

**NEW JERSEY LOCAL UNIT "PAY-TO-PLAY" LAW (N.J.S.A. 19.44-A-20 et seq.)**

Pursuant to the recent Senate Bill (S-2) that has been signed into law in the State of New Jersey concerning "Pay-to-Play" issues, all contractors are being placed on notice of the following:

The bill prohibits a county or municipality from entering into a contract having an anticipated value in excess of \$17,500 with a business entity, except a contract that is awarded pursuant to a fair and open process, if that business entity has made a reportable contribution, in the case of a county to any county committee of a political party in that county, if a member of that political party is serving in an elective public office of that county when the contract is awarded, or to any candidate committee of any person serving in an elective public office of that county when that contract is awarded. In the case of a municipality, to any municipal committee of a political party in that municipality if a member of that political party is serving in an elective public office of that municipality when the contract is awarded, or to any candidate committee of any person serving in an elective public office of that municipality when that contract is awarded. A business entity that enters into such a contract with a county or municipality would be prohibited from making a contribution to any of these committees during the term of the contract.

PLEASE EXECUTE THIS FORM & SUBMIT WITH THE BID PACKAGE

STOCKHOLDER DISCLOSURE STATEMENT

Name of Business: \_\_\_\_\_

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

**OR**

I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

**Check the box that represents the type of business organization:**

Partnership                       Corporation                       Sole Proprietorship

Limited Partnership     Limited Liability Corporation     Limited Liability Partnership

Subchapter S Corporation

**Sign and notarize the form below, and, if necessary, complete the stockholder list below.**

Stockholders:

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Home Address: \_\_\_\_\_

Home Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Home Address: \_\_\_\_\_

Home Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Home Address: \_\_\_\_\_

Home Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

(Notary Public)

My Commission expires:

\_\_\_\_\_  
(Affiant)

\_\_\_\_\_  
(Print name & title of affiant)

(Corporate Seal)

PLEASE EXECUTE THIS FORM & SUBMIT WITH THE BID PACKAGE

NON-COLLUSION AFFIDAVIT

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_ of the Borough of \_\_\_\_\_

(Partnership, Corporation, Individual, LLC)

\_\_\_\_\_ 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 bidder making the Proposal for the above named project, and that I executed the said Proposal with full authority so to do; 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 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 State of New Jersey relies upon the truth of the statements contained in said Proposal 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

\_\_\_\_\_ (N.J.S.A. 52:34-15)

(Name of Contractor)

Signature of Contractor \_\_\_\_\_

Subscribed and Sworn to \_\_\_\_\_

before me this \_\_\_\_\_ day

of \_\_\_\_\_,

\_\_\_\_\_

(Also type or print name of affiant under signature)

Notary Public of \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

**PLEASE EXECUTE THIS FORM & SUBMIT WITH THE BID PACKAGE**

**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE**

**N.J.S.A. 10:5-31, et seq., N.J.A.C. 17:27**

The contractor or subcontractor agrees that a good faith effort shall include compliance with the following procedures:

- (A). If the contractor or subcontractor has a referral agreement or arrangement with a union for a construction trade, the contractor or subcontractor shall, within three business days of the contract award, seek assurances from the union that it will cooperate with the contractor or subcontractor as it fulfills its affirmative action obligations under this contract and in accordance with the rules promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31, et. seq. as supplemented and amended from time to time and the Americans with Disabilities Act. If the contractor or subcontractor is unable to obtain said assurances from the construction trade union at least five business days prior to the commencement of construction work, the contractor or subcontractor agrees to attempt to hire or schedule minority and women workers directly, consistent with the applicable employment goal. If the contractor's or subcontractor's prior experience with a construction trade union, regardless of whether the union has provided said assurances, indicates a significant possibility that the trade union will not refer sufficient minority and women workers consistent with the applicable employment goal, the contractor or subcontractor agrees to be prepared to hire or schedule minority and women workers directly, consistent with the applicable employment goal, by complying with the hiring or scheduling procedures prescribed under (B) below; and the contractor or subcontractor further agrees to take said action immediately if it determines or is so notified by the Division that the union is not referring minority and women workers consistent with the applicable employment goal.
- (B). If the hiring or scheduling of a workforce consistent with the employment goal has not or cannot be achieved for each construction trade by adhering to the procedures of (A) above, or if the contractor does not have a referral agreement or arrangement with a union for a construction trade, the contractor or subcontractor agrees to take the following actions consistent with the applicable county employment goals:
- (1). To notify the public agency compliance officer, the Division, and minority and women referral organizations listed by the Division pursuant to N.J.A.C. 17:27-5.3, of its workforce needs, and request referral of minority and women workers;
  - (2). To notify any minority and women workers who have been listed with it as awaiting available vacancies;
  - (3). Prior to commencement of work, to request that the local construction trade union refer minority and women workers to fill job openings, provided the contractor or subcontractor has a referral agreement or arrangement with a union for the construction trade;
  - (4). To leave standing requests for additional referral to minority and women workers with the local construction trade union, provided the contractor or subcontractor has a referral agreement or arrangement with a union for the construction trade, the State Training and Employment Service and other approved referral sources in the area until such time as the workforce is consistent with the employment goal;
  - (5). If it is necessary to lay off some of the workers in a given trade on the construction site, to assure, consistent with the applicable State and Federal statutes and court decisions, that sufficient minority and women employees remain on the site consistent with the employment goal; and to employ any minority and women workers so laid off by the contractor on any other construction site on which its workforce composition is not consistent with an employment goal established pursuant to rules implementing N.J.S.A. 10:5-31, et. seq.
  - (6) To adhere to the following procedure when minority and women workers apply or are referred to the contractor or subcontractor:
    - (i) If said individuals have never previously received any document or certification signifying a level of qualification lower than that required in order to perform the work of the construction trade, the contractor or subcontractor shall determine the qualifications of such individuals and if the contractor's or subcontractor's workforce in each construction trade is not consistent with the applicable employment goal, it shall hire or schedule those individuals who satisfy appropriate qualification standards. However, a contractor or subcontractor shall determine that the individual at least possesses the requisite skills, and experience recognized by a union, apprentice program or a referral agency, provided the referral agency is acceptable to the Division. If necessary, the contractor or subcontractor shall hire or schedule minority and women workers who qualify as trainees pursuant to these rules. All of the requirements, however, are limited by the provisions of (C) below.

PLEASE EXECUTE THIS FORM & SUBMIT WITH THE BID PACKAGE

**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE (CONTINUED)**

**N.J.S.A. 10:5-31, et seq., N.J.A.C. 17:27**

(ii). If the contractor's or subcontractor's workforce is consistent with the applicable employment goal, the name of any interested women or minority individual shall be maintained on a waiting list for the first consideration, in the event the contractor's or subcontractor's workforce is no longer consistent with the applicable employment goal.

(iii). If, for any reason, said contractor or subcontractor determines that a minority individual or a woman is not qualified or if the individual qualifies as an advanced trainee or apprentice, the contractor or subcontractor shall inform the individual in writing of the reasons for the determination, maintain a copy of the determination in its files, and send a copy to the public agency compliance officer and to the Division.

(7) To keep a complete and accurate record of all requests made for the referral of workers in any trade covered by the contract, on forms made available by the Division and submitted promptly to the Division upon request.

- (C) The contractor or subcontractor agrees that nothing contained in (B) above shall preclude the contractor or subcontractor from complying with the union hiring hall or apprenticeship policies in any applicable collective bargaining agreement or union hiring hall arrangement, and, where required by custom or agreement, it shall send journeymen and trainees to the union for referral, or to the apprenticeship program for admission, pursuant to such agreement or arrangement. However, where the practices of a union or apprenticeship program will result in the exclusion of minorities and women or the failure to refer minorities and women consistent with the county employment goal, the contractor or subcontractor shall consider for employment persons referred pursuant to (B) above without regard to such agreement or arrangement; provided further, however, that the contractor or subcontractor shall not be required to employ women and minority advanced trainees and trainees in numbers which result in the employment of advanced trainees and trainees as a percentage of the total workforce for the construction trade, which percentage significantly exceeds the apprentice to journey worker ratio specified in the applicable collective bargaining agreement, or in the absence of a collective bargaining agreement, exceeds the ratio established by practice in the area for said construction trade. Also, the contractor or subcontractor agrees that in implementing the procedures of (B) above it shall, where applicable, employ minority and women workers residing within the geographical jurisdiction of the union. After notification of award, but prior to signing a construction contract, the contractor shall submit to the public agency compliance officer and the Division an initial project workforce report (Form AA-201) provided to the public agency by the Division for distribution to and completion by the contractor, in accordance with N.J.A.C. 17:27-7. The contractor also agrees to submit a copy of the Monthly Project Workforce Report once a month thereafter for the duration of this contract to the Division and to the public agency compliance officer. The contractor agrees to cooperate with the public agency in the payment of budgeted funds, as is necessary, for on-the-job and/or off-the-job programs for outreach and training of minorities and women.
- (D). The contractor and its subcontractors shall furnish such reports or other documents to the Division of Contract Compliance & 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**.

Submitted by: \_\_\_\_\_  
(Name of Firm)

Name: \_\_\_\_\_  
(Please Type or Print)

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Dated: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

PLEASE EXECUTE THIS REQUIRED FORM & SUBMIT WITH THE BID PACKAGE

AFFIRMATIVE ACTION COMPLIANCE NOTICE

Re: Affirmative Action Regulations P.L. 1975, C. 127  
Procurement and Service Contractors  
"Bidders are required to comply with the requirements of P.L. 1975, C. 127."

A. CONTRACTORS/VENDORS

1. Contractors and/or vendors will submit with the signed proposal Affirmative Action evidence. The Affirmative Action evidence shall be in one of the following forms.
    - a. An existing federally approved or sanctioned affirmative action program.
    - b. A Certificate of Employee Information Report from the Treasurer Office of the State of New Jersey.
    - c. If the Contractor/Vendor cannot present "a" or "b" - the Contractor/Vendor is required to submit a completed Employee Information Report (Form AA-302). This form will be made available to Contractor/Vendor by the Borough of Ocean within seven (7) days after notification of intent to award the contract or receipt of the contract, whichever is sooner.
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THE FOLLOWING QUESTIONS MUST BE ANSWERED BY ALL PROSPECTIVE BIDDERS:

1. Do you have a federally approved or sanctioned Affirmative Action Program?  
YES \_\_\_\_\_ NO \_\_\_\_\_
2. Do you have a State Certificate of Employee Information Report Approval?  
YES \_\_\_\_\_ NO \_\_\_\_\_
  - a. If yes, please submit a photocopy of such Certificate of Employee Information Report with this proposal.

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.

CONTRACTOR/VENDOR: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

**Note:** A Contractor's bid shall be rejected as non-responsive, if a contractor fails to comply with the requirements of P. L. 1975, C.127

**PLEASE EXECUTE THIS FORM & SUBMIT WITH THE BID PACKAGE**

**SUBCONTRACTOR LIST**

**IF YOU ARE NOT UTILIZING A SUBCONTRACTOR FOR THIS BID PLEASE INDICATE "NONE" ON EACH CORRESPONDING LINE, AS LISTED BELOW.**

**PLEASE FILL OUT TOTALITY, TO AVOID AUTOMATIC REJECTION OF THE BID**

If this project is to be awarded as a single prime general construction contract, bidders who propose to use more than one contractor for any of the specialized sub-prime contracts (i.e., electrical, HVAC, plumbing and structural steel/ornamental iron) shall be required to submit along with their bid a certificate listing each subcontractor to be used to accomplish said specialized sub-contract work, setting forth: (1) the Name of the Subcontractor; (2) the Scope of Work of that Subcontractor.

I, or we of \_\_\_\_\_  
(Name of Company)

are in compliance with Section 16 of P.L. 1971 c 198 (C14A:11-16), as amended by P.L. 1997, c408 adopted January 19, 1998, hereby certify that I/we will employ the following subcontractors for this project:

**CATEGORY OF WORK** **NAME /ADDRESS OF SUBCONTRACTOR**

***ELECTRICAL***

\_\_\_\_\_  
Name of Electrician Subcontractor

\_\_\_\_\_  
License No.

***PLUMBING & GAS FITTING & ALL KINDRED WORK***

\_\_\_\_\_  
Name of Plumber or Gas Fitting Subcontractor

\_\_\_\_\_  
License No.

***STEAM POWER PLANTS, STEAM & HOT WATER HEATING & VENTILATING APPARATUS, & ALL KINDRED WORK***

\_\_\_\_\_  
Name of Steam Power Plants, Steam and Hot Water Heating & Ventilating Subcontractor

***STRUCTURAL STEEL & ORNAMENTAL IRON WORK***

\_\_\_\_\_  
Name of Structural Steel and Ornamental Iron Subcontractor

PLEASE EXECUTE THIS FORM & SUBMIT WITH THE BID PACKAGE

THE BOROUGH OF BEACHWOOD  
OCEAN COUNTY  
BEACHWOOD, NJ

ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA

The undersigned Bidder does hereby acknowledge the receipt of the following Addenda issued by the Borough :

Addendum Number	Dated	Acknowledgement Receipt (Initial)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

\_\_\_\_\_ No Addenda were received:

Acknowledgement for: \_\_\_\_\_  
(Name of Bidder)

By: \_\_\_\_\_  
(Signature of Authorized Representative)

Name: \_\_\_\_\_  
(Print or Type)

Title: \_\_\_\_\_

Dated: \_\_\_\_ / \_\_\_\_ / \_\_\_\_



PLEASE EXECUTE THIS FORM & SUBMIT WITH THE BID PACKAGE

THE BOROUGH OF BEACHWOOD

OCEAN BOROUGH , NJ

**BIDDER'S CHECKLIST**

The following checklist is provided for each bidder to check off documents submitted with their bid:

- A. **Bid Deposit** in the form of a Certified Check, Cashier's Check, Treasurer's Check or Bid Bond. **(Required)**
  
- B. **Certificate from a Surety Company** stating if the bid is accepted, they will provide the required Performance Bond. **(Required)**
  
- C. **Stockholders Disclosure Statement** properly notarized listing stockholders or partners owning ten percent (10%) or more of corporation or partnership stock. **(Required)**
  
- D. **Non-Collusion Affidavit** properly notarized. **(Required)**
  
- E. **New Jersey Business Registration Certificate (BRC)** **(Required for the prime and all sub-contractors)**
  
- F. **Affirmative Action Evidence** **(Required)**
  
- G. **W-9 Form**
  
- H. **Subcontractors List** **(Required)**
  
- I. **Deviations from the Specifications, if applicable.**
  
- J. **Acknowledgement of Receipt of Addenda**
  
- K. **Authorized Signatures on all Forms**

**THE BOROUGH OF BEACHWOOD  
COUNTY OF OCEAN  
OCEAN BOROUGH , NJ**

**2010, 2011 & 2012 FOURTH OF JULY FIREWORKS SHOW/DISPLAY**

**A. GENERAL INFORMATION & CONDITIONS**

**1.0 PURPOSE & INTENT**

- 1.1 The purpose of this contract is to supply the residents and visitors to the Borough of Beachwood, New Jersey with a safe and entertaining Fireworks Show/Display to celebrate the independence of our country on the Fourth of July 2010, 2011 and 2012. It is the intent of these specifications to describe the minimum requirements and standards for the Borough of Beachwood's Fireworks Show/Display. All items, features or services not specifically mentioned which are necessary or which are regularly furnished in order to provide a satisfactory performance, shall be furnished by the successful bidder at the bid price and shall conform in quality of materials and workmanship to that usually provided by the practice indicated in this specification.
- 1.2 Bids are desired only from those vendors who have thoroughly read the specifications and the applicable bid proposal form and who understand fully what is required, and who intend to comply in all respects. All bids shall be made with such an understanding.
- 1.3 All references to the "Borough" in this specification shall mean the "Borough of Beachwood and other sponsoring agencies" of the show/display.

**2.0 QUALIFICATIONS OF BIDDERS**

- 2.1 Personnel: Bidders shall furnish a minimum of **FOUR (4) EXPERIENCED PERSONNEL** to deliver, meet, unload, secure, setup, protect, shoot and cleanup the fireworks display at the specified firing site.
- 2.2 Pyrotechnician (lead person/operator and assistants (helpers/shooters): Bidders shall furnish **ONE (1) LEAD PERSON and THREE (3) ASSISTANTS**. Each shall be factory trained and qualified to perform said work as prescribed in the specifications.
- 2.3 **Required Experience**
- 2.3.1 Pyrotechnician (lead person/operator): The factory trained lead person shall have a minimum experience of **TWELVE (12)** electrically fired Pyrotheatrical shows/displays
- 2.3.2 Assistants (helpers/shooters): Each factory-trained assistant shall have a minimum experience of **FIVE (5)** electrically fired Pyrotheatrical shows/displays, within the past five (5) years.
- 2.3.3 Evidence of experience: **BIDDERS SHALL PROVIDE CERTIFICATION WITH THEIR BIDS** that the Pyrotechnician (lead person) and Assistants (helpers) meet the requirements of this provision. Pyrotechnician and crew must provide documental evidence of display experience in a shore/beach environment.

**A. GENERAL INFORMATION & CONDITIONS (CONTINUED)**

**2.0 QUALIFICATIONS OF BIDDERS (CONTINUED)**

**2.3 Required Experience (Continued)**

- 2.3.4 Hazmat Endorsement: Each driver shall possess a valid driver's license with a **HAZMAT ENDORSEMENT** attached.
- 2.3.5 This Certification shall be provided in the following manner:
  - 2.3.5.1 Bidders shall provide not only a listing of the names of the actual Pyrotechnician and assistants but the list SHALL DESIGNATE whether the person or persons listed is a Pyrotechnician or an Assistant.
  - 2.3.5.2 The list shall name the Borough and State where the shows took place and it shall state the formal training each has received pertaining to pyrotechnics.
  - 2.3.5.3 The list of Pyrotechnician and assistants shall be accompanied by a letter signed by an officer of the Contractor's firm which shall certify that the Pyrotechnician and assistants are employees of said firm and have the required experience to perform the fireworks show/display contract specified by the Borough .
  - 2.3.5.4 Each bidder shall furnish with their bid, the names of at least four (4) municipalities and/or businesses in the tri-state area for whom shows/displays of similar quality and scope have been performed in the past five (5) years. The Borough reserves the right to utilize these references or performances on any contract in making its award determination.

**Note: THE CONFIDENTIALITY OF THIS LIST SHALL BE PROTECTED TO THE FULLEST EXTENT AS PERMITTED BY LAW.**

**3.0 REQUIRED EMPLOYEES/SAFETY EQUIPMENT**

- 3.1 All employees of the Contractor shall be over the legal age of eighteen (18) years old and shall be in good health and of high moral character and fluently able to speak, read and understand the English language.
- 3.2 **THE CONTRACTOR SHALL EMPLOY ALL STAFF UTILIZED IN THE STAGING OF THE SHOW/DISPLAY.** Sub-contracted employees **SHALL NOT BE PERMITTED** for the firing portion of the show/display.
- 3.3 **Required Employee Safety Equipment**

- 3.3.1 The contractor shall be responsible to provide each employee with the following safety equipment items:
  - 3.3.1.1 Flame retardant long sleeve shirt
  - 3.3.1.2 Flame retardant long pants
  - 3.3.1.3 Hard hat
  - 3.3.1.4 Eye protection (goggles/safety glasses)
  - 3.3.1.5 Ear protection/plugs

## A. GENERAL INFORMATION & CONDITIONS (CONTINUED)

### 4.0 COUNTER OFFERS

- 4.1 Bids containing statements, rates and/or conditions that contradict those contained in this specification and applicable bid shall be considered a counteroffer and shall result in the rejection of the bid proposal.

### 5.0 SHOW/DISPLAY REQUIREMENTS

- 5.1 **Scope:** The bid proposal shall include the furnishing of all labor to deliver, receive, unload, secure, setup, fire and cleanup all shows/displays; all transportation and except as herein provided, all necessary materials required to fire the show/display.

- 5.2 **Dates & Time of Display:** Fireworks shall be fired on **Sunday, July 4, 2010 and Monday, July 4, 2011 and Wednesday, July 4, 2012 starting promptly at 9:00 PM, EDT and concluding at 9:27 PM, EDT (minimum of a 27 minute show/display).**

- 5.3 **Length of Show:** The show shall not be less than **twenty-seven (27) minutes** in duration. The program shall be fired in a time frame that will ensure that a complete balance of the music and fireworks are maintained throughout the duration of the show/display.

- 5.4 **Delays:** The Borough and its representatives reserve the sole right to delay and/or postpone the display due to inclement weather and/or high winds. Delay or postponement shall strictly follow NFPA 1123 (current addition) guidelines.

5.4.1 **Rain Date:** the following rain dates have been scheduled in the event of a postponement: **Monday, July 5, 2010, Tuesday, July 5, 2011 and Thursday, July 5, 2012 @ 9:00 PM, EDT.**

5.4.2 The Borough shall not pay any additional compensation to the contractor in the event of a rain and/or weather delayed show. Upon completion of the contracted show on the re-scheduled date, the Borough shall not pay the amount indicated in the original contract.

- 5.5 **Firing Site (Land Based Show):** The Borough of Beachwood shall provide an adequate and safe firing site, that meets or exceeds NFPA 1123 (current edition), located at the beachfront on the designated area on the bluffs above the Borough river front bathing beach. It shall be the contractor's sole responsibility to transport the shells to the actual firing site on the bluffs. It shall be the Borough's responsibility to secure the site prior, during and after the fireworks show/display.

- 5.6 **Firing Equipment (Land Based Show):** Firing racks shall be "California Design" and contain only high-density plastic tubes. Racks shall be securely fastened together for firing, safety and stability. Once the firing tube has been loaded, a one-inch piece of masking tape shall be placed horizontally across the opening to show that the tube is ready for firing. This will also permit a visual determination once the show is complete, if the tube was properly discharged at the conclusion of the show.

### 6.0 SHIPMENT & SAFETY OF THE PYROTECHNICS

#### 6.1 *Land Based Show/Display*

6.1.1 The Contractor shall transport the fireworks to the specified firing location only on the day of the display. Shipment shall be made in a closed vehicle properly identified in accordance with Federal, State and Local laws and regulations.

6.1.2 Each vehicle utilized in the transport of the fireworks shall be properly labeled with: The Placard: Explosives 1.3.G

- 6.1.3 All fireworks shall be transported in accordance with the Federal and State D.O.T. Laws regarding the transportation and handling of hazardous materials.

## 7.0 DUDS & MISFIRE CREDITS

- 7.1 Payment deductions shall be made for all shells, which fail in operation. Such determination shall be based on the percentage of failure by written verification of the respective Borough officials and the Contractor's representative. The Contractor's representative shall take charge of all duds and dispose of same as required by law.
- 7.2 **Low break aerial shells shall be viewed as a 100% failure and a full credit for the unfired shell shall be given to the Borough .**

## 8.0 STORAGE & SECURITY AT THE DISPLAY LOCATION/SITE

- 8.1 The Contractor shall provide proper storage and security for the fireworks at the specified location.
- 8.2 Under no circumstances are the fireworks to be left unattended by the Contractor's employees after delivery.
- 8.3 Only those persons identified by the Contractor prior to the show shall be allowed into the designated restricted areas to fire the display.
- 8.4 **FOR SAFETY REASONS, NO OTHER INDIVIDUALS SHALL BE PERMITTED TO ENTER OR REMAIN IN THE DESIGNATED RESTRICTED FIRING AREA.**
- 8.5 **ALL FIREWORKS PIECES SHALL BE FIRED UNLESS THEY ARE FOUND TO BE DAMAGED OR UNSAFE FOR USE.** In that case, they shall be properly secured by the contractor and the Borough shall receive a credit for the shells that were not fired.

## 9.0 CONTRACTOR'S SUPERVISOR(S)

- 9.1 The Contractor shall designate a supervisor as a contract person who can be reached on Sunday, July 4, 2010 or Monday, July 5, 2010, Monday, July 4, 2011 or Tuesday, July 5, 2011, and Wednesday, July 4, 2012 or Thursday, July 5, 2012 as may be required. Bidders shall provide the name and telephone number of said proposed supervisor(s) with the bid proposal package.
- 9.2 The Contractor's supervisor shall be required to be on site and available to both the New Jersey State Fire Inspector and designated Borough personnel throughout the day of the designated show. Additionally, the Contractor's supervisor shall be capable of addressing and dealing with any issues that may be brought to their attention throughout the day by either party.

## 10.0 FIELD INSPECTION & VERIFICATION OF INVENTORY

- 10.1 The Borough 's representatives shall verify shell quantity and type prior to the start of the show and will take an inventory of all unfired shells after the show has been completed.

## 11.0 REQUIRED FIRE PROTECTION AT THE STAGING & FIRING SITE

- 11.1 The Contractor shall provide all necessary fire extinguishers and safety equipment for the designated staging/firing area.
- 11.2 The Borough shall provide at least (1) one fire pumper and various Fire and Police Department personnel to be located throughout and adjacent to the restricted staging/firing area.

12.0 **WRITTEN INSTRUCTIONS TO THE OPERATOR**

12.1 The Contractor shall be responsible for issuing written instructions on the requirements of this contract to all its operators prior to the commencement of the show.

13.0 **RESPONSIBILITIES OF THE CONTRACTOR AFTER THE DISPLAY HAS BEEN FIRED**

*Land Based Show/Display*

13.1.1 Immediately after the display, the Contractor shall be required to gather and remove all firing devices and fill holes made in the beach to prevent accidents and or possible liability. The Contractor shall remove all parts of shells not fired and clean up all debris to avoid danger of injury of accidents from partially exploded pieces lying on the ground and/or the beach. All debris shall be removed from the site by the Contractor in accordance with Federal, State and Local Laws.

13.1.2 A representative of the Contractor shall remain at the firing site until all of the holes have been filled and the grounds cleared to the satisfaction of the Borough and State representatives.

13.1.3 The contractors shall not be permitted to leave trash, debris, firing wires or shipping cartons at the firing site. All debris shall be removed by the Contractor following the conclusion of the show at the Contractor's own expense.

14.0 **DISCHARGE & FIRING OF THE FIREWORKS SHOW/DISPLAY**

14.1 **A copy of the proposed program for the aerial display shall be provided with the submittal of the bid proposal. Failure to supply the required program with the proposal shall be considered just cause for the Borough 's rejection of the bid.**

14.2 The Contractor shall also provide the Borough 's representative with a certified packing list of materials sent to the fireworks site at the time of delivery.

14.3 This program and certified packing list will be utilized by the Borough 's representative to verify the shell count and to determine which aerial shells misfired during the fireworks display.

14.4 *Land Based Show/Display*

14.4.1 The fireworks show/display shall be fired **manually and/or electronically.**

15.5 *Land Based Show/Display)*

15.5.1.1 The following criteria are established as a minimum requirement. Each proposal shall not include any "cake" shells or any shells less than 3". All shells shall have rising tails. The ***"Opening Display"*** shall last for a minimum duration of **three (3) minutes** in length and shall contain **300** shells:

15.5.1.2 **Opening Scene**

- 200 – 3" Shells with Rising Tails
- 50 – 4" Shells with Rising Tails
- 30 – 5" Shells with Rising Tails
- 20 – 6" Shells with Rising Tails

**A. GENERAL INFORMATION & CONDITIONS (CONTINUED)**

**15.0 SPECIFICATIONS FOR THE PYROTHEATRICAL PERFORMANCE OF THE FIREWORKS (CONTINUED)**

**15.6 Land Based Show/Display**

14.4.2 The *"Main Body"* of the Display shall be a minimum of twenty-four (24) minutes and shall consist of 1430 shells of the following sizes:

800 – 3" shells (9 inch circumference) with rising tails

240 – 4" shells (12 inch circumference) with rising tails

270 - 5" shells (15 inch circumference) with rising tails

140 – 6" Shells (18 inch circumference) with rising tails

15.5.2 The *"Grand Finale"* shall be a minimum of three (3) minutes and shall be comprised of 1,100 assorted color, crackling, mine, palms, strobes, tiger tails and salute shells ranging in size from 3 – 6 inches in diameter as follows:

627 – 3" shells with rising tails

350 – 4' shells with rising tails

100 – 5" shells

27 – 6" shells

**Bidder shall supply a list of variety and number of shells of each variety to be fired.**

THE BOROUGH OF BEACHWOOD  
OCEAN COUNTY  
BOROUGH OF BEACHWOOD , NJ

BOROUGH CONTRACT NO.

2010, 2011 & 2012 FOURTH OF JULY FIREWORKS SHOW/DISPLAY

PROPOSAL FORM

The Borough of Beachwood  
c/o The Borough Clerk's Office  
1600 Pinewald Road  
Beachwood, New Jersey 08722

In accordance with your Notice to Bidders, the Bid Proposal, General Instructions, Conditions and Specifications, we wish to bid the following:

<u>Item#</u>	<u>Description</u>	<u>Total Amount of the Show</u>
1.	<p><b><u>Calendar Year 2010</u></b></p> <p>Supply &amp; perform a twenty-seven (27) minute Fourth of July pyroteathrical performance of a fireworks show/display. <b><i>(Land Fired Show/Display – <u>Manually Fired</u>)</i></b></p> <p>Scheduled Show Date/Time: <b>Sunday, July 4, 2010 @ 9:00 PM - 9:27 PM. EDT</b></p> <p>Rain Date/Time: <b>Monday; July 5, 2010 @ 9:00 PM – 9:27 PM, EDT</b></p>	\$ _____
2.	<p><b><u>Calendar Year 2011</u></b></p> <p>Supply &amp; perform a twenty-seven (27) minute Fourth of July pyroteathrical performance of a fireworks show/display. <b><i>(Land Fired Show/Display – <u>Manually Fired</u>)</i></b></p> <p>Scheduled Show Date/Time: <b>Monday, July 4, 2011 @ 9:00 PM - 9:27 PM. EDT</b></p> <p>Rain Date/Time: <b>Tuesday; July 5, 2011 @ 9:00 PM – 9:27 PM, EDT</b></p>	\$ _____
3.	<p><b><u>Calendar Year 2012</u></b></p> <p>Supply &amp; perform a twenty-seven (27) minute Fourth of July pyroteathrical performance of a fireworks show/display. <b><i>(Land Fired Show/Display – <u>Manually Fired</u>)</i></b></p> <p>Scheduled Show Date/Time: <b>Wednesday, July 4, 2012 @ 9:00 PM - 9:27 PM. EDT</b></p> <p>Rain Date/Time: <b>Thursday; July 5, 2012 @ 9:00 PM – 9:27 PM, EDT</b></p>	\$ _____



**GENERAL CONTRACT INFORMATION**

**NAME OF COMPANY:** \_\_\_\_\_

**BUSINESS ADDRESS:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**CONTACT PERSON:** \_\_\_\_\_

**FEDERAL I.D. #:** \_\_\_\_\_

**TELEPHONE #:** \_\_\_\_\_

**FAX #:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

**DATED:** \_\_\_\_ / \_\_\_\_ / \_\_\_\_

**WEBSITE ADDRESS:** \_\_\_\_\_

**E-MAIL ADDRESS:** \_\_\_\_\_

**NAME OF THE LEAD PYROTECHNICIAN/OPERATOR:** \_\_\_\_\_

**ADDRESS OF THE LEAD PYROTECHNICIAN/OPERATOR:** \_\_\_\_\_

**GENERAL CONTRACT INFORMATION (CONTINUED)**

**TELEPHONE NUMBER OF THE LEAD PYROTECHNICIAN: (A TELEPHONE NUMBER THAT THE OPERATOR CAN BE REACHED PRIOR TO SETTING UP THE SHOW ON JULY 4<sup>th</sup> / JULY 5<sup>th</sup>):** \_\_\_\_\_

**NAME OF THE ASSISTANT/SHOOTER:** \_\_\_\_\_

**NAME OF THE ASSISTANT/SHOOTER:** \_\_\_\_\_

**NAME OF THE ASSISTANT/SHOOTER:** \_\_\_\_\_

**% OF SHELLS IN THE SHOW THAT WILL BE PRODUCED IN THE UNITED STATES:** \_\_\_\_\_

**% OF SHELLS IN THE SHOW THAT WILL BE PRODUCED IN A FOREIGN COUNTRY:** \_\_\_\_\_

**HAS YOUR COMPANY/FIRM PREVIOUSLY HAD ANY REPORTABLE INCIDENTS OR ACCIDENTS AT ANY SHOW? (IF YES, PLEASE EXPLAIN):** Yes / No \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**REFERENCE LIST OF CUSTOMERS  
(REQUIRED INFORMATION)**

1. NAME OF GOVERNMENTAL/CONTRACTUAL AGENCY: \_\_\_\_\_

\_\_\_\_\_

BUSINESS ADDRESS: \_\_\_\_\_

TELEPHONE #: \_\_\_\_\_

FAX #: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

SIZE & SCOPE OF THE CONTRACT: \_\_\_\_\_

DOLLAR VALUE OF THE CONTRACT: \_\_\_\_\_

WAS THE SHOW/DISPLAY FIRED ELECTRONICALLY OR MANUALLY?: \_\_\_\_\_

2. NAME OF GOVERNMENTAL/CONTRACTUAL AGENCY: \_\_\_\_\_

\_\_\_\_\_

BUSINESS ADDRESS: \_\_\_\_\_

TELEPHONE #: \_\_\_\_\_

FAX #: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

SIZE & SCOPE OF THE CONTRACT: \_\_\_\_\_

DOLLAR VALUE OF THE CONTRACT: \_\_\_\_\_

WAS THE SHOW/DISPLAY FIRED ELECTRONICALLY OR MANUALLY?: \_\_\_\_\_

**REFERENCE LIST OF CUSTOMERS  
(REQUIRED INFORMATION)**

3. NAME OF GOVERNMENTAL/CONTRACTUAL AGENCY: \_\_\_\_\_

\_\_\_\_\_

BUSINESS ADDRESS: \_\_\_\_\_

TELEPHONE #: \_\_\_\_\_

FAX #: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

SIZE & SCOPE OF THE CONTRACT: \_\_\_\_\_

DOLLAR VALUE OF THE CONTRACT: \_\_\_\_\_

WAS THE SHOW/DISPLAY FIRED ELECTRONICALLY OR MANUALLY?: \_\_\_\_\_

4. NAME OF GOVERNMENTAL/CONTRACTUAL AGENCY: \_\_\_\_\_

\_\_\_\_\_

BUSINESS ADDRESS: \_\_\_\_\_

TELEPHONE #: \_\_\_\_\_

FAX #: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

SIZE & SCOPE OF THE CONTRACT: \_\_\_\_\_

DOLLAR VALUE OF THE CONTRACT: \_\_\_\_\_

WAS THE SHOW/DISPLAY FIRED ELECTRONICALLY OR MANUALLY?: \_\_\_\_\_