



REQUEST FOR QUALIFICATIONS

Professional External Auditing and Financial Advisory Services

**Board of Education of the
Bergen County Special Services School District
PARAMUS, NEW JERSEY**

**John Susino
Business Administrator & Board Secretary**



**Issue Date: June 1, 2023
Due Date: June 29, 2023**

NOTE: The Board of Education of the Special Services Schools in the County of Bergen will consider qualifications 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 Qualifications.

GLOSSARY

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

"BCSS" refers to Bergen County Special Services.

"Board" refers to the Board of Education of the Special Services Schools in the County of Bergen.

"Qualification Statement" refers to the complete responses to this RFQ submitted by the Respondents.

"Qualified Respondent" refers to those Respondents who (in the sole judgment of the Board) have satisfied the qualification criteria set forth in this RFQ.

"RFQ" refers to this Request for Qualifications, including any amendments thereof or supplements thereto.

"Respondent" refers to the interested firm that submits a Qualification Statement.

SECTION 1

INTRODUCTION AND GENERAL INFORMATION

1.1. Introduction and Purpose

The Board is soliciting Qualification Statements from interested persons and/or firms for the provision of professional external auditing and financial advisory services, as more particularly described herein. Through a Request for Qualification process described herein, persons and/or firms interested in assisting the Board with the provision of such services must prepare and submit a Qualification Statement in accordance with the procedure and schedule in this RFQ. The Board will review Qualification Statements only from those firms that submit a Qualification Statement which includes all the information required to be included as described herein (in the sole judgment of the Board). The Board intends to qualify person(s) and/or firm(s) that (a) possess the professional, financial and administrative capabilities to provide the proposed services, and (b) will agree to work under the compensation terms and conditions determined by the Board to provide the greatest benefit to the taxpayers of the County of Bergen.

1.2. Project/Services

The Board of Education of the Special Services Schools in the County of Bergen is soliciting qualifications for an external auditor for the period starting July 1, 2023, and ending June 30, 2024, or other such time as the Board may reorganize. The auditor shall be required to perform the following services for the Board:

- Annual Audit for School Year
- Financial Advisory Services for School Year

1.3. Background

BCSS is a unique county-wide public-school district that was established through an act passed by the New Jersey Legislature in 1971. Distinguished as the first Special Services school district in New Jersey, Bergen County is now one of eight such districts funded by county, state, and sending schools. The mission of the BCSS School District is to effectively address the unique social, emotional, physical, intellectual and career needs of students with disabilities. The district offers a broad spectrum of special education programs and services for children and adults with diverse learning disabilities. Further information regarding the School District can be obtained on the district website <https://bcss.bergen.org/>.

1.4. Procurement Process and Schedule

The selection of Qualified Respondents is not subject to the provisions of 18A:18A-1 et seq. Public School Contracts Law. The selection is subject to the "New Jersey Pay-to-Play" Law, P.L. 2005 c.271 N.J.S.A. 40A:11-51. The auditor is advised of the responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-20.13 if the contractor receives contracts in excess of \$50,000.00 from public entities in a calendar year. It is the contractor's responsibility to determine if filing is necessary. Additional information on this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us.

The Board has structured a procurement process that seeks to obtain the desired results described above, while establishing a competitive process to assure that each person and/or firm is provided an equal opportunity to submit a Qualification Statement in response to the RFQ. Qualification Statements will be evaluated in accordance with the criteria set forth in Section 2 of this RFQ, which will be applied in the same manner to each Qualification Statement received.

Qualification Statements will be reviewed and evaluated by the Board and its legal, professional, and/or financial advisors (collectively, the "Review Team"). The Qualification Statements will be reviewed to determine if the Respondent has met the minimum professional, administrative and financial areas described in this RFQ. Under no circumstances will a member of the Review Team review responses to an RFQ for a job which they or their firm submitted a response. Based upon the totality of the information contained in the Qualification Statement, including information about the reputation and experience of each Respondent, the Board will (in its sole judgment) determine which Respondents are qualified (from professional, administrative and financial standpoints). Each Respondent that meets the requirements of the RFQ (in the sole judgment of the Board) will be designated as a Qualified Respondent and will be given the opportunity to participate in the selection process determined by the Board.

The RFQ process commences with the issuance of this RFQ. The steps involved in the process and the anticipated completion dates are set forth in Table 1 below. The Board reserves the right to, among other things, amend, modify or alter the procurement schedule upon notice to all potential Respondents.

All communications concerning this RFQ or the RFQ process shall be directed to the Board's designated contact person, in writing or via email.

Mr. John Susino
Business Administrator & Board Secretary
Bergen County Special Services School District
540 Farview Avenue, Room 2300
Paramus, NJ 07652

johsus@bergen.org

Qualification Statements must be received by the Board no later than 10 a.m. on June 29, 2023 and will not be considered after this time. Qualification Statements will only be accepted via the following forms of delivery: USPS, certified mail, FedEx, UPS, courier, self-delivery or email (for only the copy of the RFQ). The original RFQ must be sent via the other forms of delivery. The Board will not bear responsibility for delays in delivery for any reason.

Subsequent to issuance of this RFQ, the Board (through the issuance of addenda to all firms that have received a copy of the RFQ) may modify, supplement or amend the provisions of this RFQ in order to respond to inquiries received from prospective Respondents or as otherwise deemed necessary or appropriate by (and in the sole judgment of) the Board.

TABLE 1

ANTICIPATED PROCUREMENT SCHEDULE ACTIVITY DATES

Issuance of Request for Qualifications	June 1, 2023
Receipt of Qualification Statements Due	June 29, 2023
Opening of Bids	June 29, 2023
Review Team Analysis of Bids	June 29--July 7, 2023
Designation of Qualified Respondents	July 13, 2023*

* The contract awarded under this process shall be made by resolution of the Board of Education. The award must be made within sixty (60) days of the receipt of the qualifications, however subject to extension pursuant to N.J.S.A. 18A:18A-36 (a).

1.5. Conditions Applicable to RFQ

Upon submission of a Qualification Statement in response to this RFQ, the Respondent acknowledges and consents to the following conditions relative to the submission and review and consideration of its Qualification Statement:

- This document is an RFQ and does not constitute an RFP;
- This RFQ does not commit the Board to issue an RFP;
- All costs incurred by the Respondent in connection with responding to this RFQ shall be borne solely by the Respondent;
- The Board reserves the right (in its sole judgment) to reject for any reason any and all responses and components thereof and to eliminate any and all Respondents responding to this RFQ from further consideration for this procurement;
- The Board reserves the right (in its sole judgment) to reject any Respondent that submits incomplete responses to this RFQ, or a Qualification Statement that is not responsive to the requirements of this RFQ;
- The Board reserves the right, without prior notice, to supplement, amend, or otherwise modify this RFQ, or otherwise request additional information;
- All Qualification Statements shall become the property of the Board and will not be returned;
- All Qualification Statements will be made available to the public at the appropriate time, as determined by the Board (in the exercise of its sole discretion) in accordance with law;
- The Board may request Respondents to send representatives to the Board for interviews;
- Any and all Qualification Statements not received by the Board by 10:00 a.m. prevailing time on June 29, 2023 will be rejected; and
- Neither the Board, nor their respective staffs, consultants or advisors (including but not limited to the Review Team) shall be liable for any claims or damages resulting from the solicitation or preparation of the Qualification Statement, nor will there be any reimbursement to Respondents for the cost of preparing and submitting a Qualification Statement or for participating in this procurement process.

1.6. Rights of Board

The Board reserves, holds and may exercise, at its sole discretion, the following rights and options with regard to this RFQ and the procurement process in accordance with the provisions of applicable law:

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

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

1.7. Addenda or Amendments to RFQ

During the period provided for the preparation of responses to the RFQ, the Board may issue addenda, amendments or answers to written inquiries. Those addenda will be noticed by the Board and will constitute a part of the RFQ. All responses to the RFQ shall be prepared with full consideration of the addenda issued prior to the qualification submission date.

1.8. Cost of RFQ Preparation

Each qualification and all information required to be submitted pursuant to the RFQ shall be prepared at the sole cost and expense of the Respondent. There shall be no claims whatsoever against the Board, its staff or consultants for reimbursement for the payment of costs or expenses incurred in the preparation of the Qualification Statement or other information required by the RFQ.

1.9. Qualification Format

Responses should cover all information requested in the questions to be answered in this RFQ.

Responses which in the judgment of the Board fail to meet the requirements of the RFQ or which are in any way conditional, incomplete, obscure, contain additions or deletions from requested information, or contain errors may be rejected.

SECTION 2 **SCOPE OF SERVICES**

It is the intent of the Board to solicit Qualification Statements from Respondents that have expertise in the provision of professional external audits and financial services. Firms and/or persons responding to this RFQ shall be able to demonstrate that they will have the continuing capabilities to perform these services.

SECTION 3 **SUBMISSION REQUIREMENTS**

3.1. General Requirements

The Qualification Statement submitted by the Respondent must meet or exceed the professional, administrative and financial qualifications set forth in this Section 3 and shall incorporate the information requested below.

In addition to the information required as described below, a Respondent may submit supplemental information that it feels may be useful in evaluating its Qualification Statement. Respondents are encouraged to be clear, factual, and concise in their presentation of information.

3.2. Administrative Information Requirements

The Respondent shall, as part of its Qualification Statement, provide the following information:

- An executive summary (not to exceed two pages) of the information contained in all the other parts of the Qualification Statement;
- An executed Letter of Qualification **Appendix A**;
- Name, address and telephone number of the firm or firms submitting the Qualification Statement pursuant to this RFQ, and the name of the key contact person;
- A description of the business organization (i.e., corporation, partnership, joint venture, etc.) of each firm, its ownership and its organizational structure:
 - Provide the names and business addresses of all Principals of the firm or firms submitting the Qualification Statement. For purposes of this RFQ, "Principals" means persons possessing an ownership interest in the Respondent. If the Respondent is a corporation, "Principals" shall include each investor who would have any amount of operational control over the Respondent and every stockholder having an ownership interest of 10% or more in the firm;
 - If a firm is a partially owned or a fully-owned subsidiary of another firm, identify the parent company and describe the nature and extent of the parents' approval rights over the activities of the firm submitting a Qualification Statement. Describe the approval process;
 - If the Respondent is a partnership or a joint venture or similar organization, provide comparable information as required above for each member of the partnership, joint venture or similar organization
- An executed Letter of Intent **Appendix B**;
- The number of years your organization has been in business under the present name;
- The number of years the business organization has been under the current management;
- Any judgments within the last three years in which Respondent has been adjudicated liable for professional malpractice. If yes, please explain;
- Whether the business organization is now or has been involved in any bankruptcy or re-organization proceedings in the last ten years; If yes, please explain;
- Confirm appropriate federal and state licenses to perform activities;
- Pursuant to P.L. 2004 c.57, all qualifications must be accompanied by a New Jersey Business Registration Certificate issued by the New Jersey Department of Treasury, Division of Revenue;
- A statement that the auditor agrees to comply with the Law Against Discrimination, pursuant to N.J.A.C. 17:27 et seq. as set forth at length in **Appendix C** attached hereto and made a part hereof;
- Fee schedule;
- Political Contribution Disclosure Form: **Appendix D**; and
- Prohibited Russia-Belarus Activities & Iran Investment Activities form **Appendix E**

3.3. Professional Information Requirements

- Respondent shall be a certified public accountant with a minimum of five-years' experience in auditing of boards of education and compliance audits. The Board is seeking a candidate that has significant experience and familiarity with state and local government practices, rendering accounting, auditing, and financial services to boards of education that engage in a sending/receiving relationship with other boards of education. At a minimum, the following information on past experience should be included as appropriate to the RFQ:
 - Description and scope of work by Respondent;
 - Name, address and contact information of references;
 - Explanation of perceived relevance of the experience to the RFQ
- Describe the services that Respondent would perform directly;
- Describe those portions of the Respondent's services, if any, that are sub-contracted out. Identify all subcontractors the Respondent anticipates using in connection with this project;

- Does the Respondent normally employ union or non-union employees?
- Resumes of key employees;
- A narrative statement of the Respondent's understanding of the Board's needs and goals; and
- List all immediate relatives of Principal(s) of Respondent who are Board employees or elected officials of the Board. For purposes of the above, "immediate relative" means a spouse, parent, stepparent, brother, sister, child, stepchild, direct-line aunt or uncle, grandparent, grandchild, and in-laws by reason of relation.

SECTION 4

SUBMISSION OF QUALIFICATION STATEMENTS

Respondents must submit their Qualification Statement to the following Designated Contact Person:

Mr. John Susino
Business Administrator & Board Secretary
Bergen County Special Services School District
540 Farview Avenue, Room 2300
Paramus, NJ 07652

Drop off hours: 8:30 a.m. – 11:30 a.m. and 1:30 p.m. – 3:30 p.m. (Closed June 16)

1. All packages must be marked with the specified RFQ on the cover of the package including express mail versions.
2. They must be received by the Board no later than 10:00 a.m. (prevailing time) on June 29, 2023. Qualification Statements received after this time will not be considered.
3. Qualification Statements will only be accepted via the following forms of delivery: USPS, certified mail, FedEx, UPS, courier, self-delivery or email (for only the copy of the RFQ). The original RFQ must be sent via the other forms of delivery.
4. Submission options are:
 - 2 Paper versions (1 original and 1 copy) mailed to the address above. No staples or binding--must be easily scannable.
 - or
 - 1 Paper version (with original signatures) mailed and 1 pdf document emailed to johnsus@bergen.org.

The Board will not bear responsibility for delays in delivery for any reason.

To be responsive, Qualification Statements must provide all requested information, and must be in strict conformance with the instructions set forth herein. Qualification Statements and all related information must be signed and acknowledged by the Respondent.

SECTION 5

EVALUATION

The Board's objective in soliciting Qualification Statements is to enable it to select a firm or organization that will provide high-quality and cost-effective services to the citizens of the County of Bergen. The Board will consider Qualification Statements only from firms or organizations that, in the Board's judgment, have demonstrated the capability and willingness to provide high-quality services to the citizens of the Board in the manner described in this RFQ.

Qualifications will be evaluated by the Board on the basis of the most advantageous submission, all relevant factors considered. The evaluation will consider:

- Experience and reputation in the field;
- Knowledge of the School District and the subject matter addressed under the contract;

- Availability to accommodate the required meetings of the Board;
- Qualifications of the individual who will perform the service or activity and overall knowledge and familiarity with the operations of the School District;
- Qualifications and experience of the other members of the professional's firm and experience of the firm in providing similar services to other public bodies, with special emphasis on experience in New Jersey;
- Ability to perform the service or activity in a timely fashion, including staffing and staff's familiarity of the service or activity; and
- Other factors demonstrated to be in the best interest of the Board.

**APPENDIX A
LETTER OF QUALIFICATION**

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

[insert date]

Mr. John Susino
Business Administrator & Board Secretary
Bergen County Special Services School District
540 Farview Avenue, Room 2300
Paramus, NJ 07652

Dear Mr. Susino:

The undersigned has/have reviewed my/our Qualification Statement submitted in response to the Request for Qualifications (RFQ) issued by the Board of Education ("Board"), dated ____, in connection with the Board's need for ____.

I/We affirm that the contents of my/our Qualification Statement (which Qualification Statement is incorporated herein by reference) is accurate, factual and complete to the best of our knowledge and belief and that the Qualification Statement is submitted in good faith upon express understanding that any false statement may result in the disqualification of **(Name of Respondent)**.

(Respondent shall sign and complete the spaces provided below. If a joint venture, appropriate officers of each company shall sign.)

(Signature of Chief Executive Officer)
(Typed Name and Title)
(Type Name of Firm) *
Date: _____

(Signature of Chief Financial Officer)
(Typed name and Title)
(Type Name of Firm) *
Date: _____

** If a joint venture, partnership or other formal organization is submitting a Qualification Statement, each participant shall execute this Letter of Qualification.*

**APPENDIX B
LETTER OF INTENT**

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

[insert date]

Mr. John Susino
Business Administrator & Board Secretary
Bergen County Special Services School District
540 Farview Avenue, Room 2300
Paramus, NJ 07652

Dear Mr. Susino:

The undersigned, as Respondent, has (have) submitted the attached Qualification Statement in response to a Request for Qualifications (RFQ), issued by the Board of Education ("Board"), dated ____, in connection with the Board's need for ____.

(Name of Respondent) HEREBY STATES:

The Qualification Statement contains accurate, factual and complete information.

(Name of Respondent) agrees (agrees) to participate in good faith in the procurement process as described in the RFQ and to adhere to the Board's procurement schedule.

(Name of Respondent) acknowledges (acknowledge) that all costs incurred by it (them) in connection with the preparation and submission of the Qualification Statement and any qualification prepared and submitted in response to the RFP, or any negotiation which results therefrom shall be borne exclusively by the Respondent.

(Name of Respondent) hereby declares (declare) that the only persons participating in this Qualification Statement as Principals are named herein and that no person other than those herein mentioned has any participation in this Qualification Statement or in any contract to be entered into with respect thereto. Additional persons may subsequently be included as participating Principals, but only if acceptable to the Board.

(Name of Respondent) declares that this Qualification Statement is made without connection with any other person, firm or parties who has submitted a Qualification Statement, except as expressly set forth below and that it has been prepared and has been submitted in good faith and without collusion or fraud.

(Name of Respondent) acknowledges and agrees that the Board may modify, amend, suspend and/or terminate the procurement process (in its sole judgment). In any case, the Board shall not have any liability to the Respondent for any costs incurred by the Respondent with respect to the procurement activities described in this RFQ.

(Name of Respondent) acknowledges that any contract executed with respect to the provision of [insert services] must comply with all applicable affirmative action and similar laws. Respondent hereby agrees to take such actions as are required in order to comply with such applicable laws.

Respondent shall sign and complete the space provided below. If a joint venture, appropriate officers of each company shall sign.

(Signature of Chief Executive Officer)

(Typed Name and Title)

(Type Name of Firm) *

Date

** If a joint venture, partnership or other formal organization is submitting a Qualification Statement, each participant shall execute this Letter of Intent.*

**APPENDIX C
EXHIBIT A**

**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
N.J.S.A. 10:5-31 et seq. (P.L.1975, c.127)
N.J.A.C. 17:27 et seq.**

GOODS, GENERAL SERVICES, AND PROFESSIONAL SERVICES CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, **one** of the following three documents:

1. Letter of Federal Affirmative Action Plan Approval;
2. Certificate of Employee Information Report; or
3. Employee Information Report Form AA-302 (electronically provided by the Division and distributed to the public agency through the Division's website at: [http:// www.state.nj.us/treasury/contract compliance](http://www.state.nj.us/treasury/contract_compliance)).

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Purchase & Property, CCAU, EEO Monitoring Program as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Purchase & Property, CCAU, EEO Monitoring Program for conducting a compliance investigation pursuant to N.J.A.C. 17:27-1.1 et seq.

Signature, President

Date

**APPENDIX D
POLITICAL CONTRIBUTION DISCLOSURE FORM**

**Bergen County Special Services School District
540 Farview Avenue, Room 2300
Paramus, NJ 07652**

**Chapter 271
(Contracts that Exceed \$17,500.00)
Required Pursuant to N.J.S.A. 19:44A-20.26**

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that _____
(**Business Entity**) has made the following **reportable** political contributions to any elected official, political candidate or any political committee as defined in N.J.S.A. 19:44A-20.26 during the twelve months preceding this award of contract:

Reportable Contributions

Date of Contribution	Amount of Contribution	Name of Recipient Elected Official/ Committee/Candidate	Name of Contributor

The Business Entity may attach additional pages if needed.

☐ **No Reportable Contributions** (Please check (✓) if applicable.)

I certify that _____ (**Business Entity**) made no reportable contributions to any elected official, political candidate or any political committee as defined in N.J.S.A. 19:44A-20.26.

Certification

I certify, that the information provided above is in full compliance with Public Law 2005—Chapter 271.

Name of Authorized Agent _____

Signature _____ Title _____

Business Entity _____

**APPENDIX E
COMBINED CERTIFICATION:
PROHIBITED ACTIVITIES IN RUSSIA/BELARUS & INVESTMENT ACTIVITIES IN IRAN
(PAGE 1 OF 2)**

Person or Entity:

Bid Solicitation/ Proposal Title:

PART 1: CERTIFICATION

COMPLETE PART 1 BY CHECKING ONE OF THE THREE BOXES BELOW

Pursuant to law, any person or entity that is a successful bidder or proposer, or otherwise proposes to enter into or renew a contract, for goods or services must complete the certification below prior to contract award to attest, under penalty of perjury, that neither the person or entity, nor any parent entity, subsidiary, or affiliate, is identified on the Department of Treasury's Russia-Belarus list or Chapter 25 list as a person or entity engaging in prohibited activities in Russia, Belarus or Iran. Before a contract for goods or services can be amended or extended, a person or entity must certify that neither the person or entity, nor any parent entity, subsidiary, or affiliate, is identified on the Department of Treasury's Russia-Belarus list. Both lists are found on Treasury's website at the following web addresses:

<https://www.nj.gov/treasury/administration/pdf/RussiaBelarusEntityList.pdf>
www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf

As applicable to the type of contract, the above-referenced lists must be reviewed prior to completing the below certification. A person or entity unable to make the certification must provide a detailed, accurate, and precise description of the activities of the person or entity, or of a parent entity, subsidiary, or affiliate, engaging in prohibited activities in Russia or Belarus and/or investment activities in Iran. The person or entity must cease engaging in any prohibited activities and provide an updated certification before the contract can be entered into.

If a vendor or contractor is found to be in violation of law, action may be taken as appropriate and as may be 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.

CONTRACT AWARDS AND RENEWALS

☐

I certify, pursuant to law, that neither the person or entity listed above, nor any parent entity, subsidiary, or affiliate appears on the N.J. Department of Treasury's lists of entities engaged in prohibited activities in Russia or Belarus pursuant to P.L. 2022, c. 3 or in investment 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. (Skip Part 2 and sign and complete the Certification below.)

CONTRACT AMENDMENTS AND EXTENSIONS

☐

I certify, pursuant to law, that neither the person or entity listed above, nor any parent entity, subsidiary, or affiliate is listed on the N.J. Department of the Treasury's lists of entities determined to be engaged in prohibited activities in Russia or Belarus pursuant to P.L. 2022, c. 3. 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. (Skip Part 2 and sign and complete the Certification below.)

IF UNABLE TO CERTIFY

☐

I am unable to certify as above because the person or entity and/or a parent entity, subsidiary, or affiliate is listed on the Department's Russia-Belarus list and/or Chapter 25 Iran list. I will provide a detailed, accurate, and precise description of the activities as directed in Part 2 below, and sign and complete the Certification below. Failure to provide such will prevent the award of the contract to the person or entity, and appropriate penalties, fines, and/or sanctions will be assessed as provided by law.

**COMBINED CERTIFICATION:
PROHIBITED ACTIVITIES IN RUSSIA/BELARUS & INVESTMENT ACTIVITIES IN IRAN
(PAGE 2 OF 2)**

PART 2: ADDITIONAL INFORMATION

PLEASE PROVIDE FURTHER INFORMATION RELATED TO PROHIBITED ACTIVITIES IN RUSSIA/BELARUS AND/OR INVESTMENT ACTIVITIES IN IRAN.

You must provide a detailed, accurate, and precise description of the activities of the person or entity, or of a parent entity, subsidiary, or affiliate, engaging in prohibited activities in Russia or Belarus and/or investment activities in Iran in the space below and, if needed, on additional sheets provided by you.

PART 3: CERTIFICATION OF TRUE AND COMPLETE INFORMATION

I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments there, 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 **BCTS and BCSS** are relying on the information contained herein and hereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with **BCTS and BCSS** are to notify **BCTS and BCSS** 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. 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 **BCTS and BCSS** and that **BCTS and BCSS** at its option may declare any contract(s) resulting from this certification void and unenforceable.*

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

Statutory Reference	P.L. 2022,c. 3 N.J.S.A. 52:32-55 et seq. N.J.S.A. 40A:11-2.1 N.J.S.A 18A:18A-49.4
Description	P.L. 2022, c. 3 prohibits the award, renewal, amendment, or extension of State and local public contracts for goods or services with persons or entities engaging in prohibited activities in Russia or Belarus. P.L. 2012, c.25 prohibits the award or renewal of State and local public contracts for goods and services with persons or entities engaged in certain investment activities in the energy or finance sectors of Iran. Before a goods and services contract can be entered into, vendors and contractors must certify that neither they nor any parent entity, subsidiary, or affiliate is listed on the New Jersey Department of the Treasury's list of entities determined to be engaged in prohibited activities in Russia or Belarus pursuant to P.L. 2022, c. 3 ("Russia-Belarus list") or in Iran pursuant to P.L. 2012, c. 25 ("Chapter 25 list").

MUST RETURN BOTH PAGES OF THIS FORM