CITY OF HOBOKEN, NEW JERSEY
Office of Community Development

Request for Qualifications (RFQ) from Engineers and/or Engineering Firms Interested in Serving as "Engineer – Zoning Board of Adjustments" For the Period January 1, 2022 through December 31, 2022

Proposal Submission Deadline:
Friday, November 19, 2021
12:00 p.m. prevailing time

City of Hoboken
Planning and Zoning Board Office
Second Floor
94 Washington Street
Hoboken, N.J. 07030

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CITY OF HOBOKEN

NOTICE TO VENDORS

NOTICE IS HEREBY GIVEN that sealed proposals will be received by the Planning and Zoning Board Office, for the City of Hoboken, Hudson County, State of New Jersey on Friday, November 19, 2021 at Hoboken City Hall, Planning and Zoning Board Office, Second Floor, 94 Washington Street, NJ 07030 at which time and place proposals will be opened for:

Request for Qualifications (RFQ) from Engineers and/or Engineering Firms Interested in Serving as "Engineer – Zoning Board of Adjustments" For the Period January 1, 2022 through December 31, 2022

The deadline for Request for Information (RFI), clarifications and questions is Wednesday, November 17, 2021 at 3:00 PM prevailing time. Questions, clarifications and RFI must be in writing. Send questions, clarifications and RFI to the Planning and Zoning Board Secretary via email: pcarcone@hobokennj.gov.

The City of Hoboken is requesting qualifications from **Request for Qualifications (RFQ) from Engineers and/or Engineering Firms Interested in Serving as "Engineer – Zoning Board of Adjustments" For the Period January 1, 2022 through December 31, 2022** pursuant to New Jersey statutes in accordance with the specifications or City approved equivalent.

Vendors are required to comply, where applicable, with the requirements of N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27-1 et seq., New Jersey Statutes Title 19 Fair and Open Process, the City of Hoboken Chapter 20A Fair and Open Process, and all other applicable laws.

INSTRUCTIONS TO VENDORS AND STATUTORY REQUIREMENTS

SUBMISSION OF PROPOSALS

1. Sealed proposals shall be received by the contracting unit, hereinafter referred to as "City," in accordance with public advertisement as required by law, with a copy of the notice being attached hereto and made a part of these specifications.

2. Sealed proposals will be received by the designated representative at the time and location as stated in the Notice to Vendors, and at such time and place will be publicly opened. The City reserves the right to postpone the date for presentation and opening of Proposals.

3. The electronic copy of the proposal(s) shall be submitted via email to pcarcone@hobokennj.gov.

4. It is the Vendor's responsibility that proposals are presented to the City at the time and at the place designated. Proposals received after the designated time and date will be returned unopened.

5. Sealed proposals forwarded to the City before the time of opening of proposals may be withdrawn upon written application of the Vendor who shall be required to produce evidence showing that the individual is or represents the principal or principals involved in the proposal. Once proposals have been opened, they shall remain firm for a period of sixty (60) calendar days.

6. The entire proposal section of the proposal package is to be returned completed. All proposals must be made upon the proposal forms attached hereto, and should give the unit price in figures and the total price for the work, as applicable, both in words and in figures, and must be signed and acknowledged by the Vendor, in accordance with the directions in the Proposal. All prices and amounts must be written in ink or preferably machine-printed. Proposals containing any conditions, omissions, unexplained erasures or alterations, items not called for in the proposal form, attachment of additive information not required by the specifications, or irregularities of any kind, may be rejected by the City. Any changes, whiteouts, strikeouts, etc. in the proposal must be initialed in ink by the person signing the proposal.

7. Each proposal form must give the full business address**,** business phone, fax, e-mail if available, the contact person of the Vendor, and be signed by an authorized representative as follows:
   - Proposals by partnerships must furnish the full name of all partners and must be signed in the partnership name by one of the members of the partnership or by an authorized representative, followed by the signature and designation of the person signing.
   - Proposals by corporations must be signed in the legal name of the corporation, followed by the name of the State in which incorporated and must contain the signature and designation of the president, secretary or other person authorized to bind the corporation in the matter.
   - Proposals by sole-proprietorship shall be signed by the proprietor.

- When requested, satisfactory evidence of the authority of the officer signing shall be furnished.

8. Vendor should be aware of the following statutes that represent “Truth in Contracting” laws:
   - N.J.S.A. 2C:21-34, et seq. governs false claims and representations by Vendors. It is a serious crime for the Vendor to knowingly submit a false claim and/or knowingly make material misrepresentation.
   - N.J.S.A. 2C:27-10 provides that a person commits a crime if said person offers a benefit to a public servant for an official act performed or to be performed by a public servant, which is a violation of official duty.
   - N.J.S.A. 2C:27-11 provides that a Vendor commits a crime if said person, directly or indirectly, confers or agrees to confer any benefit not allowed by law to a public servant.
   - Vendor should consult the statutes or legal counsel for further information.

INSURANCE AND INDEMNIFICATION

The Vendor shall be required to have the following insurance coverage. Said coverage shall be applicable to this proposal and be made a part of the proposal documents:

INSURANCE REQUIREMENTS

Worker's Compensation Insurance

Workers Compensation insurance shall be maintained in full force during the life of the contract, covering all employees engaged in performance of the contract pursuant to N.J.S.A. 34:15-12(a) and N.J.A.C. 12:235-1.6.

General Liability Insurance

The Vendor shall furnish evidence to the City prior to the work he/she or any of his/her subcontractors perform and will provide Standard Vendor’s Liability for any operations to be performed by vendor or subcontractors as follows:

General liability insurance shall be provided with limits of not less than $1,000,000 for any occurrence and $1,000,000 aggregate for bodily injury and property damage, coverage shall be maintained in full force during the life of the contract.

Automotive Liability Insurance

Automotive liability insurance covering Vendor for claims arising from owned, hired and non-owned vehicles with limits of not less than $1,000,000 for any one occurrence and $1,000,000 aggregate for bodily injury and property damage, coverage shall be maintained in full force during the life of the contract.

Crime/Fidelity Insurance

Crime/Fidelity insurance of no less than $1,000,000 per loss covering theft, destruction, and disappearance on a blanket basis.

Errors and Omission Liability Insurance

Errors and Omissions Liability insurance of no less than $1,000,000 per occurrence and in aggregate.

CERTIFICATES OF THE REQUIRED INSURANCE

Certificates of Insurance for those policies required shall be with an insurance company authorized to do business in the State of New Jersey and the successful vendor shall name the City as an additional insured prior to contract execution.

Self-insured Vendors shall submit an affidavit attesting to their self-insured coverage at the time of submission and shall name the City as an additional insured prior to contract execution.

INDEMNIFICATION

PROVIDER'S INDEMNITY OBLIGATION. PROVIDER COVENANTS, AGREES TO, AND SHALL DEFEND (WITH COUNSEL REASONABLY ACCEPTABLE TO THE CITY), INDEMNIFY, AND HOLD HARMLESS THE CITY OF HOBOKEN, NEW JERSEY AND THE ELECTED OFFICIALS, THE OFFICERS, EMPLOYEES, REPRESENTATIVES, AND VOLUNTEERS OF THE CITY OF HOBOKEN, NEW JERSEY, INDIVIDUALLY OR COLLECTIVELY, IN BOTH THEIR OFFICIAL AND PRIVATE CAPACITIES (THE CITY OF HOBOKEN, NEW JERSEY, AND THE ELECTED OFFICIALS, THE OFFICERS, EMPLOYEES, REPRESENTATIVES, AND VOLUNTEERS OF THE CITY OF HOBOKEN, NEW JERSEY EACH BEING A "HOBOKEN PERSON" AND COLLECTIVELY THE "HOBOKEN PERSONS"), FROM AND AGAINST ANY AND ALL CLAIMS, LIABILITIES, JUDGMENTS, LAWSUITS, DEMANDS, HARM, LOSSES, DAMAGES, PROCEEDINGS, SUITS, ACTIONS, CAUSES OF ACTION, LIENS, FEES, FINES, PENALTIES, EXPENSES, OR COSTS, OF ANY KIND AND NATURE WHATSOEVER MADE UPON OR INCURRED BY THE CITY OF HOBOKEN, NEW JERSEY AND/OR ANY OTHER HOBOKEN PERSON, WHETHER DIRECTLY OR INDIRECTLY, (THE "CLAIMS"), THAT ARISE OUT OF, RESULT FROM, OR RELATE TO: (I) ANY OF THE WORK AND SERVICES OF THE PROVIDER AS DESCRIBED IN SECTION 1 OF THIS AGREEMENT, (II) ANY REPRESENTATIONS AND/OR WARRANTIES BY PROVIDER UNDER THIS AGREEMENT, AND/OR (III) ANY ACT OR OMISSION UNDER, IN PERFORMANCE OF, OR IN CONNECTION WITH THIS AGREEMENT BY PROVIDER, OR BY ANY OF PROVIDER'S OWNERS, DIRECTORS, OFFICERS, SHAREHOLDERS, MANAGERS, PARTNERS, EMPLOYEES, AGENTS, ENGINEERS, ARCHITECTS, CONSULTANTS, CONTRACTORS, SUBCONTRACTORS, INVITEES, PATRONS, GUESTS, CUSTOMERS, TENANTS, SUBTENANTS, LICENSEE, SUBLICENSEE, CONCESSIONAIRES, OR ANY OTHER PERSON OR ENTITY FOR WHOM PROVIDER IS LEGALLY RESPONSIBLE, AND THEIR RESPECTIVE OWNERS, DIRECTORS, OFFICERS, SHAREHOLDERS, MANAGERS, PARTNERS, EMPLOYEES, AGENTS, ENGINEERS, ARCHITECTS, CONSULTANTS, CONTRACTORS, SUBCONTRACTORS, INVITEES, PATRONS, GUESTS, CUSTOMERS, PROVIDERS, AND CONCESSIONAIRES. SUCH DEFENSE, INDEMNITY AND HOLD HARMLESS SHALL AND DOES INCLUDE CLAIMS ALLEGED OR FOUND TO HAVE BEEN CAUSED IN WHOLE OR IN PART BY THE NEGLIGENCE OR GROSS NEGLIGENCE OF ANY HOBOKEN PERSON, OR CONDUCT BY ANY HOBOKEN PERSON THAT WOULD GIVE RISE TO STRICT LIABILITY OF ANY KIND.

PROVIDER SHALL PROMPTLY ADVISE THE CITY IN WRITING OF ANY CLAIM OR DEMAND AGAINST ANY HOBOKEN PERSON RELATED TO OR ARISING OUT OF PROVIDER'S ACTIVITIES UNDER THIS AGREEMENT AND SHALL SEE TO THE INVESTIGATION AND DEFENSE OF SUCH CLAIM OR DEMAND AT PROVIDER'S SOLE COST AND EXPENSE. THE

HOBOKEN PERSONS SHALL HAVE THE RIGHT, AT THE HOBOKEN PERSONS' OPTION AND OWN EXPENSE, TO PARTICIPATE IN SUCH DEFENSE WITHOUT RELIEVING PROVIDER OF ANY OF ITS OBLIGATIONS HEREUNDER. THE DEFENSE, INDEMNITY, AND HOLD HARMLESS OBLIGATIONS SET FORTH HEREIN SHALL SURVIVE THE EXPIRATION OR TERMINATION OF THIS AGREEMENT.

STATUTORY AND OTHER REQUIREMENTS
The following are mandatory requirements of this proposal and contract.

1. MANDATORY AFFIRMATIVE ACTION CERTIFICATION

   No firm may be issued a contract unless it complies with the affirmative action provisions of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27-1 et seq. The following information summarizes the full, required regulatory text, which is included as Appendix A of this proposal specification.

   - Goods and Services (including professional services) Contracts

     Each Vendor 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:

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

     ii. A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-4; or

     iii. A photocopy of an Employee Information Report (Form AA 302) provided by the Division and distributed to the public agency to be completed by the Vendor in accordance with N.J.A.C. 17:27-4.

   - Maintenance/Construction Contracts

   After notification of award, but prior to signing the contract, the Vendor shall submit to the public agency compliance officer and the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (Division) an initial project workforce report (Form AA201) provided to the public agency by the Division for distribution to and completion by the Vendor, in accordance with N.J.A.C. 17:27-7.

   The Vendor shall also submit a copy of the Monthly Project Workforce Report once a month thereafter for the duration of the contract to the Division and to the public agency compliance officer. The Vendor shall also cooperate with the public agency in the payment of budgeted funds, as is necessary, for on-the job and/or off-the-job programs for outreach and training of minorities and women.

2. AMERICANS WITH DISABILITIES ACT OF 1990

   Discrimination on the basis of disability in contracting for the purchase of goods and services is prohibited. Vendors are required to read Americans with Disabilities language that is included as

Appendix B of this specification and agree that the provisions of Title II of the Act are made a part of the contract. The Vendor is obligated to comply with the Act and to hold the City harmless.

3. STOCKHOLDER DISCLOSURE

N.J.S.A. 52:25-24.2 provides that no corporation or partnership shall be awarded any contract for the performance of any work or the furnishing of any goods and services, unless, prior to the receipt of the proposal or accompanying the proposal of said corporation or partnership, Vendors shall submit a statement setting forth the names and addresses of all stockholders in the corporation or partnership who own ten percent or more of its stock of any class, or of all individual partners in the partnership who own a ten percent or greater interest therein. The included Statement of Ownership (P-2) shall be completed and attached to the proposal. This requirement applies to all forms of corporations and partnerships, including, but not limited to, limited partnerships, limited liability corporations, limited liability partnerships and Subchapter S corporations. Failure to submit a stockholder disclosure document shall result in rejection of the proposal.

4. PROOF OF BUSINESS REGISTRATION

N.J.S.A. 52:32-44 requires that each Vendor (Vendor) submit proof of business registration with the proposal. Proof of registration shall be a copy of the Vendor's Business Registration Certificate (BRC). A BRC is obtained from the New Jersey Division of Revenue. Information on obtaining a BRC is available on the internet at www.nj.gov/njbgs or by phone at (609) 292-1730. N.J.S.A. 52:32-44 imposes the following requirements on Vendors and all subcontractors that **knowingly** provide goods or perform services for a Vendor fulfilling this contract:

- The Vendor shall provide written notice to its subcontractors and suppliers to submit proof of business registration to the Vendor;
- Prior to receipt of final payment from a contracting agency, a Vendor must submit to the contacting agency an accurate list of all subcontractors or attest that none was used;
- During the term of this contract, the Vendor 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 Vendor, 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) 292-1730.

Failure to submit proof of registration with the proposal submittal requires mandatory rejection of a proposal as a non-waivable defect.

5. NEW JERSEY WORKER AND COMMUNITY RIGHT TO KNOW ACT (If applicable)

The manufacturer or supplier of chemical substances or mixtures shall label them in accordance with the N.J. Worker and Community Right to Know Law (N.J.S.A. 34:5A-1 et seq., and N.J.A.C 8:59-2 et seq.,). Containers that the law and rules require to be labeled shall show the Chemical Abstracts Service number of all the components and the chemical name. Further, all applicable Material Safety Data Sheets (MSDS) - hazardous substance fact sheet - must be furnished.

6. PREVAILING WAGE ACT (If applicable))

If applicable, pursuant to N.J.S.A. 34:11-56.25 et seq., vendors on projects for public work shall adhere to all requirements of the New Jersey Prevailing Wage Act. The vendor shall be required to submit a certified payroll record to the City within ten (10) days of the payment of the wages. The vendor is also responsible for obtaining and submitting all subcontractors' certified payroll records within the aforementioned time period. The vendor shall submit said certified payrolls in the form set forth in N.J.A.C. 12:60-6.1(c). It is the vendor's responsibility to obtain any additional copies of the certified payroll form to be submitted by contacting the New Jersey Department of Labor and Workforce Development, Division of Workplace Standards. Additional information is available at www.state.nj.us/labor/lsse/ lspubcon.html.

In the event it is found that any workman, employed by the Vendor or any Subcontractors covered by the contract, has been paid a rate of wages less than the prevailing wage required to be paid by the Vendor, the City may terminate the Vendor's or Subcontractor's right to proceed with the work, or such part of the work, as to which there has been failure to pay required wages and to prosecute the work to completion or otherwise. The Vendor and his sureties shall be liable to the City for any excess costs occasioned thereby.

The Vendor or Subcontractor is required to do the following:

- Pay to all workmen engaging in the performance of services directly upon a public work, the prevailing rate of wages specified in this contract.
- Keep an accurate record showing name, craft, trade and actual hourly rate of wages paid to each workman employed by him in connection with any public work. Records shall be preserved for two years from date of payment.
- Post the prevailing wage rates for each craft and classification involved, as determined by the Commissioner of Labor and Industry, including the effective date of any changes thereof, in prominent and easily accessible places at the site of the work and at such place or places as are used by them to pay workmen their wages; and

- File written statements with the City Treasurer or Director of Finance certifying to the amounts then due and owing to any and all workmen for wages due on the account to the public work. The statements shall set forth the names of the persons whose wages are unpaid and amount due to each. The statements should be verified by the oaths of the vendor or subcontractor, as the case may be.

7. DAVIS BACON ACT (If applicable)

   If this project is being funded with Federal Funds received from the U.S. Department of Housing and Urban Development (HUD) as part of the Community Development Block Grant (CDBG), the vendor shall be subject to the provisions of the Federal Labor Standards (Davis Bacon), which shall be conditions of the contract. Additional information may be obtained at http://www.wdol.gov/.

8. THE PUBLIC WORKS VENDOR REGISTRATION ACT (If applicable)

   If applicable, N.J.S.A. 34:11-56.48 et seq. requires that a general or prime vendor and any listed subcontractors named in the vendor's proposal shall possess a certificate *at the time the proposal*

is submitted. After proposal proposals are received and prior to award of contract, the successful vendor shall submit a copy of the vendor's certification along with those of all listed subcontractors. All non-listed subcontractors and lower tier sub-subcontractors shall be registered prior to starting work on the project. It is the general vendor's responsibility that all non-listed sub-vendors at any tier have their certificate prior to starting work on the job.

Under the law a "vendor" is "a person, partnership, association, joint stock company, trust, corporation or other legal business entity or successor thereof who enters into a contract" which is subject to the provisions of the New Jersey Prevailing Wage Act [N.J.S.A. 34:11-56.25, et seq.] It applies to vendors based in New Jersey or in another state.

The law defines "public works projects" as contracts for "public work" as defined in the Prevailing Wage statute [N.J.S.A. 34:11-56.26(5)]. The term means:

- "Construction, reconstruction, demolition, alteration, or repair work, or maintenance work, including painting and decorating, done under contract and paid for in whole or in part out of the funds of a public body, except work performed under a rehabilitation program.
- "Public work" shall also mean construction, reconstruction, demolition, alteration, or repair work, done on any property or premises, whether or not the work is paid for from public funds…"
- "Maintenance work" means the repair of existing facilities when the size, type or extent of such facilities is not thereby changed or increased. While "maintenance" includes painting and decorating and is covered under the law, it does not include work such as routine landscape maintenance or janitorial services.

To register, a vendor must provide the State Department of Labor with a full and accurately completed application form. The form is available online at www.state.nj.us/labor/lsse/lspubcon.html.

N.J.S.A. 34:11-56.55 specifically prohibits accepting applications for registration as a substitute for a certificate of registration.

9. NON-COLLUSION AFFIDAVIT

The Affidavit (P-3) shall be properly executed and submitted with the proposal.

10. PAY TO PLAY

Business entities are advised of their responsibility to file an annual disclosure statement of political contributions with the New Jersey Election Law Enforcement Commission (ELEC) pursuant to N.J.S.A. 19:44A-20.27 if they receive contracts in excess of $50,000 from public entities in a calendar year.
Business entities are responsible for determining if filing is necessary. Additional information on this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us.

11. NUCLEAR-FREE HOBOKEN ORDINANCE

The Form shall be read and properly executed, and submitted as part of the proposal.

12. IRANIAN INVESTMENT ACTIVITY FORM

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 to attest, under penalty of perjury, that the person or entity, or one of the person or entity's parents, subsidiaries, or affiliates, is not identified on a list created and maintained by the Department of the Treasury as a person or entity engaging in investment activities in Iran. If the Director finds a person or entity to be in violation of the principles which are the subject of this law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party, in default and seeking debarment or suspension of the person or entity.

CAUSES FOR REJECTING PROPOSALS

Proposals may be rejected for any of the following reasons:

1. All proposals pursuant to N.J.S.A. 40A:11-13.2;

2. If more than one (1) proposal is received from an individual, firm or partnership, corporation or association under the same name;

3. Multiple proposals from an agent representing competing Vendors;

4. The proposal is inappropriately unbalanced;

5. The Vendor is determined to possess, pursuant to N.J.S.A. 40A:11-4b, Prior Negative Experience; or,

APPENDIX A
N.J.S.A. 10:5-31 and N.J.A.C. 17:27
MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
(Mandatory Affirmative Action Language)

FOR GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS:

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

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

The Vendor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the Vendor, 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 or sex.

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

The Vendor 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 Vendor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2 or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

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

The Vendor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the

statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the applicable employment goals, the Vendor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation 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 Vendor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval
Certificate of Employee Information Report
Employee Information Report Form AA302

The Vendor and its subcontractors shall furnish such reports or other documents to the Division of Contract Compliance and EEO as may be requested by the Division 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 Contract Compliance & EEO for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

FOR CONSTRUCTION CONTRACTS:

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

The Vendor or Subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation. The Vendor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Vendor 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 Vendor or Subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the Vendor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation.

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

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

When hiring workers in each construction trade, the vendor or subcontractor agrees to attempt in good faith to employ minority and female workers in each construction trade consistent with the applicable employment goal prescribed by N.J.A.C. 17:27-7.3; provided, however, that the Affirmative Action Office may, in its discretion, exempt a vendor or subcontractor from compliance with the good faith procedures prescribed by the following provisions A, B, and C, as long as the Affirmative Action Office is satisfied that the vendor is employing workers provided by a union which provides evidence, in accordance with the standards prescribed by the Affirmative Action Office, that its percentage of active "card carrying" members who are a minority and female workers is equal to or greater than the applicable employment goal prescribed by N.J.A.C. 17:27-7.3, promulgated by the Treasurer pursuant to P.L. 1975, c 127, as amended and supplemented from time to time. The vendor or subcontractor agrees that a good faith effort shall include compliance with the following procedures:

A) If the vendor or subcontractor has a referral agreement or arrangement with a union for a construction trade, the vendor or subcontractor shall within three (3) days of the contract award, seek assurances from the union that it will cooperate with the vendor or subcontractor as it fulfills its affirmative action obligations under this contract and in accordance with the rules promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as supplemented and amended from time to time. If the vendor or subcontractor is unable to obtain said assurances from the construction trade union at least five (5) days prior to the commencement of construction work, the vendor or subcontractor agrees directly to attempt to hire minority and female workers consistent with the applicable employment goal. If the vendors or subcontractors prior experience with the construction trade union, regardless of whether the union has provided said assurances, indicates a significant possibility that the trade union will not refer sufficient minority and female workers consistent with the applicable employment goal, the vendor or subcontractor agrees to prepare to hire minority and female workers directly, consistent with the applicable employment goal, by complying with the hiring procedures prescribed under (B) below; and the vendor or subcontractor further agrees to immediately take said action if it determines or is so notified by the Affirmative Action Office that the union is not referring minority or female workers consistent with the applicable employment goal.

B) If the hiring of workforce consistent with the employment goal has not or cannot be achieved for each construction trade by adhering to the procedures of (A) above, or if the vendor does not have referral agreement or arrangement with a union for a construction trade, the vendor or subcontractor agrees to take the following action consistent with the applicable county employment goals:

1. To notify the Public Agency Compliance Officer, Affirmative Action Office, and at least one approved minority referral organization of its manpower needs and request referral of minority and female workers;
2. To notify any minority and female workers who have been listed with it as awaiting available vacancies.
3. Prior to commencement of work, to request the local construction trade union, if the vendor or subcontractor has a referral agreement or arrangement with a union for the construction trade, to refer minority and female workers to fill job openings;
4. To leave standing request for additional referral to minority and female workers with the local construction trade union, if the vendor or subcontractor has a referral agreement or

arrangement with a union for the construction trade, the State training and employment service and other approved referral sources in the area until such time as the workforce is consistent with the employment goal;

5. If it is necessary to lay off some of the workers in a given trade on the construction site, to assure, consistent with the applicable State and Federal statutes and court decisions, that sufficient minority and female employees remain on the site consistent with the employment goal; and to employ any minority and female workers so laid off by the vendor or any other construction site in the area on which its workforce composition is not consistent with an employment goal established pursuant to rules implementing P.L. 1975. C. 127;

To adhere to the following procedure when minority and female workers apply or are referred to the vendor or subcontractor:

i) If said individuals have never previously received any document or certifications signifying a level of qualification lower than required, the vendor or subcontractor shall determine the qualifications of such individuals and if the vendors or subcontractors workforce in each construction trade is not consistent with the applicable employment goal, it shall employ such persons which satisfy appropriate qualification standards; provided however, that a vendor or subcontractor shall determine that the individual at least possesses the skills and experience recognized by any worker skills and experience classification determination which may have been made by a Public Agency Compliance Officer, union, apprentice program or a referral agency, provided the referral agency, is acceptable to the Affirmative Action Office and provided further, that, if necessary, the vendor or subcontractor shall hire minority and female workers who qualify as trainees pursuant to these rules. All of the requirements of this paragraph, however, are limited by the provisions of (C) below.

ii) If the vendors or subcontractors workforce is consistent with the applicable employment goal, the name of said female or minority group individual shall be maintained on a waiting list for the first considerations in the event the vendors or subcontractors workforce is no longer consistent with the applicable employment goal.

iii) If, for any reason, said vendor or subcontractor determines that a minority individual or a female is not qualified or if the individual qualifies as an advance trainee or apprentice, the vendor or subcontractor shall inform the individual in writing with the reasons for the determination, maintain a copy in its files, and send a copy of the Public Agency Compliance Officer and to the Affirmative Action Office.

6. To keep a complete and accurate record of all requests made for the referral of workers in any trade covered by the contract, on forms made available by the Affirmative Action Office and shall be submitted promptly to that office upon request.

C) The vendor or subcontractor agrees that nothing contained in (B) preceding provision shall preclude the vendor or subcontractor from complying with the hiring hall or apprenticeship provision in any applicable collective bargaining agreement or hiring hall arrangement, and, where, required by custom or agreement, it shall send journeymen and trainees to the union for referral, or to the apprenticeship program for admission, pursuant to such agreement or arrangement: provided, however, that where the practices of a union or apprenticeship program will result in the exclusion of minorities and females or the failure to refer minorities and females consistent with the county employment goal, the vendor or subcontractor shall consider for employment persons referred pursuant to said provisions (B) without regard to such agreement or arrangement; provided further, however, that the vendor or subcontractor shall not be required to employ female and minority advanced trainees and trainees in numbers which results in the employment of advanced trainees and trainees as a percentage of the total workforce for the

construction trade, which percentage significantly exceeds the apprentice to journey worker ratio specified in the applicable collective bargaining agreement, or on the absence of a collective bargaining agreement, exceeds the ratio established by practice in the area for said construction trade. Also, the vendor or subcontractor agrees that, in implementing the procedures of the proceeding provisions (B) it shall, where applicable, employ minority and female workers residing within the geographical jurisdiction of the union.

D) The vendor agrees to complete an Initial Project Manning Report on forms provided by the Affirmative Action Office or in the form prescribed by the Affirmative Action Office and submit a copy of said form no later than three days after signing a construction contract; provided, however, that the public agency may extend in a particular case the allowable time for submitting the form to no more than fourteen days; and to submit a copy of the monthly Project Manning Report once a month (by the seventh work day of each month) thereafter for the duration of this contract to the Affirmative Action Office and to the Public Agency Compliance Officer. The vendor agrees to cooperate with the public agency in the payment of budgeted funds, as is necessary, for on-the-job programs for outreach and training of minority and female trainees employed on construction projects.

E) The vendor and its subcontractors shall furnish such reports or other documents to the Affirmative Action Office as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the affirmative action office for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code (NJAC 17:27).

APPENDIX B
AMERICANS WITH DISABILITIES ACT OF 1990
Equal Opportunity for Individuals with Disability

The Vendor and the City of Hoboken, (hereafter “City”) do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") *(42 U.S.C. S121 01* et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant there unto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the City pursuant to this contract, the Vendor agrees that the performance shall be in strict compliance with the Act. In the event that the Vendor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the Vendor shall defend the City in any action or administrative proceeding commenced pursuant to this Act. The Vendor shall indemnify, protect, and save harmless the City, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The Vendor 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 City’s grievance procedure, the Vendor agrees to abide by any decision of the City which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the City, or if the City incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the Vendor shall satisfy and discharge the same at its own expense.

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

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

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

SCOPE OF WORK & QUALIFICATION DOCUMENTS
City of Hoboken Request for Qualifications From Engineers and/or Engineering Firms Interested in Serving as "Engineer – Zoning Board of Adjustments" to the City of Hoboken For the Period January 1, 2022 through December 31, 2022

INTRODUCTION

The City of Hoboken ("City") is a municipality governed according to the Optional Municipal Charter Law, N.J.S.A. 40:69A-1 to -210. Pursuant to Ordinance #DR-154, the City seeks Requests for Qualifications ("RFQ") from engineers and/or engineering firms that wish to provide engineering services to the Zoning Board of Adjustments of the City. The successful firm must have significant experience in providing engineering services to New Jersey municipalities, planning or zoning boards, and/or other New Jersey public entities.

Preference shall be given to candidates who are or firms that employ at least one Certified Municipal Engineer ("CME"). All candidates to serve in this capacity must be a Professional Engineer ("PE") licensed in the State of New Jersey.

The successful candidate or firm will provide the City with engineering services relating to zoning board application review and other projects generally handled by zoning boards.

The Hoboken Zoning Board meetings are generally held on the third Tuesday of each month at 7:00 p.m. Additionally, there is an advisory committee review meeting held with the board professionals and applicants once a month. Please be advised that the Zoning Board does schedule a special meeting date each month in case there is a need to continue review of applications.

PROFESSIONAL INFORMATION AND QUALIFICATIONS

The following information shall be provided as part of the response to this RFQ:

1. Name of Candidate or Firm;

2. Address of principal place of business and all other offices and corresponding telephone and fax numbers. If applicant is a firm, please note specifically which engineers will be assigned to work with the City;

3. Description of candidate or firm's engineers' education, experience, qualifications, number of years with the firm and a description of their experience with projects similar to those described above;

4. Experience related to providing engineering services to public entities, specifically planning or zoning boards;

5. At least four (4) references, three (3) of which must have knowledge of your service to public entities;

6. Examples of your record of success (or significant achievements) servicing public entities;

7. The firm's ability to provide the services in a timely fashion (including staffing, familiarity and location of key staff, where applicable);

8. Cost details, including the following:
- Service fees and/or hourly rates of each individual who will perform the services for the zoning board
- Time estimates for each service to be performed for each individual and all related expenses [NOTE: Travel time and mileage are not eligible expenses and will not be paid]
- Total annual non-escrow "not to exceed" amount for engineering services related to zoning board application review, zoning board procedures and other projects generally handled by zoning boards that cannot be billed to an escrow account [NOTE: Travel time and mileage are not eligible expenses and will not be paid]

9. Evidence of compliance with New Jersey affirmative action requirements (e.g. Certificate of Employee Information Report);

10. A copy of your New Jersey Business Registration Certificate;

11. A copy of any of any required professional federal and/or state licenses to perform the required activities; and,

12. Any other information that the interested firm deems relevant.

SELECTION CRITERIA

The selection criteria used in awarding a contract or agreement for professional services as described herein shall include:

1. Qualifications of the individuals who will perform the tasks and the amounts of their respective participation;

2. Experience and references;

3. Ability to perform the task in a timely fashion, including staffing and familiarity with the subject matter;

4. Cost competitiveness, including rates and not-to-exceed amount; and,

5. All applicants must be able to certify compliance with the City of Hoboken's "Public Contracting Reform Ordinance," #DR-297 (Section 20A-11 et seq. of the Code of the City of Hoboken).

PROPOSAL REQUIREMENTS

- Provide all required and requested documentation and forms as indicated in this RFQ.
- If requested by the City, give an oral demonstration/presentation at City Hall of their services and equipment prior to award. Vendor will not be compensated for making the presentation.

ORGANIZATION REQUESTING PROPOSAL

City of Hoboken
94 Washington Street
Hoboken, New Jersey 07030

CONTACT PERSON

Patricia Carcone
Planning and Zoning Board Secretary
Hoboken City Hall
94 Washington Street
Hoboken, NJ 07030
pcarcone@hobokennj.gov

EXAMINATION OF PROPOSAL DOCUMENTS

By submitting a proposal, the Vendor represents that they have thoroughly examined and become familiar with the work required under this RFQ and that they are capable of performing quality work to achieve the City's objectives.

PROPOSAL EVALUATION

The City will select the most advantageous proposal based on a point system evaluation of all of the factors as set forth in this RFQ (see evaluation criteria form). However, cost is important to the City. The City will make the award that is in the best interest of the City based on cost, timeliness of completion, and other considerations.

Each proposal must satisfy the objectives and requirements detailed in this RFQ. The features of the proposal, considered together with its economic and other benefits, will form the basis for the evaluation process as shown on the evaluation form.

The City reserves the right to:

- Not select any of the proposals.
- Select only portions of a particular Vendor proposal for further consideration and negotiation (however, Vendor may specify portions of the proposal that they consider "bundled").
- Request the Vendor(s) to demonstrate by oral, in-person presentation any services described in their proposal prior to award. Vendor will not be compensated for making the presentation.

SUBMISSION REQUIREMENTS

Please submit one (1) electronic copy via email to pcarcone@hobokennj.govdrive of the submission package.

On the subject line of the email, it must state:

City of Hoboken RFQ ZBA Engineer 2022 Vendor Name

EVALUATION CRITERIA

City of Hoboken Request for Qualifications From Engineering Firms Interested in Serving as "Engineer – Zoning Board of Adjustments" to the City of Hoboken for the Period January 1, 2022 through December 31, 2022

The following is the criteria for evaluation of the qualification statement. Points shall be awarded based on the information contained in the qualification statement for each category as listed below on a scale of 1-5, 1-10, or 1-15 respectively, with a high score of 5/5, 10/10 or 15/15 meeting all required criteria and a score of 1/5, 1/10 or 1/15 as not meeting the required criteria.

The highest total score shall be the basis for a firm being qualified.

EVALUATION CRITERIA	**POSSIBLE POINTS**	**ACTUAL SCORE**
TECHNICAL CRITERIA		
Vendor's qualification statement demonstrates a clear understanding of the scope of work and related objectives;	**10**	
Vendor's qualification statement is complete and responsive to the technical/RFQ requirements;	**10**	
Vendor's history and past performance of like projects;	**15**	
MANAGEMENT CRITERIA		
Management plan, organizational chart and quality assurance/quality control "QA/QC" plan;	**10**	
Resumes of assigned personnel (principle-in-charge, project manager, professionals, technicians and staff);	**15**	
Qualification (education, experience and credentials—licenses and certifications) of assigned personnel (principle-in-charge, project manager, professionals, technicians and staff);	**15**	
Favorable recommendations of references from similar projects;	**10**	
Proof (copies) of related licenses and certifications;	**5**	
COST PROPOSAL		
Competitiveness of hourly rates of firm staff.	**10**	
POINT TOTALS	**100**	

CITY OF HOBOKEN
PROPOSAL DOCUMENT CHECKLIST

City of Hoboken Request for Qualifications From Engineering Firms Interested in Serving as "Engineer – Zoning Board of Adjustments" to the City of Hoboken for the Period January 1, 2022 through December 31, 2022

REQUIRED	SUBMISSION REQUIREMENT	READ AND/OR SUBMITTED
X	One (1) electronic copy via email to pcarcone@hobokennj.gov of submission	
X	Proposal & Qualification Documents	
X	Stockholder Disclosure Certificate	
X	Non-Collusion Affidavit	
X	New Jersey Business Registration Certificate	
X	Mandatory Affirmative Action Language	
X	Americans With Disabilities Act of 1990 Language	
X	Proof of Insurance	
X	Exceptions to Specifications	
X	IRANIAN INVESTMENT ACTIVITY FORM	
X	Nuclear-Free Hoboken Ordinance	
X	Hoboken Pay to Play Form	

***This form need not be submitted. It is provided for bidder's use in assuring compliance with all required documentation.**

AFFIRMATIVE ACTION COMPLIANCE NOTICE
N.J.S.A. 10:5-31 and N.J.A.C. 17:27

GOODS AND SERVICES CONTRACTS
(INCLUDING PROFESSIONAL SERVICES)

This form is a summary of the successful Vendor's requirement to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et seq.

The successful Vendor shall submit to the public agency, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

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

OR

(b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-4;

OR

(c) A photocopy of an Employee Information Report (Form AA302) provided by the Division and distributed to the public agency to be completed by the vendor in accordance with N.J.A.C. 17:27-4.

The successful vendor may obtain the Affirmative Action Employee Information Report (AA302) from the contracting unit during normal business hours.

The successful vendor(s) must submit the copies of the AA302 Report to the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (Division). The Public Agency copy is submitted to the public agency, and the vendor copy is retained by the vendor.

The undersigned vendor certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27.1 et seq. and agrees to furnish the required forms of evidence.

The undersigned vendor further understands that his/her proposal shall be rejected as non-responsive if said vendor fails to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et seq.

COMPANY: _____ SIGNATURE: _____

PRINT NAME: _____ TITLE: _____

DATE: _____

STATEMENT OF OWNERSHIP (OWNERSHIP DISCLOSURE CERTIFICATION)

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

This Statement Shall Be Included with All Bid and Proposal Submissions

Name of Business: _____

Address of Business: _____

Name of person completing this form: _____

N.J.S.A. 52:25-24.2:

"No corporation, partnership, or limited liability company shall be awarded any contract nor shall any agreement be entered into for the performance of any work or the furnishing of any materials or supplies, unless prior to the receipt of the bid or proposal, or accompanying the bid or proposal of said corporation, said partnership, or said limited liability company there is submitted a statement setting forth the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be.

If one or more such stockholder or partner or member is itself a corporation or partnership or limited liability company, the stockholders holding 10 percent or more of that corporation s stock, or the individual partners owning 10 percent or greater interest in that partnership, or the members owning 10 percent or greater interest in that limited liability company, as the case may be, shall also be listed. The disclosure shall be continued until names and addresses of every noncorporate stockholder, and individual partner, and member, exceeding the 10 percent ownership criteria established in this act, has been listed.

To comply with this section, a bidder with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 percent or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest."

The Attorney General has advised that the provisions of N.J.S.A. 52:25-24.2, which refer to corporations and partnerships apply to limited partnerships, limited liability partnerships, and Subchapter S corporations.

This Ownership Disclosure Certification form shall be completed, signed and notarized.

Failure of the bidder/proposer to submit the required information is cause for automatic rejection of the bid or proposal

Part I

Check the box that represents the type of business organization:

☐ Sole Proprietorship (skip Parts II and III, sign and notarize at the end)

☐ Non-Profit Corporation (skip Parts II and III, sign and notarize at the end)

☐ Partnership ☐ Limited Partnership ☐ Limited Liability Partnership

☐ Limited Liability Company

☐ For-profit Corporation (including Subchapters C and S or Professional Corporation)

☐ Other (be specific): _____

Part II

☐ I certify that the list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be.

OR

☐ I certify that no one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or that no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be.

Sign and notarize the form below, and, if necessary, complete the list below.
(Please attach additional sheets if more space is needed):

Name:_____ Name:_____

Address:_____ Address:_____

_____ _____

Name:_____ Name:_____

Address:_____ Address:_____

_____ _____

Name:_____ Name:_____

Address:_____ Address:_____

_____ _____

Part III - Any Direct or Indirect Parent Entity Which is Publicly Traded:

"To comply with this section, a bidder with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 percent or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest. "

☐ Pages attached with name and address of each publicly traded entity as well as the name and address of each person that holds a 10 percent or greater beneficial interest.

OR

☐ Submit here the links to the Websites (URLs) containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent.

_____

_____

AND

☐ Submit here the relevant page numbers of the filings containing the information on each person holding a 10 percent or greater beneficial interest.

_____

_____

_____ _____

(Print Name and Title) (Signature of Affiant)

Subscribed and sworn before me this _____ day of_____, 20____ .

_____

Notary Public (Seal)

My commission expires _____, 20_____

AMERICANS WITH DISABILITIES ACT OF 1990
ACKNOWLEDGEMENT FORM

This form is an agreement of the successful Vendor's obligations to comply with the requirements of 42 U.S.C. §121.01 et seq., referred to as the Americans Disability Act of 1990.

The undersigned Vendor hereby acknowledges receipt of the Americans With Disabilities Act of 1990 found at Appendix B of this packet.

The undersigned Vendor hereby certifies that he/she is aware of the commitment to comply with the requirements of 42 U.S.C. §121.01 et seq. and agrees to furnish any required forms as evidence of compliance.

The undersigned Vendor further certifies that he/she understands that his/her proposal shall be rejected as non-responsive, and any contract entered into shall be void and of no effect if said Vendor fails to comply with the requirements of 42 U.S.C. §121.01 et seq.

COMPANY: _____ SIGNATURE: _____

PRINT NAME: _____ TITLE: _____

DATE: _____

THE NUCLEAR-FREE HOBOKEN ORDINANCE

(1) FINDINGS: The People of the City of Hoboken hereby find that:

(a) Nuclear weapons production, in the United States and in other countries, is draining the world's resources and presenting humanity with an ever-increasing threat of nuclear war.

(b) Any participation in the nuclear war industry, locally, federally, or otherwise, directly condones the possible annihilation of our civilization. We see this as a crime against the sacredness of our humanity.

(c) The emphatic expression of our community, along with communities throughout the world, can help initiate steps by the United States, the Soviet Union, and other nuclear weapons powers to end the arms race and the proliferation of all nuclear weapon systems.

(2) POLICY: Hoboken shall be established as a Nuclear Free Zone.

A Nuclear Free Zone shall be defined by these requirements:

(a) No nuclear weapons, delivery systems for such weapons, or components expressly intended to contribute to the operation, guidance or delivery of a nuclear weapon shall be produced or stored within the City of its' port.

(b) No waste from the production of nuclear weapons, their components, or commercial nuclear power shall be stored within the City of its' port.

(c) No research furthering nuclear weapons, their components, or commercial nuclear power shall be stored within the City of its' port.

(d) The Mayor and Council of the City of Hoboken shall request the United States Department of Transportation and the New Jersey Department of Transportation to provide the City with advance notification of any radioactive waste shipment through the City limits. Upon such notification, the Mayor and Council shall act to prevent transportation of radioactive waste through the City by seeking an exemption for preemption by Department of Transportation regulations or using other legal means at their disposal.

(e) The Mayor and Council of the City of Hoboken shall not do business or award any municipal contract to any person, firm, or organization engaged in the production of nuclear weapons or components.

(3) This ordinance expresses the policy of the City of Hoboken. It is not intended to make violations subject to forfeiture and nothing in this ordinance shall be construed to prohibit or regulate any activity not specifically described in Subsection (2).

(4) SEVERABILITY: If any portion of this Ordinance is hereafter declared invalid, all remaining portions shall remain in full force and effect, and to this extent, the provisions of this Ordinance are severable.

****

CERTIFICATION: I hereby certify that _____ does not engage in the production of nuclear weapons or components. (Name of Vendor)

_____ _____

Date Signature

_____

Title

NON-COLLUSION AFFIDAVIT

State of _____

County of _____

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 Vendor making this Proposal for the proposal entitled _____, and that I executed the said proposal

(title of proposal proposal)

with full authority to do so that said Vendor has not, directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive proposing in connection with the above name project; and that all statements contained in the said proposal and in this affidavit are true and correct, and made with full knowledge that the **City of Hoboken** relies upon the truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract for the said project.

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

(name of Vendor)

Subscribed and sworn to
before me this day _____ 20___

_____

(Type or print name of affiant under signature)

_____

Notary Public of _____

My Commission expires _____ 20_____

DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

City of Hoboken

PART 1: CERTIFICATION

BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX.

FAILURE TO CHECK EITHER BOX 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 Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran. The Chapter 25 list is found on the Division'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 Director finds a person or entity to be in violation of law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party.

PLEASE CHECK EITHER BOX:

☐ **I certify, pursuant to Public Law 2012, c. 25, that neither the person/entity listed above nor any of the entity'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**

OR

☐ **I am unable to certify as above because I or the bidding entity 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.

PROVIDE INFORMATION RELATIVE TO THE ABOVE QUESTIONS. PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, USE ADDITIONAL PAGES

Name:_____ Relationship to Bidder/Vendor:_____

Description of Activities:

_____

_____

Duration of Engagement:_____Anticipated Cessation Date_____

Bidder/Vendor_____

Contact Name:_____Contact Phone Number:_____

Certification: I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the below-referenced person or entity. I acknowledge that the City of Hoboken 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 contracts with the City to notify the City 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 agreements(s) with the City of Hoboken and that the City at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): _____Signature:_____

Title: _____Date:_____

Bidder/Vendor: _____

PROFESSIONAL SERVICES CONTRACTS

The Hoboken Municipal Code §20A entitled "Professional Services Contracts" sets forth the regulations on political contributions for entities (as defined in §20A-12(C)) receiving professional services contracts and contracts for extraordinary unspecifiable services as defined in §20A-12(A).

In sum, in order to enter into a contract with the City of Hoboken for professional services or extraordinary unspecifiable services, the vendor or entity must certify that they have not made any political contributions in excess of the limits set forth in the ordinance in the calendar year before the contract was awarded. Additionally, the vendor or entity cannot make any contributions in excess of the thresholds per calendar year from the time of the first communication between that entity or vendor and the City regarding a specific agreement until either termination of negotiations, rejection of any proposal, or the termination of the contract or agreement.

Pursuant to §20A-12, entities receiving contracts as defined in §20A-12 must certify that they have not made any reportable contributions, or contributions in excess of the monetary thresholds as defined in §20A-12(D), in the calendar year preceding the award of the contract and that they will continue to abide by the regulations set forth in §20A during the term of the contract. "Calendar Year" is the period of each year beginning January 1st and ending December 31st. Contributions will be considered to have occurred on the date of transfer of the contribution/check from the donor to the recipient.

Pursuant to §20A-14, prior to the award of any contract or agreement to procure professional services or extraordinary unspecifiable services from any entity, the City of Hoboken must receive a written certification from the intended recipient of the contract, made under penalty of perjury, that the entity has not made any contributions in violation of Chapter 20A.

Therefore, prior to completing the attached certification, the entity shall review Hoboken City Code Chapter 20A (relevant portions of which are reproduced below). Any questions or concerns should be addressed to the office of the Corporation Counsel for the City of Hoboken prior to the certification being completed. Entities should be aware that they are under a continuing duty to abide by the provisions of Chapter 20A.

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 vendor's submission and is disclosable to the public under the Open Public Records Act.

The vendor must also complete the attached Stockholder Disclosure Certification.

Please be sure to complete the attached forms fully. If you do not fully complete these forms, the award and execution of your contract will be delayed.

CITY OF HOBOKEN DISCLOSURE LIST

Entity	Threshold Amount	Time Frame
Candidate of elective municipal office in Hoboken	$300.00	Per each calendar year, starting the year preceding the contract award through termination of the contract agreement
Candidate Committee of candidate to elective municipal office in Hoboken	$300.00	Per each calendar year, starting the year preceding the contract award through termination of the contract agreement
Joint Candidate Committee of candidates any of whom are running for elective municipal office in Hoboken	$500.00	Per each calendar year, starting the year preceding the contract award through termination of the contract agreement
Any individual who currently holds an elective municipal office in Hoboken	$300.00	Per each calendar year, starting the year preceding the contract award through termination of the contract agreement
Any Hudson County political Party committee	$500.00	Per each calendar year, starting the year preceding the contract award through termination of the contract agreement
Any continuing political committee or political action committee that financially supports Hoboken or Hudson County candidates	$500.00	Per each calendar year, starting the year preceding the contract award through termination of the contract agreement
Combined Total of All Contributions Regulated (above)	$2,500.00	Per each calendar year, starting the year preceding the contract award through termination of the contract agreement

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.

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 Hoboken City Code §20A and as represented by the instructions accompanying this form, if applicable.

Signature: _____ Printed Name: _____ Title:_____

Contribution Disclosure

Instructions: Below, please list any contributions in excess of the threshold amounts in the calendar year prior to the year the contract was awarded and the calendar year of the contract award:

☐ Check here if disclosure is provided in electronic form.

Entity	Contributor Name	Recipient Name	Date	Dollar Amount
Candidate of elective municipal office in Hoboken				
Candidate Committee of candidate to elective municipal office in Hoboken				

Joint Candidate Committee of candidates any of whom are running for elective municipal office in Hoboken				
Individual who currently holds an elective municipal office in Hoboken				
Hudson County political Party committee				
Continuing political committee or political action committee that financially supports Hoboken or Hudson County candidates				

STOCKHOLDER/INTEREST HOLDER DISCLOSURE CERTIFICATION

Name of Business: _____

*****Check one of the two listed boxes below***:**

☐ I certify that the list below contains the names and home addresses of all stockholders and/or interest holders which hold 10% or more of the issued and outstanding stock of the undersigned

OR

☐ I certify that no one stockholder and/or interest holder owns 10% or more of the issued and outstanding stock and/or interests of the undersigned

*****Check the box that represents the type of business organization***:**

☐ Partnership ☐ Corporation ☐ Sole Proprietorship

☐ Subchapter S Corporation ☐ Limited Liability Corporation ☐ Limited Liability Partnership

☐ Limited Partnership

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

Stockholders / Interest Holders:

Name: Home Address:	Name: Home Address:
Name: Home Address:	Name: Home Address:
Name: Home Address:	Name: Home Address:

Subscribed and sworn before me on this ____ day of _____, 20___.

_____
(Affiant)

(Notary Public)

My commission expires

_____
(Print name & title of affiant)

HOBOKEN CITY CODE §20A

(Relevant Portions Reproduced Below- Full Text Available at:
https://www.ecode360.com/15244897)

§20A-11
Preamble.

Large political contributions from those seeking or performing contracts with a municipality raise reasonable concerns on the part of taxpayers and residents as to their trust in government and its business practices.

Pursuant to N.J.S.A. 40:48-2, a municipality is authorized to adopt such ordinances, regulations, rules and bylaws as necessary and proper for good government, as well as the public health, safety and welfare.

Pursuant to P.L. 2005, c. 271 (codified at N.J.S.A. 40A:11-51), a municipality is authorized to adopt by ordinance measures limiting the awarding of public contracts to business entities that have made political contributions, and limiting the contributions that the recipient of such a contract can make during the term of a contract.

In the interest of good government, the people and the government of the City of Hoboken desire to establish a policy that will avoid the perception of improper influence in public contracting and local elections.

It shall be the policy of the City of Hoboken to create such a regulation which states that a business entity which makes political contributions to municipal candidates and municipal and county political parties in excess of certain thresholds shall be limited in its ability to receive public contracts from the City of Hoboken.

§ 20A-11.1
Definitions.

Whenever a term used in this section is not herein defined, the definition found in the New Jersey Campaign Contributions and Expenditures Report Act, N.J.S.A. 19:44A-1 et seq., or the definitions found in the regulations promulgated thereunder, known as "Regulations of the New Jersey Election Law Enforcement Commission," N.J.A.C. 19:25-1.1 et seq., shall govern for purposes of this chapter.

§ 20A-12
Prohibition on awarding public contracts to certain contributors.

A. To the extent that it is not inconsistent with state or federal law, the City of Hoboken and any of its departments, instrumentalities or any independent authority created thereby shall not enter into any agreement or otherwise contract to procure "professional services" as such term is defined at N.J.S.A. 40A:11-2(6) and used at N.J.S.A. 40A:11-5(1)(a)(i) and/or banking, insurance brokerage or other consulting service (hereinafter "professional services"), nor "extraordinary unspecifiable services" as such term is defined at N.J.S.A. 40A:11-2(7) and used at N.J.S.A.

40A:11-59(1)(a)(ii) and/or media, public relations, lobbying, parking garage management or other consulting and/or management service (hereinafter "extraordinary unspecifiable services") from any entity, including nonemergency contracts awarded by N.J.S.A. 40A:11 et seq., or the fair and open process pursuant to N.J.S.A. 19:44A-20 et seq.), if such entity has solicited for or made any "contribution" reportable by the recipient under the New Jersey Campaign Contributions and Expenditures Reporting Act, P.L. 1973, c. 83 (N.J.S.A. 19:44A-1 et seq.), which definition includes loans and transfers of money or other thing(s) of value, all pledges or other commitments or assumptions of liability to make any such transfers (hereinafter "contribution"), to a candidate, candidate committee or joint candidates committee of any candidate for elective municipal office in Hoboken or any person serving in an elective municipal office in Hoboken or to any Hoboken or Hudson County political committee or political party committee or to any continuing political committee or political action committee that engaged in the support of Hoboken municipal or Hudson County elections and/or Hoboken municipal or Hudson County candidates, candidate committees, joint candidate committees, political committees, political parties, political party committees, (hereinafter "PAC"), in excess of the thresholds specified in Subsection D within one calendar year immediately preceding the date of the contract or agreement. Contributions will be considered to have occurred on the date of deposit, execution or transfer of rights.

B. No entity or vendor who submits a proposal for, enters into negotiations for or enters into any contract or agreement (including nonemergency contracts awarded by N.J.S.A. 40A:11-1 et seq., or the fair and open process pursuant to N.J.S.A. 19:44A-20 et seq.) with the City of Hoboken or any of its departments, instrumentalities or independent authorities created thereby for the rendition of professional services or extraordinary unspecifiable services shall knowingly solicit or make any contribution to a candidate, candidate committee or joint candidates committee of any candidate for elective municipal office in Hoboken or any person serving in an elective municipal office in Hoboken or to any Hoboken or Hudson County political committee or political party committee or any PAC which meets the requirements set forth in § 20A-12A between the time of first communication between that business entity or vendor and the municipality regarding a specific agreement for professional services or extraordinary unspecifiable services and the latest of the following: termination of negotiations: rejection of any proposal or the termination of the contract or agreement.

C. For purposes of this article, entities whose contributions are regulated by this article mean:

(1) An individual, including the individual's spouse, and any child or children; or

(2) Any sole proprietorship, firm, corporation, professional corporation, partnership and any partner thereof, limited-liability company, limited-liability partnership and any partner thereof, organization, association or any other legal commercial entity organized under the laws of the State of New Jersey or of any other state or foreign jurisdiction;

(3) Any principal, stakeholder, partner, or other person who owns or controls 10% or more of the equity, profits, assets, stock, ownership or income interests in a person or entity as defined in Subsection C(1) and (2) above, and any determination of percentage, ownership or control will combine the individual interests as well as those of the individual's spouses and child or children;

(4) All partners or officers of such an entity, in the aggregate, and their spouses and child or children; and

(5) Any subsidiaries directly or indirectly owned or controlled by the business entity, person or individual; or

(6) Any political organization organized under Section 527 of the Internal Revenue Code (26 U.S.C. § 527) that is directly or indirectly controlled by the business entity, person or individual, other than a candidate committee, election fund or political party committee.

D. The monetary thresholds of this article are a maximum of $300 each for any purpose to any candidate or candidate committee for elective municipal office in Hoboken or any holder of elective municipal office in Hoboken, or $500 to any joint candidates committee for elective municipal office in Hoboken or any holder of elective municipal office in Hoboken or $300 to any political committee or political party committee of the City of Hoboken; $500 to any Hudson County political committee or political party committee; $500 to any PAC which meets the requirements set forth in § 20A-12A. However, any individual or group of persons meeting the definition of "entity" provided in Subsection C above shall not annually contribute for any purpose in excess of $2,500 to all City of Hoboken candidates, candidate committees, joint candidate committees and holders of elective municipal office and all City of Hoboken or Hudson County political committees and political party committees and all PACs, combined, without violating Subsection A of this section.

§ 20A-13
Contributions and contracts made prior to the effective date.

Contributions or solicitations of contributions made prior to the effective date of the most recent amendment to this article shall be governed by the language of the article effective at the time of contribution. Contributions or solicitations of contributions made on or after the effective date of the most recent amendment to this article shall be governed by the current article. Any contract in effect at the time of any amendment to this article shall be governed by the current article.

§ 20A-14
Contribution statement by professional business entity.

A. Every contract, request for proposals, request for qualifications and bid specification covered by this article shall contain:

(1) A provision describing the requirements of this article or reference to this article and directions for obtaining the requirements of this article.

(2) A statement that compliance with this article shall be a material term and condition of any contract awarded.

(3) A statement indicating that the requirements of this article shall create a continuing obligation on the vendor.

(4) A description of the penalties for which the vendor will be liable in the event of a failure to comply with the provisions of this article; said description shall state that unless remedied in accordance with § 20A-15 of this article, a violation of this article shall be considered a material breach of the contract which shall result in enforcement of the penalties described in § 20A-17 of this article.

B. Prior to awarding any contract or agreement to procure professional services or extraordinary unspecifiable service from any entity, the City of Hoboken or its departments, instrumentalities or

authorities, as the case may be, shall receive a written certification from the intended recipient of said contract, made under penalty of perjury, that he/she/it has not made any contributions in violation of this article. The City of Hoboken, its departments, instrumentalities or authorities shall be responsible for informing the City Council that the aforementioned written certification has been received and that the entity is not in violation of this article, prior to awarding the contract or agreement.

C. The recipient of said contract or agreement shall have a continuing duty to report any violations of this article that may occur during the proposal process, negotiations, duration of the contract period or the completion of the performance of that contract or agreement. The certification required under this section shall be made prior to entry into the contract or agreement with the City of Hoboken or prior to the provision of services or goods, as the case may be, and shall be in addition to any other certifications that may be required by any other provision of law.

§ 20A-15
Return of excess contributions.

A. A recipient of a contract for professional services or extraordinary unspecifiable services may cure a violation of § 20A-12 of this article if, within 45 days after the date of the contribution, the contract recipient notifies the municipality, in writing, and seeks and, within 45 days after the date of the contribution, receives reimbursement of the contribution from the recipient of such excess contribution.

B. Except that it shall be presumed that any contribution that violate this article, made within 60 days of an election of candidates for elective office in the City of Hoboken, was not made inadvertently, and such contributions shall not be eligible for reimbursement; thereby, the entity making such contributions cannot remedy the violation of § 20A-12 of this article.

§ 20A-16
Exemptions.

The contribution limitations prior to entering into a contract in § 20A-12A do not apply to contracts which are awarded to the lowest responsible bidder after public advertising for bids and bidding therefor within the meaning of N.J.S.A. 40A:11-4 or are awarded in the case of emergency under N.J.S.A. 40A:11-6. There shall be no exemption for contracts awarded pursuant to a fair and open process under N.J.S.A. 19:44A-20 et seq.

§ 20A-17
Violations and penalties.

A. It shall be a material breach, by the vendor, of the terms of the agreement or contract for professional services or extraordinary unspecifiable services, as the term is defined in § 20A-12, when a recipient of such agreement or contract.

(1) Makes or solicits a contribution in violation of this article;

(2) Knowingly conceals or misrepresents a contribution given or received;

(3) Makes or solicits contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution;

(4) Makes or solicits any contribution on the condition or with the agreement that it will be recontributed to a candidate, candidate committee or joint candidates committee of any candidate for elective municipal office in Hoboken or any holder of elective municipal office in the City of Hoboken or any Hoboken or Hudson County political committee or political party committee or any PAC;
(5) Engages or employs a lobbyist or consultant with the intent or understanding that such lobbyist or consultant will make or solicit any contribution, which if made or solicited by the entity itself would subject that entity to the restriction of this article;
(6) Fund contributions made by third parties, including consultants, attorneys, family members and employees;
(7) Engages in any exchange of contributions to circumvent the intent of this article; or
(8) Directly or indirectly, through or by any other person or means, do any act which would subject that entity to the restrictions of this article.

B. Furthermore, any business entity that violates § 20A-17A(2) through (8) shall be disqualified from eligibility for future contracts with the City of Hoboken, its departments, instrumentalities or any independent authority created thereby for a period of four calendar years from the date of the violation.

§ 20A-18
Citizens private right of action.

Notwithstanding any other common right of law, any Hoboken citizen or citizen's group shall have the right to sue any or all entities in violation of this article, including the business entity awarded a contract or agreement to provide professional services or extraordinary unspecifiable services, as defined in § 20A-12, the candidate or committee as specified in § 20A-12A above and/or the City of Hoboken, in order to compel those entities to comply with this article.

§ 20A-19
Severability.

If any provision of this article or the application of any such provision to any person or circumstances shall be held invalid, the remainder of this article, to the extent it can be given effect, or the application of such provision to persons or circumstances other than those which it is held invalid shall not be affected thereby, and to this extent the provisions of this article, are severable. The drafters of this article, the persons signing the petition in support of this article and the persons who cast votes in favor of the article declare that they would have supported the article and each section, subsection, sentence, clause, phrase or provision or application thereof irrespective of the fact that any one or more other sections, subsections, sentences, clauses, phrases or provisions or applications thereof may be held invalid.

§ 20A-20
Repealer.
All ordinances or parts of ordinances which are inconsistent with any provisions of this article are hereby repealed as to the extent of such inconsistencies.