

CITY COUNCIL

The City of Orange Township, New Jersey

DATE April 4, 2023

NUMBER 171-2023

TITLE: A RESOLUTION AUTHORIZING THE AWARD OF AN NON-FAIR AND OPEN CONTRACT WITH BRIGHT VIEW ENGINEERING, 70 SOUTH ORANGE AVENUE, SUITE 109, LIVINGSTON, NEW JERSEY 07039 TO PROVIDE ENGINEERING AND DESIGN PHASE 1-9 RELATED TO THE RECONSTRUCTION OF TRAFFIC SIGNALS AT FOUR (4) INTERSECTIONS (WASHINGTON STREET/CLEVELAND STREET; TREMONT AVE/VALLEY ROAD; TREMONT AVE/LINCOLN AVE AND HENRY ST/S. ESSEX AVE) IN AN AMOUNT NOT TO EXCEED \$122,680.00.

WHEREAS, the City of Orange Township has a need to acquire professional engineering and design services as an un-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-2-.4 or 20.5 as appropriate; and

WHEREAS, the City of Orange Township requires professional engineering and design services for the Reconstruction of Traffic Signals at four (4) intersections; and

WHEREAS, Bright View Engineering has submitted a proposal on February 4, 2023 indicating they will provide the Professional Engineering and Design Services Phase 1-9 at a cost of \$122,680.00; and

WHEREAS, the engineering firm of Bright View Engineering has completed and submitted a Business Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the City in the previous one (1) year, except that the year 2005 is an exception to this requirement as the one year immediately proceeding the effective date of the law, as that term is defined below, and that the contract will prohibit Bright View Engineering from making any reportable contributions throughout the term of the contract; 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 are available for this purpose in Account No. 3-01-165-000-519 contingent upon Council approval and inclusion of said item in the Temporary Budget adopted 2023 Budget, there will be sufficient funds to contract Bright View Engineering.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Orange Township, New Jersey as follows:

1. The Mayor is hereby authorized and directed to execute the attached Agreement with Bright View Engineering in an amount not to exceed \$122,680.00.
2. Notice of this action shall be printed in the Orange Transcript as required by law within ten (10) days of its passage.

3. The agreement herein and this resolution are contingent upon certification of funds appropriate funding to render payment for services provided within.

Adopted: April 4, 2023

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President

CITY OF ORANGE TOWNSHIP
FINANCE DEPARTMENT

CERTIFICATION OF FUNDS
NEXT BUDGET

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 unspecifiable 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: Bright View Engineering
Address: 5 Pitcairn Drive

City: Roseland
State: New Jersey
Zip Code: 07068

Purpose: Engineering and design phase 1-9 related to traffic signal reconstruction
Vendor ID: BRIGH010

Temporary Budget: \$ 30,670.00
Fund: Current Fund
Line Description DPW - Dept. of Public Works - Professional Services
Account Numbers(s): CY'23 3-01-20-165-000-519

The remainder of: \$ 92,010.00
will be provided in
Fund: Current Fund
Line Description DPW - Dept. of Public Works - Professional Services
Account Numbers(s): CY'23 3-01-20-165-000-519

Purchase Order # : 23-00867

Amount not to exceed: \$ 122,680.00

Division Head

Date

Nile Clements

3/22/2023

Chief Financial Officer

Date

AGREEMENT

This is an agreement made on _____ between the City of Orange Township, the “City” with an address at 29 North Day Street, Orange, New Jersey 07050, and Bright View Engineering, LLC, 5 Pitcairn Drive, Roseland, New Jersey 07068 (the “Engineer”).

RECITALS

WHEREAS, the City of Orange is a municipal corporation of the State of New Jersey, and has its principal place of business at 29 North Day Street, Orange, New Jersey 07050.

WHEREAS, the City hereby retains and employ the services of **Bright View Engineering, LLC** , as per **Resolution # ___-2022** to **provide engineering design and construction administration related to the reconstruction of traffic signals at four (4) intersections services** in accordance with the terms and conditions provided in this agreement and in the proposal dated May 7, 2022.

WHEREAS, the “Engineer” is duly licensed to practice in the State of New Jersey and desires to render professional services for the City as provided in the agreement.

NOW, THEREFORE, the City engage the services of the “Engineer” and in consideration of the Recitals and the mutual promises contained in this agreement, the parties agree as follows:

1. This agreement shall be effective commencing on the date approved by resolution of the City Council of the City of Orange Township, and shall continue in effect until completion of the project, unless sooner terminated by the City by giving ten (10) days written notice to the other party.

SERVICES

2. The “Engineer” shall render **Bright View Engineering, LLC** in accordance with its proposal, dated **May 7, 2022**, a copy of which is attached here to.

USE OF AGENTS OR ASSISTANTS

3. To the extent reasonably necessary for the “**Engineer**” to perform the duties under this contract, the “**Engineer**” is authorized to engage the services of any agents or assistants that deems reasonably necessary. Further, the “**Engineer**” may employ, engage, or retain the services of any other person or corporation to aid or assist in the proper performance of “**Engineer**” duties. The cost of the services of these agents or assistance will be borne by “**Engineer**” and any expenses incurred by the “**Engineer**” in engaging any agents or assistants shall be borne by the “**Engineer**”.

THE COST OF SUPPLIES AND EQUIPMENT

4. The cost of supplies, equipment and facilities necessary for the “**Engineer**” to meet its obligations under the terms of this agreement shall be solely borne by the **Engineer**”.

FEE

5. For services to be rendered under this agreement, the “**Engineer**” shall be entitled to a fee of \$370,000.00.

DEVOTION OF TIME

6. The “**Engineer**” shall devote sufficient time to the performance of the duties under this agreement as is reasonably necessary for a satisfactory performance. Should the City require additional services not included in this agreement, the “**Engineer**”, shall subject to Paragraph 5, make a reasonable effort to perform these additional services without decreasing the effectiveness of the performance of the duties required by this agreement.

INSURANCE

7. The **“Engineer”** (1) shall be an independent contractor and not an employee of the City under this agreement; (2) shall maintain a policy of liability insurance in the minimum amount of \$1,000,000.00 to cover any claims arising out of the performance of the services under this agreement; and (3) shall further indemnify, save harmless, and defend the City from any claims arising from any act or omission of the **“Engineer”** of the agents.

NON-DISCRIMINATION AND AFFIRMATIVE ACTION

8. Non-Discrimination and Affirmative Action – The Engineer shall comply with the requirements of all statutes, laws and regulations regarding non-discrimination and affirmative action in the employment of workers. In particular, the Engineer will be required to comply with the requirements of New Jersey P.L. 1975, c. 127. (N.J.A.C. 17:27).

PRIOR AGREEMENTS SUPERSEDED

9. This agreement constitutes the sole agreement of the parties and supersedes any and all prior understandings or written or oral agreements between the parties to this agreement with respect to its subject matter. No other agreement, statement, or promise relating to the subject matter of this agreement that is not contained in it shall be valid or binding.

ASSIGNMENT

10. Neither this agreement nor any duties or obligations under this agreement shall be assigned or delegated by the **“Engineer”** without the prior written consent of the City except provided in Paragraph 3. In the event of an assignment and/or delegation by the **“Engineer”** to which the City has consented, the assignee or the assignee’s legal representative shall agree in writing with the City personally to assume, perform, and be bound by the covenants, obligations, and agreements contained in this agreement.

PARTIES BOUND

11. This agreement shall be binding on and inure to the benefit of the parties to this agreement and their respective heirs, executors, administrators, legal representatives, successors, and assigns unless expressly prohibited by this agreement.

GOVERNING LAW

12. The validity of this agreement and of any of its terms or provisions, as well as the rights and duties of the parties to this agreement, shall be governed by and construed in accordance with the laws of the State of New Jersey.

AMENDMENT

13. This agreement only be amended or modified by writing executed by both parties to this agreement.

LEGAL CONSTRUCTION

14. 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 this agreement and this agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in it.

NOTICE

15. 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.

IN WITNESSED WHEREOF, the parties execute this agreement on the day and year first written above.

Attest:

City of Orange Township

Joyce L. Lanier
City Clerk

Dwayne D. Warren, Esq.
Mayor

Bright View Engineering, LLC
5 Pitcairn Drive
Roseland, New Jersey 070068

Approved as to Form and Sufficiency

Gracia R. Montilus, City Attorney



Bright View Engineering
Moving you forward

Updated February 4, 2023

VIA E-MAIL
mmayes@orangenj.gov

Marty Mayes
City of Orange Township
29 North Day Street
Orange, New Jersey 07050

Re: Traffic Signal Design Services – 4 Intersections
Orange City Project:TB717-003 Traffic Lights 2021
City of Orange Township
Essex County, New Jersey
Project No.: 221501

Dear Mr. Mayes:

As requested, please find attached Bright View Engineering (BVE)'s proposal for design and construction administration services related to the reconstruction of traffic signals at four intersections within the City of Orange Township. Based on discussions with your office, it is our understanding that the City has obtained I-Bank funding for the reconstruction of the traffic signals at the following four intersections:

- Washington Street & Cleveland Street
- Tremont Avenue & Valley Road
- Tremont Avenue & Lincoln Avenue
- Henry Street & South Essex Avenue

To facilitate the implementation of the planned improvements, BVE has prepared the following scope of services for your consideration. Consistent with discussions with your office, we have revised our earlier scope of services consistent with your requested scope revisions. The following outlines our anticipated scope of services and is divided into four sections as follows:

- Section I – Scope of Services
- Section II – Business Terms and Conditions
- Section III – Technical Staff Hourly Rate Schedule and Reimbursable Expenses
- Section IV – Client Contract Authorization

The following scope of work has been separated into phases so that it can be more easily reviewed. The order in which the phases are presented generally follows the sequence in which the work will be accomplished.

70 South Orange Avenue, Suite 109
Livingston, New Jersey 07039

C: (732) 236-7557 T: (973) 228-0999 F: (201) 753-3904
BrightViewEngineering.com

P.O. Box 99
Roseland, NJ 07068



SECTION I – SCOPE OF SERVICES

BVE proposes to provide professional services for the proposed improvements as described below.

Task 1: Project Management & Coordination

Project management and coordination will be led Mr. Joseph A. Fishinger, Jr, PE, PP, PTOE, Director of Traffic Engineering and John Jahr PTP, TSOS, at Bright View Engineering.

Throughout the project, Bright View Engineering will be responsible for the following:

- Attend project related meetings including a project kick off meeting and required progress meetings.
- Prepare meeting minutes for all meetings
- Prepare project correspondence
- Coordinate field visits for each design intersection with City and Consultant Team Staff
- Prepare and review all comment responses
- Ensure project objectives, proposed improvements, and estimated construction costs meet Grant requirements
- Prepare monthly progress reports and invoices
- Maintain QA/QC protocol and documentation

Task 2: Surveying/Base mapping

Horizontal and vertical primary survey control will be established for each location on the project. This will include setting and locating recoverable control points at each location. Survey control will be established in a modified ground coordinate system, based on coordinates observed in the NJ State Plane Coordinate System, NAD 83 (NJSPCS-NAD 83), “scaled to ground” utilizing a 0,0 coordinate, in accordance with currently accepted NJDOT control practices. Control elevations will be referenced to the North American Vertical Datum, 1988 (NAVD 88). This task will also consist of establishing the control traverse and benchmarks to perform field survey location effort. The project team will perform a field topographic survey at each of the four identified intersections. The survey will extend approximately 200 feet back from the stop bar on each approach to each intersection and will include all features within the public right of way up to existing building locations.

Prior to the start of the field survey, BVE will identify and/or confirm each of the utility owners within the project limits and request any available as-built plans from the utility companies. Any existing utility mark outs observed during field survey will also be located and indicated on the base plans.



BVE will establish the ROW and road centerlines based on municipal tax maps and readily available parcel data. ROW and lot lines will be overlaid on project based mapping. Individual lot surveys and Right of Way acquisition documentation are not included as a part of this scope of work.

Task 3: Operational Analysis

To determine the appropriate intersection configuration and signal operation within the project, the BVE will develop a Synchro model for each project location using available existing information including as-built traffic signal plans, timings, and available historical count data. For each intersection, BVE will conduct new traffic counts to encompass the weekday morning, and weekday evening, periods as appropriate. Counts will be collected using digital video cameras and processed to obtain the required count information.

Once the preliminary signal design for each intersection is complete, timing directives will be developed for each intersection based on the Synchro models developed, proposed design, and data collected above. Where applicable, progression analyses will be conducted to identify required offsets between intersections.

Task 4: Plan Preparation

BVE will prepare design plans for the requested intersections to include the following plan sheets as appropriate:

1. Cover Sheet / Key Sheet
2. Estimate of Quantities
3. Existing Conditions Plans
4. Construction and Drainage Plans
5. Grading and Sidewalk Design Plans
6. Signing and Striping Plans
7. Electrical Plans
8. Traffic Control Plans
9. Details

BVE does not anticipate utility relocations will be necessary and will make every effort during the design to avoid utility relocations. If utility relocation plans are required, they will be considered extra work.



Task 5: Environmental Documentation/Permitting

This scope assumes that an neither environmental document (CED) or Soil Erosion & Sediment Control (SESC) Plans will not be required. If either a CED or SESC are required, a separate proposal will be prepared for preparation and submission of these documents.

Task 6: Construction Cost Estimate / Specifications / Certifications

BVE will prepare an engineer's cost estimate for use on the project based on the plans prepared in the tasks above. Unit prices will be compiled from NJDOT standard pricing as well as historical prices from other recent projects in the City of Orange Township and Essex County.

Bid Specifications will be prepared using the 2019 NJDOT Standard Bid Specifications, modified as appropriate for this project.

Task 7: Bidding Assistance / Bid Analysis / Recommendation of Award

BVE will provide assistance to the City during the project bidding process, answering contractor questions and preparing addendums if required. Upon receipt of bids, BVE will prepare a bid analysis consistent with NJDOT Local Aid requirements (aka Wisconsin bid analysis) and provide a recommendation of award to the City regarding the bids received.

Task 8: Pre-Construction Meeting / Construction Support Services

Upon award of the project to the contractor, BVE will assist the City in scheduling the pre-construction meeting, attend the meeting, and prepare meeting minutes as appropriate.

Task 9: Progress Meetings

Throughout the course of the project, BVE anticipates attendance at up to 4 progress and/or field meetings with the City to discuss parameters of the design and review design decisions with City staff. Meetings will be held at City Hall or BVE's office in Livingston, NJ as appropriate.



Task 10: Construction Administration

BVE will provide the following construction administration services:

- Provide general communication with owner and Contractor throughout the duration of construction regarding such issues as progress, submittal status, construction issues and their resolution.
- Provide communication and correspondence with the City or NJDOT.
- Maintain project files as required for periodic inspection by the City or NJDOT.
- Conduct pre-construction meeting, establish agenda, issue notice to proceed.
- Review and approve Progress Schedule, Schedule of Submittals, Schedule of Values required to be submitted by the contractor.
- Review shop drawings and other submittals as required to evaluate that the proposed materials and equipment conform to the contract documents.
- Review laboratory, shop and mill test reports of materials and equipment.
- Prepare monthly progress reports.
- Prepare red line record drawings at the completion of the project.

Task 11: Construction Inspection

To assist the City with the management and inspection of the project during construction, BVE will provide inspection services for the project on an hourly basis throughout the course of construction. Inspection over the course of the project will confirm that the project is built consistent with the project plans and specifications. Payment requests made by the contractor will be reviewed by BVE and a recommendation for payment will be provided to the City for each payment request. For the purposes of this proposal, we have assumed a total of 700 hours of inspection. Obviously, this is only an estimate and depending on the nature of the final design, contractor selected, and overall complexity of the project may require modification.

- Provide full time construction inspection/observation services during periods when the contractor is on site to monitor the contractor's progress and compliance with the contract drawings and specifications, including the contractor's environmental protection and restoration measures.
- Conduct meetings with the Contractor and owner to discuss scheduled activities.
- Prepare daily inspection reports.
- Review monthly and payment requests including the final payment requests.
- Participate in the review and evaluation of potential change orders, including detailed review of cost proposals.
- Participate in the resolution of issues involving unforeseen field conditions.
- Witness testing and startup of equipment and systems.
- Prepare punch list of remaining work items.
- Evaluate substantial and final completion and issue certificates of substantial or final completion as appropriate.



MEETINGS

Attendance at any meetings beyond those identified above will be billed on a 'time and materials' basis in accordance with our "Standard Provisions for Professional Services" dated January 1, 2022.

Attendance at School/Planning/Zoning Board meetings and other public meetings where expert testimony is required will be billed separately on an hourly basis, per professional. Attendance at agency and project coordination meetings will be billed in accordance with the Schedule of Hourly Rates in effect at the time the meetings are held. Colored renderings, if requested for Board presentation, and meeting preparation time will be billed on an hourly basis.

PLAN REVISIONS AND ADDITIONAL WORK

Work accomplished under this phase will be billed in accordance with the Schedule of Hourly Rates in effect at the time the work is accomplished and will include revisions or extra work requested by various review agencies or the client that differ from the original scope of work and are not an error or omission on the part of Bright View Engineering.



SCHEDULE OF FEES

The Fee Proposal includes all of the tasks outlined in the Scope of Services. Based upon the foregoing scope of services, we offer the following Fee. As you know, we can only estimate the effort needed for this project. If any task should take significantly longer than estimated to perform the services, or if unforeseen conditions occur, we may require additional compensation.

TASKS 1-9 Design Plans – 4 Intersections & Bid Assistance	\$122,680
TASKS 10-11 Construction Administration & Inspection	\$91,100
TOTAL	\$219,780

The fees above include the completion of services as outlined in the scope of services. Bright View Engineering reserves the right to modify this proposal based upon final acceptance of your office. This Scope of Service is subject to the terms, conditions and exclusions as noted herein. Hourly Rates and reproduction costs will be in accordance with the attached Schedule of Hourly Rates and fees. If extra services become necessary then Bright View Engineering may prepare an addendum to this agreement for your review, outlining the scope of additional services and associated professional fees with regard to the extra service.

EXCLUSIONS AND UNDERSTANDINGS

Services relating to the following items are not anticipated for the project or cannot be quantified at this time. Therefore, any service associated with the following items is specifically excluded from the scope of professional services within this agreement:

- Services not specifically outlined above in Section I;
- Preparation of Environmental Documents or Soil Erosion and Sediment Control Plans
- Meetings;
- Construction Inspection/Administration/Services in excess of 700 man hours.
- All out-of-pocket expenses including, but not limited to, application fees, permit fees laboratory testing costs, mylar copies, certified mailings, photographs, blueprints, and special deliveries will be charged at cost and passed on to you for payment.

If an item listed herein, or otherwise not specifically mentioned within this agreement, is deemed necessary Bright View may prepare an addendum to this agreement for your review, outlining the scope of additional services and associated professional fees with regard to the extra services.



SECTION II – BUSINESS TERMS AND CONDITIONS

Orange Business Terms and Conditions Shall Apply to this contract.

SECTION III – 2023 RATE SCHEDULE

Orange TECHNICAL STAFF RATES shall apply to this contract.

SECTION IV – CLIENT CONTRACT AUTHORIZATION

I hereby declare that I am duly authorized to sign binding contractual documents. I also declare that I have read, understand, and accept this contract.

Signature

Date

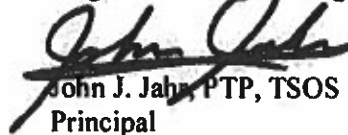
Printed Name

Title

If you find this proposal acceptable, please sign where indicated above in Section IV, return one signed copy to this office as a formal notice-to-proceed. Invoices are due within 30 days. This proposal is valid until May 15, 2022.

Should you have any questions or require any additional information, please do not hesitate to contact us at (732) 236-7557. Thank you for your time and consideration in this matter.

Very truly yours,
Bright View Engineering


John J. Jah, PTP, TSOS
Principal

JJJ/jaf

D:\Bright View Engineering\bvengr - proj\221501-Orange-4Signals\1-Proposals\orange-4-signals-2-4-23 Revised Scope2.docx

70 South Orange Avenue, Suite 109
Livingston, New Jersey 07039

C: (732) 236-7557 T: (973) 228-0999 F: (201) 753-3904
BrightViewEngineering.com

P.O. Box 99
Roseland, NJ 07068

**REQUIRED EVIDENCE
AFFIRMATIVE ACTION REGULATIONS
P.L. 1975, C. 127 (N.J.A.C. 17:27-3.2)**

Before being awarded a contract, bidders are required to comply with the requirements of P.L. 1975, C.127, (N.J.A.C. 17:27-3.2). Within seven (7) days after receipt of the notification of intent to award the contract or receipt of the contract, whichever is sooner, the contractor should present one of the following to the Purchasing Agent:

1. A photocopy of a valid letter from the U.S. Department of Labor that the contractor has an existing federally-approved or sanctioned Affirmative Action Plan (good for one year from the date of the letter);
OR
2. A photocopy of approved Certificate of Employee Information Report issued in accordance with N.J.A.C. 17:24-4;
OR
3. An initial Employee Information Report (Form AA302) provided by the Affirmative Action Office and completed by the bidder in accordance with N.J.A.C.17:27-4;
OR
4. All successful construction contractors must submit within three days of the signing of the contract an Initial Project Workforce Report (AA201) for any contract award that meets or exceeds the Public Agency bidding threshold (available upon request) in accordance with N.J.A.C.17:27-7.

NO FIRM MAY BE ISSUED A CONTRACT UNLESS IT COMPLIES WITH THE AFFIRMATIVE ACTION REGULATIONS OF P.L. 1975, C.127.

The following questions must be answered by all bidders:

1. Do you have a federally-approved or sanctioned Affirmative Action Program?

Yes _____ No _____
If yes, please submit a copy of such approval

2. Do you have a Certificate of Employee Information Report Approval?

Yes _____ No _____
If yes, please submit a copy of such certificate

The undersigned contractor certifies that he is aware of the commitment to comply with the requirements of P.L. 1975, C.127 and agrees to furnish the required documentation pursuant to the law.

Company: Bright View Engineering Signature: 

Title: Book Keeper

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 www.state.nj.us/treasury/contract_compliance)

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

Vendor Signature: 

Date: 03/23/2023

Bhavna Mahto

Certification **58571**

CERTIFICATE OF EMPLOYEE INFORMATION REPORT

INITIAL

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of **15-JAN-2018** to **15-JAN-2025**

**BRIGHT VIEW ENGINEERING
5 PITCAIRN DRIVE
ROSELAND NJ 07068**



Elizabeth Maher Muoio
ELIZABETH MAHER MUOIO
Acting State Treasurer

**BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS
Required Pursuant To N.J.S.A. 19:44A-20.8
CITY OF ORANGE TOWNSHIP, NEW JERSEY**

The following is statutory text related to the terms and citations used in the Business Entity Disclosure Certification form.

"Local Unit Pay-To-Play Law" (P.L. 2004, c.19, as amended by P.L. 2005, c.51)

19:44A-20.6 Certain contributions deemed as contributions by business entity.

5. When a business entity is a natural person, a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity.

19:44A-20.7 Definitions relative to certain campaign contributions.

6. As used in sections 2 through 12 of this act:

"business entity" means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other state or foreign jurisdiction;

"interest" means the ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit, as appropriate.

Temporary and Executing

12. Nothing contained in this act shall be construed as affecting the eligibility of any business entity to perform a public contract because that entity made a contribution to any committee during the one-year period immediately preceding the effective date of this act.

~~~~~  
**The New Jersey Campaign Contributions and Expenditures Reporting Act (N.J.S.A. 19:44A-1 et seq.)**

**19:44A-3 Definitions.** In pertinent part...

p. The term "political party committee" means the State committee of a political party, as organized pursuant to R.S.19:5-4, any county committee of a political party, as organized pursuant to R.S.19:5-3, or any municipal committee of a political party, as organized pursuant to R.S.19:5-2.

q. The term "candidate committee" means a committee established pursuant to subsection a. of section 9 of P.L. 1973, c.83 (C.19:44A-9) for the purpose of receiving contributions and making expenditures.

r. the term "joint candidates committee" means a committee established pursuant to subsection a. of section 9 of P.L. 1973, c.83 (C.19:44A-9) by at least two candidates for the same elective public offices in the same election in a legislative district, county, municipality or school district, but not more candidates than the total number of the same elective public offices to be filled in that election, for the purpose of receiving contributions and making expenditures. For the purpose of this subsection: ...; the offices of member of the board of chosen freholders and county executive shall be deemed to be the same elective public offices in a county; and the offices of mayor and member of the municipal governing body shall be deemed to be the same elective public offices in a municipality.

**19:44A-8 and 16 Contributions, expenditures, reports, requirements.**

*While the provisions of this section are too extensive to reprint here, the following is deemed to be the pertinent part affecting amounts of contributions:*

"The \$300 limit established in this subsection shall remain as stated in this subsection without further adjustment by the commission in the manner prescribed by section 22 of P.L. 1993, c.65 (C.19:44A-7.2)

**BUSINESS ENTITY DISCLOSURE CERTIFICATION  
FOR NON-FAIR AND OPEN CONTRACTS  
Required Pursuant To N.J.S.A. 19:44A-20.8  
CITY OF ORANGE TOWNSHIP, NEW JERSEY**

**Part I - Vendor Affirmation**

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that

Bright View Engineering (Contractor)  
has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding the date of reorganization to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the CITY OF ORANGE TOWNSHIP, as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

|                         |  |
|-------------------------|--|
| Dwayne D. Warren        |  |
| Kerry J. Coley          |  |
| Clifford Ross           |  |
| Weldon M. Montague, III |  |
| Tency A. Eason          |  |
| Quantavia L. Hilbert    |  |
| Adrienne Wooten         |  |
| Jamie Summers-Johnson   |  |

**Part II - Ownership Disclosure Certification**

I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

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

| Name of Stock or Shareholder | Home Address                         |
|------------------------------|--------------------------------------|
| John J. Jabr                 | 5 Pitcairn Drive, Roseland, NJ-07068 |
| Aaron Schragar               | 11 Riverview Dr. Boonton, NJ-07011   |
|                              |                                      |
|                              |                                      |
|                              |                                      |
|                              |                                      |

**Part 3 - Signature and Attestation:**

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: Bright View Engineering

Signed: [Signature] Title: Bookkeeper

Print Name: BHAVNA MALDE Date: 03/23/2023

Subscribed and sworn before me the 27 day of March

[Signature] (Affiant)

[Signature]  
Courtney Hoffmann, Notary  
(Print name & title of affiant) (Corporate Seal)

**Courtney Hoffmann**  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
ID # 50151983  
My Commission Expires 2/17/2026

**CERTIFICATE OF REGISTRATION & W-9**  
**(P.L. 1999, C.238)**

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**To:**

**Re:**

---

- I. Pursuant to P.L. 1999, c.238, et al., specifically, P.L. 2003, c.91, N.J.S.A. 34:11-56.51, all Bidders are required to be registered by the New Jersey Department of Labor at the time bids are received by the Project Owner pursuant to the Public Works Contractor Registration Act.\*
- II. No bidder shall list a subcontractor in a Bid Proposal for the contract unless the subcontractor is registered pursuant to P.L. 1999, c. 238 at the time of bid is made.
- III. No contractor or subcontractor shall engage in the performance of any public work subject to the contract, unless the contractor or subcontractor is registered pursuant to the Act.
- IV. Each contractor shall, after the bid is made and prior to the award of the contract, submit to the Project Owner the certificates of registration for the bidder and all subcontractors listed in the Bid Proposal.

**\*Any bidder who is not registered pursuant to the Act at the time bids are received shall be automatically disqualified and the bid shall be rejected.**

STATE OF NEW JERSEY  
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY/  
DIVISION OF REVENUE  
PO BOX 282  
TRENTON, NJ 08646-0252

TAXPAYER NAME:

BRIGHT VIEW ENGINEERING LLC

TRADE NAME:

ADDRESS:

5 PITCAIRN DR  
ROSELAND NJ 07068

SEQUENCE NUMBER:

2162037

EFFECTIVE DATE:

ISSUANCE DATE:

08/17/17

08/17/17

*James J. Duruone*

Director  
New Jersey Division of Revenue



## 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.

Print or type.  
 See Specific instructions on page 3.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.<br><b>Bright View Engineering LLC</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                             |
| 2 Business name/disregarded entity name, if different from above<br><b>City of Orange Township, 29 North Day St, Orange, NJ-07050</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                             |
| 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.<br><br><input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate<br><br><input checked="" type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ <b>S</b><br><small>Note: 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.</small><br><br><input type="checkbox"/> Other (see instructions) ▶ | 4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):<br><br>Exempt payee code (if any) _____<br><br>Exemption from FATCA reporting code (if any) _____<br><br><small>(Applies to accounts maintained outside the U.S.)</small> |
| 5 Address (number, street, and apt. or suite no.) See instructions.<br><b>5 Pitcairn Drive</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Requester's name and address (optional)                                                                                                                                                                                                                                     |
| 6 City, state, and ZIP code<br><b>Roseland, NJ 07068</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                             |
| 7 List account number(s) here (optional)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                             |

### 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                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |   |   |   |   |   |   |   |   |   |   |
| <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> </tr> </table>                                                                                                                                                                                                                   |   |   |   |   |   |   |   |   |   |   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |   |   |   |   |   |   |   |   |   |   |
| OR                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |   |   |   |   |   |   |   |   |   |   |
| Employer identification number                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |   |   |   |   |   |   |   |   |   |   |
| <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">8</td> <td style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">2</td> <td style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">-</td> <td style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">2</td> <td style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">5</td> <td style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">0</td> <td style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">6</td> <td style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">6</td> <td style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">4</td> <td style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">7</td> </tr> </table> | 8 | 2 | - | 2 | 5 | 0 | 6 | 6 | 4 | 7 |
| 8                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 2 | - | 2 | 5 | 0 | 6 | 6 | 4 | 7 |   |

### Part II Certification

Under penalties of perjury, I certify that:

1. 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
2. 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
3. I am a U.S. citizen or other U.S. person (defined below); and
4. 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.

|                  |                                             |                   |
|------------------|---------------------------------------------|-------------------|
| <b>Sign Here</b> | Signature of U.S. person ▶ <i>John Jahr</i> | Date ▶ 02/27/2023 |
|------------------|---------------------------------------------|-------------------|

### 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 1098 (home mortgage interest), 1098-E (student loan interest), 1098-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.*