



**FURNISH AND INSTALL FENCING  
VARIOUS LOCATIONS**

**BID OPENING:  
TUESDAY, MAY 22, 2018 – 11:00AM**

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VARIOUS LOCATIONS**

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**BEACH HAVEN**  
**NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN that sealed bids will be received and opened by the Borough Clerk of the Borough of Beach Haven, Ocean County, N.J., in the Meeting Room at the Borough Haven Municipal Building, 300 Engleside Ave., Beach Haven, N.J., 609-492-0111 X216 on **May 22, 2018 at 11:00 a.m.** prevailing local time for bid opening for:

**FURNISH & INSTALL FENCING**  
**VARIOUS LOCATIONS**

In accordance with specifications which are on file with the Borough Clerk at the above address and may be reviewed and obtained, Monday through Friday, between the hours of 9:00 AM and 4:00 PM, holidays excluded or by email by contacting [boroughclerk@beachhaven-nj.gov](mailto:boroughclerk@beachhaven-nj.gov). Bidders are required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27. The right is reserved to reject any and all bids.

Sherry Mason, RMC, CMR, CMC  
Borough Manager/Clerk

## INFORMATION FOR BIDDERS

1. Sherry Mason, Municipal Manager/Clerk for the Borough of Beach Haven, Ocean County, New Jersey invites bids for **FURNISH AND INSTALL FENCING, VARIOUS LOCATIONS.**
2. Bids will be received by the Borough of Beach Haven at 11:00am on Tuesday, May 22, 2018, and will then and there be publicly opened and read aloud.
3. Bids forwarded to the Borough of Beach Haven before the time of opening of bids may be withdrawn upon written application of the bidders, who shall be required to produce evidence showing that he is or represents the principal or principals involved in the bid. Bids may not be withdrawn within twenty-four (24) hours of the stipulated time of opening of bids.
4. Bidders are cautioned not to attach any conditions, limitations or provisions to the bid, as such conditions may render their bid informal and may cause its rejection, unless otherwise noted in the specifications. The Borough reserves the right to reject any bid as incomplete that does not meet specifications.
5. Each bid must be submitted on a standard bid form supplied in the bid package and signed by the bidder or principal thereof and shall contain the name, address, email address and telephone number of the bidder. All prices and amounts must be written in ink. All erasures or corrections must be initialed by each signatory to the bid. Each bid shall be contained in a sealed envelope addressed to the Municipal Clerk and shall specify the item for which the bid is submitted and must be delivered on or before the time set forth in the advertisement at the place stipulated. The Borough will not be responsible for bids forwarded through the mail if lost in transit at any time before bid opening.

6. Unless otherwise stipulated in the specifications, the bid must be accompanied by:

**a. Bid guarantee (bid bond, certified or cashier's check)** to the order of the Borough of Beach Haven for ten percent of the amount of the bid. The guarantee used may not exceed \$20,000.00.

**b. Consent of Surety**

**c. Non-Collusion Affidavit**

**d. Disclosure of Investment Activities in Iran**

**e. New Jersey Business Registration Certificate**

**f. IRS form W9**

**g. Affirmative Action information**

**h. Employee Information Report**

7. Bid guarantee will be returned to all except the three (3) apparent low bidders within ten (10) working days after the opening of bids. The remaining bid guarantees, except that of the bidder to whom the contract is awarded, shall be returned within three (3) working days of the date of the contract award. The bid guarantee of the bidder to whom the contract is awarded shall be retained until the contract is executed and the goods are delivered and accepted. If bid proposals are rejected, the guarantees of all bidders will be returned within five (5) working days thereafter.

8. More than one (1) bid from an individual, a firm or partnership, corporation or association or principals under the same or different names shall not be considered. Bids which are obviously unbalanced may be rejected at the option of the Borough.

9. The right is reserved to reject any or all bids in accordance with N.J.S.A.40A:11-13.2 for reasons stated therein and to cancel or terminate a contract anytime the vendor is in non-compliance with the bid specifications.

10. The attention of the bidders is especially directed to the provisions of federal, state, county and municipal law, statutes and regulations that may apply. All pertinent laws, statutes, ordinances and regulations shall be obeyed and complied with.

11. Bidders are required to comply with the requirements of N.J.S.A.10:5-31 and N.J.A.C. 17:27

12. Bills are publicly approved the second Monday of each month at regular meetings of the Municipal Council. All bills approved at that meeting are paid by check and are mailed from the Finance Office within five (5) days. All vouchers submitted for payment must be in the Finance Office by 9 a.m. on the Wednesday preceding the Monday meeting.

13. The successful bidder shall indemnify and save the Borough of Beach Haven harmless from and against all suits, claims, actions or judgments for any injury or damage sustained or alleged to have been sustained by any party or parties by reason of the use of defective materials furnished and delivered under the contract to the awarded to the vendor or by or on account of any act or omission or commission of any contract, and in case any such action shall be brought against the Borough of Beach Haven, the contractor shall immediately take charge of and defend such action and charge the expense of same to the contractor. Upon execution of a contract, successful bidder will furnish a Certificate of Insurance to the Borough naming the Borough as additionally insured.

14. Manufactured products, manufactured in the United States, whenever available shall be used.

15. No deposits or prepayments will be accepted as condition of acceptance of award.

16. N.J.S.A.40A:11-13 requires that any challenges to bid specifications must be submitted to the Municipal Clerk no less than three (3) business days prior to the bid opening. Challenges filed after that time will not be considered.

17. Bidders should be aware that N.J.S.A.40A:11-4 allows in part for the governing body of a contracting unit to disqualify a bidder who would otherwise be determined to be the lowest responsible bidder, if the governing body finds that it has had prior negative experience with that bidder.

18. N.J.S.A.19:44A-20.27 requires that any business entity receiving in any calendar year \$50,000.00 or more in public contracts with public entities must file an annual report with the Election Law Enforcement Commission (ELEC).

19. If a contract is to be awarded, it will be awarded to the lowest responsible bidder whose evaluation by the Borough indicates to the Borough that the award will be in the best interest of the Borough. The Borough reserves the right to award the bid to more than one vendor when it is deemed to be in the best interest of the Borough to do so. The Borough reserves the right to award the contract to different vendors for certain sections of the bid specifications.

20. The fencing sites are available for inspection by calling the public works department for an appointment.

I----- Furnish & Install: Taylor Avenue Basketball Court

Borough will remove existing chain link fence.

All chain link fencing should be 9 gauge, 2" mesh, green vinyl coated.

1. (283') of 10' high chain link, to be installed on existing schedule 40 galvanized posts
2. Replace top, middle, and bottom rails with schedule 40 galvanized pipe, including hardware
3. (66') of 6' high chain link fence with schedule 40 galvanized top, middle, and bottom rails and schedule 40 galvanized posts, set 3' below grade level with cement footing
4. (1) 6' high walk gate, chain link, on schedule 40 pipe, including hardware
5. Install galvanized tension and brace bands for all connections
6. (5) 4" caps

II----- Furnish & Install: Various Gates for Borough Yards

All chain link fencing should be 9 gauge, 2" mesh, black vinyl coated.

1. (4) sliding gates for a 20' wide opening that are 6' high aluminum frame chain link fence on internal roll system. 4" schedule 40 galvanized posts set 3' below grade level with cement footing
2. (1) 20' wide by 6' high double drive swing gate, gate shall be 2" galvanized framing and black vinyl coated 2" X 9 gauge chain link fence. 4" schedule 40 galvanized posts set 3' below grade level with cement footings, includes (2) 48" drop rods
3. Supply all hardware needed for installation

III ----- Furnish & Install: Beach Haven Elementary School

All chain link fencing should be 9 gauge, 2" mesh, black vinyl coated.

1. (650Lf.) Remove fence complete
2. (650Lf.) of 6' high chain link fence, including rails & appropriately sized posts set 3' below grade level with cement footings
3. (2) swing gates for a 4' opening, with 6' tall, chain link fence including appropriately sized schedule 40 galvanized posts set 3' below grade level with cement footings
4. (2) sliding gates with a built in man entrance for a 20' opening, with 6' tall, chain link fence including appropriately sized schedule 40 galvanized posts set 3' below grade level with cement footings
5. Supply all hardware needed for installation

**\*Any surface disturbed by installation must be returned to its previous condition.\***

IV ----- Furnish Materials Only: Materials for Vinyl Fence for Borough Yard

1. (107) Sections of 5' high, 7/8" X 6" picket with 1" spacing contemporary fence, with aluminum stiffener in bottom rail.
2. (113) 5" X 5" X 8' PVC posts

3. (113) New England style post caps
4. (113) 2" X 10' schedule 40 pipes
5. (113) 2" EZ set post brackets (5" PVC post to 2" pipe)
6. (450) White snap caps & clear washers
7. (300) #8 X 3" Stainless Screws

**THIS FORM MUST BE COMPLETED AND SUBMITTED WITH YOUR BID**

	REQUIRED WITH BID	INCLUDED IN BID DOCUMENT
1. PROPOSAL SIGNED IN INK	<u>  X  </u>	_____
2. 10% BID GUARANTEE	<u>  X  </u>	_____
3. CONSENT OF SURETY	<u>  X  </u>	_____
4. DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN	<u>  X  </u>	_____
5. NON-COLLUSION AFFIDAVIT	<u>  X  </u>	_____
6. ACKNOWLEDGEMENT OF RECEIPT OF ADDENDUM FORM (IF ISSUED)	<u>  X  </u>	_____
7. AFFIRMATIVE ACTION FORMS	<u>  X  </u>	_____
8. EMPLOYEE INFORMATION REPORT	<u>  X  </u>	_____
9. NJ BUSINESS REGISTRATION CERTIFICATE	<u>  X  </u>	_____
10. IRS FORM W9	<u>  X  </u>	_____
11. LIST OF ANY EXCEPTIONS, CORRECTIONS, DELETIONS, ADDITIONS (TO BE SUBMITTED ON VENDOR'S LETTERHEAD)	<u>  X  </u>	_____

All necessary documents required are so indicated by an "X" in the "Required" lines. Please check off the documents that you are submitting on the appropriate line.

**FURNISH & INSTALL FENCING, VARIOUS LOCATIONS**

**PROPOSAL**

Pursuant to public advertisement, we the undersigned, hereby declare that we have carefully examined the attached proposal, specifications and bid form sheets for the purchase of the above by the Borough of Beach Haven.

We propose to furnish the base bid proposal according to the requirements of the specifications at a price exclusive of all taxes.

---

**Fencing Materials**      BID: \$ \_\_\_\_\_

**Labor**                      BID: \$ \_\_\_\_\_

**TOTAL BID PRICE: (In figures)**              \$ \_\_\_\_\_

**TOTAL BID PRICE (In words)** \_\_\_\_\_

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

PRINT NAME: \_\_\_\_\_

COMPANY NAME: \_\_\_\_\_

FEDERAL ID # OR SOCIAL SECURITY # \_\_\_\_\_

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

\_\_\_\_\_

PHONE: \_\_\_\_\_

EMAIL: \_\_\_\_\_

**CONSENT OF SURETY**

A performance bond will be required from the successful contractor on this project, and consequently, all bidders shall submit, with their bid, a consent of surety in substantially the following form:

To: \_\_\_\_\_  
(Owner)

Re: \_\_\_\_\_  
(Contractor)

**FURNISH & INSTALL FENCING, VARIOUS LOCATIONS**

This is to certify that the

\_\_\_\_\_  
(Surety Company)

will provide to \_\_\_\_\_ a performance bond  
(Owner)

in the full amount of awarded contract in the event that said contractor is awarded a contract for the above project.

\_\_\_\_\_  
(CONTRACTOR)

\_\_\_\_\_  
(Authorized Agent of Surety Company)

Date: \_\_\_\_\_

**CONSENT OF SURETY MUST BE SIGNED BY AN AUTHORIZED AGENT OR REPRESENTATIVE OF A SURETY COMPANY AND NOT BY THE INDIVIDUAL OR COMPANY REPRESENTATIVE SUBMITTING THE BID.**

**BOROUGH OF BEACH HAVEN**

**ADDENDUM ACKNOWLEDGMENT**

\* When an addendum is issued, this acknowledgment must be attached to the front of the proposal at the time of bidding. Failure to do so will result in bid rejection. If no addendum is issued this page should not be submitted.

**Addendum No.** \_\_\_\_\_

**Addendum No.** \_\_\_\_\_

**Addendum No.** \_\_\_\_\_

**BIDS FOR  
FURNISH & INSTALL FENCING, VARIOUS LOCATIONS**

Acknowledgment is hereby made of the receipt of Addendum No. \_\_\_\_\_  
containing information for the above referenced project.

**BIDDER:** \_\_\_\_\_

**BY:** \_\_\_\_\_

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

**TITLE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**NON-COLLUSION AFFIDAVIT**

State of New Jersey  
County of \_\_\_\_\_

ss:

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

I am \_\_\_\_\_ of the firm of \_\_\_\_\_  
(title or position) (name of firm)

\_\_\_\_\_ the bidder making this Proposal for the bid

entitled **FURNISH & INSTALL FENCING, VARIOUS LOCATIONS**, and that I executed the said proposal with full authority to do so that said bidder has not, directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above named project; and that all statements contained in said proposal and in this affidavit are true and correct, and made with full knowledge that the Borough of Beach Haven 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

\_\_\_\_\_  
(Name of business)

Subscribed and sworn to

before me this day

\_\_\_\_\_, 2 \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
(Type or print name)

\_\_\_\_\_  
**Notary public of**

My Commission expires \_\_\_\_\_

(Seal)

**EXHIBIT A**  
**MANDATORY AFFIRMATIVE ACTION LANGUAGE**  
**N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27**

**GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE  
CONTRACTS**

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

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex. Except with respect to 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, affectional or sexual orientation or sex. Such action shall include, but not 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 provision 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 or sex.

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

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

The contractor or subcontractor agrees to attempt good faith efforts to employ minority and women workers consistent with the applicable county employment goals in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division pursuant to N.J.A.C. 17:27-5.2.

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

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

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

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

- Letter of Federal Affirmative Action Plan Apporval
- Certificate of Employee Information Report
- Employee Information Report Form AA302

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Contract Compliance & 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 N.J.A.C. 17:27.

Company \_\_\_\_\_

Signature \_\_\_\_\_

Title \_\_\_\_\_

BOROUGH OF BEACH HAVEN  
300 ENGLSIDE AVENUE  
BEACH HAVEN, NJ 08008

DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN FORM

BID SOLICITATION # \_\_\_\_\_

VENDOR/BIDDER: \_\_\_\_\_

**PART 1**

**CERTIFICATION**

**VENDOR/BIDDER MUST COMPLETE PART 1 BY CHECKING ONE OF THE BOXES  
FAILURE TO CHECK ONE OF THE BOXES WILL RENDER THE PROPOSAL NON-RESPONSIVE**

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

**CHECK THE APPROPRIATE BOX**

- A. I certify, pursuant to Public Law 2012, c. 25, that neither the Vendor/Bidder listed above nor any of its parents, subsidiaries, or affiliates is listed on the N.J. Department of the Treasury's list of entities determined to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c. 25 ("Chapter 25 List"). Disregard Part 2 and complete and sign the Certification below.
- OR**
- B. I am unable to certify as above because the Vendor/Bidder and/or one or more of its parents, subsidiaries, or affiliates is listed on the Department's Chapter 25 list. I will provide a detailed, accurate and precise description of the activities in Part 2 below and sign and complete the Certification below. Failure to provide such information will result in the proposal being rendered as nonresponsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.

**PART 2**

**PLEASE PROVIDE ADDITIONAL INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN**

If you checked Box "B" above, provide a detailed, accurate and precise description of the activities of the Vendor/Bidder, or one of its parents, subsidiaries or affiliates, engaged in the investment activities in Iran by completing the boxes below.

ENTITY NAME: \_\_\_\_\_  
RELATIONSHIP TO VENDOR/BIDDER: \_\_\_\_\_  
DESCRIPTION OF ACTIVITIES: \_\_\_\_\_  
DURATION OF ENGAGEMENT: \_\_\_\_\_  
ANTICIPATED CESSATION DATE: \_\_\_\_\_  
VENDOR/BIDDER CONTACT NAME: \_\_\_\_\_  
VENDOR/BIDDER CONTACT PHONE NO.: \_\_\_\_\_

*Attach Additional Sheet if Necessary*

**CERTIFICATION**

I, the undersigned, certify that I am authorized to execute this certification on behalf of the Vendor/Bidder, that the foregoing information and my attachments hereto, to the best of my knowledge are true and complete. I acknowledge that the State of New Jersey is relying on the information contained herein, and that the Vendor/Bidder is under a continuing obligation from the date of this certification through the completion of any contract(s) with the State to notify the State in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification. If I do so, I will be subject to criminal prosecution under the law, and it will constitute a material breach of any agreement(s) with the State, permitting the State to declare any contract(s) resulting from this certification void and unenforceable.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name and Title