

**REQUEST FOR BUSINESS PROPOSALS  
UNDER THE LAWS GOVERNING  
COMPETITIVE CONTRACTING**

East Brunswick Public Library  
2 Jean Walling Civic Center  
East Brunswick, New Jersey 08816

## **REQUEST FOR PROPOSALS (RFP)**

**GENERAL INFORMATION** - The East Brunswick Public Library hereby is submitting a Request For Proposals for two self-service checkout stations that desensitize electro-magnetic (EM) security strips and media overlays and checkout items using barcodes. The self check stations must both include a cash/coin acceptor and a credit/debit card fine and fee payment system. The self check stations should not include media case un-lockers.

In accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and, in particular with the Competitive Contracting Sections of that law, N.J.S.A. 40A:11-4.1 through 40A:11-4.5, inclusive, and N.J.A.C. 5:34-4.3 and related provisions, the East Brunswick Public Library (“The Library”) wishes to receive proposals from vendors for two self-check systems for The Library. The Contract will give the vendor the right to sell two self-check systems to the library.

All prospective bidders are informed that this Request For Proposals is subject to all approvals required by law.

This RFP and all attachments constitute the documentation required under N.J.S.A. 40A:11-4.4. The methodology of awarding of a competitive contract is developed in a way that is intended to meet the specific requirements of The Library. In accordance with N.J.S.A. 40A:11-4.4(d), all proposals and contracts shall be subject to the provisions of N.J.S.A. 52:25-24.2 requiring submission of a statement of corporate ownership and the provisions of N.J.S.A. 10:5-31 et seq., concerning equal employment opportunity and affirmative action.

In accordance with N.J.S.A. 40A:11-4.5, a notice of the availability of request for proposal documentation shall be published in an official newspaper of the Township of East Brunswick at least twenty (20) days prior to the date established for the submission of proposals.

In accordance with N.J.S.A. 40A:11-4.5(b), failure to meet the requirements of this RFP may result in The Library disqualifying the vendor from further consideration.

In accordance with N.J.S.A. 40A:11-4.5(d), The Library Board of Trustees reserves the right to reject all proposals for all legal reasons and further reserves the right to award the contract to the vendor, which contract is most advantageous, price and other factors considered.

The Library reserves the right to accept or reject any or all bids, to waive minor irregularities and technicalities, to request rebids on the items and award bids in part or whole as The Library deems it will best serve its interests. The Library reserves the right to waive minor details.

All of the competitive contracting provisions of Chapter 440 of the Laws of 1999 are incorporated herein by reference.

## **EAST BRUNSWICK PUBLIC LIBRARY**

### **NOTICE TO BIDDERS**

Sealed bids will be received and opened by the Manager of Administrative Services at The East Brunswick Public Library, 2 Jean Walling Civic Center, East Brunswick, New Jersey

**BID OPENING DATE:** Friday, June 10, 2011                      **TIME:** 10:00 a.m.

Specifications are online at [www.ebpl.org](http://www.ebpl.org) and on file in the Administration Office of The Library. Paper copies may be obtained by prospective bidders during the hours of 9:00 a.m. to 5:00 p.m. at the cost of \$5.00. Bids must be enclosed in a sealed envelope marked **LIBRARY SELF CHECK PROPOSAL** and must have the **NAME AND ADDRESS** of the bidder on the outside of the envelope. Bids may be hand delivered or mailed by certified mail to the above-mentioned address. No other forms will be accepted.

The Library solicits Requests For Proposals (RFPs) under the competitive contracting provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-4.1 through 4.5. The competitive contracting process shall be administered by MaryEllen Firestone, Director of The East Brunswick Public Library, and by Bertram E. Busch, Esq., Legal Counsel for The East Brunswick Public Library. In accordance with N.J.A.C. 5:34-4.3(c)(2), MaryEllen Firestone may appoint a committee to assist in the evaluation of the Proposals.

Bidders are required to comply with the requirements of P.L. 1975, C.127 (N.J.S.A. 10:5-31). (An act relating to Affirmative Action in relation to discrimination in connection with certain public leases.)

Any entity other than a sole proprietorship submitting a bid, in response to this advertisement, shall accompany such bid with a resolution authorizing its proper officers to submit such a bid and authorize said officers to execute a sale of self-check systems in the event its bid is accepted.

The Library reserves the right to reject any or all bids as in its judgment may be deemed to be most advantageous to The Library, price and other factors considered. The Library also reserves the right to waive any minor irregularity or technicality. In the case of tie bids, The Library shall have the authority to award the Lease to the bidder selected by The Library in its sole discretion.

The Library reserves the right to award a Contract to the bidder receiving the most favorable evaluation, subject to compliance with all Proposal documentation.

MaryEllen Firestone  
Director, East Brunswick Public Library

# **EAST BRUNSWICK PUBLIC LIBRARY**

## **INSTRUCTIONS TO BIDDERS**

### **SECTION 1. COMPETITIVE CONTRACTING.**

Sealed proposals will be received in accordance with public notice advertised as required by law, a copy of said notice being attached hereto and made a part of these Specifications.

The East Brunswick Public Library (“The Library”) is located at 2 Jean Walling Civic Center, East Brunswick, New Jersey 08816, on land owned by the Township of East Brunswick (the Township). The Township has authorized The Library to use the building and all improvements presently on the subject land.

In accordance with the competitive contract sections of the Local Public Contracts Law, N.J.S.A. 40A:11-4.1 through 40A:11-4.5 and N.J.A.C. 5:34-4.3 and related sections, The Library is requesting proposals for two self-check system to The Library.

All bids shall be accompanied by a Statement of Ownership that satisfies the requirements of N.J.S.A. 52:25-24.2. Failure to provide a complete and accurate Statement of Ownership shall result in rejection of the bid.

The public notice sets out the conditions, restrictions and limitations upon the sale, as more particularly set forth in the Specifications.

Bidders are responsible for carefully examining the attached Specifications as well as understanding the conditions under which the self checks will be provided. Failure to offer a complete bid document responsive to all sections of this document may be deemed cause for rejection of the bid for being unresponsive.

Ambiguities, errors or omissions noted by bidder should be promptly reported in writing to the appropriate official. In the event the bidder fails to notify The Library of such ambiguities, errors or omissions, the bidder shall be bound by the bid.

The words “vendor”, “bidder” and “operator” may be used interchangeably in these bid specifications. The words “contract”, “lease”, and “agreement” may also be used interchangeably in these bid specifications. If an Evaluation Committee is appointed to evaluate the proposals which are submitted, reference may be made in these bid specifications to the “Committee”. The Request For Proposal (“RFP”) Documentation includes all bid specifications and attachments.

No oral interpretation of the meaning of the specifications will be made to any bidder. Any and all interpretations and any supplemental instructions will be in the form of written addenda to the specifications, and will be distributed to all prospective bidders, in accordance

with N.J.S.A. 40A:11-23. All addenda so issued shall become part of the Contract and shall be acknowledged by the bidder in the bid. The Library's interpretations or corrections thereof shall be final.

#### Discrepancies in Bids.

1. If the amount shown in words and its equivalent in figures do not agree, the written words shall be binding. Ditto marks are not considered writing or printing and shall not be used.
2. In the event there is a discrepancy between the unit prices and the extended totals, the unit prices shall prevail. In the event there is an error of the summation of the extended totals, the computation by The Library of the extended totals shall govern.

#### Exceptions to Specifications.

For purpose of evaluation where an equivalent product is being furnished in place of one requested, bidder must indicate any variation to our specifications. If no variations are indicated, it will be construed that the bid fully complies with the specifications.

Exceptions, if any, to the bid specifications, shall be noted on the Bid Form. If exceptions are taken, the bidder shall furnish documentation to substantiate equivalency with the item specified. The burden of proof shall be on the bidder. The Library shall be the sole judge as to the equivalency of items bid to the specifications.

## **SECTION 2. PROPOSAL SUBMISSION.**

Please submit three (3) copies of your proposal.

All bids must be received by The Library prior to the time and date set for the bid return, **June 10, 2011, at 10:00 a.m.**

All bids must be placed in a sealed envelope, plainly marked on the outside, ***Library Self Checks Proposal***. The sealed envelope should be addressed as follows:

Ms. MaryEllen Firestone  
Library Director  
East Brunswick Public Library  
2 Jean Walling Civic Center  
East Brunswick, New Jersey 08816

Bids may be hand delivered or mailed and must be marked as indicated in the preceding paragraph. The Library will not assume responsibility for bids forwarded by mail. It is the bidder's responsibility to see that bids are presented to The Library at the time and at the place designated.

The Library disclaims any responsibility for bids forwarded by regular or overnight mail. If the bid is sent by overnight mail, the name and address of the bidder and the title of bid must also appear on the outside of the delivery company envelope. The title of the bid shall be "***Library Self Checks***". Bids received after the designated time and date for bid opening will be returned unopened.

Bidders or their authorized agents are invited to be present when the bids are opened and read publicly at the time specified. No bid may be withdrawn after the opening time and date. All bids become the property of The Library and will not be returned to bidders.

The Board of Trustees will award the bid within sixty (60) days after the opening date at its regular public meeting. The Contract will be awarded to the bidder whose Proposal is most advantageous to The Library, price and other factors considered.

The Library reserves the right to reject any or all of the bids or any part thereof and to waive any minor technicalities.

The bidder must submit pertinent descriptive literature and specifications fully describing all manufacturer's equipment and supplies that will be furnished in connection with this contract.

All bidders must complete the attached required forms and return them along with the bid document:

- Owner Disclosure Statement setting forth the names and addresses of all stockholders or partners owning 10% or more stock in the bidder's corporation or partnership;
- Affirmative Action Affidavit; and
- Non-Collusion Affidavit.

The bidder will state the number of days required to deliver, install and configure the self-check units after the acceptance of the Contract.

Bidders are advised that bid and performance bonds are not required.

All prices and amounts must be written legibly in ink or printed or electronic type. Bids containing any conditions, omissions, unexplained erasures or alterations, items not called

for in the bid proposal form, attachment of additive information not required by the specifications or irregularities of any kind may be rejected by The Library. Any changes, white-outs, strike-outs, etc., on the proposal page must be initialed in ink by the person responsible for signing the bid.

### SECTION 3. BID PRICES.

Bidders must insert prices for furnishing all of the materials and/or labor required by these specifications. All transportation charges shall be fully prepaid by the bidder F.O.B. destination and placement at locations specified by The Library. As specified, placement will require inside deliveries. No additional charges will be allowed for any transportation costs resulting from partial shipments made at the bidder's convenience.

### SECTION 4. 100% GUARANTEE

The bidder must provide a written "One Year Unconditional Satisfaction Guarantee" which states:

"For all equipment that is covered by a one year warranty, if during the first year after the date of installation, the library determines that for any reason it is not satisfied with the performance of the self check system, the library at its discretion may require the removal of the system by the supplier at the supplier's expense. After removal, the library will receive 100% reimbursement of the purchase price for the equipment."

### SECTION 5. SPECIFICATIONS, CONDITIONS, RESTRICTIONS AND LIMITATIONS.

The Library hereby sets forth Specifications, Conditions, Restrictions and Limitations for two self-checks.

#### A. PROPOSAL EVALUATION PROCESS:

Vendor proposals will be scored up to the maximum point value indicated in parentheses in Section 5, Parts B, C, D, E, F and G by a review team from The Library. The review committee will calculate the number of points assigned to each vendor and will submit its final recommendation, based upon the Vendor receiving the highest point total, to the Board of Trustees for approval and award of the contract. The Library reserves the right to reject any and all proposals.

#### B. SPECIFICATIONS REQUIRED (108 points)

## Response to Specifications

Vendors must respond to every functional, technical, and performance requirement contained in the SPECIFICATIONS section of the RFP using the following criteria. Vendor's responses must be in the same order in which points appear in this RFP, and must use the same numbering scheme used in this RFP.

A	Available	Vendor currently supplies this capability a as a basic part of the quoted self check and payment modules.
O	Optional Addition	Vendor currently supplies this capability as an added cost option. Cost information for added cost options must be provided in RFP Section 9: Price and Maintenance Costs.
T	In Testing	Scheduled for commercial release (not beta) within 6 months from the due date of this RFP. Development work is completed and testing is underway. Indicate the expected date for general release for the quoted self check.
Ta	In Testing (additional fee)	Scheduled for commercial release as an <i>added cost option</i> (not beta) within 6 months from the due date of this RFP. Development work is completed and testing is underway. Indicate the expected date for general release for the quoted self check.
D	In development	Testing and release planned within 1 year from the due date of this RFP. Indicate the expected date for general release.
N	Not available	Not planned, and no development underway.

For any specifications to which the Vendor answers other than A (Available), Vendor must describe:

- The feature, function, product, or service being planned or developed, indicating the date after which the function and feature will be available in general release and operation in the system proposed to the Library.
- Whether the Library will incur any added cost for the feature, function, product, or service once it becomes available, either as a direct cost of the feature, function, product, or service, or because the feature, function, product, or service will require replacement of or addition to hardware or software originally proposed for initial installation.
- If the feature, function, product, or service is not available, in development or planned, an explanation of how the specification might otherwise be met using alternative features, functions, products, or services available from the Vendor or a third party partner, including availability dates for any such alternative and any added costs, either direct or indirect.

Any such exception taken to any specification must be stated on the Deviations from specifications. The Library reserves the right to evaluate all proposals solely on the basis of currently existing features, functions, products, or services meeting the specifications as stated.

<b>Self Check Requirements</b>	<b>A</b>	<b>O</b>	<b>T</b>	<b>Ta</b>	<b>D</b>	<b>N</b>
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Self Check Requirements		A	O	T	Ta	D	N
1	The complete self check system, including monitors, computers, scanners and coin/bill acceptors must meet U.S. safety requirements including UL certification. The UL mark shall be displayed on the serial plate of the system .						
2	All equipment and software must have a minimum 12 month warranty.						
3	Service shall be performed only by a service provider that is fully trained and certified by the manufacturer.						
4	Technical support via a toll free phone number and remote troubleshooting of self check systems must be available M-F 9 AM – 9 PM and Sat and Sunday 9 AM – 5 PM. If technical support does not meet this requirement, provide details on availability of technical support.						
5	Replacement of malfunctioning hardware must be provided by the next business day.						
6	Vendor must provide on-site staff training upon completed installation of self-check systems.						
7	Up-to-date user manuals must be provided in hardcopy or PDF.						
8	System must be offered as free-standing kiosk that meets ADA requirements						
9	All system components must be integrated into a kiosk or including printer, monitor, desensitizer, coin/bill acceptor, and credit/debit card payment hardware.						
10	Self check must include the capability to connect to a wired network.						
11	Self check must be able to operate at full performance with normal power mains voltage fluctuations (+/- 10% of nominal voltage).						
12	Self check must completely desensitize Electro-Magnetic security strips or overlays on books and all media after the item has been checked out						
13	Self check must be upgradeable to function with both EM strips and RFID tags. Bidder shall provide supporting documentation concerning this feature.						

Self Check Requirements		A	O	T	Ta	D	N
14	Self check must have a 17" or larger touch screen interface						
15	Self check must use Windows 7 as its operating system						
16	Self check hardware and software must support IPv6						
17	Self check must support ILS SIP2 protocol						
18	Self check must support the ILS NCIP protocol						
19	Self check must offer password protected remote administration.						
20	Self check must offer an option to notify designated staff workstations when a patron is blocked from checkout. Notification should include patron barcode or ID number.						
21	Self check must offer an option to notify designated staff workstations when the self check unit has a technical problem such as the receipt printer is out of paper.						
22	Self Check configuration must be able to be backed up via remote administration by library staff.						
23	Self check administrative functions, other than troubleshooting, must not interrupt customers that are using the Self Check System						
24	System must provide performance statistics. Details must be broken down by day of the week and hour of the day. Details to include: number of transactions, type of transaction, and number of successful and unsuccessful transactions.						
25	Statistical data must be exportable into Microsoft Excel or Microsoft Access.						
26	Self check must be able to read patron barcodes on ID cards, key ring ID cards, Smartcards and on Smartphone screens						
27	Self check must offer a one step process for checkout and desensitization for all books, videogames, CDs and DVDs that are not in locked security cases						

Self Check Requirements		A	O	T	Ta	D	N
28	Self check must be designed to facilitate proper placement of item by allowing customer to easily drop item into position for check-out and desensitization.						
29	Self check must offer multiple item detection capability to prevent borrower from intentionally or unintentionally desensitizing multiple books when reading a single barcode						
30	Self check must support multiple languages and be able to display up to four languages (including Chinese, Korean and Arabic) that the library is not required to translate						
31	Self check must provide visual and audible feedback during the transaction.						
32	Self check audible feedback volume must be adjustable by library staff.						
33	Self check must provide the option to display information from the customer record including # of items checked out, # of items on hold, outstanding fine information, messages, without compromising customer privacy						
34	Self check must offer patrons the option to choose to receive check out and payment receipts as a paper receipt, no receipt or having the receipt e-mailed to them contingent upon patron email address being available in the ILS.						
35	Self check must offer an option for library staff to customize check-in, check-out, and payment receipts, including removing the patron barcode and adding a different patron ID.						
36	System must offer a self check-in option that library staff can configure to be available to customers if desired by the library.						
37	Self check must offer an option to store check-out transactions and transfer the stored transactions to the ILS at a later time so that self check can be used when library's integrated library system (ILS) or library's server is off-line.						
38	Self check must offer patrons the option to renew checked out items that are eligible for renewal according to the parameters set in the ILS.						
39	Self check must be able to renew items that are not present or scanned by the patron.						

Self Check Requirements		A	O	T	Ta	D	N
40	Self check must include a fines and fees system that is integrated into the self-service process and includes monitor displayed graphics.						
41	During a checkout or renewal session, the self check must notify the patron about the total amount of fines and fees currently owed.						
42	If the total amount of unpaid fines and fees exceeds the maximum allowed unpaid fines in the ILS, the self check must notify the patron that checkout cannot proceed because the amount owed exceeds the allowed threshold and provide a payment option.						
43	Self check must offer an option to the library to set max fine thresholds that are different than the max fine allowed in the ILS.						
44	Self check must offer an option to set payment thresholds that will trigger either an optional payment if the amount owed does not exceed the max fine threshold or a required minimum payment before allowing checkout.						
45	Self check must allow patrons to make partial payment of the total amount of fines and fees owed						
46	Self check must show the fine and fee line item details from the Horizon ILS that indicate the reason for each charge. Bidder shall specify for which other integrated library systems the self check can display the fine and fee line item details.						
47	Self check must offer an option to display a custom message on the fine and fee display screen.						
48	If the item being checked out has a rental fee, the self check must notify the patron about the amount of the fee and require the patron to accept the fee before desensitizing or checking out the item.						
49	All item rental fees must be recorded in the ILS when assessed during self-checkout and then marked as paid in the patron's account in the ILS when paid via the self check.						
50	Self check system must include a magnetic card reader to allow library patrons to use their credit/debit card for fine & fee payment.						

Self Check Requirements		A	O	T	Ta	D	N
51	Self check system must include a coin/bill acceptor that allows patrons to pay fines and fees using cash.						
52	Self check payment system must group fine and fine payments as a single transaction for credit/debit cards so that the library is only charged for one card processing fee per customer session						
53	Self Check must include an option to direct the patron to the Circulation Desk when the patron account includes a charge for a lost item and not accept payment for the lost item at the self check.						
54	Self check credit/debit payment system must be compliant with the PCI Data Security Standard (PCI-DSS)						

**C. COMPATIBILITY WITH HORIZON 7.5.1 CHECKOUT AND RENEWAL ITEM FEES (100 points)**

Self check system must be able to charge the checkout and renewal item fees that are new in Horizon 7.5.1.

Two new circulation parameters have been added to Horizon 7.5.1: “Checkout processing fee (staff client)” (parameter 50), and “Renewal processing fee” (parameter 54). The “Checkout processing fee (staff client)” parameter allows libraries to charge borrowers a checkout processing fee in the Horizon staff client when they check out items. The “Renewal processing fee” parameter allows libraries to charge borrowers a renewal processing fee when they renew items they have checked out. The charges and exceptions for both of these new parameters are controlled by item type, borrower type, borrower location, item location, checkout location, or a combination of these.

**D. DEVELOPMENT OF NEW SELF CHECK FEATURES AND PAYMENT METHODS (50 points)**

Bidder shall supply descriptions of new self check system features that are under development, especially plans for incorporating near-field communication (NFC) payment features that will allow users to make payments via SmartPhones, in addition to magnetic stripe credit cards. Scheduled release dates and customer upgrade paths must be provided for features under development.

E. CLIENT REFERENCES FOR SIMILAR WORK PERFORMED (100 points)

Bidder shall submit a complete listing of all previous public library customers who purchased self-service checkout stations that desensitize electro-magnetic (EM) security strips and media overlays and checkout items using barcodes during the past five years. Do not include RFID only customers. The services provided to these clients must have characteristics as similar as possible to those requested in this RFP. Information provided for each client must include the following:

- Client's name,
- date of purchase
- Contact person
- Title
- Address
- Phone number
- E-mail address

Failure to provide the above information may result in the Bidder being disqualified and its proposal not considered. East Brunswick Public Library reserves the right to contact any and all references to obtain, without limitation, information regardless of the Bidder's performance on the listed jobs.

The Library reserves the right to contact any and all references to obtain, without limitation, ratings for the following performance indicators:

- How would you rate the firm's knowledge, skills and efforts in providing self check equipment, installation, initial configuration and training?
- How satisfied were you with the performance of the self checks?
- How satisfied were you with the performance of the self check coin/bill acceptor and credit/debit card payment system?
- How satisfied were you with the technical support and service provided by this company?
- Would you purchase equipment/materials again from this vendor?

A uniform sample of references will be checked for each Bidder. Bidders will be scored on a scale of 1 to 10, with 10 being the highest possible score.

F. EASY TO USE, CUSTOMIZABLE PATRON INTERFACE (100 points)

G. PRICE AND MAINTENANCE COSTS (100 points)

Self-checks must provide an easy to use, customizable patron interface for checkout and payment of fines and fees. To demonstrate self-check ease of use, bidders shall supply screenshots or a video that clearly display the user interface on the monitor during each step of the checkout and fine and fee payment processes. In addition, bidders shall supply a video that shows the complete checkout process from the scanning of the patron barcode to the issuing of the checkout receipt, including payment of fines and item rental fees. The screenshots or videos may be provided via links to websites. In addition, bidders shall supply current self-check operating manuals for the model proposed in the response to this RFP. The manuals may be provided as via links to PDFs on bidder websites.

<b>PRICE DETAIL FORM</b>				
<b>Quantity</b>	<b>Description</b>	<b>Purchase Price</b>	<b>1st year Maintenance</b>	<b>Total maintenance for years 2,3,4,&amp; 5</b>
2	Self check system (including software, computer, monitor and receipt printer) and kiosk			
2	Languages included, specify languages			
2	Additional languages, specify languages available and cost for each			
2	Optional self check software			
2	Optional self check hardware			
2	Coin/bill acceptor			
2	Credit/debit card payment system hardware and software			

	<b>Installation</b>			
	<b>On-site training</b>			
	<b>Shipping</b>			
	<b>All additional costs</b>			
	<b>Total</b>			

H. LEGAL REQUIREMENTS

1. REPRESENTATIONS AND WARRANTIES:

By submitting a bid, the bidder represents and warrants to The Library that it has the financial capacity and the skills, experience, employees and references necessary to provide the specified equipment, technical support and service.

2. LEGAL FORMS:

All bidders must complete or furnish the required forms and return them along with the bid document:

- o Owner Disclosure Statement;
- o Affirmative Action Affidavit; and
- o New Jersey Business Registration Certificate
- o IRS W-9 Form

3. FAILURE TO SIGN Purchase Order:

The failure of the successful bidder to sign the Purchase Order within thirty (30) days of the award of the Contract to the successful bidder shall be sufficient cause to rescind the award. The Library may then reject all bids or may award the bid to another bidder, in accordance with the law.

**4. SHAREHOLDER DISCLOSURE:**

All proposals must include a shareholder disclosure form per N.J.S.A. 52:25-24.2 disclosing the names and addresses of all stockholders in the corporation or partnership who own ten percent or more of its stock or of all of the individual partners in the corporation who own a ten percent or greater interest. See Attachment 1 for the Disclosure Form.

**5. EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION:**

The Library will not discriminate against any contractor based on age, race, creed, color, natural origin, ancestry, marital status, gender, sexual orientation or any other reason prohibited by law. We also expect that the contractor will abide by all equal opportunity and affirmative action language required by N.J.S.A. 10:5-31 et. seq. And all State and Federal requirements set forth in the Law Against Discrimination (“LAD”) and related laws.

**6. NEW JERSEY BUSINESS REGISTRATION CERTIFICATE:**

The vendor should submit a copy of its New Jersey Business Registration Certificate along with the Proposal.

**7. WITHDRAWAL OF BIDS:**

Bids may not be withdrawn after the opening of bids. Furthermore, the attachment of any conditions, limitations, or ancillary provisions by a bidder to the bid proposal will cause the bid to be classified as irregular and will render the bid subject to rejection.

Sealed bids forwarded to The Library before the time of opening of bids may be withdrawn before the time of opening of bids upon written application of the bidder who shall be required to produce evidence showing that the individual is or represents the principal or principals involved in the bid. Once bids have been opened, they must remain firm for a period of sixty (60) calendar days.

**8. DISQUALIFICATION OF A BIDDER AND THE REJECTION OF BID:**

Although not intended to be an exhaustive list of causes for disqualification, any one or more of the following causes, among others, may be considered sufficient for the disqualification of a bidder and the rejection of his/her/its bid:

- a. Evidence of collusion among bidders.
- b. Lack of competency as revealed by financial statements, experience, references, equipment statements or lack of proven ability to provide food services for a café, or other factors.
- c. Lack of responsibility as shown by past work, judged from the standpoint of the failure to demonstrate a quality food services operation as submitted.
- d. Default on a previous Library or Township contract/lease for failure to perform.
- e. Criminal record of principal of bidder within ten (10) years prior to opening of bids.

#### 9. POWER OF ATTORNEY:

Attorneys-in-fact who sign Contract documents must file with each Contract document/bond a certified and effectively dated copy of their power of attorney.

#### I. ACKNOWLEDGMENT

The bidder submitting a bid acknowledges that it has read the entire set of Bid Documents and understands the importance of complying with every provision of the documents. By submitting a bid, the bidder agrees to comply with each and every term and condition of the Bid Specifications and proposed Contract should the bidder be awarded the contract.

If you have any questions about this RFP you can call Heidi Aigler, Manager of Administrative Services, at 732-390-6781.

**EXHIBIT A**

**P.L. 1975, C. 127, (N.J.S.A. 10:5-31)**

**MANDATORY AFFIRMATIVE ACTION LANGUAGE:**

**PROCUREMENT, PROFESSIONAL AND SERVICE LEASE**

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

The bidder or sub-bidder, 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 bidder 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 bidder 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 bidder or sub-bidder, where applicable, will in all solicitations or advertisements for employees placed by or on behalf of the bidder, 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 bidder or sub-bidder, where applicable, will send to each labor union or representative of workers with which it has a collective bargaining agreement or other Lease or understanding, a notice, to be provided by the agency contracting officer

advising the labor union or workers' representative of the bidder's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment;

The bidder or sub-bidder, 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 bidder or sub-bidder 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 bidder or sub-bidder 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 bidder or sub-bidder 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 bidder or sub-bidder 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 bidder and its sub-bidder 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 (N.J.A.C. 17:27).

In accordance with Public Law 1975, Chapter 127, (N.J.S.A. 10:5-31) all successful bidders must submit one of the following forms of evidence:

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 (Form AA302)

Affirmative Action evidence must be submitted within 7 days after receipt of the notification of intent to award the Lease or receipt of the Lease, whichever is sooner.

The bidder's bid must be rejected as non-responsive if a bidder fails to submit (1), (2) or (3) above, within the time specified after the authority submits the Lease to the bidder for signing.

**NOTE TO POTENTIAL BIDDERS**

THE SPECIFICATIONS HEREIN PROVIDED ARE ILLUSTRATIVE IN REGARD TO THE MATERIALS DESIRED. IT IS NOT THE INTENTION OF THE LIBRARY TO PRECLUDE ANY QUALIFIED VENDOR FROM SUBMITTING A BID. THE LIBRARY WELCOMES BIDS WHICH SUBSTANTIALLY MEET AND ARE COMPARABLE TO THE CRITERIA DESCRIBED BY THE SPECIFICATIONS.

NON COLLUSION AFFIDAVIT. (To be supplied with Bid.)

**OWNER DISCLOSURE STATEMENT**  
**(To be submitted with Bid)**

All corporate or partnership bidders shall complete this form which is in accordance with P.L. 1977 Ch. 33, N.J.S.A. 52:25-24.2

List of shareholders or partners with 10% or more of the stock or interest in said corporation or partnership (any listed stockholder or partner that is, itself, a corporation or partnership must also disclose its shareholders or partners as above provided.).

Shareholder or partner	% Interest	Address
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No stockholder or partner of the corporation or partnership holds 10% or more ownership.

Bidder is not a corporation or partnership.

I hereby certify that the information given above is true and correct as of \_\_\_\_\_ .  
(Date of Bid)

Title and Signature of Authorized Representative

If there are any questions concerning this form or its completion, refer to Statute PL. 1977, CH. 33, N.J.S.A. 52:25-24.2

**AFFIRMATIVE ACTION AFFIDAVIT  
(To accompany Bid)**

1. Our company has a Federal Affirmative Action Plan approval.

YES

NO

If yes, a copy of said approval shall be submitted to The Library within seven (7) working days of the notice of intent to award the Contract or the signing of the Contract.

2. Our company has a New Jersey State Certificate of Approval.

YES

NO

If yes, a copy of the New Jersey State Certificate shall be submitted to The Library within seven (7) working days of the notice of intent to award the Contract or the signing of the Contract.

3. If you answered no to both questions above, request an Affirmative Action Employee Information Report (AA-302) be mailed to you. Complete the form and forward it to the Affirmative Action Office, Department of Treasury, CN 209, Trenton, NJ 08625. A copy shall be submitted to The Library within seven (7) days of the notice of the intent to award the Contract or the signing of the Contract.

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

NAME:

SIGNATURE:

TITLE:

DATE:

**EAST BRUNSWICK PUBLIC LIBRARY**

**BIDDER'S FINAL CHECK SHEET**

**WE REQUEST THAT THE FOLLOWING CHECK POINTS BE OBSERVED AND REVIEWED.**

**FOR COMPLETION, PRIOR TO SUBMITTAL OF BID. FAILURE TO PROPERLY COMPLETE THESE DOCUMENTS, ETC., AND FORWARD SAME WITH BID WILL BE GROUNDS FOR REJECTION OF YOUR BID.**

\_\_\_\_\_ **COMPLETE CORPORATE RESOLUTION  
REQUIREMENT IN SPECIFICATIONS. (To be supplied with Bid.)**

\_\_\_\_\_ **COMPLETE STOCKHOLDER DISCLOSURE  
CERTIFICATION REQUIREMENT AS PER  
SPECIFICATIONS. (To be supplied with Bid.)**

\_\_\_\_\_ **MAIL OR HAND CARRY BID TO ARRIVE ON TIME  
AS SPECIFIED IN SPECIFICATIONS. ANY BIDS  
RECEIVED AFTER THE BID OPENING TIME MUST BE  
RETURNED UNOPENED.**

\_\_\_\_\_ **PLEASE INDICATE BID NAME, NUMBER, OPENING  
DATE AND TIME ON OUTSIDE OF ENVELOPE!!**

\_\_\_\_\_ **COMPLETE DATA PERTINENT TO AFFIRMATIVE  
ACTION PROGRAM. (To be Supplied if Awarded Contract.)**

\_\_\_\_\_ **CERTIFICATES OF INSURANCE. (To be supplied if  
Awarded Contract.)**

\_\_\_\_\_ **NON COLLUSION AFFIDAVIT. (To be supplied with  
Bid.)**