

CITY COUNCIL

The City of Orange Township, New Jersey

DATE March 5, 2024

NUMBER 140-2024

TITLE: A RESOLUTION AWARDING A CONTRACT TO NEWARK ASPHALT CORP., FOOT OF PASSAIC STREET, NEWARK, NEW JERSEY 07104, FOR SUPPLYING ASPHALT PAVEMENT AND STONE DUST FOR ONE (1) YEAR COMMENCING JANUARY 1, 2024 THROUGH DECEMBER 31, 2024 IN THE AMOUNT NOT TO EXCEED \$30,000.00.

WHEREAS, the City of Orange Township did duly advertise on January 18, 2024 for proposals for supplying asphalt pavement and stone dust pursuant to the specifications; and,

WHEREAS, on January 31, 2024 the City of Orange Township received one (1) public proposal for supplying asphalt pavement and stone dust prices based on per tonnage from the following:

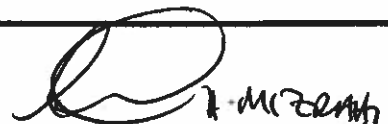
ITEM	NEWARK ASPHALT
Bituminous Concrete Surface Course (SP-2) Hot Mixed	\$70.00 per ton
Bituminous Concrete Surface Course (FABC) I-5 Hot Mixed	\$ 55.00 per ton
Bituminous Concrete Stabilized Base I-2 Hot Mixed	\$ 50.00 per ton
Asphalt Pavement Type "A" Cold Patch or Equal Top Course	\$125.00 per ton
Stone Dust	\$ 30.00 per ton

WHEREAS, there exists a need for supplying asphalt pavement and stone dust within a 10 mile radius of the City of Orange Township since physical proximity is necessary for the economical performance of the contract; and

WHEREAS, the Director of Public Works did examine the proposal and determined that Newark Asphalt Corp.'s proposal complied with the Local Public Contracts Law; and,

WHEREAS, Newark Asphalt Corp. 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 Newark Asphalt Corp. 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 will be available for this purpose in Account No. 4-01-26-290-000-514,



contingent upon Council approval and inclusion of said item in the Temporary Budget and adopted 2024 Budget, there will be sufficient funds to contract with Newark Asphalt Corp.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Orange Township, that a contract be awarded to Newark Asphalt Corp., Foot of Passaic Street, Newark New Jersey 07104; and,

BE IT FURTHER RESOLVED, that the proper officers of the City of Orange Township are hereby authorized to enter into said contract with Newark Asphalt Corp. for supplying asphalt pavement and stone dust upon condition that bidder comply fully with all terms and conditions of the specifications in an amount not to exceed \$30,000.00.

Adopted: **March 5, 2024**

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 2024 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 2024 Budget, there will be sufficient funds to contract with:

Vendor Name: Newark Asphalt Corp.
Address: Foot of Passaic St.

City: Newark
State: New Jersey
Zip Code: 07104

Purpose: Supplying asphalt pavement and stone dust
Vendor ID: NEWAR010

Temporary Budget: \$ 7,500.00
Fund: Current Fund
Line Description STR - Street Services - Street Repairs
Account Numbers(s): CY24 4-01-26-290-000-514

The remainder of: \$ 22,500.00
will be provided in
Fund: Current Fund
Line Description STR - Street Services - Street Repairs
Account Numbers(s): CY24 4-01-26-290-000-514

Purchase Order # : 24-00574

Amount not to exceed: \$ 30,000.00

Division Head

Date

Nile Clements

2/22/2024

Chief Financial Officer

Date

AGREEMENT

This Agreement, made and entered into this ____ day of _____, 2024, between the City of Orange Township and **Newark Asphalt Corp., Foot of Passaic Street, Newark, New Jersey 07104.**

WHEREAS, the City of Orange Township wishes to retain a firm for the purpose of **supplying asphalt pavement and stone dust** for the City of Orange Township, as specifically set forth in the attached proposal.

WHEREAS, the City of Orange Township wishes to retain **Newark Asphalt Corp.**, with offices located at **Foot of Passaic Street, Newark, New Jersey**, the lowest responsible bidder of bidders to submitting for such service on January 31, 2024.

WHEREAS, this firm and the individuals of the firm are to be retained pursuant to the Agreement as specified by the attached proposal dated January 31, 2024; and

WHEREAS, the City Council of the City of Orange Township has, by **Resolution No. _____-2024** dated _____, 2024, authorizes **Newark Asphalt Corp.** to provide **asphalt pavement and stone dust**, as specified in the attached proposal.

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

1. **Newark Asphalt Corp.** is hereby contracted by the City of Orange Township to provide services as specified in the attached proposal.
2. This agreement shall be effective commencing on **January 1, 2024** and terminating on **December 31, 2024.**

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

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

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

ATTEST:

CITY OF ORANGE TOWNSHIP:

Joyce L. Lanier Date
Municipal Clerk

Dwayne D. Warren, Esq. Date
Mayor

ATTEST:

Newark Asphalt Corp.
Foot of Passaic Street
Newark, New Jersey 07104

Print Name

Print Name

Signature Date

Signature Date

Approved as to Form and Sufficiency

Gracia R. Montilus Date
City Attorney

CITY OF ORANGE TOWNSHIP, NEW JERSEY

SPECIFICATIONS FOR ASPHALT PAVEMENTS & STONE DUST

BITUMINOUS CONCRETE SURFACE COURSE – HOT MIXED (SP-1)
BITUMINOUS CONCRETE SURFACE COURSE – HOT MIXED (FABC) I-5
BITUMINOUS CONCRETE STABILIZED BASE – HOT MIXED (I-2)

New Jersey DOT Standard Specifications dated 1989 for Bituminous Concrete Surface (FABC) and (SP-1), Hot Mixed, and Bituminous Concrete Stabilized Base I-5 Hot Mixed, shall be used.

Delivery of above pavement is in truck load lots at the Supplier's Plant to City owned trucks.

Tickets showing weights delivered shall accompany each truck of materials.

Prices for the above materials are based on pavement obtained at Supplier's Plants, which are opened at least 50 weeks a year. Supplier must give the City of Orange Township at least 1 month notice in the event of a plant closing for two weeks.

Type A
Cold Patch/Winter Mix

The State Highway Specifications for Binder and Top (Wearing Surface) and specifications for Type A New Jersey State Cold Patch, or equal are to be met.

Delivery of above pavement is in truck load lots at the Supplier's Plant to City owned trucks.

Tickets showing weights delivered shall accompany each truck of materials.

Prices for the above materials are based on pavement obtained at Supplier's Plant and loaded on City owned trucks.

Proposals will only be accepted from Supplier's Plant, which are within a 10-mile radius of the Department of Public Works Garage, located at Brook Alley, in the City of Orange Township, New Jersey.

Proposals will only be accepted from Supplier's Plant, which are opened for at least 50 weeks a year. Supplier must give the City of Orange Township at least 1 month notice in the event of a plant closing for two weeks.

Bidders seeking the award of this contract must be registered with the State of New Jersey pursuant to the State Business Registration Act. A certificate showing proof of registration must be included in all proposals.

Bidders are also required to complete and sign the attached "Affirmative Action" Forms.

**CITY OF ORANGE TOWNSHIP, NEW JERSEY
DEPARTMENT OF PUBLIC WORKS**

PROPOSAL FOR SUPPLYING ASPHALT PAVEMENT AND STONE DUST

The City of Orange Township
Orange, New Jersey

Dear Sirs:

We the undersigned, having carefully read the specification, and having come to a full understanding of the intent and meaning of said specifications, herewith submit out proposal for the same:

Award shall be made on a per ton basis.

1. For supplying asphalt pavement Bituminous Concrete Surface Course (SP-2) Hot Mixed in truck load lots at Seller's Plant (150 Tons – Estimated Quantity):

The sum of Seventy dollars 00/100 \$70.00 Per Ton
(Words) (Figures)

2. For supplying asphalt pavement Bituminous Concrete Surface Course (FABC) I-5 Hot Mixed in truck load lots at Seller's Plant (150 Tons – Estimated Quantity):

The sum of Fifty-five dollars 00/100 \$55.00 Per Ton
(Words) (Figures)

3. For supplying asphalt pavement Bituminous Concrete Stabilized Base I-2 Hot Mixed in truck load lots at Seller's Plant (150 Tons – Estimated Quantity):

The sum of Fifty dollars 00/100 \$50.00 Per Ton
(Words) (Figures)

4. For supplying asphalt pavement Type "A" Cold Patch or Equal Top Course in truck load lots at Seller's Plant (150 Tons – Estimated Quantity):

The sum of One hundred twenty-five dollars 00/100 \$125.00 Per Ton
(Words) (Figures)

5. For supplying all Stone Dust in truck load lots at Seller's Plant (150 Tons – Estimated Quantity)

The sum of Thirty dollars 00/100 \$30.00 Per Ton
(Words) (Figures)

Vendor's Name: Newark Asphalt Corp.

Address: 30 Passaic Street

Newark, New Jersey 07104

Telephone: 973-482-3503 Federal Tax ID: 22-1809918

Authorized Signature: Joseph Biggion Date: January 24, 2024

**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 X

If yes, please submit a copy of such approval

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

Yes X 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: Newark Asphalt Corp.

Signature: Joseph Biggiano

Title: General Manager

Certification 7700

**CERTIFICATE OF EMPLOYEE INFORMATION REPORT
RENEWAL**

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of **15-APR-2019** to **15-APR-2026**

**NEWARK ASPHALT CORP.
FOOT OF PASSAIC STREET
NEWARK NJ 07104**



Elizabeth Maher Muoio

**ELIZABETH MAHER MUOIO
State Treasurer**

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:

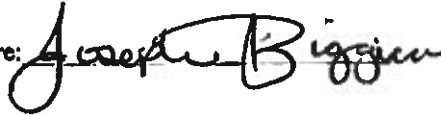
Letter of Federal Affirmative Action Plan Approval

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: January 24, 2024

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:

Joseph B. Biggica

Date:

JANUARY 24, 2024

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

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.

08/28/12

Taxpayer Identification# 221-809-918/000

Dear Business Representative:

Congratulations! You are now registered with the New Jersey Division of Revenue.

Use the Taxpayer Identification Number listed above on all correspondence with the Divisions of Revenue and Taxation, as well as with the Department of Labor (if the business is subject to unemployment withholdings). Your tax returns and payments will be filed under this number, and you will be able to access information about your account by referencing it.

Additionally, please note that State law requires all contractors and subcontractors with Public agencies to provide proof of their registration with the Division of Revenue. The law also amended Section 92 of the Casino Control Act, which deals with the casino service industry.

We have attached a Proof of Registration Certificate for your use. To comply with the law, if you are currently under contract or entering into a contract with a State agency, you must provide a copy of the certificate to the contracting agency.

If you have any questions or require more information, feel free to call our Registration Hotline at (609)282-9292.

I wish you continued success in your business endeavors.

Sincerely,



James J. Fruscione
Director
New Jersey Division of Revenue

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY,
DIVISION OF REVENUE
PO BOX 382
TRENTON, NJ 08646-0282

TAXPAYER NAME:
NEWARK ASPHALT CORP.

TRADE NAME:

ADDRESS:
FOOT OF PASSAIC ST
NEWARK NJ 07102
EFFECTIVE DATE:

SEQUENCE NUMBER:
0003826

ISSUANCE DATE:
08/28/12

10/11/65



Director
New Jersey Division of Revenue

FORM-BRC

This Certificate is NOT assignable or transferable. It must be conspicuously displayed at shown address.

Form **W-9**
(Rev. December 2011)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

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

Name (as shown on your income tax return)
Newark Asphalt Corp.

Business name/ disregarded entity name, if different from above

Check appropriate box for federal tax classification:
 Individual/sole proprietor C Corporation S Corporation Partnership Trust/estate
 United liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ Exempt payee
 Other (see instructions) ▶ _____

Address (number, street, and apt. or suite no.)
Foot of Passaic Street

City, state, and ZIP code
Newark, NJ 07104

Requester's name and address (optional)

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 the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN on page 3.

Notes: If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number								
			-					

Employer identification number								
2	2	-	1	8	0	9	9	1

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).

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 on page 4.

Sign Here Signature of U.S. person ▶ *E. Sprute* Date ▶ 9/25/2013

General Instructions

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

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued).
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

**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 freeholders 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

NEWARK ASPHALT CORP. (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	
Tenry A. Eason	
Quantavia L. Ellbert	
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
Please see attached	

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: Newark Asphalt Corp.
 Signed: Joseph Biggica Title: General Manager
 Print Name: Joseph Biggica Date: January 24, 2024

Subscribed and sworn before me the 24 day of January, ~~2024~~ 2024
Jessica Barkaszi
 (Affiant)
Jessica Barkaszi - Assistant
 (Print name & title of affiant) (Corporate Seal)
 My Commission expires: October 23, 2027

JESSICA BARKASZI
 Commission # 2426411
 Notary Public, State of New Jersey
 My Commission Expires
 October 23, 2027

Newark Asphalt Corp.
Foot of Passaic Street
Newark, N.J. 07104 - 3908
Operator Assisted 973-482-3603
Fax - Main Office 973-268-3630

Newark Asphalt Corp. was incorporated on October 30, 1985 under the Laws of the State of New Jersey. The Company's Identification Numbers are: Federal 22-1809918 and State 206129. Chapter 29 of the 1977 Public Laws of the State of New Jersey require disclosure of the following lists of corporate officers. 100% of the Stock of Newark Asphalt Corp. is owned by the stockholders listed below.

OFFICERS

Joseph M. Napp - President and Registered Agent
 6 Knollwood Drive
 West Orange, N.J. 07062
 152-36-2342

Frank M. Grecco, Jr. - Vice-President
 3 Allenby Road
 Scotch Plains, N.J. 07076
 149-60-8051

Daniel Corvelli - Secretary - Treasurer
 14 Waffle Run Court
 Long Valley, N.J. 07053
 157-60-6868

STOCKHOLDERS	VOTING SHARES	NON-VOTING SHARES	PERCENTAGE OF OUTSTANDING
Trust f/w/o Roberts Grecco 781 Norgate Westfield, N.J. 07090	114	26	0.5%
Frank M. Grecco, Jr. 3 Allenby Road Scotch Plains, N.J. 07076	36.5	37.75	4.5%
Robert Grecco 109 Hillcrest Road Flemington, N.J. 08822	36.5	37.75	4.5%
Allison Grecco Sorace 28 Helen Street Farwood, N.J. 07023	0	98.5	6.0%
Irene N. Corvelli 27 Randolph Place West Orange, N.J. 07062	0	625	38.1%
Joseph M. Napp 6 Knollwood Drive West Orange, N.J. 07062	626	1	38.3%
Total Shares Outstanding	813	826	100%

**City of Orange Township
Notice to Bidders
Request for Proposal
Asphalt Pavement & Stone
Dust Materials**

**City of Orange Township,
Essex County, New Jersey**
Notice is hereby given that sealed "Request for Proposals" (under the provision of Local Public Contracts Law N.J.S.A. 40:A-11-11-4.1 et seq.) will be opened on January 31, 2024 by the Director of Public Works/Engineering at 10:00am prevailing time on the 3rd Floor Public Works Conference Room, City Hall, 29 North Day Street, Orange, New Jersey 07050.

The City of Orange Township is requesting proposals for the purchase of asphalt pavement and stone dust materials. Proposals will only be accepted from Supplier's Plant, which are within a 10 mile radius from the municipal boundaries of the City of Orange Township since physical proximity is necessary for the economical performance of the contract.

Instructions for the preparation and submission of the proposal may be obtained from the Department of Public Works by contacting Keesha Lewis by phone at (973) 592-6080 or by email at klewis@orangenj.gov between the hours of 9:00am and 4:00pm, Monday through Friday commencing on the date of this notice.

The proposal and all supporting documents shall be submitted in a sealed envelope plainly marked to indicate the name and address of the proposer, the subject of the proposal and date of proposal opening. Responses may either be mailed or delivered in person. Mailed responses will be held and opened at the above specified time and date. Responses received by the Department of Public

Works/Engineering after the time for opening proposals will be returned unopened.

The City of Orange Township is not responsible for late delivery by the United States Postal Service or any other carrier.

Bidders are required to comply with the requirement of NJSA 10:5-31 et seq. And Affirmative Action requirements of P.L. 1075, C.127 (NJAC 17:27 et seq.) and Local Unit Pay-To-Play Law (P.L. 2004, c19, as amended by P.L. 2005, c51).

These proposals are being solicited through a Fair and Open process in accordance with N.J.S.A. 19:44A-20.4 et. Seq.

The City reserves the right to accept the proposal it deems most advantageous or to reject all proposals.

Dwayne D. Warren, Esq.

Mayor

Marty Mayes, CRP, SRMP, CPWM

**Director of Public Works/Engineering
(973) 952-6078**

1/18/2024

\$85.14