

**CITY COUNCIL**

**The City of Orange Township, New Jersey**

DATE February 21, 2023

NUMBER 90-2023

**TITLE: A RESOLUTION AUTHORIZING A CONTRACT TO ROSANDO FENCE COMPANY, INC., DBA FOX FENCE, 411 CROOKS AVE, CLIFTON, NEW JERSEY 07011 TO PROVIDE EMERGENCY FENCE REPAIRS TO ALL CITY OWNED PROPERTIES UNDER THE ESCNJ 20/21-37 CO-OP COMMENCING JANUARY 1, 2023 THROUGH NOVEMBER 19, 2023 IN AN AMOUNT NOT TO EXCEED \$60,000.00.**

**WHEREAS**, the City of Orange Township requires a company to provide emergency fence repairs/installation to City owned properties; and

**WHEREAS**, the City of Orange Township entered into a voluntary cooperative pricing agreement with the Educational Services Commission of New Jersey (ESCNJ); and

**WHEREAS**, the City of Orange Township wishes to obtain Rosando Fence Company, Inc., dba Fox Fence to provide emergency fence repairs/installation to all City owned properties under the ESCNJ 20/21/37, a copy of which is attached hereto and made part hereof; and

**WHEREAS**, the Chief Financial Officer of the City of Orange Township has prepared the necessary Certificate of Availability of Funds, a copy of which is attached hereto certifying that funds will be available for this purpose in Account No. 3-01-26-310-000-528 (\$40,000.00) and Account No. T-11-00-000-000-000 (\$20,000.00), contingent upon Council approval and inclusion of said item in the Temporary Budget and adopted 2023 Budget, there will be sufficient funds to contract Rosando Fence Co., Inc. dba Fox Fence.

**NOW, THEREFORE, BE IT RESOLVED** that the proper officers of the City of Orange Township are hereby authorized to enter into an agreement with Rosando Fence Co., Inc., dba Fox Fence to provide emergency fence repairs/installation to all City owned properties in an amount not to exceed \$60,000.00.

Adopted: **February 21, 2023**

\_\_\_\_\_  
Joyce L. Lanier  
City Clerk

\_\_\_\_\_  
Tency A. Eason  
Council President

 A. MIZRAH



CITY OF ORANGE  
FINANCE DEPARTMENT

CERTIFICATION OF FUNDS  
NEXT BUDGET/OPEN SPACE TRUST FUND

I, Nile Clements, Chief Financial Officer for the City of Orange Township, do hereby confirm that based on the Quote or RFP, RFQ, bid results or "extraordinary unspcifiable services" without competitive bids for 2023 service contract, and the resolution to be presented to the Council for approval, and contingent upon Council approval and inclusion of said item in the Temporary Budget and adopted 2023 Budget, there will be sufficient funds to contract with:

Vendor Name: Rosando Fence Co.  
Fox Fence Enterprises Inc.

Address#1: 417 Crooks Ave.

City: Clifton  
State: NJ  
Zip Code: 07011

Purpose: Emergency Fence Repairs

Fund: MOSTF	Current
Account Name : Open Space Trust Res.	BDG - Building & Grounds - Contractual Svs.
Account Numbers(s): T-11-00-000-000-000	3-01-26-310-000-528

Requested	20,000.00	40,000.00
Amount in temp. budget	20,000.00	10,000.00

Vendor ID: ROSAN005

Purchase Order #: 23-00485

Amount not to exceed: \$60,000.00

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Division Head

Date

*Nile Clements*

2/9/2023

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Chief Financial Officer

Date



**CITY COUNCIL**

**The City of Orange Township, New Jersey**

**DATE** February 18, 2020

**NUMBER** 74-202C

**TITLE: A RESOLUTION AUTHORIZING THE CITY OF ORANGE TOWNSHIP TO ENTER INTO A COOPERATIVE PRICING SYSTEM RENEWAL AGREEMENT WITH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY FOR THE PURCHASE OF GOODS AND SERVICES.**

**WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and**

**WHEREAS, The Educational Services Commission of New Jersey hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and**

**WHEREAS, the City of Orange Township desires to enter into a renewal agreement with the Educational Services Commission of New Jersey to renew membership, a copy of which is attached hereto and made a part hereof as if set forth in length herein.**

**NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Orange Township hereby authorizes the Mayor of the City of Orange Township to renew membership with the Lead Agency.**

**BE IT FURTHER RESOLVED, that the Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) and all other provisions of the revised statutes of the State of New Jersey.**

Adopted: **February 18, 2020**



Joyce D. Lahier  
City Clerk



Tency A. Eason  
Council President

APPROVED AS TO FORM, SUFFICIENCY AND LEGALITY

*Highly recommend to the City Attorney*  
  
CITY ATTORNEY

Fencing Purchase, Installation and Repair  
Bid #ESCNU 20/21-37

ACCEPTANCE OF BID  
and  
CONTRACT AWARD  
TO BE COMPLETED BY RESPONDENT

In compliance with the Request for Bid, the undersigned warrants that I/we have examined the instructions to Respondents, and, being familiar with all of the conditions surrounding the proposed projects, hereby offer and agree to furnish all labor, materials, and supplies incurred in compliance with all terms, conditions, specifications and amendments in the Request for Bid and any written exceptions to the bid. Signature also certifies understanding and compliance with the certification requirements of the ESCNU's Terms and Conditions and any special Terms and Conditions if applicable. The undersigned understands that his/her competence and responsibility and that of any proposed subcontractors, time of completion, as well as other factors of interest to the ESCNU as stated in the evaluation section will be a consideration in making the award. Your bid for contracting services is hereby accepted. As contractor, you are now bound to sell the materials and services listed by the attached bid based upon the solicitation, including all terms, conditions, specifications, amendments as set forth in the Request for Bid. As contractor you are hereby cautioned not to commence any billable work or provide any material or service under this contract until contractor receives an executed purchase order from a Co-op member. The parties intend this contract to constitute the final and complete agreement between the ESCNU and contractor, and no other agreements, oral or otherwise, regarding the subject matter of this contract, shall bind any of the parties hereto. No change or modification of this contract shall be valid unless it shall be in writing and signed by both parties to this contract. If any provision of this contract is deemed invalid or illegal by any appropriate court of law, the remainder of this contract shall not be affected thereby. The term of the agreement shall commence on award and continue for two years unless terminated, canceled or extended in accordance with N.J.A.C. 18A:18A-42. By mutual written agreement, the contract may be extended as permitted by law. (The contract partner) shall maintain all documentation related to products, transactions or services under this contract for a period of five years from the date of final payment. Such records shall be made available to the New Jersey Office of the State Comptroller upon request.

Company Name FOX FENCE ENTERPRISES INC Date 10/26/20

Company Address 417 CROOKS AVE City CLIFTON State NJ Zip Code 07011

Contact Person WILBY TAPIA Title PROJECT MANAGER

Authorized Signature (ink only) [Signature] Title PROJECT MANAGER

ACCEPTANCE OF BID AND CONTRACT AWARD BELOW TO BE COMPLETED ONLY BY ESCNJ

Awarding Agency: Educational Services Commission of New Jersey

Agency Executive: [Signature] 11/20/20  
Patrick M. Moran, SBA/BS



EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY  
 NEW JERSEY STATE APPROVED COOPERATIVE PRICING SYSTEM RESOURCES  
 FENCING PURCHASE, INSTALLATION AND REPAIR BID RESCNU 20/21-37  
 BID TERM: 11/20/2020 - 11/19/2022 (with extensions as permitted by NJ law) SERVING ALL COUNTIES OF NEW JERSEY  
**YEAR TWO**

Contractor / Vendor	Manufacturer/Brand/Weight	Price List/Catalog Name	Price List/ Catalog Date	Discount	Installation 1- 99 linear ft	Installation 100-499 linear ft	Installation 500+ linear ft	CUSTOM GATE pricing by square foot including installation
<b>Category: FENCE TYPE 1A Chain Link Fence, Galvanized Steel with Top Rail</b>								
ROSAURO FENCE INC V/A FOX FENCE ENTERPRISES	4' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$16.00	\$14.00	\$12.00	\$0.75
ROSAURO FENCE INC V/A FOX FENCE ENTERPRISES	6' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$17.00	\$16.00	\$15.00	\$0.75
ROSAURO FENCE INC V/A FOX FENCE ENTERPRISES	8' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$19.00	\$18.00	\$17.00	\$0.75
ROSAURO FENCE INC V/A FOX FENCE ENTERPRISES	10' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$24.00	\$22.00	\$20.00	\$0.75
<b>Category: FENCE TYPE 1B Chain Link Fence, Metal Mesh Galvanized Steel with Top Rail</b>								
ROSAURO FENCE INC V/A FOX FENCE ENTERPRISES	4' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$16.00	\$14.00	\$12.00	\$0.75
ROSAURO FENCE INC V/A FOX FENCE ENTERPRISES	6' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$18.00	\$17.00	\$16.00	\$0.75
ROSAURO FENCE INC V/A FOX FENCE ENTERPRISES	8' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$22.00	\$21.00	\$20.00	\$0.75
ROSAURO FENCE INC V/A FOX FENCE ENTERPRISES	10' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$28.00	\$27.00	\$26.00	\$0.75
<b>Category: FENCE TYPE 2 Vinyl Coated White, Powder Coated Frames with Top Rail</b>								
ROSAURO FENCE INC V/A FOX FENCE ENTERPRISES	4' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$16.00	\$14.00	\$12.00	\$0.75
ROSAURO FENCE INC V/A FOX FENCE ENTERPRISES	6' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$18.00	\$17.00	\$16.00	\$0.75
ROSAURO FENCE INC V/A FOX FENCE ENTERPRISES	8' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$20.00	\$19.00	\$18.00	\$0.75
ROSAURO FENCE INC V/A FOX FENCE ENTERPRISES	10' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$24.00	\$23.00	\$22.00	\$0.75
<b>Category: FENCE TYPE 3A Wood Fencing - Spruce</b>								
ROSAURO FENCE INC V/A FOX FENCE ENTERPRISES	4' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$16.00	\$14.00	\$12.00	\$2.00
ROSAURO FENCE INC V/A FOX FENCE ENTERPRISES	6' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$19.00	\$18.00	\$17.00	\$2.00
ROSAURO FENCE INC V/A FOX FENCE ENTERPRISES	8' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$22.00	\$21.00	\$20.00	\$2.00
ROSAURO FENCE INC V/A FOX FENCE ENTERPRISES	10' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$26.00	\$25.00	\$24.00	\$2.00

**YEAR TWO**

Contractor	Manufacturer/Brand/Weight	Price List/Catalog Name	Price List/ Catalog Date	Discount	Installation 1- 99 linear ft	Installation 100-499 linear ft	Installation 500+ linear ft	CUSTOMER pricing by square foot including installation
<b>Category: FENCE TYPE 3B Wood Fencing - Cedar</b>								
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	4' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%				
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	6' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$18.00	\$16.00	\$14.00	\$2.00
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	8' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$19.00	\$18.00	\$17.00	\$2.00
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	10' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$22.00	\$21.00	\$20.00	\$2.00
<b>Category: FENCE TYPE 3C Wood Fencing - Split Rail</b>								
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	4' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%				
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	6' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$18.00	\$16.00	\$14.00	\$2.00
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	8' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$19.00	\$18.00	\$17.00	\$2.00
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	10' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$22.00	\$21.00	\$20.00	\$2.00
<b>Category: FENCE TYPE 4A Ornamental Metal - Steel</b>								
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	4' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$22.00	\$18.00	\$15.00	\$2.75
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	6' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$24.00	\$23.00	\$22.00	\$2.75
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	8' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$26.00	\$25.00	\$24.00	\$2.75
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	10' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$30.00	\$29.00	\$28.00	\$2.75
<b>Category: FENCE TYPE 4B Ornamental Metal - Aluminum</b>								
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	4' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$22.00	\$18.00	\$16.00	\$2.75
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	6' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$24.00	\$23.00	\$22.00	\$2.75
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	8' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$26.00	\$25.00	\$24.00	\$2.75
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	10' High Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$30.00	\$29.00	\$28.00	\$2.75



**YEAR TWO**

Contractor	Manufacturer/Brand/Height/Style	Price List/Outside Name	Price List/ Catalog Date	Discount	Installation 1- 90 linear ft	Installation 100-499 linear ft	Installation 500+ linear ft	CUSTOM Gate pricing by square foot including installation
<b>Category: FENCE TYPE 5 Vinyl Fence</b>								
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	Fox Fence	Fox Fence 10/20/2020	10/20/2020	5.0%				
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	Picket Style	Fox Fence 10/20/2020	10/20/2020	5.0%	\$22.00	\$18.00	\$16.00	\$3.50
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	Privacy Style, Picket Overlay	Fox Fence 10/20/2020	10/20/2020	5.0%	\$22.00	\$18.00	\$16.00	\$3.50
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	Privacy Style	Fox Fence 10/20/2020	10/20/2020	5.0%	\$22.00	\$18.00	\$16.00	\$3.50
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	Post and Rail Style	Fox Fence 10/20/2020	10/20/2020	5.0%	\$14.00	\$13.00	\$13.00	\$12.50
<b>Category: FENCE TYPE 6 Razor Wire Including support brackets</b>								
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	Fox Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$2.50	\$2.00	\$1.75	\$1.50
<b>Category: FENCE TYPE 7 Wooden Snow Fence Including 72" steel T posts</b>								
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	Fox Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$6.50	\$6.00	\$6.00	\$0.75
<b>Category: FENCE TYPE 8 Plastic Barrier / Safety Fence Including 72" steel T posts</b>								
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	Fox Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$6.50	\$6.00	\$6.00	\$0.75
<b>Category: FENCE TYPE 9A Temporary Chain Link Fence - PURCHASE</b>								
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	Fox Fence	Fox Fence 10/20/2020	10/20/2020	5.0%	\$6.50	\$6.00	\$6.00	\$0.75
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	8 1/4 x 10 1/4	Fox Fence 10/20/2020	10/20/2020	5.0%	\$15.00	\$14.50	\$12.50	\$0.75
<b>Category: FENCE TYPE 9A Temporary Chain Link Fence - RENTAL</b>								
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	Fence Category							
ROSAUNDO FENCE INC T/A FOX FENCE ENTERPRISES	8 1/4 x 10 1/4				\$15.00			\$0.75

RENTAL expressed as MONTHLY \$ per Linear Ft. (including set-up & removal)

GATE RENTAL expressed as MONTHLY \$ per Square Ft. (including set-up & removal)

**YEAR TWO**

Category: FENCE TYPE 10 Existing Fence Removal and Disposal		YEAR TWO	
Contractor	Fence Category	LABOR RATE to Remove and Dispose of Existing Fence, all Materials, Fabric and Posts (including Footings) expressed as \$/hour	Cost to Dispose of Existing Materials, Fabric and Posts (including Footings) expressed as \$/Linear foot
ROSAURO FENCE INC T/A FOX FENCE ENTERPRISES	Chain Link	\$65.00	\$6.00
ROSAURO FENCE INC T/A FOX FENCE ENTERPRISES	Wood	\$65.00	\$6.00
ROSAURO FENCE INC T/A FOX FENCE ENTERPRISES	Metal	\$85.00	\$9.00
ROSAURO FENCE INC T/A FOX FENCE ENTERPRISES	Vinyl	\$75.00	\$9.00
<b>Category: FENCE TYPE 11 Fence Repair Services</b>			
Contractor	Fence Category	LABOR RATE to Repair expressed as \$/hour	Materials required for repairs expressed as % Markup Over Cost
ROSAURO FENCE INC T/A FOX FENCE ENTERPRISES	Chain Link	\$65.00	15.0%
ROSAURO FENCE INC T/A FOX FENCE ENTERPRISES	Wood	\$65.00	15.0%
ROSAURO FENCE INC T/A FOX FENCE ENTERPRISES	Metal	\$85.00	15.0%
ROSAURO FENCE INC T/A FOX FENCE ENTERPRISES	Vinyl	\$75.00	15.0%
<b>PERFORMANCE BOND:</b>		<b>COST PER THOUSAND YEAR 2</b>	
ROSAURO FENCE INC T/A FOX FENCE ENTERPRISES		\$0.00	
<b>ROSAURO FENCE INC T/A FOX FENCE OFFERS A QUICK PAY DISCOUNT - 30% / 10 DAYS</b>			

(Revised: January, 2016)

EXHIBIT A  
MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE  
N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)  
N.J.A.C. 17:27  
GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

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

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

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

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

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

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

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

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

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

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

- Letter of Federal Affirmative Action Plan Approval
- Certificate of Employee Information Report
- Employee Information Report Form AA302 (electronically provided by the Division and distributed to the public agency through the Division's website at [https://www.nj.gov/treasury/contract\\_compliance/](https://www.nj.gov/treasury/contract_compliance/))

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Purchase & Property, CCAU, EEO Monitoring Program as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Purchase & Property, CCAU, EEO Monitoring Program for conducting an investigation pursuant to N.J.A.C. 17:27-1.1 et seq.

Company FOX FENCE ENTERPRISES INC

Name WILBY TAPIA

Signature



Title PROJECT MANAGER

Name of Bid: Fencing Purchase,

Installation and Repair

Bid #: ESCNJ 20/21-37

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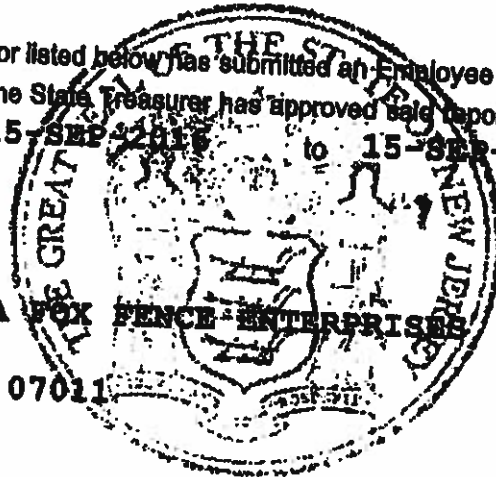
Bid Date: October 29, 2020

Bid Time: 11:00 a.m.

Certification 38981

**CERTIFICATE OF EMPLOYEE INFORMATION REPORT**  
**RENEWAL**

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of **15-SEP-2021** to **15-SEP-2023**



**ROSANDO FENCE, INC T/A FOX FENCE ENTERPRISES**  
**417 CROOKS AVE.**  
**CLIFTON**

**NJ 07011**



*Ford M. Scudder*

**FORD M. SCUDDER**  
Acting State Treasurer

P.O. Box 206  
Tranton, New Jersey 08625-0206 Telephone No. (609) 292-5473

**Educational Services Commission of New Jersey  
Business Office**

1660 Stelton Road, Floor 2  
Piscataway, New Jersey 08854

**Chapter 271  
Political Contribution Disclosure Form**

(Contracts that Exceed \$17,500.00)  
Ref. N.J.S.A. 19:44A-20.26

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that FOX FENCE ENTERPRISES INC (Business Entity) has made the following reportable political contributions to any elected official, political candidate or any political committee as defined in N.J.S.A. 19:44-20.26 during the twelve (12) months preceding this award of contract:

**Reportable Contributions**

<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Name of Recipient Elected Official/ Committee/Candidate</u>	<u>Name of Contributor</u>

The Business Entity may attach additional pages if needed.

No Reportable Contributions (Please check (✓) if applicable.)

I certify that FOX FENCE ENTERPRISES INC (Business Entity) made no reportable contributions to any elected official, political candidate or any political committee as defined in N.J.S.A. 19:44-20.26.

**Certification**

I certify that the information provided above is in full compliance with Public law 2005 – Chapter 271.

Name of Authorized Agent WILBY TAPIA

Signature [Signature] Title PROJECT MANAGER

Business Entity FOX FENCE ENTERPRISES INC

**STATEMENT OF OWNERSHIP DISCLOSURE**

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

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

Name of Organization: FOX FENCE ENTERPRISES INC

Organization Address: 417 Crooks Ave

City, State, ZIP: CLIFTON NJ 07011

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

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

**Part II Check the appropriate box**

- The list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. **(COMPLETE THE LIST BELOW IN THIS SECTION)**
- OR**
- No one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. **(SKIP TO PART IV)**

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

Name of Individual or Business Entity	Home Address (for Individuals) or Business Address
Rafael TAVARREZ	417 Crooks Ave CLIFTON NJ 07011
SIAMIA TAVARREZ	020 MORTON ST EAST RUTHERFORD NJ 07073

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

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

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

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

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

**Part IV Certification**

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

Full Name (Print):	WILBY TAPIA	Title:	PROJECT MANAGER
Signature:		Date:	10/20/20

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



**STATE OF NEW JERSEY  
BUSINESS REGISTRATION CERTIFICATE**

**Taxpayer Name:** ROSANDO FENCE COMPANY, INC  
**Trade Name:** FOX FENCE  
**Address:** 417 CROOKS AVE  
CLIFTON, NJ 07011-1658  
**Certificate Number:** 0083308  
**Effective Date:** March 03, 1995  
**Date of Issuance:** August 17, 2022

**For Office Use Only:**  
20220817150230483



# Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

**1** Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.  
**FOX FENCE ENTERPRISES INC**

**2** Business name/disregarded entity name, if different from above  
**ROSANDO FENCE CO.**

**3** Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

Individual/sole proprietor or single-member LLC

C Corporation

S Corporation

Partnership

Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) **P**  
 Notes: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

Other (see instructions) **P**

**4** Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):  
 Exempt payee code (if any) \_\_\_\_\_  
 Exemption from FATCA reporting code (if any) \_\_\_\_\_

**5** Address (number, street, and apt. or suite no.) See instructions.  
**417 CROOKS AVE**

**6** City, state, and ZIP code  
**CLIFTON NJ, 07011**

**7** List account number(s) here (optional)

**8** Requester's name and address (optional)

Print or type. See Specific Instructions on page 3.

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

--	--	--	--	--	--	--	--	--	--	--

OR

Employer identification number

2	2	-	3	3	4	1	1	1	9
---	---	---	---	---	---	---	---	---	---

## Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here: Signature of U.S. person **Justin A. Jones**

Date **11/2/20**

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

### Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
  - Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
  - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
  - Form 1099-S (proceeds from real estate transactions)
  - Form 1099-K (merchant card and third party network transactions)
  - Form 1099 (home mortgage interest), 1099-E (student loan interest), 1099-T (tuition)
  - Form 1099-C (canceled debt)
  - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding*, later.

STATE OF NEW JERSEY  
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

**PART 1: CERTIFICATION**

**BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX.**

**Part 1**

**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 THE APPROPRIATE 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 below.

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 Educational Services Commission of New Jersey 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 Educational Services Commission of New Jersey to notify the Educational Services Commission of New Jersey in writing of any changes to the answers of information contained herein. I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with the Educational Services Commission of New Jersey and that the Educational Services Commission of New Jersey at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): WILBY TAPIA Signature: [Signature]

Title: PROJECT MANAGER Date: 8/9/22

Bidder/Vendor: FOX FENCE ENTERPRISES INC

Name of Bid: Fencing Purchase,  
Installation and Repair  
Bid #: ESCNJ 20/21-37

STATE OF NEW JERSEY  
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

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**BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX.**

**Part 1**

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**PLEASE CHECK THE APPROPRIATE BOX:**

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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 Educational Services Commission of New Jersey 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 Educational Services Commission of New Jersey to notify the Educational Services Commission of New Jersey 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 Educational Services Commission of New Jersey and that the Educational Services Commission of New Jersey at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): WILBY TAPIA Signature: [Signature]

Title: PROJECT MANAGER Date: 10/26/20

Bidder/Vendor: FOR FENCO ENTERPRISES INC

Name of Bid: Fencing Purchase,  
Installation and Repair  
Bid #: ESCNJ 20/21-37



## **AGREEMENT**

This Agreement, made and entered into this \_\_\_\_ day of \_\_\_\_\_,  
between the City of Orange Township and **Rosando Fence Company, Inc./Fox Fence,**  
**411 Crooks Avenue, Clifton, New Jersey 07011.**

**WHEREAS,** the City of Orange Township wishes to retain a firm for the purpose  
of **emergency fence repairs/installation to City owned properties under the ESCNJ**  
**20/21-37 Co-Op** for the City of Orange Township, as specifically set forth in the attached  
proposal in the amount not to exceed **\$60,000.00.**

**WHEREAS,** the City of Orange Township wishes to retain **Rosando Fence**  
**Company, Inc./Fox Fence** with offices located at **411 Crooks Avenue, Clifton, New**  
**Jersey 07011.**

**WHEREAS,** this firm and the individuals of the firm are to be retained pursuant  
to the Agreement as specified under the **ESCNJ Co-Op 20/21-37;** and

**WHEREAS,** the City Council of the City of Orange Township has, by  
**Resolution No. \_\_\_\_\_** dated \_\_\_\_\_, authorizes **Rosando Fence**  
**Company, Inc./Fox Fence** for the purpose of **emergency fence repairs/installation to**  
**City owned properties on an “as needed” basis,** as specified in the attached proposal.

**NOW, THEREFORE, BE IT AGREED** by and between the parties, for the  
mutual convenient set forth herein below:

1. **Rosando Fence Company, Inc./Fox Fence** is hereby contracted by the City  
of Orange Township to provide services as specified in the attached proposal.
2. This agreement shall be effective commencing on **January 1, 2023** and  
terminating on **November 19, 2023.**

3. This agreement shall not be assigned nor shall any duties under this agreement be delegated by **Rosando Fence Company, Inc./Fox Fence** without prior written consent of the City.
4. The validity of this agreement and its terms or provisions, as well as the rights and duties of the contracting parties, shall be governed by and construed in accordance with the laws of the State of New Jersey.
5. This agreement shall be binding on and inure to the benefit of the contracting parties and their respective heirs, executors, administrators, legal representatives, successors, and assigns when not expressly prohibited by this agreement.
6. In case any one or more of the provisions contained in this agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, the invalidity, illegality, or unenforceability shall not affect any other provision of it this agreement shall for any reason be held to be invalid, illegal, or unenforceable provision had never been contained in it.
7. This agreement constitutes the sole agreement of the contracting parties and supersedes any prior understandings or written or oral agreements between the parties respecting its subject matter.
8. All notices and other communications shall be sent by certified mail, return receipt requested, and shall be deemed to have been given when sent to the parties at their respective addresses as set forth above, unless a different address has been selected after the execution of this agreement and has been duly communicated to the party giving notice.

9. The City may terminate this Agreement upon three days notice with **Rosando Fence Company, Inc./Fox Fence**. In the event that this agreement is deemed to be terminated, the City shall pay **Rosando Fence Company, Inc./Fox Fence** for those services provided as of the effective date of termination. This agreement is final and cannot be amended, supplemented, changed or modified without said being in writing.

**IN WITNESS WHEREOF**, the parties hereto have set their hands and seals the day and year first above written.

ATTEST:

CITY OF ORANGE TOWNSHIP:

\_\_\_\_\_  
Joyce L. Lanier      Date  
City Clerk

\_\_\_\_\_  
Dwayne D. Warren, Esq.      Date  
Mayor

ATTEST:

Rosando Fence Company, Inc.  
DBA Fox Fence  
411 Crooks Avenue  
Clifton, New Jersey 07011

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature      Date

\_\_\_\_\_  
Signature      Date

Approved as to Form and Sufficiency

\_\_\_\_\_  
Gracia R. Montilus      Date  
City Attorney

