

SOUTH JERSEY TRANSPORTATION PLANNING ORGANIZATION

**NOTICE OF
REQUESTS FOR PROPOSALS**

FOR

FY 2014 TRAFFIC SAFETY SURVEY

Dated January 13, 2014

The South Jersey Transportation Planning Organization (SJTPO) is soliciting proposals from qualified firms, or groups of firms, to conduct the FY 2014 Traffic Safety Survey throughout Atlantic, Cape May, Cumberland and Salem Counties. The survey involves observing drivers distractions.

Copies of the RFPs can be obtained from the SJTPO at 782 S. Brewster Road, Vineland, New Jersey 08361, by e-mail (sjtpo@sjtpo.org), or by calling 856-794-1941. Copies may also be obtained immediately via our website <http://www.sjtpo.org/Opportunities.html> . However, please notify us that you have obtained an RFP so that we may send you any further information or updates that may be released.

Interested firms must submit five (5) copies of their proposals no later than 5:00 P.M., prevailing time, Wednesday, March 5, 2014.

The contract with the SJTPO will be executed via the South Jersey Transportation Authority (SJTA), and all contractual provisions and requirements of the SJTA will be in effect. The project is funded with Federal Highway Administration PL funds administered through SJTPO and the New Jersey Department of Transportation, and all applicable federal and state financial provisions will be in effect.

January 13, 2014

SOUTH JERSEY TRANSPORTATION PLANNING ORGANIZATION
REQUEST FOR PROPOSAL
FY 2014 TRAFFIC SAFETY SURVEY

SOUTH JERSEY TRANSPORTATION PLANNING ORGANIZATION
782 S. Brewster Road, Unit B6
Vineland, NJ 08361
856-794-1941
856-794-2549(Fax)
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FRANK SUTTON, CHAIRMAN
TIMOTHY G. CHELIUS, EXECUTIVE DIRECTOR

TABLE OF CONTENTS

- I. Introduction**
- II. Scope of Work**
- III. Consultant Selection**
- IV. Disadvantaged Business Enterprise (DBE) and
Emerging Small Business Enterprise Participation (ESBE)**
- V. Equal Employment Opportunity Provision**
- VI. Insurance Requirements**

EXHIBITS

- Exhibit A: Affirmative Action Language**
- Exhibit B: Notice to All Bidders**
- Exhibit C: Required Affirmative Action Evidence for Procurement,
Professional and Services Contracts**

SOUTH JERSEY TRANSPORTATION PLANNING ORGANIZATION

REQUEST FOR PROPOSALS

FY 2014 TRAFFIC SAFETY SURVEY

I. INTRODUCTION

A. General

The South Jersey Transportation Planning Organization (SJTPO) is soliciting proposals from qualified firms, or groups of firms, to conduct a distracted driving survey Seat Belt Survey in Atlantic, Cape May, Cumberland and Salem Counties. This work is included in the SJTPO FY 2013 Unified Planning Work Program. Technical proposals must be prepared and submitted in accordance with the requirements, format, and guidelines presented in this RFP document.

The SJTPO is the designated Metropolitan Planning Organization for Atlantic, Cape May, Cumberland and Salem Counties. As such, the SJTPO has responsibility or oversight for all federally funded surface transportation planning activities in the region.

B. Submission

Interested firms must submit five (5) paper copies and one (1) electronic copy of their Technical Proposal. The Technical Proposals must be accompanied by one (1) hard copy and one (1) electronic copy of the Cost Proposal, in a separate, sealed envelope. The technical and cost proposals are to be received no later than 5:00 P.M., prevailing time, on [Wednesday, March 5, 2014](#). The SJTPO shall not be held responsible for timeliness of mail or messenger delivery. Submittals should be addressed to:

Teresa M. Thomas, SJTSA Program Manager
South Jersey Transportation Planning Organization
782 S. Brewster Road, Unit B6, Vineland, NJ 08361

The SJTPO reserves the right to reject any submission for failure to adhere to these requirements or to accept any submission, which in its judgment will best serve its interest. All submitting firms grant to the SJTPO a non-exclusive right to use, or cause others to use, the contents of the submission for any purpose. All submissions will become the sole property of the SJTPO. Subconsultants, subcontractors, and joint ventures are permitted for the purposes of this submission.

C. Interpretations and Addenda

All questions, requests for interpretations and comments must be **submitted in writing** and received on or before [Thursday, February 6, 2014](#) and submitted to **Teresa Thomas** at the above address. Faxes (856-794-2549) and emails (teresa@sjtsa.org) are acceptable. Interpretations or clarifications in response to questions or comments received by prospective proposers will be posted on the SJTPO website. Only written clarifications from SJTPO will be binding; oral and other interpretations or clarifications will be without legal effect.

PLEASE CHECK THE SJTPO WEBSITE DURING THE RFP RESPONSE PERIOD FOR ADDENDA TO THE RFP, AND QUESTIONS AND ANSWERS.

D. Anticipated Consultant Selection Schedule

Questions about RFP Due	Thursday, February 6, 2014
Answers about RFP Published	Wednesday, February 12, 2014
Proposal Due Date	Wednesday, March 5, 2014
Policy Board Action	Monday, March 24, 2014
Notice to Proceed	On or about Friday, April 4, 2014
Project Completion Due	Monday, June 30, 2014

E. Contracting

The contract with SJTPO will be executed via the South Jersey Transportation Authority (SJTA), the administrative host of the SJTPO. All provisions and requirements of the SJTA pertaining to contractual matters will be in effect. This project is funded by the Federal Highway Administration of the United States Department of Transportation. See the following link for the SJTPO standard contract agreement: <http://www.sjtpo.org/Documents/EmploymentandRFPs/RFPs/RFPSubcontractAgreement.pdf>

II. SCOPE OF WORK

A. Background

Safety is a top priority in SJTPO's plans and programs. Along with the South Jersey Traffic Safety Alliance (SJ TSA), SJTPO is actively engaged in several safety-related initiatives, such as Safety Conscious Planning and Road Safety Audits. The Traffic Safety Survey has been created to help identify and quantify possible safety issues on our roadways.

Distracted driving is a growing safety concern. Any activity that takes a driver's focus away from their primary task of driving creates an opportunity for a crash. Vehicle crashes can cause injuries to passengers and some of those injuries can be fatal. Crashes, injuries and fatalities all come with a financial cost to society.

This project involves observing driver distractions on the public roadways throughout Atlantic, Cape May, Cumberland and Salem Counties. The SJTPO included hand-held cell phone use by drivers in its annual seat belt survey and usage ranged from 4% to 6% from 2006 through 2011.

National Occupant Protection Use Survey (NOPUS) is the only nationwide probability-based survey of seat belt use (for adult occupants in both front and rear seats), motorcycle helmet use, child restraint use (for children younger than 8 years old), and driver electronic device use in the United States. It is conducted annually by NHTSA's National Center for Statistics and Analysis. NOPUS is comprised of two sub-surveys: Moving Traffic (MT) survey and Controlled Intersection (CI) survey. In the MT survey, data are collected by observing vehicle occupants either at the roadside or, in the case of expressways, while riding in vehicles in traffic. NOPUS estimates of front seat belt use and motorcycle helmet use are based on the MT survey. The CI survey data are collected at intersections controlled by stop signs or stoplights, where vehicle occupants are observed from the roadside.

For 2009 and 2010, NOPUS identified hand-held cell phone use to be 5%. This number is similar to the SJTPO's hand-held cell phone usage rate identified above. Both surveys used CI survey sites and both determined female usage to be higher than male usage. SJTPO's seat belt survey took place at 78 locations with nearly 20,000 drivers. For this survey, the SJTPO seeks more MT survey data and a larger sampling.

Although cell phone use, both hand-held and hands-free, is the most commonly thought of distraction, the SJTSA is also looking for data on other driver distractions, including eating, reaching, outside distraction, personal grooming and reading for example. The SJTSA is seeking a proposal with a variety of data gathering methods, as well as a large sampling. The method to be used to gather the data must be part of the proposal along with an estimated or minimum sample size.

In addition to the type of distraction, driver observations are to include gender of the driver and type of vehicle (car, van, SUV, pick-up truck or CMV), if possible.

Seat belt survey reports can be found on the Alliance's website, www.SJTSA.org.

NHTSA distracted driving and electronic device use reports, including NOPUS, are available at <http://www-nrd.nhtsa.dot.gov/cats/listpublications.aspx?Id=238&ShowBy=Category>

The objectives of the SJTPO 2014 Traffic Safety Survey are to:

1. Determine an overall distraction rate by drivers for the SJTPO region.
2. Confirm the seat belt survey hand-held cell phone use rate.
3. Identify other driver distractions and rate of distraction.
4. Compare distraction rates for SJTPO region with national and state data.

The consultant shall be responsible to:

- 1) Hire the observers
- 2) Train the observers
- 3) Provide materials for the observers
- 4) Deploy the observers
- 5) Schedule the observers
- 6) Ensure the collection of certain driver and vehicle characteristics (if possible)
- 7) Safeguard the data collected
- 8) Analyze the data
- 9) Provide the formal report

Observer Training

Contractors will train observers and make available the necessary supplies. These supplies include:

- Manual to be part of the field material
- County maps
- Schedules
- Observer forms
- Clipboards and pens or data collection devices
- Orange vests (available from the Alliance, if necessary)

Observer Forms

- Daily Activity Report – a chronological account of the observer's day with mileage and times at each location, lunch and breaks.
- Observation Form – actual observations per site, including: number of vehicles, gender, distraction.
- Tally Form – Total observation data per site with a header with method, street names, municipality, county, date, day of week and time interval.

Data to Collect

- Driver distraction and gender. Vehicle type if possible.

Observations

- Safety is priority. Observations are to be conducted in a manner that does not jeopardize the observers safety or motoring public.
- Accuracy is the imperative. It is not necessary to observe every vehicle that passes by but those that are included need to be correct.
- Observers are to collect data for driver only and vehicle type if possible.
- If a clear determination of distraction cannot be made, the observer should not count that vehicle.

Observer Schedule

The contractor will insure that the observers are assigned sites that are clustered, so that the assigned sites are within close proximity, therefore reducing travel time.

Project deliverables must include, at a minimum, all tangible products derived or produced in the course of completing the work described in the above section.

Report

The contractor will prepare a draft report for the SJTSA to review. Comments and changes from SJTSA will be incorporated into the final report. Consistency with decimals and percentages, one place, is required. The final report needs to contain the language below.

DISCLAIMER

The preparation of this report has been financed in part by the US Department of Transportation and Federal Highway Administration. This document is disseminated under the sponsorship of the US Department of Transportation in the interest of information exchange. The United States Government assumes no liability for its contents or its use thereof.

Deliverables

One (1) draft report and five (5) final hard copy reports, along with one (1) electronic format on CD ROM are required. Microsoft formats, pdf, and any mapping shall be in ArcGIS 9.0 or later version. The proposal should clearly state the specific formats for the deliverables.

B. Schedule

We anticipate a Notice to Proceed on or about Friday, April 3, 2014 and the entire project must be completed by June 30, 2014.

III. CONSULTANT SELECTION

A review committee will evaluate each proposal and may recommend firms to present additional information and appear for interviews. Or, the proposal may be the sole basis for the selection.

Negotiations and award of the contract will be to the firms that provide the most advantageous proposals. The SJTPO reserves the right to reject any and all proposals.

LATE PROPOSALS WILL NOT BE EVALUATED.

The submission should be stapled or bound with no loose pages. The following criteria have been established to guide the evaluation of each consultant proposal with each criterion weighted as indicated below. The proposal must contain the following information:

A. Technical Proposal

- 1. Technical Approach** (Criterion weight: 30 percent): A narrative describing the understanding of the effort and products required, including descriptions of the specific tasks and subtasks to be undertaken.
 - a. The issues or problems and a detailed approach to completing the work program. List and description of deliverables.
 - b. A project schedule indicating project milestones, deliverables, and key meetings using a Notice to Proceed as “Day 0”. The schedule should anticipate review time by other agencies and committees, but time allotments for work under the control of the consultant will be regarded as a commitment.
- 2. Firm Qualifications** (Criterion weight: 25 percent): Qualifications of the firm and any subcontractors:
 - a. A list of similar work, including the name and telephone number of the clients, and a full description of the services provided by the firm. An organizational chart and description of the firm.
 - b. A description of the firm's facilities, number of offices and employees in each office, any special equipment and other factors, (knowledge, skills, etc.) which may affect the delivery of the required services.
- 3. Staff Qualifications** (Criterion weight: 30 percent): Qualifications, experience and office address of firm's and any subcontractor's staff:
 - a. Resumes of the professional staff.
 - b. Location of office that will be performing the work on this project.
- 4. DBE/ESBE Utilization** (Criterion weight: 15 percent)

Federal and State requirements that must be addressed is the mandated DBE/ESBE participation. See Section IV for definition of DBE/ESBE firms. This section must identify any proposed DBE/ESBE firms and the proposed percentage participation in the total contract. Do not cite a dollar amount, as that must be provided in the separate Fee Proposal. **SJTPO utilizes the most recent NJDOT federally approved DBE/ESBE goal (for FY 2013), which is 12.13 percent.**

The highest ranking firms may be invited, at the option of SJTPO, to an interview to present relevant details of their proposals and introduce key staff.

B. Cost Proposal

The Technical Proposals must be accompanied by one (1) hard copy and one (1) electronic copy of the Cost Proposal in a separate, sealed envelope. The cost proposals must include a price and level of effort for the Scope of Work. All other charges, such as fringe benefit, overhead, profit, etc., must be identified, yielding a total project cost. Please also include a list of key personnel arranged by title and level with hourly rates.

If an acceptable contract cannot be negotiated with the selected firm, negotiations will be terminated and SJTPO will initiate discussions with the second ranked firm. The consultant selection and negotiated contract are subject to approval by the U.S. Department of Transportation in accordance with its policies and procedures. The dollar and percentage participation of DBE/ESBE firms must be separately itemized in the cost proposal.

IV. DISADVANTAGED BUSINESS ENTERPRISE (DBE) AND EMERGING SMALL BUSINESS PARTICIPATION (ESBE)

A. General

Regulations of the Department of Transportation relative to Non-Discrimination in Federally assisted projects of the Department of Transportation (49 CFR Part 21), is made part of the Agreement. In order to ensure The State of New Jersey Department of Transportation (NJDOT) achieves its federally mandated statewide DBE goal, SJTPO encourages the participation of Disadvantaged Business Enterprise (DBE) or Emerging Small Business Enterprise (ESBE), as defined below, in the performance of consultant contracts financed in whole or in part with federal funds.

A Disadvantaged Business Enterprise (DBE) is defined in 49 CFR Part 26, as "a small business concern (from Section 3 of the Small Business Act), which is:

1. At least 51 percent owned by one or more 'socially and economically disadvantaged' individuals, or in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more 'socially and economically disadvantaged' individuals: and
2. Whose management and daily business operations are controlled by one or more of the 'socially and economically disadvantaged' individuals who own it.

"Socially and economically disadvantaged" is defined as individuals who are citizens of the United States (or lawfully permanent residents) and who are: "Black Americans," "Hispanic Americans", "Native Americans," "Asian-Pacific Americans", "Asian-Indian Americans", "Women" (regardless of race, ethnicity, or origin); or "Other" disadvantaged pursuant to Section 8 of the Small Business Act).

Emerging Small Business Enterprise: The Emerging Small Business Enterprise (ESBE) referred to herein is defined as a firm that has met the following criteria and obtained small business certification as an ESBE by The State of New Jersey Department of Transportation:

1. A firm must meet the criteria for a small business as defined by the Small Business Administration in 13 CFR Part 121, which includes annual receipts from all revenues, including affiliate receipts which equates to the annual arithmetic average over the last 3 completed tax years, or by the number of employees.

2. The small business must be owned by individuals who do not exceed the personal net worth criteria established in 49 CFR Part 26 which is \$750,000. All appropriately certified DBEs fall into this definition due to their size.

B. Policy

The CONTRACTOR agrees that DBE/ESBE firms shall have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this Agreement, the CONTRACTOR and its subcontractors shall not discriminate on the basis of race, color, national origin or sex in the award and performance of USDOT-assisted contracts in accordance with 49 CFR Part 21. DBE requirements of 49 CFR Part 23 applies to this agreement. The SJTPO strongly encourages the use of DBE/ESBEs in all of its contractual efforts.

C. Certified DBE/ESBE Firms

A list of certified ESBE firms is compiled and is effective for contracts on a per calendar year basis. The current list of certified ESBE firms is available on the website of the New Jersey Department of Transportation <http://www.state.nj.us/transportation/business/civilrights>. Firms who wish to be considered for DBE/ESBE certification are encouraged to contact the NJDOT Office of Civil Rights directly for information on the certification process. Once a firm is certified, the federal portion of the dollar value of the contract or subcontract awarded to the DBE/ESBE is generally counted toward the applicable DBE/ESBE goal. If state matching and/or non-matching funds are also awarded to a DBE/ESBE, the total dollar value of the DBE/ESBE contract or subcontract may also be counted toward the applicable DBE/ESBE goal.

D. Consultant Documentation

If applicable, the Consultant must demonstrate sufficient reasonable efforts to meet the DBE/ESBE contract goals. Additionally, SJTPO has a long-standing commitment to maximize business opportunities available to disadvantaged and DBE/ESBE firms. The consultant's contract is subject to all federal, state, and local laws, rules, and regulations, including but not limited to, non-discrimination in employment and affirmative action for equal employment opportunity. The consultant's contract obligates the consultant to aggressively pursue DBE/ESBEs for participation in the performance of contracts and subcontracts financed in whole or in part with Federal funds. The consultant cannot discriminate on the basis of race, color, national origin, or sex in the award and performance of federally assisted contracts. The consultant contract specifies the DBE/ESBE goal and the DBE/ESBE participation rate for that contract, if applicable. The prime consultant contract must document, in writing, all of the steps that led to any selection of the DBE/ESBE firm(s). Prior to the award of a consultant contract, the consultant must demonstrate sufficient reasonable efforts to utilize DBE/ESBE firms. **SJTPO utilizes the most recent NJDOT federally approved DBE/ESBE goal (for FY 2013), which is 12.13 percent.**

If, at any time you intend to subcontract or modify any portion of the work already under contract, or intend to purchase material or lease equipment not contemplated during the original preparation of your cost proposal, you must notify SJTPO in writing. If, as a result of any subcontract, modification, purchase order, or lease, the actual DBE/ESBE or participation rate for the consultant's contract is in danger of falling below the agreed upon DBE/ESBE participation, then a request must be made for an DBE/ESBE Goal Exemption Modification through SJTPO.

V. EQUAL EMPLOYMENT OPPORTUNITY PROVISION

- A.** Consultant and their subconsultant shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of this contract.
- B.** All potential Consultants must demonstrate a commitment to the effective implementation of an affirmative action plan or policy on equal employment opportunity. The potential Consultant must insure equal employment opportunity to all persons and not discriminate against any employee or applicant for employment opportunity because of race, color, religion, sex, national origin, physical disability, mental disorder, ancestry, marital status, criminal record, or political beliefs. The Consultant must uphold and operate in compliance with Executive Order 11246 and as amended in Executive Order 11375, Titles VI and VII of the Civil Rights Act of 1964, the Equal Employment Opportunity Act of 1972, and the Fair Employment Practices Act.
- C.** In response to this Request for Qualifications/Request for Proposals, the Consultant should furnish a detailed statement relative to its Equal Employment Opportunity practices and any statistical employment information that it deems appropriate, relative to the composition of its work force or its subconsultants.

VI. INSURANCE REQUIREMENTS

- A.** The Consultant shall carry and maintain in full force and effect for the duration of this contract, and any supplement thereto, appropriate insurance. The Consultant shall submit to the SJTPO, a Certificate of Insurance indicating the existence of the coverage required. Policies shall be issued by an insurance company authorized to do business in the State of New Jersey; and approved by the SJTA.
- B.** Insurance similar to that required by the Consultant shall be provided by or on behalf of all subconsultants to cover its operation(s) performed under this contract, and include in all subcontracts. The Consultant shall not be issued the Notice to Proceed until evidence of the insurance coverage required has been received, reviewed, and accepted by the SJTPO.
- C.** The insurance coverage under such policy or policies shall not be less than specified herein.
 - 1. Worker's Compensation and Employer's Liability:
 - a) Each Accident \$ 100,000
 - b) Disease-Each Employer \$ 100,000
 - c) Disease Policy Limit \$ 500,000
 - 2. Comprehensive General Liability:
 - a) Bodily Injury
 - Each Person \$ 250,000
 - Each Occurrence \$1,000,000
 - b) Property Damage
 - Each Person \$1,000,000
 - Aggregate \$2,000,000
 - 3. Comprehensive Automobile Liability:
 - a) Bodily Injury
 - Each Person \$ 500,000
 - Each Occurrence \$1,000,000
 - b) Property Damage
 - Each Occurrence \$ 250,000
 - 4. Professional Liability Insurance:
 - a) Claims made/aggregate \$1,000,000

EXHIBIT A

P.L. 1975, C. 127 (N.J.A.C. 17:27) MANDATORY AFFIRMATIVE ACTION LANGUAGE

PROCUREMENT, PROFESSIONAL AND 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, sex, affectional or sexual orientation. The contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause;

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

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

The contractor or subcontractor; where applicable, agrees to comply with the regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to attempt in good faith to employ minority and female workers consistent with the applicable county employment goals prescribed by N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time or in accordance with a binding determination of the applicable county employment goals determined by the Affirmative Action Office pursuant to N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time.

The contractor or subcontractor agrees to inform in writing appropriate recruitment agencies in the area, including employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation, 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.

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

The contractor and its subcontractors shall furnish such reports or other documents to the Affirmative Action Office as may be requested by the office from time to time in order to carry out the purpose of these regulations, and public agencies shall furnish such information as may be requested by the Affirmative Action Office for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code (NJAC 17:27)**.

EXHIBIT B

NOTICE TO ALL BIDDERS **SET-OFF FOR STATE TAX**

Please be advised that, pursuant to P.L. 1995, c.159, effective January 1, 1996, and notwithstanding any provision of the law to the contrary, whenever any taxpayer, partnership or S corporation under contract to provide goods or services or construction projects to the State of New Jersey or its agencies or instrumentalities, including the legislative and judicial branches of State government, is entitled to payment for those goods or services at the same time a taxpayer, partner or shareholder of that entity is indebted for any State tax, the Director of the Division of Taxation shall seek to set off that taxpayer's or shareholder's share of the payment due the taxpayer, partnership or S corporation. The amount set off shall not allow for the deduction of any expenses or other deductions which might be attributable to the taxpayer, partner or shareholder subject to set-off under this act.

The Director of the Division of Taxation shall give notice of the set-off to the taxpayer and provide an opportunity for a hearing within 30 days of such notice under the procedures for protests established under R.S. 54:49-18. No requests for conference, protest, or subsequent appeal to the Tax Court from any protest under this section shall stay the collection of the indebtedness. Interest that may be payable by the State, pursuant to P.L. 1987, c.184 (c.52:32-32 et seq.), to the taxpayer shall be stayed.

EXHIBIT C

**REQUIRED AFFIRMATIVE ACTION EVIDENCE FOR
PROCUREMENT, PROFESSIONAL AND SERVICES CONTRACTS**

All successful vendors must submit one of the following within seven (7) days of the notice of intent to award:

1. A photo copy of their Federal Letter of Affirmative Action Plan Approval.
- OR
2. A photo copy of their Certificate of Employee Information Report.
- OR
3. A completed Affirmative Action Employee Information Report (AA302).

PLEASE COMPLETE THE FOLLOWING QUESTIONNAIRE AS PART OF THE BID PACKAGE IN THE EVENT THAT YOU OR YOUR FIRM IS AWARDED THIS CONTRACT.

1. Our company has a Federal Letter of Affirmative Action Plan Approval.

Yes_____ No_____

2. Our company has a Certificate of Employee Information Report.

Yes_____ No_____

3. Our company has neither of the above. Please send Form #AA302 (AFFIRMATIVE ACTION EMPLOYEE INFORMATION REPORT). _____Check here

NOTE: This form will be sent only if your company is awarded the bid.

I certify that the above information is correct to the best of my knowledge.

NAME _____
(Please type or print)

SIGNATURE _____

TITLE _____

DATE _____

PHONE _____

FAX _____