

CITY COUNCIL

The City of Orange Township, New Jersey

DATE September 19, 2023

AMENDED

NUMBER 364-2023

TITLE: A RESOLUTION AUTHORIZING THE EXTENSION OF THE AWARDED CONTRACT WITH AMERICAN FORENSIC ENGINEERING, 5383 GAGNON TERRACE, NORTH PORT, FL 34291 TO PROVIDE PROFESSIONAL ENGINEERING CONSTRUCTION ADMINISTRATION SERVICES FOR THE NJDOT'22 SAFE STREETS TO TRANSIT IMPROVEMENTS IN THE AMOUNT NOT TO EXCEED \$19,725.00.

WHEREAS, the Award of Professional Engineering, Construction Administration and Inspection Services, Resolution 206-2022, expired on April 18, 2023; and

WHEREAS, the project is continuous, ongoing, and still being completed; and

WHEREAS, as a result, the Award needs to be extended so the Services can be completed; 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 monies are available in Account No. G-02-00-559-001-022.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the City of Orange Township does authorize the extension of Awarded Contract with American Forensic Engineering, in the amount not to exceed \$19,725.00.

Adopted: September 19, 2023

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President

[Handwritten Signature]



Handwritten signature or scribble.

CITY COUNCIL**The City of Orange Township, New Jersey**DATE Apr 11 19, 2022NUMBER 206-2022

TITLE: A RESOLUTION AUTHORIZING AMERICAN FORENSIC ENGINEERING (AFE), 7 HILLTOP ROAD KINNELON, NEW JERSEY 07405, 2059 TO PROVIDE PROFESSIONAL ENGINEERING, DESIGN, ARCHITECTURAL, CONSTRUCTION/INSPECTION SERVICES FOR THE NJDOT'22 SAFE STREETS TO TRANSIT IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$78,900.00.

WHEREAS, the City of Orange Township did duly advertise on November 19, 2021, for Request for Qualifications for Consulting Engineering Services; and

WHEREAS, on December 7, 2021, the City of Orange Township received ten (10) qualification proposals; and

WHEREAS, pursuant to the fair and open process, and based upon review of the qualifications and recommendations therefore, certain professionals are qualified to provide consulting engineering services on an "as needed" basis for the City of Orange Township; and

WHEREAS, the Director of Public Works & Engineering evaluated all proposal submitted based upon qualifications, experience with similar projects, and project understanding; and

WHEREAS, Municipal Council of the City of Orange Township did approve by Resolution #23-2022 the ten (10) to provide professional consulting engineering services to the City of Orange Township on an "as needed" basis for the period of January 1, 2022, through December 31, 2022; and

WHEREAS, Resolution #23-2022 did not establish a contract and only listed qualified professionals for consideration on future projects; and

WHEREAS, a separate resolution is needed to enter into a contract to provide professional engineering for the NJDOT'22 Safe Streets to Transit Improvements; and

WHEREAS, the Director of Public Works & Engineering agreed to select American Forensic Engineering (AE) from the approved list of qualified professionals to provide engineering services for the NJDOT'22 Safe Streets to Transit Improvements; and

WHEREAS, the Chief Financial Officer of the City of Orange Township has prepared the necessary Certificate of Availability of Funds, certifying the funds are available under the appropriate account G-02-00-559-001-022; and


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 American Forensic Engineering (AFE) in an amount not to exceed \$78,900.00.


 A. M. Zoratti

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 19, 2022



Joyce L. Lanier
City Clerk



Kerry J. Coley
Council President

NEW JERSEY DEPARTMENT OF THE TREASURY
DIVISION OF REVENUE AND ENTERPRISE SERVICES

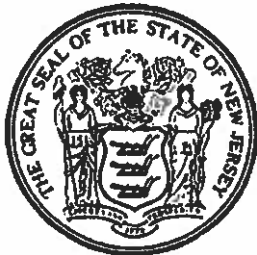
CERTIFICATE OF REGISTRATION
AMERICAN FORENSIC ENGINEERING LLC
0450494037

The above-named FOREIGN LIMITED LIABILITY COMPANY was duly filed in accordance with New Jersey State Law on 05/27/2020 and was assigned identification number 0450494037. Following are the articles that constitute its original certificate.

- 1. Name:**
AMERICAN FORENSIC ENGINEERING LLC
- 2. Registered Agent:**
WILLIAM HENDERSON
- 3. Registered Office:**
7 HILLTOP RD
KINNELON, NEW JERSEY 07405
- 4. Business Purpose:**
AMERICAN FORENSIC ENGINEERING PROVIDES GENERAL FORENSIC AND DESIGN ENGINEERING SERVICES IN SUPPORT PRIVATE AND PUBLIC INFRASTRUCTURE PROJECTS AND DISPUTES +
- 5. Incorporated Under the Laws of:**
DELAWARE ON 04/12/2019
- 6. Effective Date of this filing is:**
05/27/2020
- 7. Main Business Address:**
7 HILLTOP RD
KINNELON, NEW JERSEY 07405-0740

Signatures:

BILL HENDERSON
GENERAL PARTNER



Certificate Number: 4103247314

Verify this certificate online at

https://www1.state.nj.us/TYTR_StandingCert/JSP/Verfi_Cert.jsp

*IN TESTIMONY WHEREOF, I have
hereunto set my hand and
affixed my Official Seal
27th day of May, 2020*

A handwritten signature in black ink, appearing to read "Elizabeth Maher Muoio".

Elizabeth Maher Muoio
State Treasurer

Request for Taxpayer Identification Number and Certification

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

Go to www.irs.gov/FormW9 for instructions and the latest information.

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.
American Forensic Engineering

2 Business name/disregarded entity name, if different from above

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) ▶ S

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.

Other (see instructions) ▶

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) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
5383 Gagnon Ter

6 City, state, and ZIP code
North Port, FL 34291

7 List account number(s) here (optional)

Requester's name and address (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

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

OR

Employer identification number

8	3	-	4	3	8	8	6	4	5
---	---	---	---	---	---	---	---	---	---

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 ▶ Date ▶ **8/31/23**

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.

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.

CITY OF ORANGE
FINANCE DEPARTMENT

CERTIFICATION OF FUNDS
GRANT TRUST ACCOUNT

I, Nile Clements, Chief Financial Officer for the City of Orange, do hereby certify to the best of my knowledge and belief that there are now sufficient funds in the following Grant account(s) to Contract with:

Vendor Name: American Forensic Engineering LLC.

Address#1: 7 Hilltop Road
City: Kinnelon
State: NJ
Zip Code: 07405

Purpose: Engineering & design services for Transit improvements

Fund: Current Fund - Grants
Account Name NJDOT'22 Safe Streets Transit Grant
Account Number(s): G-02-00-559-001-022
Balance Before 510,825.00
Requested 19,725.00
Balance After 491,100.00

Vendor ID: AMER1150

Purchase Order #: 22-00855

Amount not to exceed: \$78,900.00

Division Head

Date

Nile Clements

9/15/2023

Chief Financial Officer

Date



**AMERICAN FORENSIC
ENGINEERING**
DESIGN * INSPECT

February 28, 2022

**Mr. Marty Mayes, Director
Department of Public Works and Economic Development City of Orange Township
29 Day Street
Orange, NJ 07050**

**Re: PROPOSAL FOR PROFESSIONAL SERVICES
FY 2022 SAFE STREETS TO TRANSIT PROGRAM
CITY OF ORANGE TOWNSHIP, ESSEX COUNTY, NEW JERSEY**

Dear Director Mayes:

American Forensic Engineering is pleased to present this proposal to provide survey, Professional Engineering Design and Construction services with the goal of reopening the Shelter House within the Orange Main Street Transit Station located at Tony Galento Plaza.

The primary project purpose is to enhance pedestrian safety in accordance with the recently approved FY 2022 Safe Streets to Transit Program for the completion of the "Orange Transit Station Underpass and Railroad Place Improvement Project.

Location:

Orange Shelter House at Tony Galento Plaza. North side of the station along Toney Galento Plaza and is directly adjacent to the plaza and development occurring near the area.

Total Project Cost:

\$572,312

American Forensic Engineering to provide all required Engineering, Building Design, and Construction Services necessary for the proposed project, including:

**ENGINEERING DESIGN, CONTRACT DOCUMENTS, BID SOLICITATION, CONSTRUCTION
MANAGEMENT AND INSPECTION**

SCOPE OF PROFESSIONAL SERVICES

- We will prepare design drawings and technical specifications for public bidding.
- We will forward the design package for approval in accordance with the Grant Requirements.
- We will prepare an estimated cost of construction based on the final design.
- American Forensic Engineering will prepare a notice of advertisement for bidders and coordinate with the City Clerk, and the Approving Authority.
- We will issue bid packages to prospective bidders.
- We will answer bidder questions, and issue addenda as necessary during the bid period. We will attend the bid opening.
- We will prepare a bid analysis of the tabulated bid amounts and complete a bid checklist sheet.
- We will make a recommendation to City for award of contract in conjunction with review by the City Attorney.
- We will perform all necessary construction related services including
- We will conduct a pre-construction meeting with the City and the selected contractor(s) and provide minutes of the meeting.
- We will oversee all payment expenditures and provide consulting services to conform with Grant requirements
- We will review and respond to Shop Drawing submissions. For the purpose of this proposal, we have assumed that four shop drawings submissions at 2 hours per is required.
- We will prepare engineering notifications and correspondence to comply with applicable regulations and in accordance with the Grant requirements.
- We will review the contractor's maintenance and protection of traffic plans in cooperation with the City Police Department.
- We will review shop drawing submittals and coordinate with the contractor as needed.
- We will conduct construction observation and inspection as needed for a construction period not-to-exceed 90 working days.
- We will respond to Contractor's RFI's.
- We will process payment vouchers and change orders as applicable throughout the period of construction.
- We will provide a final inspection and certify completion as required by applicable regulations and in accordance with the Grant requirements.
- We will notify the City, and all required agencies having jurisdiction, of inspections and prepare a final punch list of items for the contractor to implement. We will provide a final inspection and certify completion.
- We will process payment applications and closeout documents to secure the funding in a conformance to the Grant requirements.
- We will process final payment application and closeout of the project.

SCHEDULE

American Forensic Engineering is prepared to begin work on this project immediately upon receipt of Notice-to-Proceed and will endeavor to complete all work in accordance with the Client's scheduling needs.



FEE

We propose to complete the scope of work for a lump sum fee of \$78,900

Reproduction costs for submissions, and Client and project team use (along with overnight mail), are included in the various scope items of this proposal. Analytical Material or Environmental Testing and all extraordinary expenses if required for the project will be invoiced in addition to the above stated fee.

PROJECT MANAGER

Brigette Bogart will serve as project manager.

Thank you for the opportunity to provide these professional services. If you have any questions, or if you would like to discuss any of the above, please do not hesitate to contact us.

Sincerely,

AMERICAN FORENSIC ENGINEERING



**William B. Henderson
Managing Partner**



Financial Capacity

PROFESSIONAL SERVICES SCHEDULE OF FEES 2021

AFE provides forensic engineering inspection and technical/analytical consulting services in accordance with the terms and conditions of the contract or proposal accompanying this rate schedule.

AFE's compensation will be based on the following schedule of fees and charges unless our contract or proposal specifies otherwise:

LABOR CATEGORY	RATES \$/HOUR
Principal Professional	\$195
Senior Project Manager	\$180
Project Engineer	\$165
Licensed Operator	\$145
Staff Professional	\$130
Graduate Professional	\$115
Technical Associate	\$100
Field Technician	\$95
Project Assistant	\$75

- "Professional" includes all disciplines (Engineer, Planner, Surveyor, Geologist, etc.)
- Technical Support/Expert Testimony Fee provided upon request

EXPENSES

AFE does not bill for routine office management or accounting services; however, direct expense charges described below are subject to an additional administrative fee as indicated:

- Subconsultant/Subcontractor services: cost plus 20%
- Project Related Travel and Living Expense: cost plus 10%
- Field Equipment (Expendable Materials/Supplies and Outside Reproduction): cost plus 10%
- Passenger Vehicles: per IRS standard rate

CITY COUNCIL

The City of Orange Township, New Jersey

DATE

January 4, 2021

NUMBER

23-2022

TITLE: A RESOLUTION APPROVING QUALIFIED CONSULTANT ENGINEERS TO PROVIDE CONSULTING ENGINEERING ON AN "AS NEEDED" BASIS FOR ONE (1) YEAR COMMENCING JANUARY 1, 2022 THROUGH DECEMBER 31, 2022.

WHEREAS, the City of Orange Township did duly advertise on November 19, 2021, for Request for Qualifications for Consulting Engineering Services; and

WHEREAS, on December 7, 2021, the City of Orange Township received ten (10) qualification proposals; and

WHEREAS, pursuant to the fair and open process, and based upon review of the qualifications and recommendations therefore, certain professionals are qualified to provide consulting engineering services on an "as needed" basis by the City of Orange Township; and

WHEREAS, the Director of Public Works Engineering having evaluated all proposals submitted based upon qualifications, experience with similar projects, and project understanding; and

WHEREAS, this is not a contract and is only a list of qualified professionals. Another resolution shall be needed to enter a contract setting forth the rates and terms.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the City of Orange Township does hereby approve those listed below to provide professional consulting engineering services to the City of Orange Township on an "as needed" basis for the period of January 1, 2022 through December 31, 2022:

1. Remington & Vernick Engineers
One Harmon Plaza, Suite 210
Secaucus, New Jersey 07094
2. Pennoni Associates
24 Commerce Street, Suite 300
Newark, New Jersey 07102
3. Lewis Consulting Group
2604 Atlantic Avenue, Suite 600
Wall, New Jersey 07719
4. T&M Associates
1455 Broad Street, Suite 250
Bloomfield, New Jersey 07003

5. **Boswell Engineering**
330 Phillips Avenue
South Hackensack, New Jersey 07606

6. **Neglia Engineering**
34 Park Avenue
Lyndhurst, New Jersey 07071

7. **Mott MacDonald**
412 Mt Kemble Avenue Suite G22
Morristown, New Jersey 07960

8. **Brightview Engineering**
651 Old Mount Pleasant Avenue, Suite 100
Livingston, New Jersey 07039

9. **American Forensic Engineering**
7 Hilltop Road
Kinnelon, New Jersey 07405

10. **Matrix New World Engineering**
26 Columbia Turnpike
Florham Park, New Jersey 07932

BE IT FURTHER RESOLVED that a copy of this resolution shall remain on file in the Office of the Municipal Clerk of the City of Orange Township.

Adopted: January 4, 2022



Joyce L. Lanier
City Clerk



Kerry J. Coley
Council President



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/29/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER AssuredPartners of Washington, LLC PMB #369, 19689 7th Ave NE, Ste 183 Poulsbo WA 98370	CONTACT NAME: Tina Ruiz PHONE (AG No. Ex): 360-830-3974 FAX (AG. Hot): 360-830-3974 EMAIL ADDRESS: Tina.ruiz@assuredpartners.com
	INSURER(S) AFFORDING COVERAGE INSURER A: Twin City Fire Insurance Company NAIC # 29459 INSURER B: Beazley Insurance Company Inc 37540 INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES **CERTIFICATE NUMBER:** 1104287307 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADD. SUBR INSD. WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR		52SBAAE2828	5/24/2021	5/24/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
GEN'L AGGREGATE LIMIT APPLIES PER <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:						
A	<input type="checkbox"/> AUTOMOBILE LIABILITY ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> Hired AUTOS ONLY		52SBAAE2828	5/24/2021	5/24/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per person) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB EXCESS LIAB		52SBAAE2828	5/24/2021	5/24/2022	OCCUR CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000 EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000
WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/EMERSEER EXCLUDED? <input type="checkbox"/> Y/N <input checked="" type="checkbox"/> N/A (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						
B	Professional Liability Claims Made Form		V2C478210201	8/19/2021	8/19/2022	PER STATUTE O-T-H-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$ Per Claim Aggregate \$1,000,000 \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
For Evidence of Insurance Only

CERTIFICATE HOLDER American Forensic Engineering 7 Hilltop Road Kinnelon NJ 07405	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE <i>Cari Cobb</i>

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:

12-2-21

**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

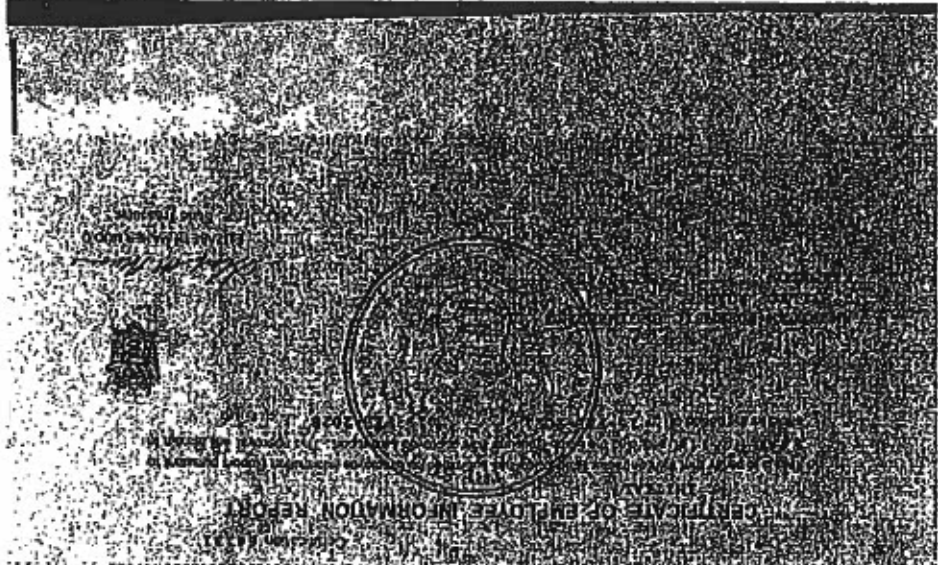
If yes, please submit a copy of such certificate

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: AMERICAN FORENSIC ENGINEERING

Signature: [Signature]

Title: Managing Partner, CFAI



CERTIFICATE OF EMPLOYEE INFORMATION REPORT

Enclosed is your Certificate of Employee Information Report (hereinafter referred to as the Certificate) and based on the Employee Information Report (AA-502) form completed by a representative of your company or firm. Immediately upon receipt, this certificate should be forwarded to the person in your company or firm responsible for ensuring equal employment opportunity and/or opposing the company or firm's conduct with public agencies. Typically, this person may be your company or firm's Human Resources Manager, Equal Employment Opportunity Officer or Central Administrator. If you do not know to whom the certificate should be forwarded, kindly forward it to the head of your company or firm. Copies of the certificate should also be distributed to all facilities of your company or firm who engage in bidding on public contracts in New Jersey and who use the same Federal Acquisition Regulation (FAR) contract. The certificate should be retained in your records until the date it expires. This is very important since a request for a duplicate certificate will result in a

ISSUANCE CERTIFICATE OF EMPLOYEE INFORMATION REPORT

State of New Jersey
Department of the Treasury
Division of Purchase and Property
Contract Compliance & Audit Unit
20 West Wall Street
P.O. Box 104
Trenton, New Jersey 08646-0104



Elizabeth Murray, MPO
Sally Traylor
Margaret A. Smith
Acting Director

John D. Murray
Comptroller
Peter A. DiStasio
Auditor General

