

REQUEST FOR PROPOSALS

For

**MEDICAL AND/OR RETAIL CANNABIS BUSINESSES LOCAL
LICENSES**

**THE TOWN OF MORRISTOWN
200 SOUTH STREET
MORRISTOWN, NEW JERSEY 07963**

Issue Date: March 30, 2022

Proposals Due Date: April 13, 2022

**Issued By:
Jillian Barrick, Business Administrator
Morristown, New Jersey**

March 30, 2022

Re: Request for Proposal – Local License for Medical and/or Retail Cannabis
Business

Dear Applicant:

The Town of Morristown is accepting proposals for Medical and/or Retail Cannabis Businesses. The Town intends to utilize a “Fair and Open” Procurement Process for the solicitation and award of the local license.

Standardized submission requirements and selection criteria are enclosed.

Sincerely,

Jillian Barrick
Business Administrator

Enclosure

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TOWN OF MORRISTOWN

NOTICE TO PROPOSERS REQUEST FOR PROPOSALS FOR LOCAL LICENSES FOR MEDICAL AND/OR RETAIL CANNABIS BUSINESSES IN THE TOWN OF MORRISTOWN

NOTICE IS HEREBY GIVEN THAT THE Town of Morristown is soliciting proposals to issue local licenses for a Medical and/or Retail Cannabis Business. RFP Proposal Packets are available at the Town Clerk's Office of the Town, Morristown Town Hall, 200 South Street, 1st Floor, Morristown, New Jersey 07960 from said office weekdays between the hours of 8:30 am to 4:30 pm, telephone number (973) 292-6626, and from the Town's website at www.townofmorristown.org. Proposals must be submitted in the form provided in the proposal packet. Individuals and/or firms obtaining copies from the website are responsible for monitoring the website for the issuance of any addenda.

Qualified responders will be required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq., (Contract Compliance and Equal Employment Opportunities in Public Contracts); N.J.S.A. 52:25-24.2 , Disclosure of Interests; N.J.S.A. 52:32-44, State Contractor Business Registration Program; and P.L. 2012, C.25, Disclosure of Investment Activities in Iran, all as amended and supplemented. "The New Jersey Local Unit Pay-to-Play" Law (N.J.S.A. 19:44-A-20.4 et seq.), New Jersey Campaign Contributions and Expenditure Reporting Act (N.J.S.A. 19:44A-1 et seq.).

The Town reserves the right to reject any and all submissions, to waive any deficiencies and to suspend or abandon this process at any time.

Requests for Proposals for Local Licenses for Medical and/or Retail Cannabis Business RFP # 1

These proposals are being solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq. Sealed proposals to these requests are required to be delivered to the Business Administrator's Office, Morristown Town Hall, 200 South Street, 2nd Floor, Morristown, New Jersey 07960 **until 10:00 a.m., prevailing time, on Wednesday, April 13, 2022.**

Applicant entities shall submit one (1) original and two (2) additional sets of their sealed submission. The outside of the envelope containing a proposal shall be plainly marked on the outside of the sealed envelope to show "**RFP for Local License for Medical and/or Retail Cannabis Business**" for which the proposal is submitted, i.e. (Medical and/or Retail Cannabis Business RFP#1) as listed above. Also, please clearly indicate whether the enclosed proposal is for a Medical business or a Retail business by clearly marking it as either "MEDICAL" or "RETAIL". Questions concerning this notice may be directed to Jillian Barrick, Business Administrator at administrator@townofmorristown.org.

All accepted qualified businesses pursuant to the fair and open process will be awarded by a majority vote of the Town Council on the recommendation of the Town Cannabis Advisory Board at a public meeting.

Applicants must select, one, and only one zone for which they are applying to. Any applicant submitting a general application or multi-zone application shall be automatically denied.

Margot Kaye
Town Clerk

SECTION 1: GENERAL CONDITIONS

Proposals are being solicited for the following:

1.0. INTRODUCTION

The Town of Morristown is soliciting proposals for applicants interested in receiving a local license to operate a Medical and/or Retail Cannabis Business.

RFP SUBMITTAL REQUIREMENTS

A. Proposals must include the following items:

1. A cover letter setting forth the experience of each member-component of the Consultant, including any sub-consultant's experience on similar projects, key personnel qualifications, and relevant experience, understanding of the application and the Town of Morristown's needs, approach to the enterprise, and commitment and ability to perform the enterprise.
2. Legally verifiable documentation of the criteria required in Section 2.

1.1. STANDARDIZED SUBMISSION REQUIREMENTS AND SELECTION CRITERIA

FAIR AND OPEN PUBLIC SOLICITATION PROCESS FOR A LOCAL MEDICAL AND/OR RETAIL CANNABIS BUSINESS LICENSE

The Town of Morristown is seeking sealed submissions in response to a Public Notice for the Solicitation of Applicants for a Local Medical and/or Retail Cannabis Business License.

The selection criteria to be used in awarding endorsements shall include in ranked order as set forth in Section 2 which follows.

1.2. INFORMATION FOR ENTITIES FAIR AND OPEN PUBLIC SOLICITATION PROCESS

Receipt and Opening of Submissions

Owner and Project

The Town of Morristown, Morris County, New Jersey (hereinafter called the "TOWN") invites submissions for the service(s) mentioned in the Public Notice for Solicitation.

Time and Place of Submission Openings

The Business Administrator and/or her designated representative will receive submissions at the time and place mentioned in the Public Notice for Solicitation,

Submissions Not in Compliance

The TOWN may waive any informality or reject any and/or all submissions, in accordance with the Fair and Open Public Solicitation Process pursuant to P.L. 2004, c.19 (N.J.S.A.19:44A-20.4, et seq.)

Withdrawing Submissions

Submissions forwarded to the Business Administrator and/or her designated representative before the time of opening of submissions may be withdrawn upon written application of the entity who or which shall be required to produce evidence showing that he/she are or they represent the principal or principals involved in the submission. Submissions may not be withdrawn within twenty-four (24) hours of the stipulated time for opening of submissions.

1.3. QUALIFICATIONS OF ENTITIES

Individuals Performing Tasks

Names of roles of the individuals who will perform the tasks and descriptions of their education and experience similar to the services contained herein.

Past Performance

Documented past performance of same and/or similar service.

Description of Abilities

Description of ability to provide the services in a timely fashion (including staffing, familiarity and location of key staff).

Financial Details

Financial details of the Applicant business.

1.4. PREPARATION OF SUBMISSIONS

Completion of Submissions

Each submission must be provided in a succinct typewritten letter and signed by the entity or principal thereof and shall contain the name, address and telephone number

of the entity. Each signatory to the submission must initial all erasures or corrections. Each submission shall be contained in a sealed envelope addressed to the Business Administrator's Office, Town of Morristown, Town Hall, 200 South Street, 2nd Floor, Morristown, New Jersey 07960, and said envelopes shall specify the Title and Number for which the submission is provided. The submission is to be clearly marked "Sealed Submission Enclosed" and must be delivered at the place and time required or mailed so as to be received prior to the time set in the advertisement. Submissions received after the hour herein named or in unsealed envelopes shall not be considered.

The TOWN will not be responsible for submissions forwarded through the United States Mail or any delivery service if lost in transit at any time before submission opening, or if hand delivered to incorrect location.

The submission shall be accompanied by all forms listed in Section 3 of this RFP along with the submission letter as described above.

All forms contained in Section 3 shall be completed in their entirety.

1.5. TIME FOR AWARD OF CONDITIONAL LICENSE

The contracting unit shall award the conditional license or reject all submissions within such time as may be specified in the invitation for submission, but in no case more than sixty (60) days, except that the submissions of any entities who consent thereto may, at the request of the contracting unit, be held for consideration for such longer period as may be agreed.

1.6. MODIFICATIONS OF SUBMISSIONS

Any entity may modify his/her submission by mail, courier or hand delivery at any time prior to the scheduled closing time for receipt of submissions. The TOWN, prior to the closing time, must receive such communication.

1.7. REJECTION OF SUBMISSION

Multiple Submissions are not allowed

More than one submission from an individual, a firm or partnership, a corporation or association of principals under the same or different names shall not be considered.

Right to Reject Submissions

The right is reserved to reject any or all submissions in whole or in part if not in compliance with the standardized submission requirements.

Right to Waive Informalities Reserved

The TOWN expressly reserves the right to waive any informality in any submission, and to accept the submission, which in the TOWN'S judgment serves its best interests.

1.8. FACSIMILE DOCUMENTS PROVIDED IN A SUBMISSION

Under no circumstances, on submission documents requiring authorized signatures, will the TOWN accept documents provided through facsimile machine.

1.9. CONTRACT COMPLIANCE AND EQUAL EMPLOYMENT OPPORTUNITY IN PUBLIC CONTRACTS

Entities are required to comply with the requirements of N.J.S.A. 10:5-31, et seq. and N.J.A.C. 17:27, et seq.

1.10. GENERAL REQUIREMENTS/INFORMATION

It is understood by the entity that this submission is provided on the basis of standardized submission requirements prepared by the TOWN OF MORRISTOWN and the fact that any entity is not familiar with these standardized submission requirements or conditions will not be accepted as an excuse.

SECTION 2: SELECTION CRITERIA AND EVALUATION

2.1 SELECTION CRITERIA

The selection criteria to be used by the Town Cannabis Advisory Board in making their recommendation to the Town Council as to which proposal(s) are most advantageous to the Town, price and other factors considered, shall be as follows:

(1) The applicant shall submit proof that the applicant has or will have lawful possession of the premises proposed for the Medical Cannabis Dispensary, Medical Dispensary with personal use cannabis retail if approved by the Commission or Class 5 Licensed Retail Business, which proof may consist of: a deed, a lease, a real estate contract contingent upon successful licensing, or a binding letter of intent by the owner of the premises indicating an intent to lease the premises to the entrant contingent upon successful licensing. Applicants submitting as microenterprises will still be able to receive credit for site control even if they currently do not have site control at the time of application.

(2) The applicant shall submit an affidavit and documentary proof of compliance with all State and Local laws regarding affirmative action, anti-discrimination and fair employment practices. The applicant shall also certify under oath that they will not and shall not discriminate based on race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.

(3) The location proposed for licensing by the applicant shall comply with all applicable Town zoning laws and the location restrictions set forth in the Town General Code, Chapter 24 Cannabis Licensing and Business Regulations and Chapter 30, Land Development, including but not limited to the following:

- a. Cannot be located within one thousand (1,000) feet of an elementary, middle or high school.
- b. Cannot be located within a distance of less than one thousand (1,000) feet from another Medical Cannabis Dispensary or Cannabis Licensed Retailers.
- c. Cannot be located within two hundred (200) feet of a house of worship.
- d. Distances shall be measured as line of site.
- e. A floor plan shall be submitted showing the extent of the use contained in the enclosed building, location of products, storage of products, and all security measures in place.
- f. Pedestrian queuing plan submission shall be required.

g. Parking and Loading Requirements shall require the greater of three (3) spaces per service/sale window or six (6) spaces per 1,000 square feet.

(4) The applicant shall submit, to the satisfaction of the Town Cannabis Advisory Board, proof of financial capability to open and operate the marijuana establishment for which the applicant is seeking a license. Standards for proof of financial capability shall be determined by the Town Cannabis Advisory Board. Applicants submitting as microbusiness may demonstrate only 12 months of operating reserves.

(5) The applicant shall submit a non- refundable application fee in the amount of \$2,500 per application filed.

(6) In addition to complying with any state requirement related to good character and criminal background, any person proposed to have an ownership interest in the license shall not have had any cannabis license or permit revoked for a violation affecting public safety in the State of New Jersey or a subdivision thereof within the preceding five years.

(7) The applicant and the application shall otherwise comply with any, and all qualification standards set forth in the State and Town laws or regulations.

(8) The applicant shall provide a written commitment and describe the recruitment and hiring procedures to be used to employ Morristown residents in at least 50% of full-time equivalent positions.

(9) The applicant shall describe experience as a responsible employer or a commitment to being a responsible employer. Examples are providing employee health care insurance, providing paid family leave and/or paying a \$15 minimum wage. If the Applicant is a party to a collective bargaining agreement for at least one year prior to the Morristown application, the Applicant will receive evaluation points and no further response is needed.

(10) Describe proposal to provide community benefits to the Morristown community. Areas to consider include but are not limited to:

- a. Financial and in-kind contributions to Morristown's drug and alcohol prevention programs, social work and mental health intervention initiatives, and other health related activities
- b. Financial and in-kind contributions to community, civic, cultural and business associations/organizations
- c. Education programs for various populations on topics such as securing a medical cannabis card, expunging cannabis criminal records, and engaging in an employment transition through a re-entry program

(11) The applicant shall describe a demonstrated commitment to diversity in its ownership composition and hiring practices

- a. Provide evidence of ownership composition

- Is the Applicant a certified Diversely Owned Business, pursuant to the criteria in N.J.A.C. 17:30-6.4?
 1. A minority business pursuant to N.J.S.A. 52:27H-21.18 et seq.;
 2. A women’s business pursuant to N.J.S.A. 52:27H-21.18 et seq.;
 3. A disabled-veterans’ business, as defined in N.J.S.A. 52:32-31.2; or
 4. Any combination of one through three above
- b. Provide hiring practices that have increased or will increase diversity with regard to race, culture, gender and sexual identity

(12) The applicant shall describe how they will make good faith efforts to promptly resolve all complaints, including those related to noise, light, odor, litter, vehicle traffic and pedestrian traffic.

- (13) Describe ties to the host community, demonstrated by at least one owner’s proof of residency in Morristown for five or more years or at least one owner’s continuous ownership of a business based in Morristown for five or more years in the past ten years
- Provide deed and/or lease of home or business location with indication of how many years in Morristown

If after receipt of any proposals as described above and prior to any recommendation to the Town Council, the Town Cannabis Advisory Board shall determine to revise the required applications or to seek more favorable terms, all applicants who have submitted proposals will be given an equal opportunity to resubmit or modify their proposal.

Applicants will be eliminated from consideration if they do not meet applicable Federal, State or Town legal requirements. Where Federal or State law regulations require a procedural step(s) at variance with these procedures, the Federal or State requirements shall govern.

All endorsements pursuant to the fair and open process will be awarded by a majority vote of the Town Council at a public meeting.

Notwithstanding the foregoing competitive application process, a notification of award shall entitle the recipient applicant to pursue a State permit for up to twelve (12) months, which may be extended in the Town Cannabis Advisory Board’s discretion for an additional six (6) months if good cause is shown. No license shall be issued until the applicant has received a State permit and satisfied other prerequisites of municipal licensure. If the recipient of a notice of award has not received a State permit within twelve (12) months from issuance, unless extended for good cause, the Town’s Cannabis Advisory Board shall initiate a new application process and evaluate all applicants under the above criteria.

2.2. EVALUATION

In the event there are multiple applicants for a license, the Town Cannabis Advisory Board shall evaluate all Applicants and issue a notification of recommendation of award after consideration and evaluation of the following criteria:

(i) Applicant's owners' or principals' qualifications and experience operating in highly regulated industries, including cannabis, healthcare, and retail pharmacies, with preference to experience operating such businesses within the State of New Jersey and where the value of owners' experience shall outweigh the experience of non-owner principals (**twenty-five percent**);

(ii) Applicant's qualifications and experience related to public safety and security, including any of the applicant's owners' or principals' experience in law enforcement with preference to such experience in the County of Morris, and applicant's plans for storage of products and currency, physical security, video surveillance, security personnel, and visitor management (**ten percent**);

(iii) Applicant's or its owners' experience conducting or supporting or plans to conduct institutional review board-approved research involving human subjects that is related to medical cannabis or substance abuse, where the value of past or ongoing clinical research with IRB approval shall outweigh plans to conduct such research (**ten percent**);

(iv) Applicant's or its owners' demonstrated sufficient experience as responsible employers, defined as operating businesses that are parties to collective bargaining agreements in the regulated cannabis industry for at least six (6) months prior to application for such permit, in an effort to create well-paying jobs with employee benefits in the municipality (**fifteen percent**);

(v) Applicant's experience with banking in the regulated cannabis industry in accordance with federal FinCEN guidance regarding marijuana-related businesses, which shall include a letter from one or more financial institutions stating such institution is aware of applicant's business activities in regulated cannabis (**ten percent**);

(vi) Applicant's environmental impact and sustainability plan (**five percent**);
and

(vii) Applicant's demonstrated commitment to diversity in its ownership composition and hiring practices and whether it holds certifications as a NJ minority-owned, women-owned, or veteran-owned business (Any classifications that Applicant qualifies for under N.J.A.C. 17:30-6.4 through N.J.A.C.17:30-6.6) (**ten percent**).

(viii) Applicant's proposed commitments to the Town of Morristown. Applicant's commitment to recruit and employ Town of Morristown residents to fill a certain percentage of full-time and part-time positions, financial contributions to the

Town's drug and alcohol prevention programs, intervention programs, and educational activities for school age children. **(ten percent)**

(ix) At least one owner's proof of residency in Morristown for five or more years or at least one owner's continuous ownership of a business based in Morristown for five or more years in the past ten years **(five percent)**

SECTION 3: CHECKLIST AND FORMS

CHECKLIST

TITLE: Application for Medical and/or Retail Cannabis Business License, RFP
#_____

SUBMISSION DATE: On or Before 10:00 a.m. – Wednesday, April 13 , 2022

The following items, shall be provided with the receipt of sealed submissions:

1. Non-Collusion Affidavit (Form 3A)....._____
2. Disclosure of Ownership (Form 3B)....._____
3. Entity Information Form (Form 3C)....._____
4. Acknowledgment of Corrections, Additions or Deletions Form (Form 3D)....._____
5. Letter Setting Forth Qualifications and Proposal (Form 3E)....._____
6. Disclosure of Investments with Iran (Form 3F)....._____
7. Copy Of Your Business Registration Certificate As Issued By The State
of New Jersey, Department of Treasury, Division of Revenue (Form 3G)....._____
8. C. 271 Political Contribution Form (Form 3H) _____
9. Americans with Disabilities Language Exhibit A_____
10. Mandatory EEOC Language Exhibit B _____

REMINDER:

Please submit one (1) original and two (2) additional sets of the sealed submission.

Form 3A

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY
COUNTY OF _____ SS:

I, _____ residing in _____
(name of affiant) (name of municipality)
in the County of _____ and State of _____, of full age, being duly sworn according to law on my oath
depose and say that:

I am _____ of the firm of _____
(title or position) (name of firm)
_____ the bidder making this Proposal for the bid
entitled _____, and that I executed the said
(title of bid proposal)

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 Town of Morristown relies upon the truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract for said project.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by _____
(name of firm)

_____.

Signature

Type or print name of affiant under signature

Subscribed and sworn to
Before me this day
_____, 2022
Notary Public of New Jersey
My Commission expires _____
(seal)

Form 3B

DISCLOSURE OF OWNERSHIP

N.J.S.A. 52:25-24.2 reads in part that “no corporation or partnership shall be awarded any contract by the State, County, Municipality or School District, or any subsidiary or agency thereof, unless prior to the receipt of the submission of the corporation or partnership, there is provided to the public contracting unit a statement setting forth the names and addresses of all individuals who own 10% or more of the stock or interest in the corporation or partnership.”

- 1) If the entity is a *partnership*, then the statement shall set forth the names and addresses of all partners who own a 10% or greater interest in the partnership.
- 2) If the entity is a *corporation*, then the statement shall set forth the names and addresses of all stockholders in the corporation who own 10% or more of its stock of any class.
- 3) If a corporation owns all or part of the stock of the corporation or partnership providing the submission, then the statement shall include a list of the stockholders who own 10% or more of the stock of any class of that corporation.
- 4) If the entity is other than a corporation or partnership, the contractor shall indicate the form of corporate ownership as listed below.

COMPLETE ONE OF THE FOLLOWING STATEMENTS:

IV. Stockholders or Partners owning 10% or more of the company providing the submission:

NAME:

ADDRESS:

II. No Stockholder or Partner owns 10% or more of the company providing this submission:

SIGNATURE: _____ DATE: _____

III. Submission is being provided by an individual who operates as a sole submission:

SIGNATURE: _____ DATE: _____

IV. Submission is being provided by a corporation or partnership that operates as a (check one of the following):

Limited Partnership

Limited Liability Corporation

Limited Liability Partnership

Subchapter S Corporation

SIGNATURE: _____

DATE: _____

Form 3C

ENTITY INFORMATION FORM

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

Name: _____
Address: _____
Telephone No.: _____ Social Security No.: _____
Fax No.: _____ E-Mail: _____
If individual has a *TRADE NAME*, give such trade name:
Trading As: _____ Telephone No.: _____

If the Entity is a *PARTNERSHIP*, give the following information:

Name of Partners: _____
Firm Name: _____
Address: _____
Telephone No.: _____ Federal ID No.: _____
Fax No.: _____ E-Mail: _____
Social Security No.: _____
Signature of authorized agent: _____

If the Entity is *INCORPORATED*, give the following information:

State under whose laws incorporated: _____
Location of principal office: _____
Telephone No.: _____ Federal ID No.: _____
Fax No. _____ E-Mail: _____

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

Telephone No.: _____ Name of Corporation: _____
Signature: _____ By: _____
Title: _____ Address: _____

Form 3D

ACKNOWLEDGMENT OF CORRECTIONS, ADDITIONS AND DELETIONS
FORM

I, _____ of the firm _____
_____ hereby acknowledge that any corrections,
additions and/or deletions have been initialed and dated in this submission package.

(Signature)

(Type or print name of affiant and title under signature)

(Date)

Form 3E

**ATTACH LETTER ON COMPANY LETTERHEAD SETTING FORTH
QUALIFICATIONS AND PROPOSAL**

Form 3F

DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

Bid/Proposal Number: _____

Bidder/Offeree: _____

PART 1: CERTIFICATION

BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX.

FAILURE TO CHECK ONE OF THE BOXES WILL RENDER THE PROPOSAL NON-RESPONSIVE.

Pursuant to Public Law 2012, c.25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the State of New Jersey, 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 State of New Jersey's website at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Bidders must review this list prior to completing the below certification. Failure to complete the certification will render a bidder's proposal non-responsive. If the Town of Morristown finds a person or entity to be in violation of law, the Town 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 the Treasury's list of entities determined to be

engaged in prohibited activities in Iran pursuant to P.L.2012, c.25 ("Chapter 25 List"). I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and 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 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 the proposal being rendered as non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.

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

You must provide a detailed, accurate and precise description of the activities of the bidding person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below.

PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. FOR ADDITIONAL ENTRIES, PLEASE ATTACH A SEPARATE PIECE OF PAPER.

Name _____
Relationship to Bidder/Offeror _____
Description of Activities _____

Duration of Engagement _____
Anticipated Cessation Date _____
Bidder/Offeror Contact Name _____
Contact Phone Number _____

PLEASE SIGN FOR PART 1 AND/OR PART 2:

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 Town of Morristown 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 Town to notify the Town 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 Town of Morristown and that the Town at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): _____
Signature: _____

Title: _____ Date: _____

FORM 3G

BUSINESS REGISTRATION CERTIFICATE
ATTENTION ALL ENTITIES

On June 29, 2004, Governor McGreevey signed P.L. 2004, c.57, Business Registration of Contractors with Government Agencies into law. Effective September 1, 2004, all business organizations that do business with a local contracting agency (*i.e.*, Town of Morristown) are required to be registered with the State of New Jersey, Department of Treasury, Division of Revenue, and provide proof of that registration to the contracting agency before the contracting agency may enter into a contract with the business.

A “Business Organization” means an individual, partnership, association, joint stock company, trust, corporation or other legal business entity a successor thereof.

P.L. 2009, c.315 (A-557/S2366): Reforms Business Registration Certificate Filing: permits filing prior to award of contracts if not filed with bid. Effective with bids received and contracts awarded after January 18, 2010.

- The law now allows the Business Registration Certificate to be filed anytime prior to award of the contract and the bidder had to have obtained the Business Registration Certificate prior to receipt of bids.

Further information may be obtained by visiting the following web site at the State of New Jersey: www.nj.gov/treasury/revenue/busreqcert.htm

Goods & Services Contracts (including purchase orders):

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 and suppliers to submit proof of business registration to the contractor;
- 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 proof of business registration 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.

C. 271 POLITICAL CONTRIBUTION
Public Agency Instructions

This page provides guidance to public agencies entering into contracts with business entities that are required to file Political Contribution Disclosure forms with the agency. **It is not intended to be provided to contractors.** What follows are instructions on the use of form local units can provide to contractors that are required to disclose political contributions pursuant to N.J.S.A. 19:44A-20.26 (P.L. 2005, c. 271, s.2). Additional information on the process is available in Local Finance Notice 2006-1 (www.nj.gov/dca/lgs/lfns/lfnmenu.shtml).

1. The disclosure is required for all contracts in excess of \$17,500 that are **not awarded** pursuant to a “fair and open” process (N.J.S.A. 19:44A-20.7).
2. Due to the potential length of some contractor submissions, the public agency should consider allowing data to be submitted in electronic form (i.e., spreadsheet, pdf file, etc.). Submissions must be kept with the contract documents or in an appropriate computer file and be available for public access. **The form is worded to accept this alternate submission.** The text should be amended if electronic submission will not be allowed.
3. The submission must be **received from the contractor and** on file at least 10 days prior to award of the contract. Resolutions of award should reflect that the disclosure has been received and is on file.
4. The contractor must disclose contributions made to candidate and party committees covering a wide range of public agencies, including all public agencies that have elected officials in the county of the public agency, state legislative positions, and various state entities. The Division of Local Government Services recommends that contractors be provided a list of the affected agencies. This will assist contractors in determining the campaign and political committees of the officials and candidates affected by the disclosure.
 - a. The Division has prepared model disclosure forms for each county. They can be downloaded from the “County PCD Forms” link on the Pay-to-Play web site at www.nj.gov/dca/lgs/p2p. They will be updated from time-to-time as necessary.
 - b. A public agency using these forms **should edit them to properly reflect the correct legislative district(s)**. As the forms are county-based, **they list all legislative districts** in each county. **Districts that do not represent the public agency should be removed from the lists.**
 - c. Some contractors may find it easier to provide a single list that covers all contributions, regardless of the county. These submissions are appropriate and should be accepted.
 - d. The form may be used “as-is”, subject to edits as described herein.
 - e. The “Contractor Instructions” sheet is intended to be provided with the form. It is recommended that the Instructions and the form be printed on the same piece of paper. The form notes that the Instructions are printed on the back of the form; where that is not the case, the text should be edited accordingly.
 - f. The form is a Word document and can be edited to meet local needs, and posted for download on web sites, used as an e-mail attachment, or provided as a printed document.
5. It is recommended that the contractor also complete a “Stockholder Disclosure Certification.” This will assist the local unit in its obligation to ensure that contractor did not make any prohibited contributions to the committees listed on the Business Entity Disclosure Certification in the 12 months prior to the contract. (See Local Finance Notice 2006-7 for additional information on this obligation) A sample Certification form is part of this package and the instruction to complete it is included in the Contractor Instructions. **NOTE: This section is not applicable to Boards of Education.**

C. 271 Political Contribution Disclosure Form

Contractor Instructions

Business entities (contractors) receiving contracts from a public agency that are NOT awarded pursuant to a “fair and open” process (defined at N.J.S.A. 19:44A-20.7) are subject to the provisions of P.L. 2005, c. 271, s.2 (N.J.S.A. 19:44A-20.26). This law provides that 10 days prior to the award of such a contract, the contractor shall disclose contributions to:

- any State, county, or municipal committee of a political party
- any legislative leadership committee*
- any continuing political committee (a.k.a., political action committee)
- any candidate committee of a candidate for, or holder of, an elective office:
 - of the public entity awarding the contract
 - of that county in which that public entity is located
 - of another public entity within that county
 - or of a legislative district in which that public entity is located or, when the public entity is a county, of any legislative district which includes all or part of the county

The disclosure must list reportable contributions to any of the committees that exceed \$300 per election cycle that were made during the 12 months prior to award of the contract. See N.J.S.A. 19:44A-8 and 19:44A-16 for more details on reportable contributions.

N.J.S.A. 19:44A-20.26 itemizes the parties from whom contributions must be disclosed when a business entity is not a natural person. This includes the following:

- individuals with an “interest” ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit
- all principals, partners, officers, or directors of the business entity or their spouses
- any subsidiaries directly or indirectly controlled by the business entity
- IRS Code Section 527 New Jersey based organizations, directly or indirectly controlled by the business entity and filing as continuing political committees, (PACs).

When the business entity is a natural person, “a contribution by that person’s spouse or child, residing therewith, shall be deemed to be a contribution by the business entity.” [N.J.S.A. 19:44A-20.26(b)] The contributor must be listed on the disclosure.

Any business entity that fails to comply with the disclosure provisions shall be subject to a fine imposed by ELEC in an amount to be determined by the Commission which may be based upon the amount that the business entity failed to report.

The enclosed list of agencies is provided to assist the contractor in identifying those public agencies whose elected official and/or candidate campaign committees are affected by the disclosure requirement. It is the contractor’s responsibility to identify the specific committees to which contributions may have been made and need to be disclosed. The disclosed information may exceed the minimum requirement.

The enclosed form, a content-consistent facsimile, or an electronic data file containing the required details (along with a signed cover sheet) may be used as the contractor’s submission and is disclosable to the public under the Open Public Records Act.

The contractor must also complete the attached Stockholder Disclosure Certification. This will assist the agency in meeting its obligations under the law. **NOTE: This section does not apply to Board of Education contracts.**

* N.J.S.A. 19:44A-3(s): “The term “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 section 16 of P.L.1993, c.65 (C.19:44A-10.1) for the purpose of receiving contributions and making expenditures.”

Required Pursuant To N.J.S.A. 19:44A-20.26

This form or its permitted facsimile must be submitted to the local unit no later than 10 days prior to the award of the contract.

Part I – Vendor Information

Vendor Name:			
Address:			
City:		State:	Zip:

The undersigned being authorized to certify, hereby certifies that the submission provided herein represents compliance with the provisions of N.J.S.A. 19:44A-20.26 and as represented by the Instructions accompanying this form.

Signature

Printed Name

Title

Part II – Contribution Disclosure

Disclosure requirement: Pursuant to N.J.S.A. 19:44A-20.26 this disclosure must include all reportable political contributions (more than \$300 per election cycle) over the 12 months prior to submission to the committees of the government entities listed on the form provided by the local unit.

Check here if disclosure is provided in electronic form.

Contributor Name	Recipient Name	Da	Dollar Amount
			\$

Check here if the information is continued on subsequent page(s)

Continuation Page

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Required Pursuant To N.J.S.A. 19:44A-20.26

Page ___ of _____

Vendor Name:

Contributor Name	Recipient Name	Da	Dollar Amount
			\$

List of Agencies with Elected Officials Required for Political Contribution Disclosure
N.J.S.A. 19:44A-20.26

County Name:

State: Governor, and Legislative Leadership Committees

Legislative District #s:

State Senator and two members of the General Assembly per district.

County:

Freeholders

{County Executive}

County Clerk

Surrogate

Sheriff

Municipalities (Mayor and members of governing body, regardless of title):

Mayor Timothy Dougherty	Councilperson Robert Iannaccone
Councilperson Stefan Armington	Councilperson Sandi Mayer
Councilperson Tawanna Cotten	Councilperson David Silva
Councilperson Toshiba Foster	Councilperson Nathan Umbric

**USERS SHOULD CREATE THEIR OWN FORM, OR
DOWNLOAD FROM WWW.NJ.GOV/DCA/LGS/P2P
A COUNTY-BASED, CUSTOMIZABLE FORM.**

EXHIBIT A
AMERICANS WITH DISABILITIES ACT OF 1990
EQUAL OPPORTUNITY FOR INDIVIDUALS WITH DISABILITY

The Business Entity and the TOWN OF MORRISTOWN (herein referred to as the TOWN) do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (“The Act”) (42 U.S.C.S. 12101 *et seq.*), which prohibits discrimination on the basis of disability by public entities in all services, programs and activities provided or made available by public entities, and the rules and regulations promulgated pursuant thereto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the TOWN pursuant to this contract, the Business Entity agrees that the performance shall be in strict compliance with the Act. In the event the Business Entity, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the Business Entity shall defend the Town in any action or administrative proceeding commenced pursuant to this Act. The Business Entity shall indemnify, protect, and save harmless the TOWN, 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 violations. The Business Entity 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 TOWN’S grievance procedure, the Business Entity agrees to abide by any decision of the TOWN, which is rendered pursuant to, said grievance procedure. If any action or administrative proceeding results in an award of damages against the TOWN or if the TOWN incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the Business Entity shall satisfy and discharge the same at its own expense.

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

It is expressly agreed and understood that any approval by the TOWN of the services provided by the Business Entity pursuant to this contract will not relieve the Business Entity of the obligation to comply with the Act and to defend, indemnify, protect, and save harmless the TOWN or its representatives.

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

EXHIBIT B
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 AND GENERAL SERVICE CONTRACTS

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

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

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

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

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

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or

sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

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

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, 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 (electronically provided by the Division and distributed to the public agency through the Division's website at www.state.nj.us/treasury/contract_compliance)

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

(REVISED 4/10)