
**BOROUGH OF KEYPORT
REQUEST FOR PROPOSALS
FOR GRASS CUTTING AND LAWN MAINTENANCE
SERVICES 2024**

The Borough of Keyport requests proposals for grass cutting and lawn maintenance services for 2024 for designated public properties.

Proposals shall be submitted no later than 10:00 a.m. on March 27, 2024 to the Municipal Clerk, 70 West Front Street, Keyport NJ 07735 in a sealed envelope marked: 2024 Grass Cutting and Lawn Maintenance

The proposed cost shall include all labor, equipment, and materials required to perform the services detailed herein for a period ending **November 15, 2024**. ANY EXCEPTIONS TO THE REQUIRED SERVICES MUST BE LISTED.

Payment for services shall be made upon submission of a signed payment voucher and invoice at the end of each month which includes the dates services were provided at each location and a report of recommendations, if any.

The Contractor shall provide evidence of New Jersey Business Registration, evidence of insurance including Workers Compensation, General and Auto Liability, and shall provide the Borough with a certificate of insurance naming the Borough as an additional insured.

Direct all questions to the Municipal Clerk via email to mclark@keyportonline.com

ITEM #1: PARKS

Trimming of grass around all structures, ornaments, fences, and lamp posts, etc., shall be done on a weekly basis. Edging/blowing of all walkways, ramps, and curbs shall be done on a weekly basis.

Shrubs and small trees will be pruned twice a year in the Spring and Fall. All branches are to be removed from the location.

Ornamental Grasses will be cut back (pruned) once a year in the Spring.

All beds are to be weeded continuously throughout the year and edged **twice** a year.

ITEM #1: PARKS:

- **Therese Street Park**
- **Cedar StreetPark**
- **Benjamin Terry Park, Myrtle Avenue**
- **Veterans Park, Myrtle Avenue**
- **Kearney Street Park**
- **Fireman's Park, West Front Street**

- Waterfront Park, including boat ramp area adjacent to First Street; and areas adjacent to gazebo and Promenade along American legion Drive
- Beach Park, including playground area on First Street

LUMP SUM for Item #1: _____ (number value/ written)

ITEM #2: BOROUGH-OWNED PROPERTIES AND OPEN LOTS

The Borough-owned public properties identified below shall be cut and trimmed bi-weekly to a 2" GRASS LENGTH unless otherwise indicated. These properties DO NOT REQUIRE SOIL TESTING OR FERTILIZER. Cutting includes cleaning and removing debris from lawn, bagging all grass clippings, and removal/disposal.

1. Keyport Public Library, Broad & Third Street: weed-wack, sidewalk clearing
2. Senior Center, 110 Second Street
3. Vacant (Parking) Lot, corner of Second Street & Church Street: weed-wack
4. Clark Street (North side only from Madison Street to Broadway)

Lump Sum for Item #2 _____ (number value/ written)

Total Sum for Items #1 and #2 _____ (number value/ written)

Authorized Signature for Vendor/Contractor: _____

Printed Name and Title: _____

Date: _____

Obtaining a Submission Package

Instructions and Proposal documents are available on the Borough's website (www.keyportonline.com) and can also be obtained through the Borough Clerk's Office during regular business hours, Monday – Friday, from 9:30 a.m. to 3:30 p.m. The submission package can also be requested via email: mclark@keyportonline.com

Submission by Facsimile or Email – Not Permitted

Proposals will not be accepted by facsimile transmission or email.

Submitting Envelope

Completed Proposals must be submitted in the manner designed and outlined in the submission package. The envelope or package must be enclosed in a sealed envelope bearing the name and address of the Respondent, and the name of the specific professional service on the outside, addressed to the Borough of Keyport. Each interested firm or professional must submit a separate Proposal statement for each area of interest. One Proposal statement for multiple services will not be accepted. Please enclose one (1) original, marked original; one (1) copy (marked copy) and one flash drive of the proposal being submitted for each professional service of interest.

Note: THE BOROUGH OF KEYPORT will consider proposals only from firms or organizations that have demonstrated the capability and willingness to provide high-quality services in the manner described in this Request for Proposal.

The Borough reserves the right to reject any or all submissions due to any defects or waive informalities and accept any submissions that, in their judgment, will be in the best interest of the Borough. The Borough shall award the contract or reject all submissions no later than 60 days from receipt of the same.

All Respondents are required to comply with the affirmative action and non-discrimination provisions of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 14:27.

BY THE ORDER OF THE BOROUGH COUNCIL OF THE BOROUGH OF KEYPORT.

Kimberly Humphrey
Borough QPA
Borough of Keyport

GLOSSARY

The following definitions shall apply to and are used in this Request for PROPOSALS:

- "Borough" – refers to the Borough of Keyport, its officers and elected and appointed officials, employees and advisors and consultants.
- "Due Date" - refers to the date and time by which Proposals must be received by the Borough in order to be considered for award of the contract or position.
- "Proposal Statement" - refers to a Respondent's complete response to this RFP.
- "Qualified Respondent" - refers to those Respondents who (in the sole judgment of the Borough) have satisfied the Proposal criteria set forth in this RFP.
- "RFP" - refers to this Request for PROPOSALS, including any amendments thereof or supplements thereto.
- "Respondent" or "Respondents" - refers to the interested individuals and firms that submit Proposals.
- "Services" – refers to the professional services the Borough seeks in this RFP process.
- "Successful Respondent" – refers to the Respondent selected by the Borough to perform the Services.

SECTION 1

INTRODUCTION AND GENERAL INFORMATION

1.1 Introduction and Purpose.

The Borough is soliciting Proposals from interested persons and/or firms for the provision of the professional services described herein. Through a Request for Proposal process, persons and/or firms interested in assisting the Borough with the provision of such services must prepare and submit a Proposal Statement in accordance with the procedure and schedule in this RFP. The Borough will review only Proposals that include all the required information as described herein. The Borough intends to qualify persons and/or firms that (a) possess the professional capabilities to provide the proposed services; (b) will agree to work under the compensation terms and conditions set forth; and (c) have demonstrated the capability and willingness to provide high quality services to the Borough.

1.2 Procurement Process and Schedule.

The procurement process for professional services being procured are exempt from bidding pursuant to N.J.S.A. 40A:11-5 (1) (a) (i) The selection of Qualified Respondents is subject to the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4 *et seq.* The Borough has structured a competitive procurement process which ensures that anyone interested in providing the services sought has an opportunity to submit a Proposal Statement in response to this RFP. The Borough will evaluate responses to this RFP in accordance with the criteria set forth in Section 5. Based upon the totality of the information contained in the Proposal Statement, and from the Respondents' references, the Borough will determine which Respondents are qualified. Each Respondent that meets the requirements of the RFP (in the sole judgment of the Borough) will be designated as a Qualified Respondent and will be considered for selection by the Borough.

The RFP process commences with the issuance of this RFP. The steps involved in the process and the anticipated completion dates are stated in the Anticipated Procurement Schedule. The Borough reserves the right to, among other things, amend, modify or alter the Procurement Schedule upon notice to all potential Respondents who have provided contact information to the Clerk upon receipt of this RFP.

Proposals must be received by the Borough's Designated Contact Person, via mail or hand delivery, by 10:00 A.M. prevailing time on the Due Date. Proposals received after 10:00 A.M. on the Due Date will be returned unopened.

DESIGNATED CONTACT:

Borough of Keyport
Attn: Michele Clark, Municipal Clerk
70 West Front Street
Keyport, New Jersey 07735

ANTICIPATED PROCUREMENT SCHEDULE

<u>ACTIVITY</u>	<u>DATE</u>
1. Issuance of Request for Proposals	March 11, 2024
2. Receipt of Proposals/ Due Date	March 27, 2024
3. Award	April 2024
4. Term of Contract	April 16 th 2024 – November 15 th , 2024

1.3 Conditions Applicable to RFP.

Upon submitting a Proposal Statement in response to this RFP, the Respondent acknowledges and consents to the following conditions:

- This document is an RFP for a competitive contract.
- This RFP does not commit the Borough to issue contract.
- All costs incurred by the Respondent in connection with responding to this RFP shall be borne solely by the Respondent. There shall be no claims whatsoever against the Borough, its staff or consultants for reimbursement or payment of costs or expenses incurred in the preparation of the Proposal Statement or other information required by the RFP.
- The Borough reserves the right to reject for any reason any and all responses and components thereof.
- The Borough reserves the right to reject any Respondent that submits incomplete responses to this RFP, or a Proposal Statement that is not responsive to the requirements of this RFP.
- The Borough reserves the right, without prior notice, to supplement, amend, or modify this RFP, or to request additional information.
- All Proposals shall become the property of the Borough and will not be returned.
- All Proposals will be made available to the public at the appropriate time, as determined by the Borough in accordance with law.

- Any Proposals not received by the Borough timely will be rejected.
- The Borough shall not be liable for any claims or damages alleged to have been incurred as a result of this RFP process, including the Borough's review of Proposals and its award of contracts.

1.4 Rights of Borough.

The Borough reserves the following rights with regard to this RFP and the procurement process in accordance with the provisions of applicable law:

- To determine that any Proposal Statement received complies or fails to comply with the terms of this RFP.
- To supplement, amend or otherwise modify the RFP through issuance of addenda to all prospective Respondents who have received a copy of this RFP.
- To waive any technical non-conformance with the terms of this RFP.
- To change or alter the schedule for any events called for in this RFP upon the issuance of notice to all prospective Respondents who have received a copy of this RFP.
- To conduct investigations of any or all of the Respondents, as the Borough deems necessary or convenient, to clarify the information provided as part of a Proposal Statement, and to request additional information to support the information included in any Proposal Statement.
- To suspend or terminate the procurement process described in this RFP at any time, commence a new procurement process, or exercise any other rights provided under applicable law without any obligation to the Respondents.

The Borough shall be under no obligation to complete all or any portion of the procurement process described in this RFP.

1.5 Addenda or Amendments to RFP.

After the issuance of the RFP, but no later than five (5) business days prior to the Due Date, the Borough may issue an addenda, amendments or answers to written inquiries. Addenda will be noticed by the Borough and will constitute a part of the RFP. All responses to the RFP shall be prepared with full consideration of any addenda issued.

SECTION 2

SCOPE OF SERVICES

The Borough seeks Proposals from Respondents that have expertise in the provision of services as outlined in the Notice of Solicitation. Refer to page 1 for Scope of Services.

SECTION 3

INSTRUCTIONS TO RESPONDENTS

3.1 Submission of Proposals.

Each interested firm or professional must submit a separate Proposal Statement for each area of interest to the Designated Contact Person. One Proposal statement for multiple services will not be accepted. Please enclose one (1) original, marked original, and one (1) copy (each marked copy) and one flash drive of the proposal being submitted for each professional service of interest:

Borough of Keyport
Attn: Michele Clark, Municipal Clerk
70 West Front Street
Keyport, New Jersey 07735

To be responsive, Proposals must provide all requested information, and must be in strict conformance with the instructions set forth herein:

1. Proposals must be received by the Borough no later than the Due Date and must be mailed or hand delivered. Proposals forwarded by facsimile or email will not be considered. Proposals received after the designated time on the Due Date will be returned, unopened, to the sender. The Respondent is solely responsible for delays in delivery.
2. Proposals and all Forms (Exhibits A through J) and other related information must be stapled or bound and signed by the Respondent. If Respondent is other than a natural person, the Proposal Statement must be signed by an individual with power to bind the Respondent.
3. The name of the Respondent and the position or contract for which the submission is being made must be printed on the outside of the package containing Respondent's submission. The Borough will, in its sole discretion, determine whether to qualify more than one Respondent for the Services.
4. Respondents are reminded that the forms attached to this RFP must be completed

SECTION 4

EVALUATION

The Borough's objective in soliciting Proposals is to enable it to select a vendor that will provide high quality and cost-effective services to the taxpayers of the Borough. The Borough will consider Proposals only from vendors that, in the Borough's judgment, have demonstrated the capability and willingness to provide high quality services to the taxpayers of the Borough in the manner described in this RFP. The Borough will consider all relevant factors, including, but not limited to:

1. Proposals of firm, specifically as they relate to this Project.
2. Related project experience of the firm(s) and the individuals who would be assigned to the Project.
3. Familiarity with the Borough.
4. Available resources to complete project.
5. Other factors determined to be in the best interest of the Borough.

Exhibit A
LETTER OF INTENT

(To be prepared on Respondent's Letterhead. No modifications may be made to this letter)

Date:

Borough of Keyport
70 W Front Street
Keyport, New Jersey 07735
Michele Clark, Municipal Clerk

Re: Letter of Intent

Dear Ms.Clark:

The undersigned, as Proposer, has (have) submitted the attached Proposal in response to a Request for Proposals\Proposals (RFP) for _____(service), issued by the Borough of Keyport dated _____ in connection with the "Scope of Services". The undersigned hereby states:

1. The Proposal contains accurate, factual and complete information to the best of our knowledge and belief. The Proposal is submitted in good faith. I/we understand that any false statement may result in my/our Proposal.
2. Proposer agrees to participate in good faith in the procurement process described in the RFP and to adhere to the Borough's procurement schedule.
3. Proposer acknowledges that all costs incurred by it (them) in connection with the preparation and submission of the Proposal, amendments thereto, and any other documents prepared and submitted in response to the RFP, or any negotiation which results therefrom shall be borne exclusively by the Proposer
4. Proposer hereby declares that the only persons anticipated by Proposer to perform the professional services for which this Proposal is submitted are named herein and that no person other than those herein named participated in this Proposal or will participate in any contract to be entered into between Proposer and the Borough. Proposer declares that this Proposal is made without connection with any other person, firm or parties who has submitted a Proposal, except as expressly set forth below, and that it has been prepared and submitted in good faith and without collusion or fraud.
5. Proposer acknowledges and agrees that the Borough may modify, amend, suspend and/or terminate the procurement process (in its sole judgment).
6. Proposer acknowledges that if it becomes the Successful Proposer and is awarded a contract to provide the Services, it shall comply with all applicable affirmative action and equal employment opportunity laws

Signed: _____

Printed: _____

Title: _____

Exhibit B

**EXHIBIT A - MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE PER
N.J.S.A. 10:5-31 *et seq.* and N.J.A.C. 17:27-1.1 *et seq.*
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 take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The 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, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act 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 employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, 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 applicable 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, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions. The 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 The contractor and its subcontractors shall furnish such reports or other documents to the Division of Contract Compliance and EEO as may be requested by the Division from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Contract Compliance & EEO for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

Exhibit
C

CHECKLIST FOR ITEMS TO BE SUBMITTED WITH PROPOSALS STATEMENT

Read,
Acknowledged,
Signed &
Submitted
Respondent's
Initial

FAILURE TO SUBMIT ANY OF THESE ITEMS IS MANDATORY CAUSE FOR REJECTION OF RFP\RFP

1	Letter of Intent (Ex. A)	
2	Affirmative Action Letter, Certificate or Employee Information Report AA-302 (Ex. B) (Submit Copy of State Certificate of Employee Information Report Prior to Contract Award)	
3	Disclosure Statement (Ex. D)	
4	Non-Collusion Affidavit (Ex. E)	
5	Certification of Political Contributions (Ex. G)	
6	Proposal Form (Ex. H)	
7	Acknowledgement of Receipt of Addenda (Ex. I)	
8	Disclosure of Investment Activities in Iran (Ex. J)	

DOCUMENTS REQUIRED PRIOR TO CONTRACT EXECUTION

1	Business Registration Certificate (BRC) from the State of New Jersey Department of Treasury, Division of Revenue) (N.J.S.A. 52:32-44) (SUBMISSION OF CERTIFICATE WITH RESPONSE PREFERRED)	
2	Certificate of Insurance Evidencing Comprehensive Liability, Property/Casualty (\$2 million aggregate/\$1million per occurrence) (or less if Umbrella coverage is present); Workers Compensation (statutory limits); and Professional Malpractice (if applicable) (\$2 million aggregate/\$1 million per occurrence) naming Borough as additional insured.	

READ ONLY

1	Americans With Disability Act of 1990 Language (Ex. F)	
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Signature: The undersigned hereby acknowledges that he/she has submitted the required documents with the PROPOSALS Statement and will submit the remaining required documents prior to execution of a contract with the Borough.

Name of Respondent/ Firm: _____

Print Name and Title: _____

Signature: _____

Date: _____

EXHIBIT D

STATEMENT OF OWNERSHIP DISCLOSURE

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

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

Name of Organization: _____

Organization Address: _____

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

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

Part II

The list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. **(COMPLETE THE LIST BELOW IN THIS SECTION)**

OR

No one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. **(SKIP TO PART IV)**

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

Name of Individual or Business Entity	Home Address (for Individuals) or Business Address

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

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

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

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

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

Part IV - Certification

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

Full Name (Print):		Title:	
Signature:		Date	
		:	

Exhibit E

NON-COLLUSION AFFIDAVIT

I, of the City/Town of _____,

In the County of _____, and the State of _____, of full age, being duly sworn

according to law on my oath depose and say that:

I am _____ of the firm of _____, the Proposer herein, and I executed the Proposer with full authority to do so; that the Proposer has not directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive proposing in connection with the above-named Vendor, and that all statements contained in the Proposal and in this affidavit are true and correct, and made with full knowledge that THE BOROUGH OF KEYPORT relies upon the truth of the statements contained in the Proposal and the statement in this affidavit in awarding the contract.

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

Signature _____

Print or Type Name and Title _____

STATE OF NEW JERSEY)
ss:
COUNTY OF _____)

_____, being duly sworn, upon his/her oath deposes and says:

I am _____ of the Proposer referenced above. (title)

(Signature)

Exhibit F

AMERICANS WITH DISABILITIES ACT OF 1990 EQUAL OPPORTUNITY FOR INDIVIDUALS WITH DISABILITY

The RESPONDENT and THE BOROUGH OF KEYPORT (herein referred to as the BOROUGH) do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") (42 U.S.C. S12101 *et seq.*), which prohibits discrimination on the basis of disability by public entities in all services, programs and activities provided or made available by public entities, and the rules and regulation promulgated pursuant thereto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the BOROUGH pursuant to this contract, the RESPONDENT agrees that the performance shall be in strict compliance with the Act. In the event the RESPONDENT, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the RESPONDENT shall defend the BOROUGH in any action or administrative proceeding commenced pursuant to this Act. The RESPONDENT shall indemnify, protect, and save harmless the BOROUGH, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages of whatever kind or nature arising out of the alleged violation. The RESPONDENT shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the BOROUGH'S grievance procedure, the RESPONDENT agrees to abide by any decision of the BOROUGH, which is rendered pursuant to, said grievance procedure. If any action or administrative proceeding result in an award of damages against the BOROUGH or if the BOROUGH incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure the RESPONDENT shall satisfy and discharge the same at its own expense.

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

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

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

Exhibit G

CERTIFICATION OF POLITICAL CONTRIBUTIONS

Name of Business Entity:

_____ (Proposer)

Contact Person:

(Name and Title)

Proposal Submitted for:

(i.e., Borough Engineer; Labor Counsel, etc.)

Date of Proposal:

Signature:

_____ Title: _____

STATE OF NEW JERSEY)

ss:

COUNTY OF _____)

_____, being duly sworn, upon his/her oath deposes and says:

I am _____ of the Proposer referenced above.

(title)

(Signature)

Exhibit H

PROPOSAL FORM

COMPLETE IF REQUIRED BY SCOPE OF SERVICES

To the Municipal Clerk of THE BOROUGH OF KEYPORT for:

_____ Write or type the service of interest

The Proposer whose signature is below declares that he/she has reviewed the RFP/RFP. In the event this Proposal is accepted, and the Borough awards a contract to this Proposer for the Services, Proposer agrees to perform the Services as set forth under Section 2 of the RFP/RFP following total amount:

\$ _____
(Proposal amount in numbers)

_____ (Proposal amount in words)

Name of Proposer (Print) _____

Title _____

Signature _____

Date _____

Exhibit I

ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA

The undersigned hereby acknowledges receipt of the following Addenda:

Addendum Number

Dated

Acknowledged for _____
Name of Proposer

By _____
Signature of Authorized Representative

Name _____
(Print)

Title _____

Exhibit J

**BOROUGH OF KEYPORT
DISCLOSURE OF INVESTMENT ACTIVITIES IN
IRAN**

BID/RFP/RFP Solicitation: _____ **Bidder/Offeror:** _____

Part 1: Certification

**BIDDERS ARE TO COMPLETE PART 1 BY CHECKING
EITHER BOX**

**Failure to check one of the Boxes will render the
Proposal Non-Responsive.**

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of the Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran. The Chapter 25 list is found on the Division's website at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Bidders must review this list prior to completing the below certification. Failure to complete the certification may render a bidder's proposal non-responsive. If the Director finds a person or entity to be in violation of the law, s/he shall act as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party.

PLEASE CHECK THE APPROPRIATE BOX:

I certify, pursuant to Public Law 2012, c. 25, that neither the bidder listed above nor any of the bidder's parents, subsidiaries, or affiliates is listed on the N.J. Department of the Treasury's list of entities determined to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c. 25 ("Chapter 25 List"). I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. I will skip Part 2 and sign and complete the Certification below.

OR

I am unable to certify as above because the bidder and/or one or more of its parents, subsidiaries, or affiliates is listed on the Department's Chapter 25 List. I will provide a detailed, accurate and precise description of the activities in Part 2 below, sign and complete the Certification below.

PART 2: PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN

You must provide a detailed, accurate and precise description of the activities of the bidding person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran on additional sheets provided by you.

Certification: I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the above- referenced person or entity. I acknowledge that Keyport Borough is relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the Borough to notify the Borough in writing of any changes to the answers of information contained herein. I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with Keyport Borough, New Jersey and that the Borough at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print) _____ Signature: _____

Title _____ Date: _____

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

BOROUGH OF KEYPORT

SEALED SUBMISSION LABEL FOR REQUEST FOR PROPOSALS

Please Tape This Label To The Front Of Your Sealed Submission

DO NOT OPEN

IMPORTANT - SEALED SUBMISSION ENCLOSED

NAME COMPANY: _____

ADDRESS: _____

TO: BOROUGH OF KEYPORT ATTN:
MUNCIPAL CLERK
70 W FRONT STREET
KEYPORT, NJ 07735

TITLE OF SUBMISSION:
