JIM WHELAN BOARDWALK HALL and ATLANTIC CITY CONVENTION CENTER

REQUEST FOR BIDS

EMT Event Based Services Jim Whelan Boardwalk Hall and Atlantic City Convention Center

JIM WHELAN BOARDWALK HALL AND ATLANTIC CITY CONVENTION CENTER REQUEST FOR BIDS

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ANNOUNCEMENT

Request for Bids

Notice is hereby given that the operator of Jim Whelan Boardwalk Hall and Atlantic City Convention Center, **GLOBAL SPECTRUM**, **L.P.**, a Delaware limited partnership, as agent on behalf of The Casino Reinvestment Development Authority as agent for the New Jersey Sports and Exhibition Authority (hereinafter "SPECTRA") is seeking proposals from qualified respondents for EMT Event Based Services.

All comments and questions concerning the Request for Bids and the corresponding procedures and requirements must be addressed in writing, via facsimile, email or mail, to the following:

jason.resetar@spectraxp.com

Atlantic City Convention Center 1 Convention Blvd. Atlantic City, NJ 08401 Attn: Assistant General Manager – Jason Resetar Fax (609) 449-2090

One complete set of Bid Documents may be obtained by interested parties at no cost from the above address. Additional copies may be obtained for the cost of \$10.00 for reproduction, shipping and handling.

A <u>mandatory</u> Pre-Bid Conference will be held Thursday July 8, 2021 at 1:00 P.M. at the Atlantic City Convention Center.

Sealed Responses will be received by Thursday July 29, 2021 until 2:00 P.M. local time at Atlantic City Convention Center. SPECTRA reserves the right to reject responses if not submitted by the time, date, and at the place designated in the RFB. Any and all responses may be rejected if deemed in SPECTRA's best interest.

ARTICLE 1 INTRODUCTION

1.1 PROJECT DESCRIPTION/LOCATION C- Attachment A

1.2 SCOPE OF SERVICES – C-Attachment A

<u>ARTICLE 2</u> CRITICAL DATES

2.1 The following are the critical dates and times:

Respondents NotificationJulyMandatory Pre-Bid ConferenceJulyResponse Due DateJulyProjected Contract CommencementAugQuestions and Response PeriodJuly

July 1, 2021 July 8, 2021 1:00 P.M. July 29, 2021 by 2:00 P.M. August 9, 2021 July 1 – July 15, 2021

2.2 MANDATORY PRE-BID CONFERENCE

- **2.2.1** A <u>mandatory</u> Pre-Bid Conference will be held on Thursday July 8, 2021 at 1:00 P.M. at the Atlantic City Convention Center in the Executive Board Room in the Administration Office.
- **2.2.2** A site tour will be conducted immediately after the conclusion of the Pre-Bid Conference. This site tour will be the only opportunity respondents will have to inspect the conditions at each of the facilities prior to submitting a bid.

ARTICLE 3 PROPOSAL DOCUMENTS

3.1 COPIES

- **3.1.1** One complete RFB may be obtained by interested parties, at no cost, from the issuing office designated in the Advertisement.
- **3.1.2** Additional copies of the RFB may be secured at a cost of \$10.00 to the Respondent upon request and payment to the issuing office designated in the Advertisement.
- **3.1.3** In making copies of the RFB available on the above terms, Jim Whelan Boardwalk Hall and Atlantic City Convention Center and SPECTRA do so only for the purpose of obtaining Responses on the Work and do not confer a license or grant permission of any other use of the RFB.

ARTICLE 4 PROCEDURES

4.1 FORM AND STYLE OF RESPONSES

- **4.1.1** Responses must include the following:
 - .1 Company History/Qualification. Provide a detailed history of Respondent and a statement of qualifications including a description of comparable services provided for comparable projects including dates.
 - .2 Contractor shall provide an outline of their intended methods of staffing. Outline to include training, method for replacing staff, which has failed to show last minute and process for ramping up service numbers when major events are taking place at both venues simultaneously
 - .3 Contractor to provide a separate rate schedule for the first three years of operation and any escalation, if any, in said rate for the initial three years
 - .4 References. Provide five (5) references stating name, title, company, address and telephone number and total value of services performed for each reference.
- **4.1.2** All Responses shall be typewritten without erasures or deletions.
- **4.1.3** Each copy of the Response shall include the legal name of the Respondent and a statement identifying the Respondent as a sole proprietor, partnership, corporation or other legal entity as appropriate. Each copy shall be signed by the person or persons legally authorized to bind the Respondent to a contract. A Response by a corporation shall further give the state or incorporation and whether the Respondent is qualified to do business in New Jersey as a foreign corporation. A response submitted by an agent shall have a current power of attorney attached certifying the agent's authority to bind the Respondent.

4.2 PROPOSED TERMS OF THE BID

4.2.1 All costs must be identified on the Quotation Sheet. If there are portions of the Work the Respondent cannot price provide fee schedules with an "estimated cost of service". Jim Whelan Boardwalk Hall and Atlantic City Convention Center reserve the right to reject any Response that is incomplete or is not submitted on the forms provided.

4.3 SUBMISSION OF RESPONSES

4.3.1 Submit three (3) properly executed Responses with any other documents required to be submitted in a 9" x 12" sealed opaque envelope. The envelope shall be identified with the Respondent name and address, type of Response (i.e. EMT Services) and the proposal due date to the following address:

Atlantic City Convention Center 1 Convention Blvd. Atlantic City, NJ 08401 Attention: Assistant General Manager – Jason Resetar

- 4.3.2 SEALED RESPONSES shall be submitted no later than 2:00 p.m., EST. on July 29, 2021. Immediately thereafter, responses will be opened and acknowledged. Responses received after that time and date will be rejected. The Respondent shall assume full responsibility for timely delivery at the location designated for the receipt of Responses.
- **4.3.3** Submission of a Response signifies careful examination of the RFB and complete understanding of the nature, extent and location of the Work to be performed.

4.5 MODIFICATION OR WITHDRAWAL OF RESPONSE

- **4.5.1** A Response may not be modified, withdrawn or canceled by the Respondent during the time period following the date designated for the opening of the Responses, and each Respondent so agrees in submitting a Response.
- **4.5.2** Prior to the time and date designated for receipt of Responses, a Response submitted might be modified or withdrawn by notice to the party receiving Responses at the place designated for receipt of Responses. Such notice shall be in writing over the signature of the Respondent. Change shall be so worded as not to reveal the amount of the original Response.
- **4.5.3** Withdrawn Response may be resubmitted up to the date and time designated for the receipt of Responses provided that they are then fully in conformance with these Instructions to Respondents.

4.6 **DUE DILIGENCE**

4.6.1 Prior to submitting a Proposal, each Respondent shall make all investigations and examinations necessary to ascertain conditions and requirements affecting operation of the proposed services. Failure to make such investigation and examinations shall not relieve the successful Respondent for the obligation to comply, in every detail, with all provisions and requirements, nor shall it be a basis for any claim whatsoever for alteration in any provision required by the Contract.

4.7 CONDITIONS AND LIMITATIONS

4.7.1 The Bids and any information made a part of the Bids will become part of Jim Whelan Boardwalk Hall and Atlantic City Convention Center official files without any obligation

on Jim Whelan Boardwalk Hall and Atlantic City Convention Center's part to return them to the individual Respondent(s).

- **4.7.2** This RFB and the selected Respondent(s) Proposal may, by reference, become part of any formal Contract between Jim Whelan Boardwalk Hall and Atlantic City Convention Center and Respondent resulting from this solicitation.
- **4.7.3** Respondent(s) shall not offer any gratuities, favors, or anything of monetary value to any official or employee of Jim Whelan Boardwalk Hall and Atlantic City Convention Center or the State of New Jersey for the purpose of influencing consideration of a bid.
- **4.7.4** All comments and questions (requests for information) concerning this Request for Bid and the corresponding procedures and requirements must be addresses in writing, via facsimile, email or mail, to the following:

jason.resetar@spectraxp.com Atlantic City Convention Center 1 Convention Blvd. Atlantic City, NJ 08401 Attn: Assistant General Manager – Jason Resetar Fax (609) 449-2090

SPECTRA will respond to all comments and questions in writing within five (5) days of the request being submitted. All requests for information must be received by SPECTRA between July 1 and July 15, 2021 in order to receive consideration. SPECTRA will not be responsible for comments and/or answers received in any manner other than as described above.

<u>ARTICLE 5</u> CONSIDERATION OF RESPONSES

5.1 OPENING OF RESPONSES

- **5.1.1** The properly identified Responses received on time will be opened and acknowledged.
- **5.1.2** To be considered for the award, a Respondent must be experienced and regularly in the business of providing the Scope of Services required by this RFB, and must have a business phone and be available for consultation.

5.2 **REJECTION OF RESPONSES.**

5.2.1 SPECTRA shall have the right to reject any or all Responses, reject a Response not accompanied by the data required by the RFB, or reject a Response, which is in any way incomplete or irregular.

5.3 ACCEPTANCE OF A RESPONSE

- **5.3.1** It is the intent of SPECTRA to award a contract to the qualified and responsive Respondent submitting the response which is in the best interest of Jim Whelan Boardwalk Hall and Atlantic City Convention Center, provided the Response has been submitted in accordance with the requirements of the RFB. SPECTRA shall have the right to accept the Response which in its judgment, is in its own best interests.
- **5.3.2** Following the evaluation of written bids, Respondent(s) may be requested to offer oral presentation to SPECTRA. Failure to comply with such a request will disqualify Respondent from consideration.

5.4 TIME OF AWARD

- **5.4.1** Responses will be irrevocable after the date of opening. It is the intent of SPECTRA to enter into contract negotiations with the Vendor under consideration for the provision of Services herein described of the highest quality obtainable for the most reasonable price.
- **5.4.2** This RFB does not commit SPECTRA to the awarding of a Contract.
- **5.4.3** SPECTRA will not be liable for any costs incurred in the preparation and presentation or the Responses.

ARTICLE 6 FORM OF AGREEMENT BETWEEN SPECTRA AND RESPONDENT

- **6.1** The successful Respondent may be required to enter into a written contract with SPECTRA. For informational purposes, several of the pertinent matters of the Agreement have been included below:
 - a) The Response of the awarded Contractor, along with any addenda or amendments thereof, shall be incorporated into the Agreement.
 - b) SPECTRA shall have the right to terminate this Agreement or any part of this Agreement, at any time upon thirty- (30) day's written notice.
 - c) Corporate Authority: All New Jersey corporations must obtain a Certificate of Incorporation and a Certificate of Good Standing from the Office of the Secretary of State prior to conducting business in the State of New Jersey. If a firm is incorporated in a State other than New Jersey, the firm must obtain a Certificate of Authority to do business from the Office of the Secretary of State prior to receipt of final contract award or utilization as a subcontractor.
 - d) Subcontracting: The Responses must contain a list of all firms which will participate in this project as a result of this Agreement as described in Section 4.1. Although Respondents need not have a formal contract with proposed subcontractors at the time the Response is submitted, the Respondent may not change the composition of the team without written authorization of the SPECTRA. Additionally, SPECTRA reserves the right of approval of all proposed subcontractors. Significant changes in

the composition of the Project Team may constitute grounds for voiding the selection and commencing negotiations with the next highest ranked firm.

6.2 EVALUATION CRITERIA

- **6.2.1** The successful Respondent shall be determined by the following criteria:
 - .1 Respondents must demonstrate the ability to provide the Work specified by furnishing information regarding its expertise, experience, financial soundness and integrity.
 - .2 Respondents and personnel must demonstrate an understanding of the Work required and be able to dedicate sufficient time to be able to complete the Work required.
 - .3 Respondents must demonstrate that Jobs of similar scope and/or magnitude have been successfully maintained.
 - .4 The financial terms shall not be the sole criteria of the selection, but shall give significant weight in determining which Response is the most beneficial to Jim Whelan Boardwalk Hall and Atlantic City Convention Center.
- **6.2.2** Jim Whelan Boardwalk Hall and Atlantic City Convention Center reserve the right to award or not award the contract on the basis of the initial response.

ARTICLE 7 SCOPE OF WORK

- 7.1 Respondent's services shall include, but not be limited to the following:
 - .1 Provide services as identified on Attachment A.

7.2 EMT Services

- **7.2.1** The Vendors trucks and other vehicles must have the company name or logo permanently attached and must be parked in authorized areas or spaces only.
- **7.2.2** The Vendor shall take all precautions necessary and shall bear sole responsibility for the safety of the Work and the safety and adequacy of the methods and means it employs in performing the Work. Vendor, while on venue grounds must also observe any safety and security requirements that may be imposed by Jim Whelan Boardwalk Hall and Atlantic City Convention Center.

7.3 BONDING

7.3.1 Vendor will not be required to execute a Performance and Payment Bond.

7.4 INSURANCE

7.4.1 The successful Contractor will be required to obtain and maintain in force at all times during the term of the agreement as a direct cost of operation, insurance coverage as directed by SPECTRA. Such coverage will be obtained from an insurance company authorized and licensed to do business in the State of New Jersey and rated not less than A- by the most current Best's Manual. Furthermore, said insurance company or companies must be approved by SPECTRA. It is anticipated that such coverage shall include the following:

7.4.2

- a) Comprehensive General Liability Coverage in the amount of at least \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate. This coverage must be written on an occurrence form, claims made policies will be unacceptable to Jim Whelan Boardwalk Hall and Atlantic City Convention Center. This Comprehensive General Liability insurance shall cover the Contractor, Casino Reinvestment Development Authority and all departments, boards or committees established by it or under its control, Global Spectrum, L.P., Meet AC, Atlantic City Sports Commission and Ovations Food Services, L.P., and each of their respective affiliated entities, successors and assigns, and all of the officers, directors, partners, officers, agents, representatives and employees of the foregoing (collectively, the "Indemnitees") from and against any claim arising out of personal injury of Contractor or the Contractor's failure to comply with the terms of this Contract. Such policy or policies of insurance shall include coverage for claims of any persons as a result of an incident directly or indirectly related to the employment of such persons by a Proposer or by any other persons. This coverage shall include blanket contractual insurance and such coverage shall make express reference to the indemnification provisions set forth in this agreement. The policy shall also be endorsed to include coverage for products, completed operations, and independent contractors.
- b) Workers' Compensation Coverage as statutorily required by the State of New Jersey for all employees of Contractor. Employers' Liability coverage on the Workers Compensation policy shall be written incompliance with law.
- c) Excess Liability Coverage, in the amount of \$2,000,000.00 shall be in the form of an Umbrella policy rather than a following form excess policy. This policy or policies shall be specifically endorsed to be excess of the required Comprehensive General Liability Coverage, the Employers' Liability Coverage on the Workers' Compensation policy, and the Comprehensive Automobile Liability policy.
- d) Comprehensive Automobile Liability Coverage, in an amount not less than \$1,000,000.00, shall be maintained. Such coverage will include all owned, nonowned, leased and/or hired motor vehicles, which may be used by Contractor in connection with the services, required under the Contract.
- **7.4.3** All such insurance coverage, with the exception of Workers' Compensation, shall name Casino Reinvestment Development Authority and all departments, boards or committees established by it or under its control, Global Spectrum, L.P., Meet AC, Atlantic City

Sports Commission and Ovations Food Services, L.P., and each of their respective affiliated entities, successors and assigns, and all of the officers, directors, partners, officers, agents, representatives and employees of the foregoing (collectively, the "Indemnitees") as additional insured thereunder.

7.4.4 Evidence of such coverage being in place will be promptly delivered to SPECTRA prior to the commencement of the term of this proposal. All such coverage shall be endorsed to indicate that coverage will not be materially changed or canceled without at least 30 days prior notice to SPECTRA, such prior notice being mandatory and not the best efforts of the carrier to notify. Prior to the expiration of the required coverage, Proposer will provide SPECTRA with evidence of the renewal of all coverage required on at least the same terms and conditions as originally required for this agreement.

7.5 INDEMNIFICATION

7.5.1 Indemnification: Additional Insured for liability coverage, except for premium payment obligations, shall include Casino Reinvestment Development Authority and all departments, boards or committees established by it or under its control, Global Spectrum, L.P., Meet AC, Atlantic City Sports Commission and Ovations Food Services, L.P., and each of their respective affiliated entities, successors and assigns, and all of the officers, directors, partners, officers, agents, representatives and employees of the foregoing (collectively, the "Indemnitees"). This insurance is primary to any other valid or collectable insurance or self-insurance whether or not such other insurance or self-insurance is primary, contributory or excess. This insurance shall apply to each additional insured for occurrences taking place during the term of the license in all areas of the Atlantic City Convention Center and Jim Whelan Boardwalk Hall in which any activities connected with the license between parties take place.

7.6 LABOR

- **7.6.1** Contractor shall provide, at its own expense, qualified labor, appropriately registered and or licensed by the State of New Jersey.
- **7.6.2** Employees shall be appropriately and uniformly dressed and neat and clean in appearance. All employees must display identification prominently while at the facilities premises. Uniforms are subject to the approval of SPECTRA.
- **7.6.3** All employees shall be properly trained and certified as Emergency Medical Technicians with the BLS and/or ALS credential or a combination of both.
- **7.6.4** All employees of the Contractor that will work in either facility will be required to attend a SPECTRA sanctioned customer service training program at least once a year. SPECTRA will provide the training program and materials at its expense. Contractor to pay any staffing costs associated with the training.

7.7 LICENSES AND LAWS

- **7.7.1** Contractor shall be required to provide evidence/documentation at the time of award, that they are licensed in the State of New Jersey to provide Emergency Medical Technicians. In addition the Contractor must maintain any permits and licenses required by law at its own expense.
- **7.7.2** Contractor shall at all times observe and comply with all applicable federal, state and local laws, ordinances, rules and regulations and shall indemnify, save and hold harmless, Casino Reinvestment Development Authority and all departments, boards or committees established by it or under its control, Global Spectrum, L.P., Meet AC, Atlantic City Sports Commission and Ovations Food Services, L.P., and each of their respective affiliated entities, successors and assigns, and all of the officers, directors, partners, officers, agents, representatives and employees of the foregoing (collectively, the "Indemnitees") against any and all claims or liability arising from or in connection with the violation of any such law, ordinance, rule or regulation, whether such violation is caused by Contractor, or its agents, employees, suppliers, or subcontractors.

7.8 EQUIPMENT

- **7.8.1** Contractor shall have all necessary on-site equipment for providing said services including, but not limited to First Aid supplies.
- **7.8.2** Contractor must supply multiple channel UHF radios that can pick up the in-house radio channels for optimal communication.
- **7.8.3** All equipment on this inventory is to be in reasonable condition for use in the facilities.
- **7.8.4** Contractor shall be solely responsible for the repair and maintenance of its Equipment.

ATTACHMENT A

1.1 Description of Location of Services

The Atlantic City Convention Center has 486,000 square feet of continuous exhibit space. The exhibit hall is divisible into five separate halls, ranging in size from 29,400 square feet to 199,500 square feet.

The Center's 45 meeting rooms on the third and fourth level of the Center surround the expansive atrium lobby and total 109,100 square feet. Room dimensions range from 11,800 square feet to 672 square feet. The room' amenities include soundproof panels, assisted lighting systems and voice, video and data communications.

The Center's ample pre-function space, more than 32,000 square feet, is well suited to registration, retail or dining needs. The building is served by 29 covered loading docks, four drive in roll-up doors, mechanical levelators and 1400 indoor parking spaces. The Center is connected to the Atlantic City Rail Terminal that runs the Atlantic City line from Philadelphia to Atlantic City. A pedestrian bridge links the Center to the adjoining Sheraton Hotel. Located within a few hours' drive of nearly one-third of the nation's population and 20 percent of the country's business addresses, the Center is easily accessible for convention, tradeshow and meeting attendees.

Jim Whelan Boardwalk Hall, located on the boardwalk between Mississippi and Georgia Ave. is a major icon for Atlantic City. The Hall has a maximum capacity of approximately 14,000 in the arena and ballroom which seats up to 3500.

Jim Whelan Boardwalk Hall hosts a wide range of events from concerts to family shows like Sesame Street, to sporting events and other entertainment.

The facilities have established as their primary goal the highest level of service to their customers and clients. All operating entities in each facility must adhere to the following objectives:

- a) Offer services according to the highest industry standards and in the best interest of each facility, the community and the State of New jersey
- b) Operate in a manner consistent with the public interest, providing each facility with full accountability for, and accurate records of all transactions conducted within each venue.
- c) Provide the highest level of safety, service and cooperation to clients and attendees of the facilities.
- d) Hold an maintain in good standing all required applicable local, state and federal licenses and permits for the services required herein. Failure to maintain said licenses and permits may be cause for termination of contract.

The Convention Center and Jim Whelan Boardwalk Hall are owned by the New Jersey Sports and Exposition Authority with oversight-by the Casino Reinvestment Development Authority (CRDA) and managed by SPECTRA.

SPECTRA operates the facilities on behalf of its clients the CRDA.

1.2 <u>Scope of Services</u>

Contractor shall be responsible for providing Emergency Medical Technicians and First Aid services at the facilities. Definition of said services shall be at the minimum, persons trained and certified to appraise and initiate the administration of emergency medical care for victims requiring first aid, victims of trauma or acute illness before or during transportation of the victims to a health care facility via ambulance or other means.

1.3 Use of Facilities

Each facility will make the best efforts to provide space for the conducting of Contractor business within the facilities. The facilities will further insure that the Contractor has adequate lighting, environmental control and access to sanitary facilities as appropriate at no additional charge. Contractor will be prohibited from the utilization of said space for business other than that directly related to that of the facility. The facilities shall not be responsible for damage to any equipment or material stored within the respective venue.

1.4 Length of Contract

The Contract under which these privileges shall be granted will be for term of three (3) years. At the conclusion of this three (3) year term, the facilities shall retain the option to renew Contract for not more than two (2) additional terms of one (1) year in length under the provisions agreed to herein. The facilities, in whole or part, shall reserve the right to terminate this Contract, with or without cause, on thirty (30) days written notice, without penalty.

1.5 <u>Rates</u>

The facilities reserve the right to review rates charges by the contractor at each facility on an annual basis as part of the contract renewal process

1.6 Other Investment

Upfront capital/other investment by RESPONDENT, if any. Upfront capital/other investment is encouraged, though not required.

QUOTATION SHEET

MUST INCLUDE ALL CHARGES TO BE ASSESSED

PROJECT:	EMT Event Based Services – First Aid
LOCATION:	Jim Whelan Boardwalk Hall and Atlantic City Convention Center
RESPONDENT:	
DATE DUE:	Thursday July 29, 2021 by 2:00 P.M.

INSTRUCTIONS AND CONDITIONS:

Price includes all labor, equipment and disposable items that would be utilized as the service provider for EMT Services.

Year One

Single Emergency Medical Technician	\$ per hour
Supervising Emergency Medical Technician	\$ per hour
BLS Ambulance with (2) EMT Crew	\$ per hour
ALS Ambulance with (2) EMT Crew	\$ per hour
Year Two	
Single Emergency Medical Technician	\$ per hour
Supervising Emergency Medical Technician	\$ per hour
BLS Ambulance with (2) EMT Crew	\$ per hour
ALS Ambulance with (2) EMT Crew	\$ per hour
Year Three	
Single Emergency Medical Technician	\$ per hour
Supervising Emergency Medical Technician	\$ per hour
BLS Ambulance with (2) EMT Crew	\$ per hour
ALS Ambulance with (2) EMT Crew	\$ per hour

THE PRICES INDICATED SHALL BE THE ACTUAL PRICE TO JIM WHELAN BOARDWALK HALL AND ATLANTIC CITY CONVENTION CENTER AND SHALL REMAIN CONSTANT AND SHALL NOT BE EFFECTED BY OUTSIDE INFLUENCES. BY SUBMITTING A RESPONSE VENDOR AGREES TO THIS.

READ ALL INSTRUCTIONS AND CONDITIONS BEFORE QUOTING.

COMPANY	 	
COMPANY REP	 	
ADDRESS	 	
TELEPHONE	 	
FAX		

ATTACHMENT C -BID FORMS

JIM Whelan Boardwalk Hall / Atlantic City Convention Center

CHECKLIST

Required by owner	Submission Requirement	Initial each required entry and if required submit the item
	Addenda Receipt	
	Non-Collusion Affidavit	
	Equipment Certification	
	New Jersey Business Registration Certificate	
	Bid Proposal Form	
	References	
	Public Law 2005 Chapter 271, formerly Executive Order 134 & 117	

The undersigned Bidder hereby acknowledges receipt of the following Addenda:

Addendum Number	Dated	<u>Acknowledge Receipt</u> (initial)
No Addendum we	re received	
Acknowledge for:	(Name of Bidde	er)
By: (Signature of Authori	zed Representative	
Name:(Print o	r Type)	
Title:		
Date:		

Registering A Business with the New Jersey Department of the <u>Treasury</u>

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 bid 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 <u>www.nj.gov/treasury/revenue/taxreg.htm</u>. Click the "online" link and then select "Register for Tax and Employer Purposes."
- > Download the paper form and instructions at <u>www.nj.gov/treasury/revenue/revprnt.htm</u>.
- > 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.

Note: If you operate a corporation, limited partnership, limited liability company or limited liability partnership, before registering, you must obtain legal authority to operate in the State of New Jersey. Generally, this is accomplished by filing an original business certificate with the Division of Revenue, such as a Certificate of Incorporation or Formation. For more information on this subject, visit www.nj.gov/treasury/revenue/filecerts.htm, or call 609-292-9292.

Registering as an individual: There is a simplified registration process for individuals doing business with any New Jersey government agency. The form (NJ-REG-A) may be on the back of this form. If not, it can be downloaded from the web at <u>www.nj.gov/treasury/revenue/pdforms/rega.pdf</u>. To obtain a copy by mail, call 609-292-1730, or write to the Division at the Client Registration Bureau, PO Box 252, Trenton, NJ 08646-0252.

Questions about the registration process? Call 609-292-1730 or submit by e-mail at <u>www.nj.gov/treasury/revenue/revcontact.html</u>.

How do I receive the proof of registration certificate?

- New registrants. When completing Form NJ-REG, make sure you answer "Yes" to the contractor/sub-contractor question (Online Item 17; Paper Form Item 18). The Division of Revenue will mail the certificate to the mailing address you supply on your registration form.
- Previously Registered Businesses. Call 609-292-1730 and select option 3. The Division of Revenue's service agents will take your order and mail you a certificate. Please allow 7 to 10 working days to receive your certificate. Alternately, you may visit the Division's Client Registration Bureau in person and request a certificate. The address is 847 Roebling Avenue, Trenton, NJ 08611. Service desk hours are 8:30am to 4pm, weekdays, excluding holidays.

What information does the proof of registration contain? The certificate displays the following information: Business Name, Trade Name (If Applicable), Tax Payer ID (Usually the Employer Identification Number), Business Address, Contractor Certification Number (State Issued), Certification Issuance Date, Effective Date (Business Start Date Entered on Form NJ-REG).

A copy of the company's N.J. Business Registration Certificate (BRC) must be submitted with the bid.

Sample of a Valid State of New Jersey Business Registration Certificate

1

CONTRACTOR OF THE CONTRACTOR OF THE OWNER OF T STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE DEPARTMENT OF TREASURY DIVISION OF REVENUE PO BOX 252 TRENTON, N 2 05646-0252 FOR STATE AGENCY AND CASINO SERVICE CONTRACTORS TRADE MAME WINC CATE CONVENTION & VISITORS TAXPAYER NAME: ATLA ATLANTIC CITY CONVENTION CENTER AUTHORIT. pepus TAXPAYER IDENTIFICATION#: 1000000 000-000-000/000 ADDRESS: ANCE DATE: 0 2314 BOARDWALK ATLANTIC CITY NJ 08401 Jol & Tuly EFFECTIVE DATE: 07/01/66 FORM-BRC(08-01) This Certificale is NOT

ž

Non-Collusion Affidavit

ATTENTION: THIS FORM MUST BE NOTARIZED COMPLETE, SIGN, NOTARIZE AND RETURN THIS FORM WITH YOUR BID PROPOSAL. FAILURE TO DO SO WILL ELIMINATE YOUR PROPOSAL FROM CONSIDERATION.

STATE OF NEW JERSEY:

COUNTY OF:

:ss

I,_____ of _____ in the

County of and the State of

of full age, being duly sworn according to law on my oath, depose and say, that:

I am, ______of the Firm of ______,
(INSERT TITLE) (INSERT NAME OF FIRM)

The Bidder making the Proposal for the herein project, and that I executed the said Proposal with full authority to do so, that said Bidder has not directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above named project, and that all statements contained in said Proposal and in this affidavit are true and correct, and made with full knowledge that the Atlantic City Convention Center Authority. New Jersey Sports & Exposition Authority, CRDA and Global Spectrum, ., rely upon the truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract for the said project.

I warrant that no requirement or commitment was made in reference to any political contribution to any party, person, or elected official and that no undisclosed benefits of any kind were promised to anyone connected with Atlantic City Convention Center Authority, New Jersey Sports & Exposition Authority, CRDA, Global Spectrum ., or any political party in reference hereto.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by Bidder. I further warrant and represent that I have never admitted, acknowledged or been convicted of payment of kickbacks or unlawful gifts to any government official or employee for which conduct the State of New Jersey deems me disgualified from doing business with the Atlantic City Convention Center Authority under such circumstances.

I also understand that the above disgualification does not apply to any vendor who cooperates with the prosecution and give supporting testimony on behalf of the prosecution in the course of a judicial inquiry.

Signature of Affiant (Bidder)

Print or Type Name of Affiant (Bidder)

Sworn to and subscribed before me____

NOTARY PUBLIC SIGNATURE

 This ______day of ______20____.

 NOTARY SEAL
 My Commission expires_____

EQUIPMENT CERTIFICATION

Then undersigned Bidder certifies as follows:

The bidder owns or controls all the necessary equipment required to accomp described in the specifications	lish the work
List of equipment:	
Name of Bidder:	
By: (Signature)	
Name of above:	
(Print)	
Title:	
Date:	

		Two-Year Cl	Division of I hapter 51 / Exec	e of New Jerse Purchase and sutive Order 117 of Political Contr	Property Vendor Certif	lication and
Gen	eral Informat	lon	For AG	GENCY USE O	NLY	
Solir	citation REP or	Contract No.		Award	Amount	
1000	cription of Servi	Winter contrast				
Age	ncy Contact	Information	2 - C			1.8 N 12
Ager				Contac	Deress	영국은 사람을 통합하는 것
1.533	S. Shennesser					1. 1. C
Part 1	: Vendor Inf	ormation				
Full	Legal Business	Name				
		(Including tra	de name if applicat	ble)	1	
Bus	iness Type	Corporation	🗌 Limited	Partnership	Profession	al Corporation 🔲 General Partnership
		Limited Liability	Company	Sole Prop	rietorship	Limited Liability Partnership
Addr	ress 1			Addres	s 2	
City			State		Zip	Phone
Vend	ior Email			Vendor	FEIN	
1.						ose contributions are attributable to ution of money, pledge of contribution,
a)	the entity pur including in-t contract to th Within the pu (i) Any cr or Lie (ii) Any St (iii) Any le	ctober 15, 2004, neith suant to Executive O ind contributions, con receding 18 months, andidate committee a utenant Governor, tate, county, municip gislative leadership	rder 117 (2008) i mpany or organiz the terms of Exe , the below-name nd/or election fur el political party o committee.	has solicited or ma ation contributions ecutive Order 117 ed person or organ nd of any candidat committee; OR	ade any contrik s, as set forth b (2008). hization has no e for or holder	aution of money, pledge of contribution, below that would bar the award of a at made a contribution to: of the public office of Governor
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a)	the entity pur including in-4 contract to th Within the pur (i) Any cr or Lie (ii) Any St (iii) Any le During the to contribution t (i) Any cr (ii) Any st the co	ctober 15, 2004, neith rsuant to Executive O ind contributions, con- receding 18 months, andidate committee au utenant Governor, tate, county, municip gislative leadership erm of office of the co- o andidate, committee a tate, county or munic mmencement of said	rder 117 (2008) i mpany or organiz the terms of Exe , the below-name nd/or election fur committee. current Governor and/or election fur <i>ipal</i> political part Governor's term	has solicited or ma ation contributions ecutive Order 117 ed person or organ nd of any candidat committee; OR er(s), the below-na nd of the Governo y committee nomi rst day of the ter	ade any contrik s, as set forth t (2008). nization has no e for or holder med person o ar or <i>Lieutenar</i> nating such Gi	aution of money, pledge of contribution, below that would bar the award of a it made a contribution to: of the public office of Governor r organization has not made a af Governor, OR
a)	 the entity purincluding in-t-contract to the within the purincluding in-t-contract to the within the purincluding the purincluding the tar contribution time contribu	ctober 15, 2004, neith suant to Executive O receding 18 months, con receding 18 months, andidate committee a utenant Governor, tate, county, municip gislative leadership erm of office of the co andidate, committee a tate, county or munic mmencement of said 3 months immediate panization has not ma indidate, committee a	rder 117 (2008) i mpany or organiz the terms of Exe , the below-name nd/or election fur el political party of committee. current Governor and/or election fur i/pel political part de a contribution nd/or election fur al political party of al political party of a	has solicited or ma ation contributions ecutive Order 117 ed person or organ nd of any candidat committee; OR er(s), the below-na nd of the Governo y committee nomi- rist day of the ter i to ad of the Governor committee of the p	ade any contrib s, as set forth t (2008). nization has no e for or holder med person o r or <i>Lieutenar</i> nating such Gi m of office of	aution of money, pledge of contribution, below that would bar the award of a it made a contribution to: of the public office of Governor r organization has not made a at Governor ; OR overnor in the election preceding the Governor(s), the below-named
a) b) c) PLEAS or cont that is within t	the entity pur including in-i- contract to th Within the pur (i) Any cr or Lie. (ii) Any St (iii) Any St (iii) Any St (ii) Any St (ii) Any St (ii) Any St the co Within the 10 person or org (i) Any ca Any St candid SE NOTE: Prio trolling more the a corporation for	ctober 15, 2004, neith rsuant to Executive O ind contributions, con- receding 18 months, andidate committee al <i>utenant Governor</i> , tate, county, <i>municip</i> <i>gislative leadership</i> erm of office of the c o andidate, committee a tate, county or <i>munic</i> mmencement of said 8 months immediate panization has not ma ndidate, committee a ate, county, <i>municip</i> ate(s) in the last gube or to November 15, 2 an 10 percent of the p or profit) to any candid 8 months, during the t	rder 117 (2008) i mpany or organiz o the terms of Exa , the below-name nd/or election fur al political party of <i>committee</i> . current Governor and/or election fur <i>ipal</i> political party Governor's term. Aly prior to the fi ide a contribution nd/or election fur al political party of ematorial election fur assets o fate committee a	has solicited or ma ation contributions ecutive Order 117 ed person or organ nd of any candidat committee; OR er(s), the below-na nd of the Governor y committee normi rst day of the ter i to nd of the Governor committee of the p h qualifying contribut a business entity nd/or election func	ade any contrib s, as set forth b (2008). nization has no e for or holder uned person o ar or <i>Lieutenar</i> nating such Gi m of office of r or <i>Lieutenan</i> olitical party no tions include t (or 10 percent d of the Govern	aution of money, pledge of contribution, below that would bar the award of a at made a contribution to: of the public office of Governor r organization has not made a at Governor , OR overnor in the election preceding the Governor(s), the below-named t Governor, OR

Name of Recipient	or individual.	eportable contributions			
Type of Contribution (i.e. currency, check, loan, in-kind	Name of Recipient	202	성영은 것 않는 것 것 같아? 일상 같은 것 같아?		
Contributor Name Relationship of Contributor to the Vendor Contributor Address City	I DECEMBER STREET	12 74 2 W 21 W	and the second		
Relationship of Contributor to the Vendor Chrisbutor Address Chrisbutor Address Chrisbutor Address The form is not being completed electronically, please attach pages for additional contributions as necessary. Otherwise click "Add a Contribution" to enter additional contributions.	Type of Contribution (i.e. con	ency, creck, loan, irrand			
Relationship of Contributor to the Vendor Contributor Address	Contributor Name				
City	Relationship of Contributor to				
If this form is not being completed electronically, please attach pages for additional contributions as necessary. Otherwise click "Add a Contribution" to enter additional contributions.	Contributor Address				
as necessary. Otherwise citik "Add a Contribution" to enter additional contributions.	City		State	Zip	
		If this form is not be as necessary. Othe	ing completed electronically, s rwise click "Add a Contribution	lease attach pages for ade " to enter additional contril	itional contributions utions.
			- 111 -		
				22	
				14	

Part 4: Certification		
I have read the instructions accompanying t	is form prior to completing this certification on behalf of the above-named busine d belief, the foregoing statements by me are true. I am aware that if any of the sta	ss entity. Itements
are willfully false, I am subject to punishmer		
does not change and/or additional contri contributions are made, a new full set of door	in effect for two (2) years from the date of approval, provided the ownership outions are not made. If there are any changes in the ownership of the entity or uments are required to be completed and submitted. By submitting this Certificat n acknowledges this continuing reporting responsibility and certifies that it will add	additional ion and
(CHECK ONE BOX A, B or C)		
(A)	e-named business entity and all individuals and/or entities whose contributions ar Executive Order 117 (2008).	e
(B) I am certifying on behalf of the above	e-named business entity only.	
(C) I am certifying on behalf of an indivi	dual and/or entity whose contributions are attributable to the vendor.	
Signed Name	Print Name	
Phone Number	Date	
Title/Position		
ne agency should submit the complet	and signed Two-Year Vendor Certification and Disclosure forms, t	ogether with
ompleted Ownership Disclosure form, nit, P.O. Box 039, 33 West State Street	either electronically to cd134@treas.state.nj.us, or regular mail at Chap 9 th Floor, Trenton, NJ 08625. The agency should save the forms local	oter 51 Revie
ompleted Ownership Disclosure form, nit, P.O. Box 039, 33 West State Street	either electronically to cd134@treas.state.nj.us, or regular mail at Chap 9 th Floor, Trenton, NJ 08625. The agency should save the forms local	oter 51 Revie
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ompleted Ownership Disclosure form,	either electronically to cd134@treas.state.nj.us, or regular mail at Chap 9 th Floor, Trenton, NJ 08625. The agency should save the forms local	oter 51 Revie
ompleted Ownership Disclosure form, Init, P.O. Box 039, 33 West State Street riginal forms on file, and submit copies t	either electronically to cd134@treas.state.nj.us, or regular mail at Chap 9 th Floor, Trenton, NJ 08625. The agency should save the forms local	oter 51 Revi

IMPORTANT NOTICE

NEW "PAY-TO-PLAY" RESTRICTIONS TO TAKE EFFECT NOVEMBER 15, 2008

Governor Jon S. Corzine recently signed Executive Order No. 117, which is designed to enhance New Jersey's efforts to protect the integrity of government contractual decisions and increase the public's confidence in government. The Executive Order builds on the provisions of P.L. 2005, c. 51 ("Chapter 51"), which limits contributions to certain political candidates and committees by forprofit business entities that are, or seek to become, State government vendors.

Executive Order No. 117 extends the provisions of Chapter 51 in two ways: 1. The definition of "business entity" is revised and expanded so that contributions by the following

individuals also are considered contributions attributable to the business entity: Officers of corporations and professional services corporations, with the term "officer" being defined in the same manner as in the regulations of the Election Law Enforcement Commission regarding vendor disclosure requirements (N.J.A.C. 19:25-26.1), with the exception of officers of non-profit entities;

Partners of general partnerships, limited partnerships, and limited liability partnerships and members of limited liability companies (LLCs), with the term "partner" being defined in the same manner as in the regulations of the Election Law Enforcement Commission regarding vendor disclosure requirements (N.J.A.C. 19:25-26.1); and

Spouses, civil union partners, and resident children of officers, partners, LLC members and persons owning or controlling 10% or more of a corporation's stock are included within the new definition, except for contributions by spouses, civil union partners, or resident children to a candidate for whom the contributor is eligible to vote or to a political party committee within whose jurisdiction the contributor resides.

Reportable contributions (those over \$300.00 in the aggregate) to legislative leadership committees, municipal political party committees, and candidate committees or election funds for Lieutenant Governor are disqualifying contributions in the same manner as reportable contributions to State and county political party committees and candidate committees or election funds for Governor have been disqualifying contributions under Chapter 51.
 Executive Order No. 117 applies only to contributions made on or after November 15, 2008, and to

contracts executed on or after November 15, 2008.

Updated forms and materials are currently being developed and will be made available on the website as soon as they are available. In the meantime, beginning November 15, 2008, prospective vendors will be required to submit, *in addition to the currently required Chapter 51 and Chapter 271 forms*, the attached Certification of Compliance with Executive Order No. 117.

Certification on Behalf of A Company, Partnership or Organization and All Individuals Whose Contributions are Attributable to the Entity Pursuant to Executive Order No. 117 (2008)

I hereby certify as follows:

On or after November 15, 2008, neither the below-named entity nor any individual whose contributions are attributable to the entity pursuant to Executive Order No. 117 (2008) has solicited or made any reportable contribution of money or pledge of contribution, including in-kind contributions or company or organization contributions, to the following:

a) Any candidate committee and/or election fund of the Governor;

b) A State political party committee;

c) A legislative leadership committee;

d) A county political party committee; or

e) A municipal political party committee.

I certify as an officer or authorized representative of the Company or Organization identified below that, to the best of my knowledge and belief, the foregoing statements by me are true. I am aware that if any of the statements are willfully false, I am subject to punishment.

Name of Company, Partnership or Organization:

Signed:	Title:
Print Name:	Date:
(circle one) (A) The Co	ompany, Partnership or Organization is the vendor;

or

Print Name:

(B) the Company, Partnership or Organization is a Principal (more than 10% ownership or control) of the vendor, a Subsidiary controlled by the vendor, or a Political Organization (e.g., PAC) controlled by the vendor.

*Please note that if the person signing this Certification is not signing on behalf of all individuals whose contributions are attributable to the entity pursuant to Executive Order No. 117 (2008), each of those individuals will be required to submit a separate individual Certification. Individual

Certification of Compliance with Executive Order No. 117 (2008)

I hereby certify as follows:

On or after November 15, 2008, I have not solicited or made any reportable contribution of money or pledge of contribution, including in-kind contributions or company or organization contributions, to the following:

a) Any candidate committee and/or election fund of the Governor;

b) A State political party committee;

c) A legislative leadership committee;

d) A county political party committee; or

e) A municipal political party committee.

I certify that, to the best of my knowledge and belief, the foregoing statements by me are true. I am aware that if any of the statements are willfully false, I am subject to punishment.

Signed: _

_____ Date: __

Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (2008)

INFORMATION AND INSTRUCTIONS For Completing The "Two- Year Vendor Certification and Disclosure of Political Contributions" Forms DPP c51 - C&D, Rev. 11-17-2008 Page 1 of 4

Background Information On September 22, 2004, then-Governor James E. McGreevey issued Executive Order 134, the purpose of which was to insulate the negotiation and award of State contracts from political contributions that posed a risk of improper influence, purchase of access or the appearance thereof. To this end, Executive Order 134 prohibited State departments, agencies and authorities from entering into contracts exceeding \$17,500 with individuals or entities that made certain political contributions. Executive Order 134 was superseded by Public Law 2005, c. 51, signed into law on March 22, 2005 ("Chapter 51"). On September 24, 2008, Governor Jon S. Corzine issued Executive Order No. 117 ("E.O. 117"), which is designed to enhance New Jersey's efforts to protect the integrity of procurement decisions and increase the public's confidence in government. The Executive Order builds upon the provisions of Chapter 51. **Two-Year Certification Process** Upon approval by the State, the Certification and Disclosure of Political Contributions form (CH51.1R1/21/2009) is valid for a two (2) year period. Thus, if a vendor receives approval on Jan 1, 2009, the certification expiration date

would be Dec 31, 2011. Any change in the vendor's ownership status and/or political contributions during the two-year period will require the submission of new Chapter 51/EO117 forms to the State Review Unit. **Please note that it is the vendor's responsibility to file new forms with the State should these changes occur.** Prior to the awarding of a contract, the agency should first send an e-mail to CD134@treas.state.nj.us to verify the certification status of the vendor. If the response is that the vendor is NOT within an approved two-year period, then forms must be obtained from the vendor and forwarded for review. If the response is that the vendor is within an approved two-year period, then the response so

stating should be placed with the bid/contract documentation for the subject project. Instructions for

<u>Completing the Forms</u> NOTE: <u>Please refer to the next section</u>, "Useful Definitions for Purposes of

Ch. 51 and E.O. 117," for guidance when completing the forms. Part 1: VENDOR

INFORMATION Business Name – Enter the full name of the Vendor, including trade name if applicable. Business Type -- Select the vendor's business organization from the list provided. Address, City, State, Zip and Phone Number -- Enter the vendor's street address, city, state, zip code and telephone number. Vendor Email – Enter the vendor's primary email address. Vendor FEIN – Please enter the vendor's Federal Employment Identification Number. Public Law 2005, Chapter 51

(formerly Executive Order 134) and Executive Order 117 (2008) INFORMATION AND INSTRUCTIONS For Completing The "Two- Year Vendor Certification and Disclosure of Political Contributions" Forms DPP c51 - C&D, Rev. 11-17-2008 Page 2 of 4

Part 2: PUBLIC LAW 2005, Chapter 51 / EXECUTIVE ORDER 117 (2008) DUAL

CERTIFICATION Read the following statements and verify that from the period beginning on or after October 15, 2004, no contributions as set forth at subsections 1(a)-(c) have been made by either the vendor or any individual whose contributions are attributable to the vendor pursuant to Executive Order 117 (2008). **NOTE:** Contributions made prior to November 15, 2008 are applicable to Chapter 51 only.

Part 3: DISCLOSURE OF CONTRIBUTIONS MADE <u>Check the box at top of page 2 if</u> no reportable contributions have been made by the vendor. If the vendor has no

contributions to report, this box must be checked. Name of Recipient Entity - Enter the full name of the recipient entity. Address of Recipient Entity - Enter the recipient entity's street address. Date of Contribution - Indicate the date of the contribution. Amount of Contribution - Enter the amount of the reportable contribution. Type of Contribution - Select the type of contribution from the list provided. Contributor Name - Enter the full name of the contributor. Relationship of Contributor to the Vendor -- Indicate relationship of the contributor to the vendor, e.g. officer or partner of the company, spouse of officer or partner, resident child of officer or partner, parent company of the vendor, subsidiary of the vendor, etc. NOTE: If form is being completed electronically, click "Add a Contribution" to enter additional contributions. Otherwise, please attach additional pages as necessary. Part 4: CERTIFICATION Check box A if the person completing the certification and disclosure is doing so on behalf of the vendor and all individuals and/or entities whose contributions are attributable to the vendor. Check box B if the person completing the certification and disclosure is doing so on behalf of the vendor only. Check box C if the person completing the certification and disclosure is doing so on behalf of an individual and/or entity whose contributions are attributable to the vendor. Enter the full name of the person authorized to complete the certification and disclosure, the person's title or position, date and telephone number. Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (2008) INFORMATION AND INSTRUCTIONS For Completing The "Two- Year Vendor Certification and Disclosure of Political Contributions" Forms DPP c51 - C&D. Rev. 11-17-2008 Page 3 of 4

USEFUL DEFINITIONS FOR THE PURPOSES OF Ch. 51 and E.O. 117

• "Vendor" means the contracting entity.

• **"Business Entity"** means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of New Jersey or any other state or foreign jurisdiction. The definition also includes (i) if a business entity is a for-profit corporation, any officer of the corporation and any other person or business entity that owns or controls 10% or more of the stock of the corporation; (ii) if a business entity is a professional corporation, any shareholder or officer; (iii) if a business entity is a general partnership, limited partnership or limited liability partnership, any partner; (iv) if a business entity is a sole proprietorship, the proprietor; (v) if the business entity is any other form of entity organized under the laws of New Jersey or any other state or foreign jurisdiction, any principal, officer or partner thereof; (vi) any subsidiaries directly or indirectly controlled by the business entity; (vii) any political organization organized under 26 <u>U.S.C.A.</u> § 527 that is directly or indirectly controlled by the business entity; (vii) with respect to an individual who is included within the definition of "business entity," that individual's spouse or civil union partner and any child residing with that person.1

¹ Contributions made by a spouse, civil union partner or resident child to a candidate for whom the contributor is eligible to vote or to a political party committee within whose jurisdiction the contributor resides are permitted.

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

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

• **"Reportable Contributions"** are those contributions, including in-kind contributions, in excess of \$300.00 in the aggregate per election made to or received by a candidate committee, joint candidates committee, or political committee; or per calendar year made to or received by a political party committee, legislative leadership committee, or continuing political committee.

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

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

Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (2008) INFORMATION AND INSTRUCTIONS For Completing The "Two-

Year Vendor Certification and Disclosure of Political Contributions"

Forms DPP c51 - C&D, Rev. 11-17-2008 Page 4 of 4

• **"Candidate Committee"** means a committee established by a candidate pursuant to <u>N.J.S.A.</u> 19:44A-9(a), for the purpose of receiving contributions and making expenditures.

- "State Political Party Committee" means a committee organized pursuant to N.J.S.A. 19:5-4.
- "County Political Party Committee" means a committee organized pursuant to N.J.S.A. 19:5-3.
- "Municipal Political Party Committee" means a committee organized pursuant to N.J.S.A. 19:5-2.

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

• "Political Party Committee" means:

- 1. The State committee of a political party, as organized pursuant to N.J.S.A. 19:5-4;
- 2. Any county committee of a political party, as organized pursuant to N.J.S.A. 19:5-3; or
- 3. Any municipal committee of a political party, as organized pursuant to N.J.S.A. 19:5-2.

Agency Submission of Forms

The agency should submit the completed and signed Two-Year Vendor Certification and Disclosure forms, together with a completed Ownership Disclosure form, either electronically to <u>cd134@treas.state.nj.us</u> or regular mail at Chapter 51 Review Unit, P.O. Box 039, 33 West State Street, 9th Floor, Trenton, NJ 08625. Original forms should remain with the Agency and copies should be sent to the Chapter 51 Review Unit.

Questions & Answers

Questions regarding the interpretation or application of Public Law 2005, Chapter 51 (N.J.S.A. 19:44A-20.13) or Executive Order 117 (2008) may be submitted electronically through the Division of Purchase and Property website at <u>http://www.state.nj.us/treasury/purchase/execorder134.htm</u>. Responses to previous questions are posted on the website, as well as additional reference materials and forms. <u>http://www.state.nj.us/treasury/purchase/execorder134.htm#state NOTE</u>: The Chapter 51 Q&A on the website **DOES NOT** address the expanded pay-to-play requirements imposed by Executive Order 117. The Chapter 51 Q&A are only applicable to contributions made prior to November 15, 2008. There is a separate, combined Chapter 51/E.O. 117 Q&A section dealing specifically with issues pertaining to contributions made after November 15, 2008.