

NOTICE TO BIDDERS FOR FUEL

SEALED PROPOSALS will be received by the Municipal Clerk of the Borough of Beachwood, in the Beachwood Municipal Complex, 1600 Pinewald Road, Beachwood, New Jersey **no later than August 9, 2017 at 10:00 a.m.** at which time bids will be opened and publicly read for the following:

**TO OBTAIN GASOLINE AND DIESEL FUEL RETAIL
SUPPLIER OPEN 24 HOURS PER DAY AND 7 DAYS PER WEEK TO CHARGE THE BOROUGH THE
POSTED SERVICE STATION PRICE LESS TAXES AS
A RESULT OF THE BOROUGH'S STATUS AS A MUNICIPAL CORPORATION
AND INSTRUMENTALITY OF THE STATE OF NEW JERSEY FOR THE YEARS OF 2017 to 2019.**

General Bidding Requirements are found at Exhibit A; Bid Packets can be found at www.beachwoodusa.com on the Borough Legal Notices tab; and available by contacting the Municipal Clerk, 1600 Pinewald Road, Beachwood, New Jersey (732) 286-6000 and may be acquired during the hours of 8:30 a.m. to 4:30 p.m. Monday through Friday.

Bidders are required to comply with the requirements of P.L. 1975, c.127.

Susan A. Minock, RMC
Municipal Clerk

EXHIBIT A

GENERAL BIDDING REQUIREMENTS TO OBTAIN GASOLINE AND DIESEL FUEL RETAIL SUPPLIER TO CHARGE THE BOROUGH THE POSTED SERVICE STATION PRICE LESS TAXES AS A RESULT OF THE BOROUGH'S STATUS AS A MUNICIPAL CORPORATION AND INSTRUMENTALITY OF THE STATE OF NEW JERSEY

A. Each bid shall be submitted in writing, addressed to the Borough Clerk, Beachwood Municipal Complex, 1600 Pinewald Road, Beachwood, New Jersey 08722 and shall be in the hands of said Clerk at or before the time set forth in the Notice to Bidders for the receipt of bids. No responsibility shall be assumed by the Borough for any bid mailed to the Clerk which is not received by her before the time stated above for the receipt of bids. No bids will be received after the first bid is opened at said time and place.

B. Each bid shall be signed by the bidder and contained in a sealed envelope **WHICH SHALL BE ADDRESSED TO THE SAID CLERK AND SHALL CONTAIN ON ITS FACE A STATEMENT THAT IT IS A BID ON SAID ITEM** in order that said bid may not be inadvertently opened prematurely.

C. Each bid shall state that it is made in accordance with this advertisement.

D. The Borough reserves the right to accept or reject any and all bids.

E. In the event Bidder is a corporation or partnership, it shall submit to the governing body, prior to the time of the receipt of the bids or accompanying the bid, a statement setting forth the names and addresses of all stockholders in the corporation or partnership who own 10% or more of its stock or an interest equivalent for the same in accordance with P.L. 1977, c.33.

F. Bidders are required to comply with the requirements of P.L. 1975, c.127.

G. Bidders are required to be registered with the State of New Jersey and provide a "Business Registration Certificate" issued by the New Jersey Department of Taxation, Division of Revenue.

H. Each bidder must complete and submit with its bid a Non-Collusion Affidavit, Affirmative Action Statement and Ownership Disclosure Statement. Bidders are required to comply with the requirements of P.L. 1975, c.127.

I. Contact Susan Minock, Municipal Clerk for any additional information, telephone number (732)286-6000.

Susan A. Minock, RMC
Municipal Clerk

Note: Complete and submit only the loose (*unbound*) copy of this Proposal.

PROPOSAL

BY

BIDDER'S NAME: _____

BIDDER'S ADDRESS: _____

TELEPHONE NO. _____ **FAX NUMBER** _____

E-MAIL ADDRESS _____

FEDERAL TAX I.D. NO. _____

(SS NUMBER FOR SOLE PROPRIETOR)

TO

OWNER'S NAME: _____

OWNER'S ADDRESS: _____

FOR

PROJECT NAME: FUEL GASOLINE AND DIESEL RETAILER FOR BOROUGH OF BEACHWOOD VEHICLES 2 YEAR 2017-2019

The UNDERSIGNED, as BIDDER, declares 1) that the only persons or parties interested in this proposal as principals are named herein; 2) that this proposal is in all respects fair and without collusion or fraud; 3) that no officer or employee of the OWNER is directly or indirectly interested in this bid or the work of this contract or in any portions of the profits thereof; 4) that the BIDDER has carefully examined and accepts the proposed Forms of Contracts and the Information for Bidders, Notice to Contractors, General Conditions, and Specifications Special Provisions; 5) that the BIDDER or a representative has made an inspection of the site and is familiar with the proposed work; 6) and that the BIDDER proposes and agrees that if this proposal is accepted, the BIDDER will contract with the above-named OWNER, in the form of contract hereto annexed, to provide the necessary machinery, tools, apparatus, and other means of construction, and to furnish all the materials, equipment and labor specified in the contract in

the manner and time therein specified, according to the requirements of the Engineer as therein set forth, and 7) that the BIDDER will take in full payment therefor the prices set forth in this Proposal.

PROPOSAL SUBMISSION CHECKLIST

(Pursuant to NJSA 40A:11 – 23.2)

The undersigned BIDDER declares that the required documents, as noted below, have been completed, reviewed and/or executed by the BIDDER and are submitted as part of this proposal.

<u>DOCUMENT REQUIRED</u>	<u>DESCRIPTION OF DOCUMENT</u>	<u>BIDDER'S INITIALS</u>
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Failure to submit any of the following documents with the Proposal will mandate rejection of the bid.

<input checked="" type="checkbox"/>	Notice, Revision or Addenda Receipt Acknowledgement Form	_____
<input checked="" type="checkbox"/>	Form of Proposal, completed & signed by appropriate authorized representatives of BIDDER.	_____
<input checked="" type="checkbox"/>	A Statement (disclosure) of Ownership pursuant to NJSA 52:25-24.2.	_____
<input type="checkbox"/>	A Bid Guarantee (bid bond or equivalent) pursuant to NJSA 40A:11-21.	_____
<input type="checkbox"/>	A surety company certificate (Consent of Surety) pursuant to NJSA 40A:11-22.	_____
<input checked="" type="checkbox"/>	Disclosure of Investment Activities in Iran (P.L. 2012, c.25)	_____
<input checked="" type="checkbox"/>	A Listing of Subcontractors pursuant to NJSA 40A:11-16.	_____

Failure to submit any of the following documents with the Proposal will be cause for rejection of the bid unless waived by the OWNER (IB.11):

<input checked="" type="checkbox"/>	A Non-Collusion Affidavit.	_____
<input checked="" type="checkbox"/>	Evidence of Registration for the bidder pursuant to NJSA 34:11-56.48, et seq (Business Registration Certificate)	_____
<input type="checkbox"/>	Bidder's Buy American Certification pursuant to the American Recovery and Reinvestment Act of 2009.	_____
<input type="checkbox"/>	A Statement of Experience & Qualifications on the forms provided.	_____

NOTICE, REVISION OR ADDENDA
RECEIPT ACKNOWLEDGEMENT FORM
(Pursuant To Public Law 1999, Chapter 39)

Bidder's
Initials

[] No revisions and/or Addenda were received.

The BIDDER acknowledges receipt of the below listed revisions and/or addenda:

<u>Notice, Revision or Addendum No.</u>	<u>Date</u>	<u>Title or Description</u>	<u>Bidder's Initials</u>
_____	_ / _ / _	_____	_____

_____	_ / _ / _	_____	_____

_____	_ / _ / _	_____	_____

_____	_ / _ / _	_____	_____

EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION POLICY STATEMENT

Equal Employment Opportunity regardless of race, creed, color, national origin, nationality, age, sex, affectional or sexual orientation, marital/civil union status, religion or disability, is the law of this State. As embodied in Title VII of the Civil Rights Act of 1964 as amended in 1972, the Civil Rights Act of 1991, Executive Order No. 61, N.J.S.A. 11A:7-1 et seq., and the Americans with Disabilities Act of 1990, I, Rolando Torres, Jr., Commissioner of the Department of Personnel, declare that the policy and mandate of the Department of Personnel is to insure equal employment opportunity for all employees and applicants for employment via the EEO and Workforce Development Plan process and the Department's operating regulations. This EEO and Workforce Development Plan will consider future workforce needs and outline EEO activities. This policy and mandate includes but is not limited to recruitment, selection, hiring, training, promotion, transfer, facility accessibility, reasonable accommodation, layoff, return from layoff, compensation and fringe benefits. Equal Employment Opportunity also includes policies, procedures, and programs for recruitment, employment, training, promotion and retention of minorities, persons with disabilities, and women. The Department commits to these same principles relative to its statutory mission to provide human resources services to the Executive Branch of Government, and as required or requested to other governmental and public entities, and/or citizens.

Internal employment practices will be reviewed routinely to ensure that protected class employees and applicants for employment are receiving fair and equal consideration for job opportunities, especially in the Officials/Administrators and Professionals categories.

Affirmative actions shall be taken to encourage minorities, women, and persons with disabilities to apply for positions within the Department of Personnel. The Division of EEO/AA within the Department of Personnel will monitor such employment practices by state agencies, including the Department itself, as appropriate, according to its statutory and regulatory mission.

All personnel actions such as compensation benefits, transfers, layoffs, training, education, training assistance, facility accessibility, reasonable accommodation, and social and recreational programs will be administered without regard to race, national origin or ancestry, color, sex, marital/civil union status, religion, age, disability, political affiliations, or other non-job related criteria.

All State employees have a responsibility to maintain high standards of honesty, integrity, and impartiality in the performance of the State's official business. Employee's conduct which violates these standards will not be condoned. Sexual harassment is a form of employee misconduct, which is prohibited.

This Equal Employment Opportunity/Affirmative Action Policy Statement will be available to all employees, applicants, vendors/contractors, and citizens on the Department's premises and via its web site. All departmental employees must comply with this policy and those of this State. All managers, supervisors, the Personnel Officer, and the EEO/AA Officer will be held responsible for the implementation and management of the EEO and Workforce Development Plan. This will be accomplished by incorporating workforce plan/equal employment opportunity efforts and results into the annual objectives and education of every supervisor and manager. Good faith efforts will be made to meet employment and policy goals as adopted.

This policy statement will be made available to all employees via posting along with general equal employment opportunity/affirmative action information on bulletin boards in conspicuous locations throughout the organization.

(Revised 3/07)

Signature Authorized Representative of Bidder

Date

DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

Project Name: _____

Bidder Name: _____

PART 1: CERTIFICATION
BIDDERS MUST 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 Treasury Chapter 25 list as a person or entity engaging in investment activities in Iran. The Chapter 25 list is found on the Division's website at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Bidders **must** review this list prior to completing the below certification. **Failure to complete the certification will render a bidder's proposal non-responsive.** If the New Jersey Director of the Division of Purchase and Property finds a person or entity to be in violation of law, he/she shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking 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 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 of its parents, subsidiaries, or affiliates is listed on the Department's Chapter 25 List. I will provide a detailed, accurate and precise description of the activities in Part 2 below and sign and complete the Certification below. Failure to provide such will result in the proposal being rendered as non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.**

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

You must provide a detailed, accurate and precise description of the activities of the bidding person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below.

PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED ADDITIONAL ROOM, ADD ADDITIONAL PAGES.

Name _____ Relationship to Bidder/Owner _____

Description of Activities _____

Duration of Engagement _____ Anticipated Cessation Date _____

Bidder/Offeror Contact Name _____

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

Full Name (Print): _____ **Signature:** _____

Title: _____ **Date:** _____

DISCLOSURE OF OWNERSHIP

(If bidder is a Sole Proprietorship check here (___) and do not complete this statement)

The UNDERSIGNED, as bidder, in accordance with N.J.S.A. 52:25-24.2 (P.L. 1977, Chapter 33), declares and submits this Statement of Ownership.

Bidder is a Corporation () Partnership () Joint Venture ()

These are all shareholders or partners owning 10% or more of the stock or interest in the bidding corporation or partnership.

<u>Full Name of Individual (Stockholder)(Partner)</u>	<u>Address of Individual (Stockholder)(Partner)</u>	<u>Share(%) Owned</u>
1. _____	_____ _____	_____
2. _____	_____ _____	_____
3. _____	_____ _____	_____
4. _____	_____ _____	_____

Portion owned by minority owners (less than 10%) not listed _____

TOTAL 100%

Print or Type Name and Title of Affiant
Authorized Representative of Bidder

Subscribed and Sworn Before
Me this _____ day of _____, 2____.

Signature of Affiant

(Notary Public)

(Corporate Seal)
If Applicable

My Commission Expires:

- Notes:
1. Attach additional sheets in this format, if necessary.
 2. The terms Corporation and Partnership encompass all forms, including, but not limited to Limited Partnerships, Limited Liability Corporations or Partnerships and Subchapter S Corporations.

3. If a corporation or partnership is shown as a greater than 10% owner, attach similar breakdown of (“its”) individual owners.
4. For a Joint Venture, provide a Disclosure in this format for each participant.

NON-COLLUSION AFFIDAVIT

State of New Jersey
County of _____

ss:

I, _____ residing in _____
(name of affiant) (name of municipality)
in the County of _____ and State of _____ of full
age, being duly sworn according to law on my oath depose and say that:

I am _____ of the firm of _____
(title or position) (name of firm)

_____ the bidder making this Proposal for the bid

entitled _____, and that I executed the said proposal with
(title of bid proposal)

full authority to do so that said bidder has not, directly or indirectly entered into any agreement,
participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding
in connection with the above named project; and that all statements contained in said proposal and
in this affidavit are true and correct, and made with full knowledge that the _____

_____ relies upon the truth of the statements contained in said Proposal
(name of contracting unit)

and in the statements contained in this affidavit in awarding the contract for the said project.

I further warrant that no person or selling agency has been employed or retained to solicit or secure
such 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 _____.

Subscribed and sworn to

before me this day

Signature

_____, 2_____

(Type or print name of affiant under signature)

Notary public of

My Commission expires _____

(Seal)