" Pipe	unit	6000.00	1	6000.00
78. Flexible Watertight Pipe Seal	unit	1000.00	2	2000.00
79. Rip Rap Stone Protection, 12" thk. D(50) = 6"	sy.	60.00	30	1800.00
80. Flexible Channel Liner, Type 'E'	sy.	15.00	310	4650.00
81. Flexible Channel, Liner Type 'H'	sy.	15.00	265	3975.00
82. 4" Underdrain	lf.	20.00	800	16000.00
83. 1" x 12" Underdrain	lf.	20.00	320	6400.00
84. Coarse Aggregate No. 57	cy.	46.00	35	1610.00
85. Sand (drainage layer)	cy.	67.65	115	7779.75
86. Soil Bed (Bioretention basins and Rain Gardens)	cy	55.45	340	18853.00
87. Filter Fabric	sy.	2.00	500	1000.00

SECTION 00 4100

BID PRICING FORM

88. PVC Liner, 30 mil	sf.	5.00	175	875.00
89. 3" Water Service	ls.	49000.00	1	49000.00
PROJECT CONTINGENCY				
90. Contingency	allow	\$225,000.00	1	\$225,000.00

TOTAL BASE BID PRICE \$ 5,513,220.60

DEDUCT 1: CIP Concrete Sidewalk along 2nd Street

Base Bid: The base bid includes a cast-in-place concrete sidewalk along 2nd Street for the entire length of the park.

Deduct: Contractor will deduct the cast-in-place concrete sidewalk and all associated below grade improvements, including subgrade compaction, aggregate base course, etc. from Lewis Street to the waterfront, as shown on the L-101C, 101D, and 101E. Existing roadway and curb to remain. Deduct to include all work and materials associated with this portion of the sidewalk. The contractor shall furnish lawn soil and lawn in lieu of cast-in-place concrete sidewalk.

Description	Unit	Unit Price	Qty.	Extended Price
1. <u>CIP Concrete Pavement</u>	<u>sf</u>	<u>\$ 2.80</u>	<u>4,685</u>	<u>\$ 13118.00</u>
TOTAL DEDUCT 1 PRICE				\$ <u>13118.00</u>

DEDUCT 2: Waterfront Path

Base Bid: The base bid includes an asphalt path, beach access mat, and prefabricated bridge at the southernmost portion of the site.

Deduct: Contractor shall deduct the asphalt path, prefabricated bridge, beach access mat, light pole, and furnishings associated with the scope of work clouded in L-102E, including subgrade compaction, aggregate base courses, foundations, etc. Deduct to include all work and materials associated with elements listed above. Electrical conduits and grading shall remain to allow for the installation of this scope of work in future phases. The contractor shall furnish planting soil and additional planting per landscape architect's direction, in lieu of asphalt path and beach access mat.

Description	Unit	Unit Price	Qty.	Extended Price
1. <u>Bench with back</u>	<u>ea</u>	<u>\$ 4870.00</u>	<u>1</u>	<u>\$ 4870.00</u>
2. <u>Beach Access Mat</u>	<u>ea</u>	<u>\$ 2450.00</u>	<u>1</u>	<u>\$ 2450.00</u>

SECTION 00 4100
BID PRICING FORM

3. <u>Fence at Planting</u>	<u>lf</u>	\$ <u>21.50</u>	<u>140</u>	\$ <u>3010.00</u>
4. <u>Light Pole and Luminaire</u>	<u>ea</u>	\$ <u>8820.00</u>	<u>1</u>	\$ <u>8820.00</u>
5. <u>Asphalt Paving</u>	<u>sf</u>	\$ <u>4.72</u>	<u>725</u>	\$ <u>3422.00</u>
6. <u>Fabricated Ped. Bridge</u>	<u>lf</u>	\$ <u>2700.00</u>	<u>40</u>	\$ <u>108000.00</u>
7. <u>Stacked Stone</u>	<u>ea</u>	\$ <u>850.00</u>	<u>48</u>	\$ <u>40800.00</u>
TOTAL DEDUCT 2 PRICE				\$ <u>171372.00</u>

DEDUCT 3: Interactive Splash Pad

Base Bid: At this time, the splash pad is included in the base park bid.

Deduct: Contractor shall deduct the interactive splash pad, equipment box, electrical and plumbing associated with the scope of work as shown in the F-series of the technical drawings. Site pavements, drainage elements, freestanding play equipment, and prefabricated equipment shed to remain.

Description	Unit	Unit Price	Qty.	Extended Price
1. <u>Interactive Splash Pad</u>	<u>ls</u>	\$ <u>65047.00</u>	<u>1</u>	\$ <u>65047.00</u>
TOTAL DEDUCT 3 PRICE				\$ <u>65047.00</u>

TOTAL DEDUCTS PRICE.....	\$ <u>249537.00</u>
TOTAL BASE BID MINUS DEDUCTS PRICE	\$ <u>5,263,683.60</u>

PLEASE NOTE: PARA RESERVES THE RIGHT TO SELECT ANY AND/OR ALL DEDUCTS, INCLUDING ANY PART THEREOF, AS LISTED ABOVE, IN ITS SOLE DISCRETION.

A 10% MBE/DBE goal has been established for this contract. The undersigned hereby commits to attain a minimum 10% MBE/DBE participation. This commitment and the supporting documentation submitted by the bidder are hereby incorporated in the contract awarded to the bidder.

Any bid that does not fully comply with all of PARA's terms, conditions, and specifications as set forth in this document will be rejected. A bid submittal shall not include anything that could give the appearance

08.18.2021

SECTION 00 4100

BID PRICING FORM

of adding to, deleting from, changing, taking exception to, or qualifying any of PARA's terms, conditions, or specifications. Pricing shall be submitted only on this Bid Pricing Form and Contract. No other form or type of quotation, standard terms, conditions, and/or specifications will be accepted, except as specifically provided in this Invitation for Bid. No descriptive literature shall be submitted unless specifically required or requested by PARA. When accepted by and signed on behalf of PARA, this bid form and all relevant portions of PARA's Invitation for Bid, including any amendments thereto; the bidder's representations and certifications submitted as part of its bid; and any other relevant materials submitted by the bidder as part of, or subsequent to submittal of its bid shall form a binding contract between PARA and the bidder for provision of the goods and performance of services as specified therein. This contract may be in the form of one or more originals or duplicates, each of which shall be equally binding on the parties.

BIDDER'S NAME (Company): Flanagan's Contracting Group Inc

ADDRESS: 90 Old Camplain Road

CITY, STATE, ZIP: Hillsborough NJ 08844

BY (Signature & Title): 

PRINTED NAME: Roger Flanagan DATE: 9/2/2021 TELEPHONE: 908-429-1400

FAX: 908-429-0211 EMAIL: roger@flanagansinc.com

SECTION 00 4100
BID PRICING FORM

PERTH AMBOY REDEVELOPMENT AGENCY
SIGNATURE PAGE

The undersigned is a (Corporation) under the laws of the State of NEW JERSEY having its
(Partnership)
(Individual)

Principal office at 90 OLD CAMPLAIN ROAD, HILLSBOROUGH, NJ 08844

FLANAGAN'S CONTRACTING GROUP, INC. 22-2983603

Company Federal I.D. # or Social Security #

90 OLD CAMPLAIN ROAD, HILLSBOROUGH, NJ 08844

Address



Signature of Authorized Agent ROBERT J. FLANAGAN

PRESIDENT Type or Print Name

Title of Authorized Agent SEPTEMBER 2, 2021

908-429-1400 Date

Telephone Number ROGER@FLANAGANSINC.COM

908-429-0211 Email Address

Fax Number

PERTH AMBOY REDEVELOPMENT AGENCY

EXCEPTIONS

For each exception, the bidder must identify the specific section of specifications by providing the number and title the exception applies to. It is the responsibility of the bidder to document the equivalence claim in writing. Submitting product brochures is not an acceptable claim of equivalence.

(IF NONE SO STATE)

NONE

USE ADDITIONAL SHEET IF NECESSARY

SECTION 00 4200

PERTH AMBOY REDEVELOPMENT AGENCY

REQUEST FOR REFERENCES

1. Name CITY OF NEWARK - MULBERRY COMMONS
Address 920 BROAD STREET, NEWARK, NJ 07102
Telephone 212-226-9600
Email address DHESS@SAGEANDCOOMBE.COM
Contact Individual DAVID HESS

2. Name LAND FOR PUBLIC TRUST - DUNDEE ISLAND PARK
Address 60 PARK PLACE, NEWARK, NJ 07102
Telephone 908-516-7019
Email address CLYNCH@LEHRERCUMMING.COM
Contact Individual CONNOR LYNCH

3. Name JERSEY CITY REDEVELOPMENT AGENCY - BERRY LANE PARK
Address 1000 GARFIELD AVE, JERSEY CITY, NJ 07304
Telephone 201-709-8683
Email address PSKABICH@MASTCONSTRUCTION.COM
Contact Individual PAUL SKABICH

4. Name CITY OF HOBOKEN - SOUTHWEST BLOCK 12 PARK
Address 94 WASHINGTON STREET, HOBOKEN, NJ 07030
Telephone 732-282-1776 X 3301
E-mail address JPERELLO@SUBURBANCONSULTING.COM
Contact Individual JOE PERELLO

5. Name MORRIS HILLS REGIONAL DISTRICT
Address 48 KNOLL DRIVE, ROCKAWAY, NJ 07866
Telephone 973-664-2281
E-mail address JGILMAN@MHRD.ORG
JOANN GILMAN AURICCHIO

SECTION 00 4300

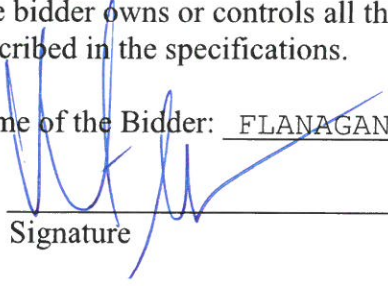
PERTH AMBOY REDEVELOPMENT AGENCY

EQUIPMENT CERTIFICATION

The undersigned Bidder hereby certifies as follows:

The bidder owns or controls all the necessary equipment required to accomplish the work described in the specifications.

Name of the Bidder: FLANAGAN'S CONTRACTING GROUP, INC.

By:  Name: ROBERT J. FLANAGAN
Signature Print

Title: PRESIDENT Date: SEPTEMBER 2, 2021

**SECTION 00 4400
SUBCONTRACTOR LIST**

Provide all applicable licenses, certifications, and New Jersey Business Registration Certificates and a summary of relevant experience of the designated Subcontractor's listed below. The Bidder is informed that no Subcontractor may be substituted without prior consent of the PARA. Use multiple sheets if necessary.

SUBCONTRACTOR: PANTALEO ELECTRIC INC
TRADE/PROFESSION ELECTRICIAN
BUSINESS ADDRESS: 400 OKERSON ROAD
FREEHOLD, NJ 07728
TELEPHONE: 732-409-3600

SUBCONTRACTOR: HAMMOND CONTRACTING CO
TRADE/PROFESSION PLUMBING/HVAC
BUSINESS ADDRESS: 291 ROUTE 22 EAST, SUITE 24
LEBANON, NJ 08833
TELEPHONE: 908-534-1110

SUBCONTRACTOR: _____
TRADE/PROFESSION _____
BUSINESS ADDRESS: _____

TELEPHONE: _____

SUBCONTRACTOR: _____
TRADE/PROFESSION _____
BUSINESS ADDRESS: _____

TELEPHONE: _____

SECTION 00 4510

PERTH AMBOY REDEVELOPMENT AGENCY
ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA

The undersigned Respondent hereby acknowledges its receipt of the below-listed notice(s) of revisions, clarifications and/or addenda to the Bid. By indicating the date of receipt, the Respondent hereby acknowledges that its submitted Response takes into account all of the provisions contained in such listed notices of revisions, clarifications and/or addenda. The Respondent hereby acknowledges and agrees that the Agency's record of notices of revisions, clarifications and/or addenda shall take precedence over the Respondent's accounting of such notices. The Respondent further acknowledges and agrees that any failure of the Respondent to include and specifically reference its receipt of any such notices of revisions, clarifications and/or addenda on this document as part of its Response, may be cause for rejection of the Response.

Revision/Addenda Title/Number	Method of Receipt (Mail, Fax, Delivery)	Date Received
<u>ADDENDUM NO. 1</u>	<u>EMAIL</u>	<u>7/28/2021</u>
<u>ADDENDUM NO. 2</u>	<u>EMAIL</u>	<u>8/17/2021</u>
<u>ADDENDUM NO. 3</u>	<u>EMAIL</u>	<u>8/19/2021</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

CHECK HERE IF NONE.

RESPONDENT'S ACKNOWLEDGEMENT:

Respondent' Name: FLANAGAN'S CONTRACTING GROUP, INC.

Authorized Representative: ROBERT J. FLANAGAN, PRESIDENT

(print name)

(print title)

Signature:  _____

Date: SEPTEMBER 2, 2021

SECTION 00 4515

PERTH AMBOY REDEVELOPMENT AGENCY

AFFIDAVIT OF NO DISCIPLINARY SANCTIONS OR PROFESSIONAL NEGLIGENCE

I ROBERT J. FLANAGAN of the BOROUGH OF MIDDLESEX in the County of MIDDLESEX and the State of NEW JERSEY of full age, being duly sworn according to law on my oath depose and say that:

I am PRESIDENT, an officer of the Respondent firm of FLANAGAN'S CONTRACTING GROUP, INC submitting a Response to the Bid in the above matter, and I executed the said Bid with full authority to do so; Respondent at the time of making this Response, Respondent is not included on the State of New Jersey, Department of Treasury, Division of Property Management & Construction List of Debarred, Suspended and Disqualified bidders and that all statements contained in the Affidavit are true and correct.

The undersigned further warrants that the professional licenses and/or certifications of those individuals listed in this Bid are valid and not expired or suspended.

The undersigned further warrants that should the name of the firm making this submission appear on the Treasurer's List of Debarred, Suspended and Disqualified Bidders at any time prior to, and during the life of this contract, including any Guarantee Period, that Respondent shall immediately notify the Agency. Further, should the professional licenses and/or certification of any individuals listed in the Bid be suspended or revoked, Respondent shall immediately notify the Agency.

FLANAGAN'S CONTRACTING GROUP, INC. Name of the Firm (Print or Type)

Signature of Authorized Representative/ Title

ROBERT J. FLANAGAN, PRESIDENT (Type or Print Name of Authorized Representative Affiant)

Subscribed and Sworn to before me this 2 day of SEPTEMBER, 20 21.

Notary Public of New Jersey My Commission Expires JACLYN FLANAGAN2 NOTARY PUBLIC OF NEW JERSEY My Commission Expires 11/8/2022

SECTION 00 4530

PERTH AMBOY REDEVELOPMENT AGENCY

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY NOTICE
(N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.)

GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS

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

The successful professional service entity shall submit to the Perth Amboy Redevelopment Agency, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

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

OR

- (b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-1.1 et seq.;

OR

- (c) A photocopy of a completed Employee Information Report (Form AA302) provided by the Division of Contract Compliance and completed by the vendor in accordance with N.J.A.C. 17:27-1.1 et seq.

The undersigned professional service entity certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. and agrees to furnish the required forms of evidence.

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

Proposer understands and acknowledges that the attached Exhibit A Mandatory Equal Employment Opportunity Language shall be part of any agreement awarded hereunder.

RESPONDENT: FLANAGAN'S CONTRACTING GROUP, INC.

SIGNATURE: [Signature]

PRINT NAME: ROBERT J. FLANAGAN

TITLE: PRESIDENT DATE: SEPTEMBER 2, 2021

SECTION 00 4530

**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)
N.J.A.C. 17:27**

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

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

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

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

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

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

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in

SECTION 00 4530

accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

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

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

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

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

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302

The contractor and its subcontractors shall furnish such reports or other documents to the Div. of Contract Compliance & EEO as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Div. of Contract Compliance & EEO for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

SECTION 00 4540

PERTH AMBOY REDEVELOPMENT AGENCY
STOCKHOLDER DISCLOSURE CERTIFICATION

Name of Respondent: FLANAGAN'S CONTRACTING GROUP, INC.

- 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
- Limited Partnership
- Subchapter S Corporation
- Corporation
- Limited Liability Corporation
- Sole Proprietorship
- Limited Liability Partnership

If a corporation owns all or part of the stock of the corporation or partnership submitting the bid, then the statement shall include a list of the stockholders who own 10% or more of the stock of any class of that owning corporation. If no one owns 10% or more stock, attest to that.

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

Stockholders:

Name: ROBERT J. FLANAGAN

Name: ROGER P. FLANAGAN

Home Address: 203 BEECHWOOD AVE
MIDDLESEX, NJ 08846

Home Address: 3 CURTIS DRIVE
FLEMINGTON, NJ 08822

Name: _____

Name: _____

Home Address: _____

Home Address: _____

Name: _____

Name: _____

Home Address: _____

Home Address: _____

Subscribed and sworn before me this 2 day of September, 2021.

(Notary Public)

My Commission expires:

NOTARY PUBLIC OF NEW JERSEY
JACLYN FLANAGAN
My Commission Expires 11/8/2022

(Affiant)

ROBERT J. FLANAGAN, PRESIDE
(Print name & title of affiant)

(Corporate Seal)

**SECTION 00 4550
PREVAILING WAGE ACT COMPLIANCE DECLARATION**

The Contractor hereby agrees to comply in all respect with the New Jersey Prevailing Wage Act, Chapter 150, P.L. 1963 as amended. The prevailing wage rates pertaining to the work are issued by the New Jersey Department of Labor and Industry entitled, "Prevailing Wage Rate Determination". Pursuant to N.J.S.A. 34:11-56.37 and 34.11-56.38 - Prevailing Wage Act, no public works contract may be awarded to any contractor and subcontractor or to any firm, corporation or partnership in which they have an interest on the attached disbarred bidders list located at the end of this specification, until expiration date given.

Workmen shall be paid not less than such prevailing wage rate. In the event it is found that any workman employed by the Contractor or any Subcontractor covered by the contract herein has been paid a rate of wages less than the prevailing rate required to be paid by such contract, the Perth Amboy Redevelopment Agency ("PARA") may terminate the Contractor's or Subcontractor's right to proceed with the work or such part of the work as to which there has been a failure to pay required wages and to prosecute the work to completion or otherwise. The Contractor and his sureties shall be liable to the PARA for any excess costs occasioned thereby.

Before final payment is made by or on behalf of the PARA of any sum or sums due to the work, the Contractor or Subcontractor shall file with the treasurer of the PARA, written statements in form satisfactory to the Commissioner of Labor and Industry certifying to the amounts then due and owing from such contractor or subcontractor filing such statement to any and all workmen for wages due on account of the work, setting forth therein the names of the persons whose wages are unpaid and the amount due to each respectively which statement shall be certified by the oath of the Contractor or Subcontractor as the case may be in accordance with the said New Jersey Prevailing Wage Act.

The prevailing wage rate shall be determined by the Commissioner of Labor and Industry or his duly authorized deputy or representative.



Signature of Authorized Person

ROBERT J. FLANAGAN, PRESIDENT

Name & Title

FLANAGAN'S CONTRACTING GROUP, INC.

Name of Firm

SEPTEMBER 2, 2021

Date

SECTION 00 4560

PERTH AMBOY REDEVELOPMENT AGENCY

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY)
COUNTY OF SOMERSET) ss.:

I, ROBERT J. FLANAGAN, of MIDDLESEX, in the
NEW JERSEY, State of, of full age and being duly sworn according to law on my oath
depose and say:

- 1. I am PRESIDENT (title) of FLANAGAN'S CONTRACTING GROUP, INC., the Respondent, who has submitted a Response to the Request for Bids for the Construction of the Borinquencer Park.
2. I executed the Response with full authority to do so.
3. The Response is genuine, submitted in good faith and not a sham.
4. Neither the Respondent nor any of its employees or agents have, directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive proposing in connection with the above-named Bid.
5. All statements contained in the Response and in this Affidavit are true and correct and were made with full knowledge that the Perth Amboy Redevelopment Agency relies upon the truth of the statements contained in the Response and the truth of the statements contained in this Affidavit, in awarding any contract under the Bid.
6. I further warrant that no person or selling agent has been employed or retained to solicit or secure any contract under an agreement or understanding for a commission, percentage, brokerage or contingent fee.

(Handwritten signature)
(Signature)

ROBERT J. FLANAGAN, PRESIDENT
(Print name of Affiant/Title)

Subscribed and sworn to before me this 2 day of SEPTEMBER 20 21

(Handwritten signature)
A Notary Public of New Jersey
My Commission Expires JACLYN FLANAGAN
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 11/8/2022 00 4560-1

SECTION 00 4565

**CERTIFICATION OF NON-DEBARMENT
FOR FEDERAL GOVERNMENT CONTRACTS**

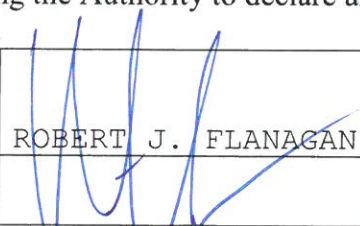
N.J.S.A. 52:32-44.1 (P.L. 2019, c.406)

This Certification shall be completed, certified to, and submitted to the Perth Amboy Redevelopment Agency prior to contract award.

PART I: VENDOR INFORMATION	
Individual or Organization Name	FLANAGAN'S CONTRACTING GROUP, INC.
Address of Individual or Organization	90 OLD CAMPLAIN ROAD HILLSBOROUGH, NJ 08844
DUNS Code (if applicable)	11-887-5574
CAGE Code (if applicable)	
Check the box that represents the type of business organization:	

- Sole Proprietorship (skip Parts III and IV)
 Non-Profit Corporation (skip Parts III and IV)
 For-Profit Corporation (any type)
 Limited Liability Company (LLC)
 Partnership

 Limited Partnership
 Limited Liability Partnership (LLP)
 Other (be specific): _____

PART II – CERTIFICATION OF NON-DEBARMENT: Individual or Organization			
I hereby certify that the individual or organization listed above in Part I is not debarred by the federal government from contracting with a federal agency. I further acknowledge: that I am authorized to execute this certification on behalf of the above-named organization; that the Perth Amboy Redevelopment Agency (the “Agency”) is relying on the information contained herein and that I am under a <u>continuing obligation</u> from the date of this certification through the date of contract award by the Authority to notify the Authority in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the Authority permitting the Authority to declare any contract(s) resulting from this certification void and unenforceable.			
Full Name (Print):	ROBERT J. FLANAGAN	Title:	PRESIDENT
Signature:		Date:	SEPTEMBER 2, 2021

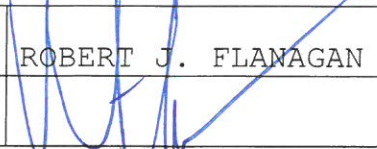
SECTION 00 4565

PART III – CERTIFICATION OF NON-DEBARMENT: Individual or Entity Owning Greater than 50 Percent of Organization	
Section A (Check the Box that applies)	
<input type="checkbox"/>	Below is the name and address of the stockholder in the corporation who owns more than 50 percent of its voting stock, or of the partner in the partnership who owns more than 50 percent interest therein, or of the member of the limited liability company owning more than 50 percent interest therein, as the case may be.
Name of Individual or Organization	
Home Address (for Individual) or Business Address	
OR	
<input checked="" type="checkbox"/>	No one stockholder in the corporation owns more than 50 percent of its voting stock, or no partner in the partnership owns more than 50 percent interest therein, or no member in the limited liability company owns more than 50 percent interest therein, as the case may be.
Section B (Skip if no Business entity is listed in Section A above)	
<input type="checkbox"/>	Below is the name and address of the stockholder in the corporation who owns more than 50 percent of the voting stock of the organization's parent entity, or of the partner in the partnership who owns more than 50 percent interest in the organization's parent entity, or of the member of the limited liability company owning more than 50 percent interest in organization's parent entity, as the case may be.
Stockholder/Partner/Member Owning Greater Than 50 Percent of Parent Entity	
Home Address (for Individual) or Business Address	
OR	
<input type="checkbox"/>	No one stockholder in the parent entity corporation owns more than 50 percent of its voting stock, no partner in the parent entity partnership owns more than 50 percent interest therein, or no member in the parent entity limited liability company owns more than 50 percent interest therein, as the case may be.

SECTION 00 4565

Section C – Part III Certification

I hereby certify that no individual or organization that is debarred by the federal government from contracting with a federal agency owns greater than 50 percent of the **Organization listed above in Part I** or, if applicable, owns greater than 50 percent of a parent entity of such organization. I further acknowledge: that I am authorized to execute this certification on behalf of the above-named organization; that the **Perth Amboy Redevelopment Agency (the “Agency”)** is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the date of contract award by the Authority to notify the Authority in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the Authority permitting the Authority to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print):	ROBERT J. FLANAGAN	Title:	PRESIDENT
Signature:		Date:	SEPTEMBER 2, 2021

Part IV – CERTIFICATION OF NON-DEBARMENT: Contractor – Controlled Entities

Section A

Below is the name and address of the corporation(s) in which the **Organization listed in Part I** owns more than 50 percent of voting stock, or of the partnership(s) in which the **Organization listed in Part I** owns more than 50 percent interest therein, or of the limited liability company or companies in which the **Organization listed above in Part I** owns more than 50 percent interest therein, as the case may be.

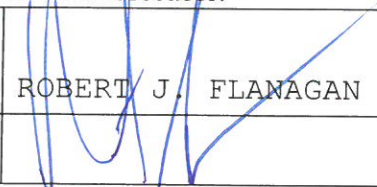
Name of Business Entity	Business Address

Add additional sheets if necessary

OR

The **Organization listed above in Part I** does not own greater than 50 percent of the voting stock in any corporation and does not own greater than 50 percent interest in any partnership or any limited liability company.

SECTION 00 4565

Section B (skip if no business entities are listed in Section A of Part IV)			
<input type="checkbox"/>	Below are the names and addresses of any entities in which an entity listed in Part III A owns greater than 50 percent of the voting stock (corporation) or owns greater than 50 percent interest (partnership or limited liability company).		
	Name of Business Entity Controlled by Entity Listed in Section A of Part IV		Business Address
Add additional Sheets if necessary			
OR			
<input type="checkbox"/>	No entity listed in Part III A owns greater than 50 percent of the voting stock in any corporation or owns greater than 50 percent interest in any partnership or limited liability company.		
Section C – Part IV Certification			
<p>I hereby certify that the Organization listed above in Part I does not own greater than 50 percent of any entity that that is debarred by the federal government from contracting with a federal agency and, if applicable, does not own greater than 50 percent of any entity that in turns owns greater than 50 percent of any entity debarred by the federal government from contracting with a federal agency. I further acknowledge: that I am authorized to execute this certification on behalf of the above-named organization; that the Perth Amboy Redevelopment Agency (the “Agency”) is relying on the information contained herein and that I am under a <u>continuing obligation</u> from the date of this certification through the date of contract award by the Authority to notify the Authority in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the Authority permitting the Authority to declare any contract(s) resulting from this certification void and unenforceable.</p>			
Full Name (Print):	ROBERT J. FLANAGAN	Title:	PRESIDENT
Signature:		Date:	SEPTEMBER 2, 2021

SECTION 00 4570

PERTH AMBOY REDEVELOPMENT AGENCY

DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

RESPONDENT'S NAME: FLANAGAN'S CONTRACTING GROUP, INC.

PART 1: CERTIFICATION

**BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX
AND THEN THIS CERTIFICATION MUST BE SIGNED BELOW**

Pursuant to Public Law 2012, c. 25, any person or entity that enters into or renews 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 is found on the Division website at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Bidders **must** review this list prior to completing the below certification. If the Director finds a person or entity to be in violation of law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party.

PLEASE CHECK THE APPROPRIATE BOX:

I certify, pursuant to Public Law 2012, c. 25, that neither the bidder listed above nor any of the bidder's parents, subsidiaries, or affiliates is listed on the N.J. Department of Treasury's list of entities determined to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c.25 ("Chapter 25"). I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf.

I will skip Part 2 and SIGN AND COMPLETE THE CERTIFICATION BELOW.

OR

I am unable to certify as above because the 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 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**

You must provide a detailed, accurate and precise description 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 boxes below.

Name: _____

Relationship to Vendor/Bidder: _____

Description of Activities: _____

SECTION 00 4570

Duration of Engagement: _____
Anticipated Cessation Date: _____
Proposer Contact Name: _____
Contact Phone Number: _____

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 Perth Amboy Redevelopment Agency 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 Agency to notify the Agency 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 Perth Amboy Redevelopment Agency and that the Agency at its option may declare any contract(s) resulting from this certification void and unenforceable.

FULL NAME (PRINT): ROBERT J. FLANAGAN

SIGNATURE: _____

TITLE: PRESIDENT

DATE: SEPTEMBER 2, 2021

SECTION 00 4580
AMERICANS WITH DISABILITIES ACT OF 1990
Equal Opportunity for Individuals with Disability

The Contractor and the Perth Amboy Redevelopment Agency (hereafter "PARA") do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") (42 U.S.C. 5121 01 et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant there unto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the PARA pursuant to this contract, the Contractor agrees that the performance shall be in strict compliance with the Act.

In the event that the Contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the Contractor shall defend the PARA in any action or administrative proceeding commenced pursuant to this Act. The Contractor shall indemnify, protect, and save harmless the PARA, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation.

The Contractor shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the PARA's grievance procedure, the Contractor agrees to abide by any decision of the PARA which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the PARA, or if the PARA incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the Contractor shall satisfy and discharge the same at its own expense.

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

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

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



Signature of Authorized Person

ROBERT J. FLANAGAN, PRESIDENT

Name & Title

FLANAGAN'S CONTRACTING GROUP, INC.

Name of Firm

SEPTEMBER 2, 2021

Date

SECTION 00 4600

PERTH AMBOY REDEVELOPMENT AGENCY

CERTIFICATION OF COMPLIANCE WITH THE CITY OF PERTH AMBOY'S LOCAL PAY TO PLAY ORDINANCE

(Article I, Contributions by Public Contractors, §98.1 et seq., Perth Amboy City Code, attached)

FLANAGAN'S CONTRACTING GROUP, INC.

Name of Respondent

90 OLD CAMPLAIN ROAD, HILLSBOROUGH, NJ 08844

Address

I, ROBERT J. FLANAGAN, of full age, certify as follows:

1. I am an authorized representative of the above named Professional Business Entity.

2. On behalf of the above named Respondent, I have read Article I, Contributions by Public Contractors, §98.1 et seq., of the Perth Amboy City Code (the "City Pay-to-Play Ordinance"), attached hereto, and certify, under penalty of perjury, that:

a) I understand the definition of "Professional Business Entity," contained in the City Pay-to-Play Ordinance, and acknowledge that the above-named Respondent is a Professional Business Entity in accordance with therewith;

b) The above-named Respondent has not made a contribution in violation of the attached City Pay-to-Play Ordinance, and if awarded a contract, will comply with the City Pay-to-Play Ordinance during the term of the contract.

In accordance with §98.3 of the City Code, I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

[Handwritten Signature]
Signature

ROBERT J. FLANAGAN
Type or Print Name

Date SEPTEMBER 2, 2021
PRESIDENT
Title

SECTION 00 4600

ARTICLE I

Contributions by Public Contractors [Amended 9-23-2009 by Ord. No. 1479-2009]

§ 98-1. Prohibition on awarding public contracts to certain contributors.

- A. To the extent that it is not inconsistent with state or federal law, the City of Perth Amboy and any of its purchasing agents or departments or instrumentalities of the municipality thereof, as the case may be, shall not enter into any agreement or otherwise contract to procure services from any professional business entity, including those awarded pursuant to any process including a fair and open process, if such professional business entity has solicited or made any contribution of money, or pledge of a contribution, including in-kind contributions, to (i) a campaign committee of any Perth Amboy municipal candidate or holder of public office having ultimate responsibility for the award of a contract, or (ii) to any City of Perth Amboy or Middlesex County party committee, or (iii) to any political action committee (PAC) that regularly engages in the support of Perth Amboy or Middlesex County elections and/or municipal or county parties, in excess of the thresholds specified in subsection (d) within one (1) calendar year immediately preceding the date of the contract or agreement. A business entity that is awarded a contract by the city may not make any such contribution during the term of the contract and for twelve calendar months thereafter.
- B. No professional business entity or vendor who submits a Response for, enters into negotiations for, or agrees to any contract or agreement (including non-emergency contracts awarded by N.J.S.A. 40A:11 et seq. or the "Fair and Open" Process pursuant to N.J.S.A. 19:44A-20 et seq.) with the municipality or any departments thereof, for the rendition of professional services, or goods and services, as the case may be, shall knowingly solicit or make any contribution of money, pledge of contribution, including in-kind contributions, to: (i) any Perth Amboy candidate or holder of public office having ultimate responsibility for the award of a contract, or (ii) to any City of Perth Amboy or Middlesex County party committee, or (iii) to any PAC that regularly engages in the support of Perth Amboy or Middlesex County elections and/or municipal or County parties, between the time of first communication between that professional business entity or vendor and the municipality regarding a specific professional services agreement or goods and services agreement, as the case may be, and the later of the termination of negotiations or rejection of any Response, or the completion of the contract or agreement.
- C. For purposes of this Article, a "professional business entity" and a "vendor" seeking a public contract means an individual including the individual's spouse, if any, and any child living at home; person; firm; corporation; professional corporation; partnership; organization; or association. The definition of a business entity and vendor includes all principals who own ten percent (10%) or more of the equity in the corporation or business trust, partners, and officers (in the aggregate) employed by the entity or vendor, as well as any subsidiaries directly controlled by the business entity or vendor.
- D. Any individual meeting the definition of "professional business entity" or "vendor" under this section may annually contribute a maximum of three hundred dollars (\$300.) each for

SECTION 00 4600

any purpose to any candidate for mayor or governing body, or three hundred dollars (\$300.) to the City of Perth Amboy party or five hundred dollars (\$500.) to the Middlesex County party committee or to a PAC referenced in this ordinance, without violating subsection (a) of this section. However, any group of individuals meeting the definition of "professional business entity" or "vendor" under this section, including such principals, partners, and officers of the entity or vendor in the aggregate, may not annually contribute for any purpose in excess of two thousand five hundred dollars (\$2,500.) to all City of Perth Amboy candidates and officeholders with ultimate responsibility for the award of the contract, and all City of Perth Amboy or Middlesex County political parties and PACs referenced in this ordinance combined, without violating Subsection A. of this section.

- E. For purposes of this section, the office that is considered to have ultimate responsibility for the award of the contract shall be:
- (1) The Mayor or Governing Body of Perth Amboy, if the contract requires approval or appropriation from the Mayor or Governing Body.
 - (2) The Mayor of the City of Perth Amboy, if the contract requires approval of the Mayor, or if a public officer who is responsible for the award of a contract is appointed by the Mayor.

§ 98-2. Contributions made prior to the effective date of this Article.

No contribution of money or any other thing of value, including in-kind contributions, made by a professional business entity or vendor to any City of Perth Amboy candidate for Mayor or Governing Body, or City of Perth Amboy or Middlesex County party committee or PAC referenced in this Article shall be deemed a violation of this Article, nor shall an agreement for property, goods, or services, of any kind whatsoever, be disqualified thereby, if that contribution was made by the professional business entity or vendor prior to the effective date of this Article.¹

¹**Editor's Note: This Article was originally adopted June 25, 2008 as Ordinance No. 1479-2009 and was amended in its entirety September 23, 2009 by Ord. No. 1479-2009.**

§ 98-3. Contribution statement by professional business entity and vendor.

- A. Prior to awarding any contract or agreement to procure services with any professional business entity and any contract or agreement to procure goods and services from a vendor with a value of seventeen thousand five hundred dollars (\$17,500.) or more, the City of Perth Amboy or its purchasing agents and departments, as the case may be, shall receive a sworn statement from the professional business entity or vendor, made under penalty of perjury, that the bidder or offer or has not made a contribution in violation of Section 98-1 of this Article.
- B. The professional business entity and vendor shall have a continuing duty to report any violations of this Article that may occur during the negotiation, Response process or duration of a contract. The certification required under this subsection shall be made prior to entry into the contract or agreement with the City of Perth Amboy, or prior to the

SECTION 00 4600

provision of services or goods, as the case may be, and shall be in addition to any other certifications that may be required by any other provision of law.

§ 98-4. Return of excess contributions.

A professional business entity, vendor, or municipal candidate or officeholder, or City of Perth Amboy or Middlesex County party committee or PAC referenced in this Article, may cure a violation of Section 98-1 of this Article, if, within 30 days after the date on which the applicable ELEC Report is published, the professional business entity or vendor notifies the municipality in writing and seeks and receives reimbursement of the contribution from the relevant municipal candidate or officeholder, City of Perth Amboy or Middlesex County political party or PAC referenced in this Article.

§ 98-5. Exemptions.

The contribution limitations prior to entering into a contract in Section 98-1A do not apply to contracts which are required by law to be awarded to the lowest bidder.

§ 98-6. Breach and penalty.

- A. It shall be a breach of the terms of the City of Perth Amboy professional service agreement or agreement for goods or services for a business entity to: (i) make or solicit a contribution in violation of this Article; (ii) knowingly conceal or misrepresent a contribution given or received; (iii) make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution; (iv) make or solicit any contribution on the condition or with the agreement that it will be contributed to a campaign committee of any candidate or holder of the public office of City of Perth Amboy; (v) engage or employ a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any contribution, which if made or solicited by the business entity itself, would subject that entity to the restrictions of this ordinance; (vi) fund contributions made by third parties, including consultants, attorneys, family members, and employees; (vii) engage in any exchange of contributions to circumvent the intent of this Article; or (viii) directly or indirectly, through or by any other person or means, do any act which would subject that entity to the restrictions of this ordinance. The city may exercise any and all rights and remedies available to it under the agreement and at law in the event of breach.
- B. Furthermore, any professional business entity who violates Section 98-6A (ii–vii) shall be disqualified from eligibility for future City of Perth Amboy contracts for a period of four (4) calendar years from the date of the violation.

Can be found at <http://clerkshq.com/Content/PerthAmboy-nj/books/code/PerthAmboyC98.htm>

SECTION 00 4610

PERTH AMBOY REDEVELOPMENT AGENCY

CERTIFICATION OF COMPLIANCE WITH THE CITY OF PERTH AMBOY'S ORDINANCE GOVERNING SIGNIFICANT PUBLIC BUILDING CONSTRUCTION CONTRACTS REQUIREMENTS

FLANAGAN'S CONTRACTING GROUP, INC.

Name of Respondent

90 OLD CAMPLAIN ROAD, HILLSBOROUGH, NJ 08844

Address

I, ROBERT J. FLANAGAN, of full age, certify as follows:

1. I am an authorized representative of the above named Respondent.

2. On behalf of the above named Respondent, I have read Article IV, Significant Public Building Construction Contracts Requirements, §98.30 et seq., of the Perth Amboy City Code (the "City Significant Contracts Ordinance"), attached hereto, and certify, under penalty of perjury, that:

a) I understand the Requirements set forth in §98.31, and more particularly the contents of the Contractor Responsibility Certification as set forth at Paragraph G of §98.31;

b) Respondent is in compliance with the requirements of §98.31 and more particularly with the statements contained in Paragraph G, Items 1 through 11, thereof on behalf of Respondent.

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

Signature

ROBERT J. FLANAGAN

Type or Print Name

Date SEPTEMBER 2, 20 21

PRESIDENT

Title

SECTION 00 4610

ARTICLE IV Significant Public Building Construction Contracts Requirements

§ 98-30. Preamble.

The City of Perth Amboy (the "City") has experienced considerable difficulties in securing qualified and reliable contractors and project professionals to complete and oversee significant construction projects in a timely and workmanlike manner, consistent with the terms and specification of the publicly awarded contract, thereby resulting in delays and cost overruns that have been detrimental to the residents of the City.

The City recognizes that there is a need to impose greater controls over significant public construction to ensure that the work is performed by responsible, qualified firms that maintain the capacity, expertise, personnel, and other qualifications and resources necessary to successfully perform and oversee public contracts in a timely, reliable and cost-effective manner.

In order to effectuate the purpose of selecting responsible contractors and project professionals for significant public contracts and to protect the City's investments in such contracts, prospective contractors, subcontractors and project professionals should be required to meet pre-established, clearly defined, minimum standards relating to contractor responsibility, including requirements and criteria concerning technical qualifications, competency, subject matter expertise, adequacy of resources, including equipment, financial and personnel, and satisfactory records regarding past project performance of similar magnitude, as well as safety, law compliance and business integrity.

Due to the impact that skilled construction craft labor can have on public works projects, it is advisable to require contractors and subcontractors to participate in established, formal apprenticeship training programs as a condition of bidding, for the purpose of both promoting successful project delivery and encouraging fair business, employment and training practices that can have a positive impact on local communities affected by such contracts.

Due to the impact that Construction and Project Managers, Architects and Engineers ("Project Professionals") can have on the timely, economical and proper completion of significant construction and maintenance contracts, it is advisable to require that such individuals and entities demonstrate the necessary qualifications, experience and financial capacity to competently perform the required contract services.

§ 98-31. Contractor requirements established.

The following shall be required of all contractors bidding and submitting Responses on significant public building construction contracts within the City of Perth Amboy and all project professionals seeking contracts to assist or oversee significant public building contracts:

- A. The City shall require compliance with the provisions of this Article by business entities seeking to provide services to the City as specified herein. The requirements of this Article are intended to supplement, not replace, existing contractor qualifications and performance standards or criteria currently required by law, public policy or contracting documents. In the event of any conflict between this Article, any other laws, public policy or contracting documents, the stricter provisions thereof shall apply, to the extent permitted by law.
- B. All construction contractors and subcontractors ("firm(s)") that perform work on any significant public work project, including building construction, alteration, or renovation, work, shall meet the requirements of this Article. For the purposes of this Article, "significant public work" shall be that which has a contract value of three hundred thousand dollars (\$300,000.) or more.

SECTION 00 4610

- C. Any architect, engineer, construction manager or project manager ("project professional") that performs work in connection with any significant public work project, including building construction, alteration or renovation work, shall satisfy the requirements of this Article that relate to project professionals.
- D. All firms and project professionals engaged in contracts covered by this Article shall be qualified, responsible contractors, subcontractors and project professionals that have sufficient capabilities in all respects to successfully perform the contracts on which they are engaged, including the necessary experience, equipment, technical skills and qualifications, as well as financial, personnel and insurance resources. Firms bidding on public contracts, and project professionals seeking such contracts, shall also be required to have a satisfactory past performance record on projects of similar magnitude and a satisfactory record of legal compliance, integrity and business ethics.
- E. As a condition of performing work on a significant public works contract subject to this Article, a general contractor, construction manager or other lead or prime contractor seeking award of a contract shall submit a contractor responsibility certification at the time it submits its bid for a contract. Any project professional seeking a contract in connection with a significant public works project shall submit a project professional's certification with its Response.
- F. The contractor and project professional responsibility certification shall be completed on a form provided by the City and shall reference the project for which a bid is being submitted by name and contract of project number.
- G. In the contractor responsibility certification, the construction manager, general contractor, or other lead or prime contractor shall confirm the following facts regarding its past performance and work history and its current qualifications and performance capabilities. If the certifying entity or individual cannot confirm the accuracy of each of the following criteria, it may submit a statement of explanation on the City form and the governing body may evaluate those circumstances and, in its sole discretion, waive a particular criterion for good cause shown. The governing body's decision to exercise or not exercise its discretion to waive a criterion of this paragraph shall not be a basis to challenge the decision to award or not award a contract.
 - (1) The firm has all valid, effective licenses, registrations or certificates required by federal, state, county or local law, including but not limited to licenses, registrations or certificates required to do (i) do business in the state; (ii) to do business in the City; and (iii) perform the contract work it seems to perform. These shall include, but not be limited to licenses, registrations or certificates for any type of trade work or specialty work which the firm proposes to self-perform.
 - (2) For construction contractors, the firm meets the bonding requirements for the contract, as required by applicable law or contract specifications and for construction contractors and professionals, the firm meets any insurance requirements, as required by applicable law, services contract or contract specifications as applicable, including, without limitation, general liability insurance, workers' compensation insurance and unemployment insurance requirements.
 - (3) The firm has not been debarred by any federal, state or local government agency or authority in the past seven (7) years.
 - (4) The firm has not defaulted on any project in the past seven (7) years.
 - (5) The firm has not had any type of business, contracting or trade license, registration, or other certification suspended or revoked in the past seven (7) years.

SECTION 00 4610

- (6) The firm has not been cited for a willful violation of federal or state safety laws for the past seven (7) years.
 - (7) The firm and its owners have not been convicted of any crime relating to the contracting business by a final decision of a court or government agency in the past ten (10) years.
 - (8) The firm has not within the past seven (7) years been found in violation of any law applicable to its contracting business, including but not limited to licensing laws, tax laws, prompt payment laws, wage and hour laws, prevailing wage laws, environmental laws or others, where the result of such violation was the payment of a fine, back pay damages or any other type of penalty in the amount of one thousand dollars (\$1,000.) or more.
 - (9) The firm will pay all craft employees that it employs on a project the current wage rates and benefits as required under applicable federal, state or local prevailing wage law under the Act.
 - (10) For a public works project with a contract value of two million dollars (\$2,000,000.) or more, the firm participates in a Class A Apprenticeship Program for each separate trade or classification in which it employs craft employees and shall continue to participate in such program or programs for the duration of the project. For purposes of this section, Class A Apprenticeship Program is an apprentice-ship program that is currently registered with and approved by the U.S. Department of Labor or the New Jersey Department of Labor and has graduated at least one (1) enrollee in each of the past three (3) years (if the program has been in existence for three (3) years; this requirement shall not apply until the program has been in existence for three (3) years, at which time compliance shall be required.)
 - (11) For a public works project with a contract value of two million dollars (\$2,000,000.) or more, the firm will have on site at all times an employee with a minimum of ten (10) hours of OSHA training.
- H. In the project professional responsibility certification, the construction manager, architect and engineer shall confirm its past performance and work history and its current qualifications and performance capabilities in accordance with the requirements of subsection G(1)-(8) of this section and that it has not been adjudged liable for professional malpractice in the prior seven (7) years. If the certifying entity or individual cannot confirm the accuracy of each of the following criteria, it may submit a statement of explanation on the City form and the governing body may evaluate those circumstances and, in its sole discretion, waive a particular criterion for good cause shown. The governing body's decision to exercise or not exercise its discretion to waive a criterion of this subsection shall not be a basis to challenge the decision to award or not award a contract.
- I. The City may undertake a review process to determine whether the prospective awardee is a qualified, responsible contractor or project professional in accordance with the requirements of this Article, and other applicable laws and regulations and has the resources and capabilities to successfully perform the contract, including bank references of financial stability.
- J. The City may conduct any additional inquiries to verify that the prospective awardee and its subcontractors have the technical qualifications and performance capabilities necessary to successfully perform the contract and that the firms have a sufficient record of law compliance and business integrity to justify the award of a public contract. In conducting such inquiries, the City may seek relevant information from the firm, its prior clients or customers, its subcontractors or any other relevant source.

SECTION 00 4620

PERTH AMBOY REDEVELOPMENT AGENCY

PROFESSIONAL SERVICE ENTITY INFORMATION FORM

If the Professional Service Entity is an INDIVIDUAL, sign name and give the following information:

Name: _____

Address: _____

Telephone No.: _____ Tax Identification No.: _____

Fax No.: _____ E-Mail address: _____

If individual has a TRADE NAME, give such trade name:

Trading As: _____ Telephone No.: _____

If the Professional Service Entity is a PARTNERSHIP, give the following information:

Name of Partners: _____

Firm Name: _____

Address: _____

Telephone No.: _____ Federal I.D. No.: _____

Fax No.: _____ E-Mail address: _____

Tax Identification No. _____

Signature of authorized agent: _____

If the Professional Service Entity is INCORPORATED, give the following information:

State under whose laws incorporated: NEW JERSEY

Location of principal office:

90 OLD CAMPLAIN ROAD, HILLSBOROUGH, NJ 08844

Telephone No.: 908-429-1400 Federal I.D. No.: 22-2983603

Fax No.: 908-429-0211 E-Mail address: ROGER@FLANAGANSINC.COM

Name of agent in charge of said office upon whom notice may be legally served:

ROBERT J. FLANAGAN

Telephone No.: 908-429-1400 Name of Corporation: FLANAGAN'S CONTRACTING GROUP, IN

Signature: 
ROBERT J. FLANAGAN, PRESIDENT

SECTION 00 4630

PERTH AMBOY REDEVELOPMENT AGENCY

NEW JERSEY BUSINESS REGISTRATION REQUIREMENTS

Submit a copy of your Business Registration Certificate with your Response

All Respondents shall comply with P.L. 2009, C315 in accordance with N.J.S.A. 52:32-44 as amended on January 18, 2010. Respondents will be required to be registered as defined in the law at the time of contract. The City of Perth Amboy requests that Respondent submit its Business Registration Certificate (BRC) at the time of submittal of its Response to the RFQ. In no event shall a contract be awarded, unless prior thereto, the City has received the Successful Respondent's BRC.

Respondent shall include proof of its own BRC and the BRC of any subcontractors

N.J.S.A. 52:32-44 imposes the following requirements on contractors and all subcontractors that knowingly provide goods or perform services for a contractor fulfilling this contract: 1) the contractor shall provide written notice to its subcontractors to submit proof of business registration to the contractor; 2) prior to receipt of final payment from a contracting agency, the contractor must submit to the contracting agency an accurate list of all subcontractors or attest that none was used; 3) during the term of this contract, the contractor and its affiliates shall collect and remit, and shall notify all subcontractors and their affiliates that they must collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act, (N.J.S.A. 54:32B-1 et seq.) on all sales of tangible personal property delivered into this State.

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

Registering a business with the New Jersey Department of the Treasury

Business organizations or individuals doing business in New Jersey are required to register with the department of the treasury, division of revenue. Registration is free and is a one-time action – there are no fees to register. However, you should update your contact and tax eligibility information as needed. Registration is required to conduct most business with any state, County, municipal, local board of education, charter school, County college, authority, or state college or university. The contracting agency may be required to have a copy of the “proof of registration certificate” submitted as part of a public Response or prior to issuing a purchase order.

To register: businesses must complete **form NJ-REG** and submit it to the division of revenue. The form can be filed form online or by mailing a paper form to the division. Online filing is strongly encouraged.

- Register online at <http://www.state.nj.us/treasury/revenue/busregcert.shtml>. Click the “online” link and then select “register for tax and employer purposes.”
- Download the paper form and instructions at www.state.nj.us/treasury/revenue/revprnt.shtml.
- Call the division at 609-292-1730 to have a form mailed to you.

Write to the division at: Client Registration Bureau, Po Box 252, Trenton, NJ 08646-0252

SAMPLE CERTIFICATE OF EMPLOYEE INFORMATION REPORT


Certification 111XX

CERTIFICATE OF EMPLOYEE INFORMATION REPORT

INITIAL

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of 15-DEC-20XX to 15-DEC-20XX

SAMPLE COMPANY, INC.
33 WEST STATE STREET
TRENTON, NJ 08625


State Treasurer

VOID

SECTION 00 4630



PERTH AMBOY REDEVELOPMENT AGENCY

THESE ARE **SAMPLES** OF THE **ONLY** ACCEPTABLE
BUSINESS REGISTRATION CERTIFICATES.

PREFER SUBMITTED WITH BID RESPONSE
REQUIRED BY LAW PRIOR TO AWARD OF CONTRACT

STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE FOR STATE AGENCY AND CASINO SERVICE CONTRACTORS		DEPARTMENT OF TREASURY DIVISION OF REVENUE PO BOX 252 TRENTON, NJ 08646-0252
TAXPAYER NAME: TAX REGISTRATION TEST ACCOUNT	TRADE NAME: CLIENT REGISTRATION	
TAXPAYER IDENTIFICATION#: 970-097-382/500	SEQUENCE NUMBER: 0107200	
ADDRESS: 847 ROEBLING AVE TRENTON NJ 08611	ISSUANCE DATE: 07/14/04	
EFFECTIVE DATE: 01/01/01	<i>John S. Tully</i> Acting Director	
FORM-BRC(08-01)	This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.	



**STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE**

Taxpayer Name: TAX REG TEST ACCOUNT

Trade Name:

Address: 847 ROEBLING AVE
TRENTON, NJ 08611

Certificate Number: 1093907

Date of Issuance: October 14, 2004

For Office Use Only:

200-4101-4112823533

SECTION 00 4700

ACKNOWLEDGMENT OF CONTRACT ACCEPTANCE

FLANAGAN'S CONTRACTING

Bidder GROUP, INC. hereby acknowledges that Bidder has reviewed the Contract included in Section 00-4000 of this RFB and any changes to such Contract as subsequently provided and approved by the Perth Amboy Redevelopment Agency by Addenda as part of the RFB process, and hereby agrees to enter into the Contract as presented, if selected as the Successful Bidder to this RFB.

Acknowledgment by Bidder:

Name of Bidder: FLANAGAN'S CONTRACTING GROUP, INC.

By Authorizing Representative: ROBERT J. FLANAGAN, PRESIDENT

Signatures: _____

Date: SEPTEMBER 2, 2021